

**Ways &
Means Committee
Regular Meeting Minutes**

DATE & TIME: October 19, 2021 – 5:00
LOCATION: Available via vimeo at <https://livestream.com/accounts/1512750/events/1824203>
PRESIDING OFFICER: John Gavaris, Chairman
LEGISLATIVE STAFF: Natalie Kelder, Amber Feaster, and Jay Mahler
PRESENT: Legislators Kenneth J. Ronk, Jr. (arrived at 5:09 PM), Lynn Archer, Tracey Bartels, Heidi Haynes, Mary Beth Maio, John Parete, and Eve Walter (via video conference); and Legislative Chairman David B. Donaldson
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislators Al Bruno, Tom Corcoran, Peter Criswell, Jim Delaune, Dean Fabiano, Manna Jo Greene, Jonathan Heppner, Herbert Litts III, Laura Petit, Abe Uchitelle, and Mary Wawro; Clerk of the Legislature, Victoria Fabella; Legislative Counsel Christopher Ragucci; Minority Counsel Nicholas Pascale; Deputy County Executives Marc Rider, and John Milgrim; Commissioner of Finance Burt Gulnick; Comptroller March Gallagher; Director of Economic Development Tim Weidemann

- **Chairman Gavaris called the meeting to order at 5:01 PM**

Director of Economic Development Tim Weidemann spoke from 5:02 PM to 6:03 PM on Resolutions No. 450 and 451 pertaining to the redevelopment of Enterprise West and correlating contract(s) with the Ulster County Economic Development Agency (UCEDA). Director Weidemann expressed the need for a property appraisal, a survey, and funding legal and architectural fees in order to partner with a developer to achieve the intended end-use of the property. Discussion pursued on the end goal for the property, the reasons why past goals are no longer being pursued, UCEDA's tax obligations from property ownership which the County will be asked to cover, communications with the Legislature on the Project, UCEDA's monetary contributions to the Project, and the intention of future County use of the building.

Commissioner of Finance Burt Gulnick spoke from 6:03 PM to 6:08 PM on the 2022 County Executive Recommended Budget for the Finance, Budget & Innovation, and Real Property Departments, explaining personnel changes, stating desire to improve the Capital Improvement Program, and disclosing major changes in anticipated revenues and expenditures for 2022.

Motion No. 1: To approve Resolution No. 374 - Setting A Public Hearing On Proposed Local Law No. 6 Of 2021, A Local Law Repealing Local Law Number 2 Of 2013, And Establishing The Ulster County School-Based Mental Health And Safety Act Of 2021, To Be Held On Tuesday, November 16, 2021 At 7:00 PM

Resolution Summary: This Resolution sets a public hearing on Proposed Local Law No. 6 Of 2021, A Local Law Repealing Local Law Number 2 Of 2013, And Establishing The Ulster County School-Based Mental Health And Safety Act Of 2021 to be held on Tuesday, November 16, 2021 at 7:00 PM.

Motion Made By: Legislator Donaldson
Motion Seconded By: Legislator Bartels

Discussion: Legislator Bartels vocalized concern with select language in the law which may require the County to reimburse Schools for work already being completed and paid for by the Schools, stating desire to better understand what the law requires on a programmatic level and to add language prescribing how money will be spent. Further, Legislator Bartels requested that a 2nd public hearing take place if substantive changes to the Law are made.

Voting In Favor: Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Maio, Parete, and Walter; and Legislative Chairman Donaldson
Voting Against: None
No. of Votes in Favor: 9
No. of Votes Against: 0
Disposition: Approved

Motion No. 2: To approve Resolution No. 445 – Authorizing Design And Planning Costs In Connection With The Construction Of An Ulster County Public Safety Communications Building, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$1,353,624.00, And Authorizing The Issuance Of \$1,353,624.00 Bonds Of Said County To Pay The Cost Thereof

Resolution Summary: This Resolution authorizes the issuance of \$1,353,624.00 Bonds upon the establishment of Capital Project No. 607 Government Operations Center to provide comprehensive full phase architectural, engineering and/or consulting services for the design of the new Ulster County Public Safety Communications Building to include the Ulster County Emergency Operations Center (EOC)/Government Operations Center (GOC), all the divisions of the Ulster County Department of Emergency Services, and the County’s Public Safety Answering Point (PSAP).

