

Authorizing The Chair Of The Ulster County Legislature To Execute Various Agreements To Fulfill Requirements For Grant Funding Through The New York State Climate Smart Communities Program For Renewable Energy Equipment At The Golden Hill Housing Site – Department Of Planning

Referred to: The Economic Development, Planning, Education, Employment, Arts and Agriculture Committee (Chairman Cahill and Legislators Corcoran, Criswell, Hewitt, Litts, Maloney and Sperry), The Health, Human Services and Housing Committee (Chairman Uchitelle and Legislators Corcoran, Erner, Lopez, Nolan, Petit, and Stewart), The Energy, Environment and Sustainability Committee (Chairwoman Greene and Legislators Hansut, Levine, Maloney, and Stewart), and The Ways and Means Committee (Chairman Gavaris and Legislators Cahill, Criswell, Roberts, and Ronk)

Chairman of the Economic Development, Planning, Education, Employment, Arts and Agriculture Committee, Brian B. Cahill, and Deputy Chair Herbert Litts, III, offer the following:

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

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) released a request for proposals to solicit projects for Climate Smart Communities grant funding through the 2022 Regional Economic Development Council Awards; and

WHEREAS, pursuant to Resolution No. 351 of July 2022 the Ulster County Legislature authorized the Department of Planning to submit a grant application to the New York State Climate Smart Communities Program for renewable Energy Equipment at the Golden Hill housing site; and

WHEREAS, Ulster County was awarded \$1,684,980.00 in grant funding from NYSDEC, with the matching costs to be comprised of the project design and engineering costs of the overall project, to be paid by the project developer (Pennrose); and

WHEREAS, this project will consist of an approximately 600 kilowatt (kW) solar photovoltaic (PV) system mounted on the buildings to be built as part of Golden Hill Housing Development Project in the City of Kingston; and

WHEREAS, Golden Hill Housing Development Project will be a new neighborhood of all-electric mixed-income, intergenerational housing including 80 units of senior housing and 84 units that are affordable at a range of 30 to 80 percent of the area median income; and

Resolution No. 382 August 15, 2023

Authorizing The Chair Of The Ulster County Legislature To Execute Various Agreements To Fulfill Requirements For Grant Funding Through The New York State Climate Smart Communities Program For Renewable Energy Equipment At The Golden Hill Housing Site – Department Of Planning

WHEREAS, Golden Hill Housing Development Project will also include a 5000-square-foot community building, providing gathering and fitness space for residents and space for local community organizations to offer services; and

WHEREAS, this project is alignment with the NYS Climate Leadership and Community Protection Act (Climate Act), the Ulster County Housing Smart Communities Program, and Ulster County’s Green Energy Policy; and

WHEREAS, Ulster County, the Golden Hill Project developer has agreed to provide matching funds and oversight of solar installation and to fulfill the grant agreement; and

WHEREAS, the Grant requires that the County own the solar array to be located on the buildings at Golden Hill; and

WHEREAS, to effectuate the grant, agreements are needed between the Developer and the County that provide for (i) development of the project to be located on the building located on Golden Hill, (ii) the maintenance and operation of the solar facility, (iii) a power purchase agreement that allows the County to sell power to the facility, and (iv) a necessary environmental easement that provides for the County to maintain ownership of the project as required by the Climate Smart Community Grant awarded by NYSDEC; now, therefore be it;

RESOLVED, that the Chair of the Ulster County Legislature is hereby authorized to execute the agreements, and any amendments thereto, with the Golden Hill Owner LLC as filed with the Clerk of the Legislature that includes: (i) Development Services Agreement, (ii) Maintenance and Operation Agreement, (iii) a Solar Power Purchase Agreement, and (iv) a Climate Change Mitigation Easement,

and move its adoption.

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 20 NOES: 1
(Noes: Legislator Maloney)
(Absent: Legislators Heppner and Stewart)

Resolution No. 382 August 15, 2023

Authorizing The Chair Of The Ulster County Legislature To Execute Various Agreements To Fulfill Requirements For Grant Funding Through The New York State Climate Smart Communities Program For Renewable Energy Equipment At The Golden Hill Housing Site – Department Of Planning

Postponed in Committee: Health, Human Services and Housing as amended on July 5, 2023

Postponed in Committee: Energy, Environment and Sustainability on July 6, 2023

Postponed in Committee: Economic Development, Planning, Education, Employment, Arts and Agriculture on July 6, 2023

Passed Committee: Health, Human Services and Housing on August 1, 2023

Passed Committee: Economic Development, Planning, Education, Employment, Arts and Agriculture on August 1, 2023

Passed Committee: Energy, Environment and Sustainability on August 1, 2023

Postponed in Committee: Ways and Means for one week on August 8, 2023

Passed Committee: Ways and Means as amended on August 15, 2023

FINANCIAL IMPACT:

\$1,684,980.00 – ANTICIPATED 2023 STATE REVENUE

\$1,684,980.00 – ANTICIPATED 2023 APPROPRIATION DOLLARS

Legislator Uchitelle motioned, seconded by Legislator Ronk, to amend the Agreement as presented.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 0

(Absent: Legislators Heppner and Stewart)

Resolution No. 382 August 15, 2023

Authorizing The Chair Of The Ulster County Legislature To Execute Various Agreements To Fulfill Requirements For Grant Funding Through The New York State Climate Smart Communities Program For Renewable Energy Equipment At The Golden Hill Housing Site – Department Of Planning

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 15th Day of August in the year Two Thousand Twenty-Three, 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 18th Day of August in the year Two Thousand Twenty-Three.

[s] Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
18th Day of August 2023.

Approved by the County Executive this
24th Day of August 2023.

[s] Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

[s] Jen Metzger
Jen Metzger, County Executive