

Amending The 2014-2019 Capital Program and Capital Project No. 370, STRIVE – SUNY Ulster Satellite Campus, To Include The Costs of Construction – Department Of Public Works (Buildings And Grounds)

Referred to: The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Allen, Greene, Loughran, and Roberts), The Legislative Programs, Education and Community Services Committee (Chairman Donaldson and Legislators Archer, Gregorius, Lopez, and Wawro), and The Ways and Means Committee (Chairman Gerentine and Legislators Bartels, Belfiglio, Briggs, Maio, Maloney, Provenzano, and Rodriguez)

Chairman of the Public Works and Capital Projects Committee, Dean J. Fabiano, and Deputy Chairman Peter M. Loughran offer the following:

WHEREAS, this resolution has been submitted by the County Executive on behalf of the Department of Public Works; and

WHEREAS, Ulster County is advancing the implementation of the Strategic Taxpayer Relief through Innovative Visions in Education (“STRIVE”) initiative; and

WHEREAS, STRIVE was launched in 2012 as a collaborative initiative between Ulster County, SUNY Ulster, the City of Kingston, and the Kingston City School District to advance mutual goals, including revitalization and adaptive re-use of a vacant urban elementary school building as a community college center, consolidation of County government offices and improvement of service delivery to the public, expansion of educational and job training opportunities for local students, and generation of long-term financial savings to County, City and School District taxpayers; and

WHEREAS, STRIVE has as its cornerstone, the relocation of the SUNY Ulster/ Ulster County Community College (“UCCC”) Extension Center from the Business Resource Center to the former Sophie Finn Elementary School (“Sophie Finn”) at 94 Mary’s Avenue in Kingston, New York, adjacent to Kingston High School; and

WHEREAS, in order for Sophie Finn to be repurposed and utilized as a UCCC extension center, renovations and improvements must be made to the building and site (the “Project”); and

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WHEREAS, on October 16, 2012, the County Legislature created Capital Project No. 370 by Resolution No. 261 in order to authorize \$440,000 for preliminary architectural design and environmental and legal reviews for the Project as recommended by the UCCC Board of Trustees in its resolution dated September 28, 2012, and additionally, the County Legislature adopted Resolution No. 260 accepting \$500,000 in private grant funding from The Dyson Foundation for the Project; and

WHEREAS, on April 16, 2013, the County Legislature pursuant to Resolution No. 97 authorized the Chairman to execute an agreement to receive \$1,500,000 in grant funding (minus a \$15,000 administrative fee) from the New York State Empire State Development Corporation, which was awarded to Ulster County for the Project through the 2012 Consolidated Funding Application competitive process; and

WHEREAS, in May 2013, the voters of the Kingston City School District approved through public referendum the sale of Sophie Finn, which was slated to close in June 2013, to Ulster County for a negotiated cost of \$300,000; and

WHEREAS, on June 18, 2013, following the preliminary architectural design phase and issuance of the Project Feasibility Study, the County Legislature amended Capital Project No. 370 by Resolution No. 178 authorizing an additional \$160,700 for the purpose of architectural and engineering design development, additional legal and SEQRA reviews, and construction management services for the Project, bringing the total Capital Project authorization to \$600,700; and

WHEREAS, on November 19, 2013, following the development of the Schematic Architectural Design for the Project, the County Legislature passed Resolution No. 300 endorsing a revised Project totaling an estimated \$7,057,450, which included Sophie Finn acquisition costs, architectural and engineering expenses, estimated construction costs, construction management fees, abatement costs, and legal and other professional services as recommended and endorsed by the UCCC Board of Trustees in its Resolution dated November 11, 2013; and

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WHEREAS, in December 2013, the County received an additional grant award for \$439,000 through the New York State Environmental Facilities Corporation to add green infrastructure and innovative stormwater elements that were not previously included in the revised Project and would be added as a result of the award of additional State grant funding for such elements, bringing the total estimated project cost to \$7,496,450; and