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Donaldson

Discussion: None

Voting In Favor: Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Maio, Parete, and Walter; and Legislative Chairman Donaldson

Voting Against: None

No. of Votes in Favor: 9

No. of Votes Against: 0

Disposition: Approved

Motion No. 3: To discuss Resolution No. 450 – Establishing Capital Project No. 601 – Small Business And Economic Recovery – Department Of Economic Development

Resolution Summary: This Resolution establishes Capital Project No. 601 – Small Business And Economic Recovery which allocates \$435,000.00 of American Rescue Plan Act (ARPA) funds via contract to the Ulster County Economic Development Alliance (UCEDA) for the purposes of preparing the Enterprise West properties and buildings for redevelopment.

Motion Made By: Legislator Donaldson
Motion Seconded By: Legislator Ronk

Discussion: Legislator Ronk said he is prepared to support the money to cover the appraisal, surveys, and legal fees but that he is not prepared to cover the other costs. Legislator Ronk explained that he would be open to considering these additional costs once more concrete plans for the property are complete, emphasizing that a direct relationship to an end-goal is necessary. Legislators Archer and Bartels agreed that better direction and stronger communication are necessary in the forward movement of the project. Discussion pursued on the property taxes owed. Legislator Ronk motioned to amend the Resolution to fund only property appraisals, property surveys, and legal fees, for a total of \$170,000.00.

Motion No. 4: To amend Resolution No. 450 – Establishing Capital Project No. 601 – Small Business And Economic Recovery – Department Of Economic Development

Resolution Summary: This Resolution establishes Capital Project No. 601 – Small Business And Economic Recovery which allocates \$435,000.00 of American Rescue Plan Act (ARPA) funds via contract to the Ulster County Economic Development Alliance (UCEDA) for the purposes of preparing the Enterprise West properties and buildings for redevelopment.

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Maio

Discussion: Legislative Chairman Donaldson asked if Committee members would consider including the water and sprinkler system. Legislator Ronk explained the items included in the amendment were disclosed as necessary for all contracts to move forward, expressing belief that this displays good faith to the contractor interested in the property while also allowing time for the EDA to meet with the Legislature to work on trust and confidence on the Project as a whole. Legislative Chairman Donaldson expressed belief that architecture and design should be included to display good faith. Further discussion pursued on the potential for the City of Kingston to shut off the building's water.

Voting In Favor: Legislators Ronk, Archer, Bartels, Maio, Parete, and Walter
Voting Against: Legislators Gavaris, and Haynes; and Legislative Chairman Donaldson
No. of Votes in Favor: 6
No. of Votes Against: 3
Disposition: Approved

Motion No. 5: To approve Resolution No. 450 – Establishing Capital Project No. 601 – Small Business And Economic Recovery – Department Of Economic Development, as Amended

Resolution Summary: This Resolution establishes Capital Project No. 601 – Small Business And Economic Recovery which allocates \$170,000 ~~435,000.00~~ of American Rescue Plan Act (ARPA) funds via contract to the Ulster County Economic Development Alliance (UCEDA) for the purposes of preparing the Enterprise West properties and buildings for redevelopment.

Motion Made By: Legislator Donaldson
Motion Seconded By: Legislator Ronk

Discussion: None

Voting In Favor: Legislators Ronk, Archer, Bartels, Maio, Parete, and Walter
Voting Against: Legislators Gavaris, and Haynes; and Legislative Chairman Donaldson
No. of Votes in Favor: 6
No. of Votes Against: 3
Disposition: Approved

Motion No. 6: To discuss Resolution No. 451 – Approving The Execution Of A Contract For \$435,000.00 Entered Into By The County – Ulster County Economic Development Alliance, Inc. – Department Of Economic Development

Resolution Summary: This Resolution approves the execution of a contract with Ulster County Economic Development Alliance, Inc. from November 1, 2021 through December 31, 2022 for economic development services which shall include but not be limited to the redevelopment of portions of the former IBM campus in the Town of Ulster, known as Enterprise West, which

actions are intended to prepare the site, properties, and buildings for redevelopment in the amount of \$435,000.00.

