

Amending The 2024 Ulster County Budget And The 2024 Capital Budget, To Reallocate ARPA Funding To Sustain Governmental Services Threatened By Revenue Losses Cause By The COVID- 19 Pandemic

Referred to: The American Rescue Plan Act Special Committee (Chairman Corcoran and Legislators Clinton, Levine, Lopez, and Sperry), and The Ways and Means Committee (Chairman Gavaris and Legislators Collins, Hansut, Kovacs, Nolan, and Roberts)

Chairman of the American Rescue Plan Act Special Committee, Thomas Corcoran, Jr., offers the following:

WHEREAS, Ulster County has received the amount of \$34,491,474.00 of funding from the United States Department of the Treasury through the American Rescue Plan Act, State and Local Fiscal Recovery Fund (ARPA-SLFRF); and

WHEREAS, the purpose of the ARPA-SLFRF is to support urgent COVID-19 response efforts to continue to decrease the spread of the virus and bring the pandemic under control; and

WHEREAS, the ARPA-SLFRF further seeks to replace lost public sector revenue to strengthen support for vital public services and help retain jobs; and

WHEREAS, the ARPA-SLFRF also seeks to support immediate economic stabilization for households and businesses; and

WHEREAS, the ARPA-SLFRF seeks to address systemic public health and economic challenges that have contributed to the unequal impact of the pandemic; and

WHEREAS, ARPA-SLFRF is subject to a December 31, 2024 deadline requiring that funds be ‘obligated’ as of this date; and

WHEREAS, the County is allowed to utilize the revenue loss provisions of ARPA-SLFRF to pay for government services as part of the County’s recovery from the COVID-19 pandemic; and

WHEREAS, Resolution No. 400 of 2022 established and funded the Ulster County Agricultural Crisis Relief Program in the amount of One Million, Eight Hundred Eighty-Nine Thousand, Seven Hundred and Two Dollars (\$1,889,702.00) of ARPA-SLFRF to provide assistance to income eligible farmers while also offering funding and establishing a program to protect farmlands and to promote activities related to improved soil health and climate resiliency; and

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WHEREAS, there is currently a remaining unobligated balance of One Million Dollars (\$1,000,000.00) within the County ARPA-SLFRF, Agricultural Crisis Relief Program, which is susceptible to not meeting an ARPA-SLFRF deadline to ‘obligate’ the funds by December 31, 2024; and

WHEREAS, the County wishes to utilize the currently unobligated funds from the County’s ARPA-SLFRF, Agricultural Crisis Relief Program, by providing One Million Dollars (\$1,000,000.00) of ARPA-SLFRF for County government services that would otherwise be funded through appropriated fund balance; and

WHEREAS, the County wishes to simultaneously replenish One Million Dollars (\$1,000,000.00) of funding to the Agricultural Crisis Relief Program within the Department of Economic Development to ensure the program continues to fulfill the purposes outlined within the establishing Resolution No. 400 of 2022 with proper oversight from the Agricultural Service Administrator; and

WHEREAS, Resolution No. 435 of October 18, 2022 established and funded the Boosts for Main Streets program in the amount of Two Million (\$2,000,000.00) Dollars to increase economic vitality and boost community quality of life, especially in economically-disadvantaged areas and areas disproportionately impacted by the pandemic; and

WHEREAS, Resolution No. 436 of October 18, 2022 authorized the execution of a contract with Ulster County Economic Development Alliance to administer the Boost for Main Streets program; and

WHEREAS, the contract authorized with Resolution No. 436 was never executed and the County Executive does not wish to execute the contract in the future; and

WHEREAS, there is currently a remaining unobligated balance of Two Million Dollars (\$2,000,000.00) within the County ARPA-SLFRF which is susceptible to not meeting an ARPA-SLFRF deadline to ‘obligate’ the funds by December 31, 2024; and

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WHEREAS, the County wishes to utilize the currently unobligated funds from the County's ARPA-SLFRF, Boost for Main Streets program by providing Two Million Dollars (\$2,000,000.00) of ARPA-SLFRF funding for County government services that would otherwise be funded through appropriated fund balance; and

WHEREAS, the County wishes to simultaneously replenish Two Million Dollars (\$2,000,000.00) of funding to the ARPA-SLFRF, Boosts for Main Streets Program within the Department of Economic Development to ensure the program continues to fulfill the purposes outlined within the establishing Resolution No. 435 of 2022 with proper oversight from the Department of Economic Development; and

