

**Amending The 2016 Ulster County Budget To Include Revenues From The Use Fee Associated With Tourism Railroad Operations On The Eastern Segment of the Ulster & Delaware Railroad**

Referred to: The Laws and Rules, Governmental Services Committee (Chairman Roberts and Legislators Belfiglio, Donaldson, R. Parete and Rodriguez), and The Ways and Means Committee (Chairman Gerentine and Legislators Allen, Bartels, Belfiglio, Briggs, Maio, and Maloney)

Chairman Kenneth J. Ronk, Jr. offers the following:

WHEREAS, this resolution has been submitted by the County Executive; and

WHEREAS, Ulster County owns approximately 38.6-miles of the Ulster & Delaware Railroad Corridor (“U&D Corridor”) running from the City of Kingston to the County border at Highmount in the Town of Shandaken; and

WHEREAS, the Ulster County Legislature adopted Resolution No. 488 dated December 15, 2015 which delineated two segments of the U&D Corridor for future tourist rail operations following the expiration of a long-term lease of the entire U&D Corridor, and required the County to release a Request for Proposals (“RFP”) within ninety (90) days of the effective date of the Resolution; and

WHEREAS, the County’s Department of Purchasing released *RFP UC16-033: Tourist Railroad Operator(s) for Ulster & Delaware Railroad* pursuant to the above-mentioned Legislative policy within said timeframe, and after consideration and review of the received proposals and subsequent interviews with said proposers, the Catskill Mountain Railroad Company, Inc. (“CMRR”) was selected as the future operator for the Eastern Segment of the U&D Corridor, which extends approximately 4.5 miles from the eastern end of Kingston Plaza in the City of Kingston to Route 28A in the Town of Ulster (“Eastern Segment”); and

WHEREAS, the CMRR desires to use and occupy the Eastern Segment to operate a tourist railroad, and the County desires to issue a Permit to the CMRR to operate such tourist railroad under the terms and conditions of the Permit, attached hereto as Exhibit A, and which is anticipated to commence on August 1, 2016 and runs until December 31, 2020; and

WHEREAS, the multi-year Permit requires an Annual Use Fee (“Use Fee”) in the amount of Fifty-Thousand Dollars (\$50,000.00) per year payable by CMRR to Ulster County for the Use of the Eastern Segment, and the per diem Use Fee for the remainder of 2016 is Twenty Thousand Nine Hundred One Dollars (\$20,901.00), which is payable on or before December 31, 2016; now, therefore, be it

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RESOLVED, in accordance with the terms of the Permit the 2016 Ulster County Budget is hereby amended as follows:

	<u>INCREASE</u>	<u>AMOUNT</u>
AA.7110.3002-3120.2089 (Rev.#)	Department Income- Other Culture & Rec.	\$20,901.00
AA.7110.3002-4000.4295 (Appr.#)	Building Maintenance & Repair	\$20,901.00

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 20      NOES: 0  
(Absent: Legislators Fabiano, R. Parete and  
Roberts)

Passed Committee: Laws and Rules, Governmental Services July 18, 2016

Passed Committee: Ways and Means on July 19, 2016

FINANCIAL IMPACT:

\$20,901.00 – ADDITIONAL 2016 REVENUE DOLLARS

\$20,901.00 – ADDITIONAL 2016 APPROPRIATION DOLLARS

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 19<sup>th</sup> Day of July in the year Two Thousand and Sixteen, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 20<sup>th</sup> Day of July in the year Two Thousand and Sixteen.

/s/ Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature

Submitted to the County Executive this  
21<sup>st</sup> Day of July, 2016.

Approved by the County Executive this  
22<sup>nd</sup> Day of July, 2016.

/s/ Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature

/s/ Michael P. Hein  
Michael P. Hein, County Executive