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Maio

Discussion: Legislator Ronk noted that the Resolution will have to be amended for consistency with Resolution No. 450, motioning to amend the Resolution to fund only property appraisals, property surveys, and legal fees, for a total of \$170,000.00.

Motion No. 7: To amend Resolution No. 451 – Approving The Execution Of A Contract For \$435,000.00 Entered Into By The County – Ulster County Economic Development Alliance, Inc. – Department Of Economic Development

Resolution Summary: This Resolution approves the execution of a contract with Ulster County Economic Development Alliance, Inc. from November 1, 2021 through December 31, 2022 for economic development services which shall include but not be limited to the redevelopment of portions of the former IBM campus in the Town of Ulster, known as Enterprise West, which actions are intended to prepare the site, properties, and buildings for redevelopment in the amount of \$435,000.00.

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Maio

Discussion: None

Voting In Favor: Legislators Ronk, Archer, Bartels, Haynes, Maio, Parete, and Walter; and Legislative Chairman Donaldson

Voting Against: Legislator Gavaris

No. of Votes in Favor: 8

No. of Votes Against: 1

Disposition: Approved

Motion No. 8: To approve Resolution No. 451 – Approving The Execution Of A Contract For \$170,000 ~~435,000.00~~ Entered Into By The County – Ulster County Economic Development Alliance, Inc. – Department Of Economic Development, as amended

Resolution Summary: This Resolution approves the execution of a contract with Ulster County Economic Development Alliance, Inc. from November 1, 2021 through December 31, 2022 for economic development services which shall include but not be limited to the redevelopment of portions of the former IBM campus in the Town of Ulster, known as Enterprise West, which actions are intended to prepare the site, properties, and buildings for redevelopment in the amount of \$170,000 ~~435,000.00~~.

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Maio

Discussion: None

Voting In Favor: Legislators Ronk, Archer, Bartels, Maio, Parete, and Walter; and
Legislative Chairman Donaldson

Voting Against: Legislators Gavaris, and Haynes

No. of Votes in Favor: 7

No. of Votes Against: 2

Disposition: Approved

Motion No. 9: To approve Resolution No. 459 – Authorizing Purchase Of Buses, For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$91,000.00, And Authorizing The Issuance Of \$91,000.00 Bonds Of Said County To Pay The Cost Thereof

Resolution Summary: This Resolution authorizes the issuance of \$91,000.00 Bonds for amendments upon notification that \$72,800.00 of additional Federal Section 5311 funds were made available to UCAT as part of its 2020 allocation, whereas this allocation is equal to 80% of the total expenditure and New York State has a 10% share of \$9,100.00 and Ulster County has a 10% share of \$9,100.00.

Motion Made By: Legislator Donaldson

Motion Seconded By: Legislator Ronk

Discussion: None

Voting In Favor: Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Maio, Parete, and Walter; and Legislative Chairman Donaldson

Voting Against: None

No. of Votes in Favor: 9

No. of Votes Against: 0

Disposition: Approved

Motion No. 10: To approve Resolution No. 461 – Authorizing The UCAT Equipment And Facility Upgrades, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$384,720.00, And Authorizing The Issuance Of \$384,720.00 Bonds Of Said County To Pay The Cost Thereof

Resolution Summary: This Resolution authorizes the issuance of \$384,720.00 Bonds upon the establishment of Capital Project No. 610 - UCAT Equipment & Facility Upgrade for the New York State Department of Transportation's (NYSDOT's) Modernization and Enhancement Program, of which \$205,730 is being sought for immediate use for upgrades to UCAT bus

technical equipment, and for NYSDOT's Accelerated Transit Capital which included funds in the amount of \$178,990 for upgrades to UCAT bus technical equipment.