WHEREAS, Resolution No. 289 of 2022 established and funded Capital Project No. 635 – ARPA-SLFRF, Parks program in the amount of Two Million Dollars (\$2,000,000.00) of ARPA-SLFRF; and

WHEREAS, seventeen (17) municipalities have been successfully awarded and contracted funding under the ARPA Parks program; and

WHEREAS, Resolution No. 91 of 2024 acknowledged intent to utilize a portion of the ARPA-SLFRF, Parks program funding in future operating budgets to cover the continuance of the Agricultural Service Administrator through the fiscal years ended December 31, 2025 and 2026, respectively; and

WHEREAS, Resolution No. 91 of 2024 further reduced the ARPA-SLFRF, Parks program by the amount of One-Hundred Fifty-Six Thousand, Four Hundred Forty Nine Dollars (\$156,449.00) to free up ARPA-SLFRF to cover the estimated cost of funding the Agricultural Service Administrator position in the fiscal years 2025 and 2026; and

WHEREAS, the ARPA-SLFRF, Parks program has a remaining unobligated balance of One Hundred and Forty-Five Thousand Seventy-Five (\$145,075.00) Dollars which is susceptible to not meeting an ARPA-SLFRF deadline to 'obligate' the funds by December 31, 2024; and

WHEREAS, it is necessary and appropriate to consider the award process of the ARPA-SLFRF, Parks program complete and to adjust the budget accordingly; and

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WHEREAS, Resolution No. 160 of 2022 funded the Ulster County Land Bank Corporation in the amount of One Million Dollars (\$1,000,000.00) of ARPA-SLFRF; and

WHEREAS, Resolution No. 177 of 2024 acknowledged intent to utilize a portion of the Land Bank Corporation funding in future operating budgets to cover the continuance of ARP Administrative personnel through the fiscal years ended December 31, 2025 and 2026, respectively; and

WHEREAS, Resolution No. 177 of 2024 estimated that the cost of funding administrative staff in the fiscal years 2025 and 2026 will total Seven-Hundred Twelve Thousand, Eight-Hundred Thirty-Two Dollars (\$712,832.00) of ARPA-SLFRF; and

WHERE, Resolution No. 265 of 2024 reallocated Two Hundred and Forty Thousand Six Hundred and Forty-Four (\$240,644.00) Dollars of ARPA-SLFRF from the Land Bank Program to support building a commissary kitchen; and

WHEREAS, a remaining unobligated balance of Forty-Six Thousand, Five-Hundred Twenty-Four Dollars (\$46,524.00) is reasonably anticipated within the Ulster County Land Bank budget which is susceptible to not meeting an ARPA-SLFRF deadline to ‘obligate’ the funds by December 31, 2024; and

WHEREAS, the County wishes to utilize the currently unobligated funds from the Ulster County Land Bank Corporation funding by providing Forty-Six Thousand, Five-Hundred Twenty-Four Dollars (\$46,524.00) of ARPA-SLFRF for County government services that would otherwise have to be funded through appropriated fund balance; and

WHEREAS, Resolution No. 29 of 2022 established and funded the ARPA-SLFRF, Small Business and Economic Recovery program in the amount of One Million Dollars (\$1,000,000.00) of ARPA-SLFRF to provide assistance to small businesses to mitigate the adverse economic impacts of the COVID-19 pandemic; and

WHEREAS, Resolution No. 32 of 2022 authorized the execution of a contract with Ulster County Economic Development Alliance, Inc. to administer the ARPA-SLFRF, Small Business and Economic Recovery program; and

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WHEREAS, the Ulster County Economic Development Alliance, Inc. has completed the execution of the ARPA-SLFRF, Small Business and Economic Recovery program; and

WHEREAS, a remaining unobligated balance of Fifty Thousand, Five Hundred Fifty Eight Dollars (\$50,558.00) within the ARPA-SLFRF, Small Business and Economic Recovery program which is susceptible to not meeting an ARPA-SLFRF deadline to ‘obligate’ the funds by December 31, 2024; and

WHEREAS, it is necessary and appropriate to consider the award process of the ARPA-SLFRF, Small Business and Economic Recovery program complete and to adjust the budget accordingly; and

WHEREAS, Ulster County has approximately \$119,395.00 of ARPA-SLFRF remaining unassigned to a specific project or purpose which is susceptible to not meeting an ARPA-SLFRF deadline to ‘obligate’ the funds by December 31, 2024; and

