

**Amending The 2022 - 2027 Capital Improvement Program –
Amending Capital Project No. 604 – ARPA Water And Sewer
Infrastructure – Amending The 2022 Capital Fund Budget –
Department Of Finance**

Referred to: The American Rescue Plan Act Special Committee (Chairman Criswell and Legislators Corcoran, Levine, Lopez, and Sperry), The Public Works, Capital Projects and Transportation Committee (Chairwoman Petit and Legislators Fabiano, Litts, Nolan, and Stewart), and The Ways and Means Committee (Chairman Gavaris and Legislators Cahill, Fabiano, Ronk, and Walter)

Legislators Joe Maloney, Laura Petit and Eric Stewart offer the following:

WHEREAS, the United States Department of Treasury has notified Ulster County that funding for the American Rescue Plan Act (ARPA) is available in the amount of \$34,491,474.00; and

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

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

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

WHEREAS, to date, over \$30 million has been approved in various expenditures ranging from creation of administrative positions within government to committing funding to implement the Ulster County respite house and crisis stabilization center policies; and

WHEREAS, in allocating the ARPA funding, the Ulster County Legislature intends to make fair investments that result in positive, long-term benefits for as many Ulster County communities as possible; and

WHEREAS, government has a responsibility to ensure that all people can enjoy their basic human right to quality, available, acceptable, accessible, and affordable water; and

WHEREAS, the Final Rule released by Treasury on January 6, 2022, allows the County to make investments in water infrastructure under section 602(c)(1)(d) and 603(c)(1)(d), which can include lead service, line replacement, and other activities to identify and remediate lead in water; and

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WHEREAS, water and sewer infrastructure investments would stimulate the economy, attract businesses, and allow for tourist movement by facilitating conditions that are more conducive to business activity and tourism; and

WHEREAS, the completion of water infrastructure for certain drinking water projects may support population growth; and

WHEREAS, such water and sewer infrastructure projects are unlikely to be made using private sources of funds; and

WHEREAS, in furtherance of ensuring the basic human right to water, Ulster County established a program to partner with municipalities to match up to \$50,000.00 per water or sewer infrastructure project; and

WHEREAS, the program was so successful that it is necessary to amend Capital Project No. 604 so additional municipalities may obtain improved access to clean drinking water, improved wastewater and/or stormwater and sewer infrastructure systems; and

WHEREAS, in accordance with Charter Section C-11, the funding for the capital projects proposed herein shall require subsequent Legislative approval; and

WHEREAS, a second round of funding shall be made available to municipalities that were not funded in the first round; now, therefore be it

RESOLVED, that Capital Project No. 604 be amended as follows:

| | <u>INCREASE</u> | <u>AMOUNT</u> |
|------------------------------------|--------------------------------|----------------------|
| HH.8097.0604.4300.4505 (App. #) | Fees for Professional Services | \$1,000,000.00 |
| HH.8097.0604.3400.4097 (Rev. #) | Federal Aid | \$1,000,000.00 |

and, be it further

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RESOLVED, that funding of the Capital Projects established by this Resolution, and any contracts in excess of \$50,000 or contract amendments which cause such contracts to exceed the aggregate sum of \$50,000, made in connection with such Capital Projects, shall be subject to the further approval of the Ulster County Legislature, and, be it further

RESOLVED, that any criteria developed for project selection in furtherance of this program shall be reviewed with the American Rescue Plan Act Special Committee and the Public Works and Capital Projects Committee prior to any project being approved for participation in this program,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

No Action Taken in Committee: American Rescue Plan Act on October 26, 2022

Passed Committee: American Rescue Plan Act on _____.

Passed Committee: Public Works and Capital Projects on _____.

Passed Committee: Ways and Means on _____.

FINANCIAL IMPACT:

\$1,000,000.00 – ADDITIONAL COUNTY CAPITAL FUND APPROPRIATIONS

\$1,000,000.00 – 2022 FEDERAL CAPITAL FUND REVENUES - ARPA