WHEREAS, on December 17, 2013, the County Legislature passed Resolution No. 391 to adopt and issue a Negative Declaration under 6 NYCRR Part 617 State Environmental Quality Review Act (SEQRA) for the purchase and rehabilitation of Sophie Finn for use as the SUNY Ulster Kingston Extension Center; and

WHEREAS, on March 18, 2014, the County Legislature further amended Capital Project No. 370 pursuant to Resolution No. 96, to authorize an additional \$366,085 for Sophie Finn acquisitions costs and additional architectural and engineering services, including for grant funded green infrastructure elements, bringing the total Capital Project authorization to \$966,785; and

WHEREAS, on April 15, 2014, the County Legislature pursuant to Resolution No. 143 authorized the Chairman to execute an agreement to receive \$439,000 in grant funding from the New York State Environmental Facilities Corporation (“EFC”) for Green Infrastructure elements for the Project, and said agreement was finalized and executed in September 2014 following EFC review and revisions; and

WHEREAS, on May 20, 2014, the County Legislature pursuant to Resolution No. 168 authorized the Chairman to enter into a contract of sale with the Kingston City School District for the purchase of Sophie Finn; and

WHEREAS, on June 24, 2014, final approval from the City of Kingston for the subdivision of the approximately 6-acre Sophie Finn Building site from the Kingston High School property was granted; and

WHEREAS, on August 6, 2014, Ulster County finalized the transfer of ownership of Sophie Finn from the Kingston City School District to Ulster County; and

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WHEREAS, on August 19, 2014, the County Legislature pursuant to Resolution No. 294 amended Capital Project No. 370 to authorize an additional \$461,800 for the costs of abatement of hazardous materials as well as architectural and other professional services related to hazardous material abatement and green infrastructure elements, bringing the total Capital Project authorization to \$1,428,585; and

WHEREAS, in September 2014, hazardous materials abatement at Sophie Finn commenced and bids for construction of the Project were released in order to allow construction to begin in November 2014; and

WHEREAS, it is now necessary to increase funding for Capital Project No. 370 by \$6,402,315.00 for costs associated with construction, including site work, general construction, plumbing, HVAC, and electrical, thereby bringing the total Capital Project authorization to \$7,830,900.00; and

WHEREAS, the sources of funding for the implementation of the Project are as follows: \$3,765,450.00 from the SUNY Office of Capital Facilities; \$1,485,000 from New York State Empire State Development, \$500,000 from The Dyson Foundation; \$439,000 from the New York State Environmental Facilities Corporation; and the remaining \$1,641,450.00 obtained through issuing bonds of Ulster County, which UCCC will finance through lease payments for the Sophie Finn facility; now, therefore, be it

RESOLVED, that the 2014-2019 Capital Program is hereby amended as follows:

STRIVE – SUNY Ulster Satellite Campus	\$7,830,900.00
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and, be it further

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RESOLVED, that Capital Project No. 370 and the Capital Fund are hereby amended as follows:

	<u>INCREASE</u>	<u>AMOUNT</u>
HH.2497.0370-2300.2550 (Appr.#)	Construction	\$6,402,315.00
HH.2497.0370-3500.5710 (Rev.#)	Serial Bonds	\$ 6,402,315.00

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

Passed Committee: Ways and Means on October 15, 2014

Passed Committee: Legislative Programs, Education and Community Services on October 15, 2014

Passed Committee: Public Works and Capital Projects on October 21, 2014

FINANCIAL IMPACT:

\$6,402,315.00 – ADDITIONAL 2014 CAPITAL APPROPRIATIONS

\$6,402,315.00 – ADDITIONAL SERIAL BONDS

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 21st Day of October, 2014, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 22nd Day of October in the year Two Thousand and Fourteen.

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

Submitted to the County Executive this
22nd Day of October, 2014.

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

Approved by the County Executive this
30th Day of October, 2014.

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