WHEREAS, the County wishes to utilize the currently unobligated funds and unassigned ARPA-SLFRF by providing \$119,395.00 of ARPA-SLFRF for County government services that would otherwise have to be funded through appropriated fund balance; and

WHEREAS, Resolution No. 30 of 2022 created the ARPA Non-Profit Recovery & Resilience program to provide grants to eligible Ulster County non-profit organizations who have faced negative economic impacts as a result of the COVID-19 public health emergency in the amount of \$1,500,000.00; and

WHEREAS, the ARPA Non-Profit Recovery & Resilience program was increased through budgetary transfer by an additional \$23,468.00, making the program total \$1,523,468.00; and

WHEREAS, the ARPA Non-Profit Recovery & Resilience program has successfully distributed a total of \$1,466,749.00 leaving a remaining balance of \$56,719.00 outstanding; and

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WHEREAS, it is necessary and appropriate to consider the award process of the ARPA Non-Profit Recovery & Resilience program complete and to adjust the budget accordingly; and

WHEREAS, the result of the actions outlined herein will result in the recognition of \$3,418,271.00 of ARPA-SLFRF revenue under the revenue loss provisions of APRA-SLFRF; now, therefore be it

RESOLVED, that the 2024 Ulster County Budget is hereby amended as follows:

	<u>DECREASE</u>	<u>AMOUNT</u>
AA.1310.1081-3400.4095 (Rev.#)	Federal Aid – ARPA	\$ 50,558.00
AA.1310.1081-4300.4505 (App.#)	Professional Services - Other Fees	\$ 50,558.00
AA.1310.1085-3400.4095 (Rev.#)	Federal Aid – ARPA	\$2,000,000.00
AA.1310.1085-4300.4505 (App.#)	Professional Services - Other Fees	\$2,000,000.00
AA.1310.1087-3400.4095 (Rev.#)	Federal Aid – ARPA	\$1,000,000.00
AA.1310.1087-4300.4505 (App.#)	Professional Services - Other Fees	\$1,000,000.00
AA.8989.3700-3400.4995 (Rev.#)	Federal Aid – ARPA	\$ 46,524.00
AA.8989.3700-4300.4505 (App.#)	Professional Services - Other Fees	\$ 46,524.00

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AA.9900.9900-3700.9990 (Rev.#)	Appropriated Fund Balance	\$ 418,271.00
AA.1310.1079-9000.9025 (Rev.#)	Interfund Transfers to Capital Fund	\$ 145,075.00
AA.1310.1080-3400.4095 (Rev.#)	Federal Aid – ARPA	\$ 56,719.00
AA.1310.1080-4300.4505 (App.#)	Professional Services - Other Fees	\$ 56,719.00
HH.7197.0635-4300.4505 (App.#)	Professional Services - Other Fees	\$ 145,075.00
HH.7197.0635-3520.5031 (Rev.#)	Interfund Transfers In from General Fund	\$ 145,075.00
	<u>INCREASE</u>	<u>AMOUNT</u>
AA.1310.1079-3400.4095 (Rev.#)	Federal Aid - ARPA	\$ 3,273,196.00
AA.8021.1085-4300.4505 (Rev.#)	Professional Services - Other Fees	\$ 2,000,000.00
AA.8021.1087-4300.4505 (App.#)	Professional Services - Other Fees	\$1,000,000.00

and, be it further

RESOLVED, that the Commissioner of Finance or designee is hereby authorized and directed to record ARPA-SLFRF Revenue earned related to the revenue loss provisions outline herein,

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and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

Passed Committee: American Rescue Plan Act as amended on October 3, 2024

Passed Committee: Ways and Means on October 10, 2024

FINANCIAL IMPACT:

(\$298,876.00) – DECREASE TO 2024 APPROPRIATION DOLLARS

(\$418,271.00) – DECREASE TO 2024 APPROPRIATED FUND BALANCE

\$ 119,395.00 – INCREASE TO 2024 FEDERAL AID - ARPA

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 October in the year Two Thousand Twenty-Four, 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 17th Day of October in the year Two Thousand Twenty-Four.

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

Submitted to the County Executive this
17th Day of October 2024.

Approved by the County Executive this
25th Day of October 2024.

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

[s] Jen Metzger
Jen Metzger, County Executive