

Authorizing The County Of Ulster To Submit An Application And Assurances To The New York State Housing Trust Fund (HTFC) As Part Of NYS Homes And Community Renewal For The Leading In Lead Prevention Pilot Program – Planning Department

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), and The Ways and Means Committee (Chairman Gavaris and Legislators Cahill, Criswell, Roberts, and Ronk)

Chairman of the Health, Human Services and Housing Committee, Abe Uchitelle, and Deputy Chair Craig V. Lopez offer the following:

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

WHEREAS, exposure to lead can seriously harm a child’s health and cause well-documented adverse effects, such as damage to the brain and nervous system, slowed growth and development, learning and behavior problems, hearing and speech problems leading to lower IQ, decreased ability to pay attention, and underperformance in school; and

WHEREAS, children who live in housing built before 1978 are at the greatest risk of lead exposure due to the use of lead-based paints and presence of pipes, faucets, and plumbing fixtures containing lead; and

WHEREAS, data shows that within the City of Kingston and in the 12401zip code, households have the highest annual incidence of Elevated Blood Lead Level (EBLL) in Ulster County and where more than 86.9% of housing in the City was built before 1950; and

WHEREAS, the Ulster County Department of Health administers the Ulster County Childhood Lead Poisoning Prevention Program intended to protect Ulster County children from lead exposure; and

WHEREAS, Governor Kathy Hochul’s 2023 State of the State proposed an unprecedented and comprehensive solution to lead poisoning prevention in New York, including \$20,000,000 for the purposes of lead abatement, which is made available through this NOFA; and

WHEREAS, the Governor’s 2023 proposed budget also includes a proposal to amend Public Health Law by adding a new section 1377 – State rental registry and proactive inspections to identify lead hazards; and

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WHEREAS, the amended law would direct the NYS Commissioner of DOH to promulgate regulations for administration, coordination, and enforcement of the section including the establishment of fines for non-compliance; and

WHEREAS, the rental registry would cover residential dwellings with two or more rental units built prior to 1980 and located within communities of concern as identified by New York State Department of Health; and

WHEREAS, the amendment, if adopted, specifies that compliance with the rental registry and applicable regulations will be a condition for issuance of a certificate of occupancy or certificate of compliance following a periodic fire safety and property maintenance inspection for multiple dwellings; and

WHEREAS, the “Leading in Lead Prevention Pilot Program” Notice of Funding Availability (NOFA) was released on October 27, 2023, as pilot program to help remediate applicable housing units in anticipation of the Rental Registry regulations going into full effect in 2025; and

WHEREAS, eligible applicants for the NOFA are county governments that serve one or more of the communities of concern, which in Ulster County is limited to the 12401 zip code; and

WHEREAS, based on the proportionate number of rental units, as reported in the U.S. Census, as well as the U.S. Department of Housing and Urban Development (HUD) deteriorated paint index, a total of \$327,376 has been allocated for lead remediation of eligible housing units in the 12401 zip code; and

WHEREAS, the NOFA notes that strong applications should demonstrate a partnership between local health departments and the County’s community development/planning/and/or housing departments; and

WHEREAS, Ulster County, through its use of Community Development Block Grant funds and its ongoing reporting and assessment of elevated lead risks, is proposing an application that would be a collaboration between its Planning and Health Department in administering these programs; and

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WHEREAS, if awarded, and as required by the NOFA, these departments will work with HTFC staff to create a work plan, which shall include identification of owner participants, pre-remediation home inspections, possible temporary tenant relocation, lead remediation oversight, and post-remediation home inspections and dust wipe clearance tests; and

WHEREAS, in furtherance of the health of the households within the eligible area of Ulster County, the County desires participate in the “Leading in Lead Prevention Pilot Program;” now, therefore be it

RESOLVED, that the Ulster County Executive or her designee is hereby authorized to submit an application, as well as all necessary understandings, assurances, and additional information as may be required, to the New York State Office of Community Renewal for the Leading in Lead Prevention Pilot Program, consistent with the funding levels, purposes, and other criteria as provided for in the NOFA,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22 NOES: 0
(Absent: Legislator Stewart)

Passed Committee: Economic Development, Planning, Education, Employment, Arts and Agriculture on December 5, 2023

Passed Committee: Health, Human Services and Housing on December 11, 2023

Passed Committee: Ways and Means on December 12, 2023

FINANCIAL IMPACT:

\$327,376.00 – ANTICIPATED REVENUE DOLLARS (PASS THROUGH NYS HOUSING TRUST FUND CORP.)

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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 18th Day of December 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 22nd Day of December in the year Two Thousand Twenty-Three.

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

Submitted to the County Executive this
22nd Day of December 2023.

Approved by the County Executive this
26th Day of December 2023.

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

[s] Jen Metzger
Jen Metzger, County Executive