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Archer

Discussion: None

Voting In Favor: Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Maio, Parete, and Walter; and Legislative Chairman Donaldson

Voting Against: None

No. of Votes in Favor: 9

No. of Votes Against: 0

Disposition: Approved

Motion No. 11: To block Resolutions No. 464, 468, 471, and 475

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Maio

Discussion: None

Voting In Favor: Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Maio, Parete, and Walter; and Legislative Chairman Donaldson

Voting Against: None

No. of Votes in Favor: 9

No. of Votes Against: 0

Disposition: Approved

Motion No. 12: To approve the following Resolutions:

Resolution No. 464 – Authorizing The Issuance Of An Additional \$619,822.00 Bonds Of The County Of Ulster, New York, To Pay Part Of The Rehabilitation Of The Sawkill Church Bridge And Powdermill Bridge In The Town Of Kingston, In And For Said County

Resolution Summary: This Resolution authorizes the issuance of \$619,822.00 Bonds for amendments to Capital Project No. 584, Bridge Superstructure Repairs to enter into a contract for the rehabilitation of the Sawkill Church Bridge in the Town of Kingston and Powdermill Bridge in the Town of Kingston.

Resolution No. 468 – Authorizing Hydraulic Design And Planning Costs In Connection With The Bridge Street Bridge In The Town Of Shandaken, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$150,000.00, And Authorizing The Issuance Of \$150,000.00 Bonds Of Said County To Pay The Cost Thereof

Resolution Summary: This Resolution authorizes the issuance of \$150,000.00 Bonds upon the establishment of Capital Project No. 608 - Bridge Street Bridge, Town Of Shandaken to accept grant funding for design costs, and amends the Capital Improvement Program and Capital Fund accordingly.

Resolution No. 471 – Authorizing The Replacement Of The Plank Road Culvert In The Town Of Shandaken, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$95,350.00, And Authorizing The Issuance Of \$95,350.00 Bonds Of Said County To Pay The Cost Thereof

Resolution Summary: This Resolution authorizes the issuance of \$95,350.00 Bonds for the establishment of Capital Project No. 609, Plank Road Culvert, Town Of Shandaken to accept grant funding for future construction costs, and amends the Capital Improvement Program and Capital Fund Budget accordingly.

Resolution No. 475 – Authorizing Roof Reconstruction At Various UCCC Facilities At The Ulster County Community College Campus At SUNY, In And For The County Of Ulster, New York, At A Maximum Estimated Cost Of \$500,000.00, And Authorizing The Issuance Of \$500,000.00 Bonds Of Said County To Pay The Cost Thereof

Resolution Summary: This Resolution authorizes the issuance of \$500,000 Bonds upon the approval of Work Order 2019-009B with the Dormitory Authority of the State of New York (DASNY) for design, testing and construction services of emergency roof work at various buildings on campus related to the Campus Roofs Capital Project No. 489 – Campus Roofs.

Motion Made By: Legislator Ronk

Motion Seconded By: Legislator Maio

Discussion: None

Voting In Favor: Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Maio, Parete, and Walter; and Legislative Chairman Donaldson

Voting Against: None

No. of Votes in Favor: 9

No. of Votes Against: 0

Disposition: Approved

Motion No. 13: To approve Resolution No. 478 – Authorizing The Chair Of The Ulster County Legislature To Sign An Agreement With The Town Of Rochester In Ulster County For The Use Of Polling Equipment And Material – Ulster County Board Of Elections

Resolution Summary: This Resolution authorizes the Chair of the Legislature to sign an agreement, and any amendments thereto, with the Town of Rochester for the use of polling equipment and material for the December 7, 2021 Ulster County Town election.

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Archer

Discussion: None

Voting In Favor: Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Maio, Parete, and Walter; and Legislative Chairman Donaldson

Voting Against: None

No. of Votes in Favor: 9

No. of Votes Against: 0

Disposition: Approved

Motion No. 14: To discuss Resolution No. 505 – Rescinding Resolution No. 333 Of 2021, And Establishing Special Revenue Projects For Transparent Reporting – Amending The 2021 Capital Fund Budget

Resolution Summary: This Resolution Rescinds Resolution No. 333 of 2021, reestablishes the proposed American Rescue Plan Act (ARPA) projects as “Special Revenue Projects”, requires that these projects be established in the Miscellaneous Special Revenue Fund, and requires that all ARPA-related reports and journal entries be submitted to the Clerk of the Legislature.

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Bartels

Discussion: Legislator Bartels requested postponing the Resolution as the Legislative financial staff and Commissioner of Finance work together to further discuss the implication of the Resolution.

Motion No. 15: To postpone Resolution No. 505 – Rescinding Resolution No. 333 Of 2021, And Establishing Special Revenue Projects For Transparent Reporting – Amending The 2021 Capital Fund Budget

Resolution Summary: This Resolution Rescinds Resolution No. 333 of 2021, reestablishes the proposed American Rescue Plan Act (ARPA) projects as “Special Revenue Projects”, requires that these projects be established in the Miscellaneous Special Revenue Fund, and requires that all ARPA-related reports and journal entries be submitted to the Clerk of the Legislature.

Motion Made By: Legislator Bartels
Motion Seconded By: Legislator Ronk

Discussion: None

Voting In Favor: Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Maio, Parete, and Walter; and Legislative Chairman Donaldson

Voting Against: None

No. of Votes in Favor: 9
No. of Votes Against: 0
Disposition: Postponed

Motion No. 16: To approve Resolution No. 506 – Approving The Execution Of A Contract For \$750,000.00 Entered Into By The County – The Institute For Family Health – Department Of Health

Resolution Summary: This Resolution approves the execution of a contract with The Institute for Family Health from September 1, 2021 through June 30, 2022 to conduct COVID-19 testing in schools in the amount of \$750,000.00.

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Archer

Discussion: None

Voting In Favor: Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Maio, and Parete; and Legislative Chairman Donaldson

Voting Against: None
Votes Abstained: Legislator Walter

No. of Votes in Favor: 8
No. of Votes Against: 0
No. of Votes Abstained: 1
Disposition: Approved

Motion No. 17: To block Resolutions No. 507 and 508

Motion Made By: Legislator Ronk
Motion Seconded By: Legislator Maio

Discussion: None

Voting In Favor: Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Maio, Parete, and Walter; and Legislative Chairman Donaldson

Voting Against: None
No. of Votes in Favor: 9
No. of Votes Against: 0
Disposition: Approved

Motion No. 18: To approve the following Resolutions:

Resolution No. 507 – Approving The Execution Of A Contract For \$1,800,000.00 Entered Into By The County – Progression, LLC D/B/A Village Apothecary – Department Of Health

Resolution Summary: This Resolution approves the execution of a contract with Progression, LLC D/B/A Village Apothecary from September 1, 2021 through June 30, 2022 to conduct COVID-19 testing in schools in the amount of \$1,000,000.00.

Resolution No. 508 – Authorizing The Chair Of The Ulster County Legislature To Execute An Agreement With The United States Department Of Justice Office On Violence Against Women (OVW) – District Attorney’s Office

Resolution Summary: This Resolution authorizes the Chair of the Legislature to enter into an agreement, and any amendments thereto, with the OVW, accepting a U.S. Department of Justice Office on Violence Against Women (OVW) award.

Motion Made By: Legislator Ronk

Motion Seconded By: Legislator Maio

Discussion: None

Voting In Favor: Legislators Gavaris, Ronk, Archer, Bartels, Haynes, Maio, Parete, and Walter; and Legislative Chairman Donaldson

Voting Against: None

No. of Votes in Favor: 9

No. of Votes Against: 0

Disposition: Approved

New Business: None

Old Business: None

Chairman Gavaris asked the members if there was any other business, and hearing none;

Adjournment

Motion Made By: Legislator Donaldson

Motion Seconded By: Legislator Archer

No. of Votes in Favor: 9

No. of Votes Against: 0

Time: 6:58 PM

Respectfully submitted: Amber Feaster

Minutes Approved: November 9, 2021

**Ways &
Means Committee
Regular Meeting Transcript**

DATE & TIME: October 19, 2021 – 5:00
LOCATION: Available via vimeo at
<https://livestream.com/accounts/1512750/events/1824203>
PRESIDING OFFICER: John Gavaris, Chairman
LEGISLATIVE STAFF: Natalie Kelder, Amber Feaster, and Jay Mahler
PRESENT: Legislators Kenneth J. Ronk, Jr. (arrived at 5:09 PM), Lynn Archer, Tracey Bartels, Heidi Haynes, Mary Beth Maio, John Parete, and Eve Walter (via video conference); and Legislative Chairman David B. Donaldson
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTENDEES: Legislators Al Bruno, Tom Corcoran, Peter Criswell, Jim Delaune, Dean Fabiano, Manna Jo Greene, Jonathan Heppner, Herbert Litts III, Laura Petit, Abe Uchitelle, and Mary Wawro; Clerk of the Legislature, Victoria Fabella; Legislative Counsel Christopher Ragucci; Minority Counsel Nicholas Pascale; Deputy County Executives Marc Rider, and John Milgrim; Commissioner of Finance Burt Gulnick; Comptroller March Gallagher; Director of Economic Development Tim Weidemann

Director Weidemann: Okay. Good to go? Thank you, Mr. Chairman.

So, I'm here before you tonight to answer questions mainly. So, I'll be brief in my remarks, there was a packet that I believe Amber handed out and was distributed with the committee materials. We have copies of it here to hand out.

So, this provides information about the two resolutions that I'm here before you to discuss, Resolution Number 450, which establishes Capital Project Number 601, Small Business and Economic Recovery. And Resolution 451, Approving the Execution of a Contract for \$435,000 entered into by the county with Ulster County Economic Development Alliance.

So, these two resolutions are really a request for the legislature and the county support in furtherance of the redevelopment goals for Enterprise West. We're making significant progress towards the reactivation of this really important regional economic development site.

And time is really of the essence we have recently just last week, received authorization from the UCEDA board of directors to begin negotiations with a developer who has responded to one of our RFEIs, that is National Resources, Joe Cotter, the developer responsible for the redevelopment of the IBM Fishkill site, in addition to other sites, and feel that we're really in the right position to begin, in earnest the redevelopment of this important economic development asset.

And you know, the, the early investments that the County Legislature has made in this site, both the capital project path last year, and this request, are pivotal steps to be able to reactivate this site. So, here to ask for your support to accomplish that.

Page four, we've just reiterated the redevelopment goals for Enterprise West. These were stated in the RFEI, they were restated in the surplus resolution that you passed to authorize the transfer of the properties to UCEDA.

And really kind of stress that we're after here, not just a, a maximum sale price eventually of the site, but of accomplishing a number of important economic development goals for our community. And ultimately, though, would lead us to the transition of this site as we meet those goals to responsible long term ownership.

On page five, this is my attempt and kind of a visual way, to present the high-level plan that we've been working under to transition and redevelop the site.

A series of steps here, many of them already completed as the checkmarks indicate. The first being to secure property interest, that was the foreclosure action back in 2019.

And then over the course of 2019, and 2020 we've been assessing and stabilizing the buildings in part next to the Capital Project 576, last year.

And then in the last year, 12 months, we've been really focused on determining the market interest with two RFEIs. The first, which was completed in July, or sorry, in January of 2021, was to assess the interest on parties of all types and sizes in the site and received a healthy response. And then a second RFEI that we issued just back in September to look for development partners.

The next few slides, I won't go into a lot of detail. But I wanted to provide a little bit more background on each of those steps, though the things that we've done to secure the property interest, assess and stabilize the buildings, determine the market interest, and ultimately, eventually arriving at the state that we're at now, which is an attempt to begin occupying and improving the property.

That's a really big step. And we recognize that the request tonight comes on top of prior requests and that there's some reluctance to support this request. But I think it's really important for folks to know that this is pivotal to our ability to accomplish those economic development goals.

There, right now, as I mentioned before, the UCEDA board has authorized us to enter into negotiations with National Resources, really represents the best possible development partner that we could envision for this site, with experience in similar IBM facilities. With an interest in locating tenants on the campus that are consistent with the things that we've heard from the community and from you all, you'd like to see happen on the site. So, we really see this as an important opportunity to seize on now.

But to do that, we really need certain things, we need to have a property appraisal, we need to have that in order to begin earnest discussions with a developer.

We need to have a survey. Normally, as you all probably know, from personal real estate dealings, a survey and an appraisal are a normal process in the purchase of a property. But here, where there was a foreclosure, and none of those were completed as part of the foreclosure. So, we need that in order to move forward.

In addition, there's legal fees, there's engineering and architecture fees. All of these are necessary for us to get in a position where we can get the best possible structured deal with a development partner like National Resources.

I'll just want to address, it's not in the PowerPoint, but I know that some questions came up in the past couple of days about property taxes on the two parcels that UCEDA owns.

It's worth noting that, really, there's a status quo approach to the property taxes. For the duration of the prior owners' inability to pay taxes, the county was obligated to make the school district and the town whole on property taxes that weren't paid in 2021.

As of the roll date on March 1, the county was the owner of this property. So, the county has received a tax bill, but that is really a status quo to what was happening before. Namely that the county will continue to make the school district and the town whole this year, as it held the property when the roll date was set.

And then over the course of this year, we'll be transitioning the property on the tax rolls to UCEDA. So, in 2022, UCEDA will be the entity on the tax rolls for the property. And we'll proceed from there as the taxable entity responsible for those taxes.

I think, you know, the final thing just to point out is that all of this is in furtherance of the goal of eventually selling the property. That is always been the stated goal. And in fact, the surplus resolution indicated that the proceeds of that sale, eventual sale, will be returned to the county.

So, it's important to remember that all of that we're doing here is to invest to further the eventual, the redevelopment and eventual sale of this property, with the proceeds of that sale, being returned to the county.

So, just to reiterate, the resolutions before you will allow us to complete the surveys and appraisals that we need to enter into a development deal. Allow us to engage architects, engineers, and attorneys to enter into that deal. Allow us to complete ongoing maintenance during the period of time, while UCEDA continues to own the property, until we engage the development partner that can take on those responsibilities. And to complete essential improvements, as mentioned in the, in the budget request. There's needs for some sprinkler connections to make sure that we can continue to protect the building from fire.

So, that those are the requests. Happy to take questions, discuss it further as the committee sees fit. Thank you, Mr. Chairman

Chairman Gavaris: Thank you, are there any questions for? Legislator Bartels.

Legislator Bartels: Thank you, I have a bunch of I just want to start by understanding the tax situation that you just explained, in super high speed.

Director Weidemann: Sure.

Legislator Bartels: The county, the county's paying the tax bill, there's no, there's no prorating, or figuring out what point the transfer happened. We're paying a full year's tax bill?

Director Weidemann: That's correct. The county was the taxable, the entity owning the property, as of the roll date on March 1st. If it had been UCEDA, and next year it will be UCEDA, UCEDA is a tax exempt entity. UCEDA can apply for an exemption for those taxes. But that is not possible since the transaction happened mid-year.

Legislator Bartels: And is that, excuse my, my naivete, is that standard? I mean, if a transfer has happened in the interim, the person who—don't you normally get reimbursed? Isn't there normally, some kind of metric that happens so that you're only paying the taxes for the portion of the time that you owned it. If you sold a house or property mid-year. I mean, it seems strange to me that the county would be making, making the, the town and the, the school whole if we didn't own the property for the full period of which we're being levied.

Director Weidemann: Understood. But I think the, the distinction here is that we're talking about a county and a tax exempt organization. It's not like a traditional home purchase where I would purchase a home and be responsible for the prorated share there.

Ultimately, UCEDA's entitled to a tax exemption, can't file that unless it owns it. The file date is March 1st, couldn't file that because it didn't own it on March 1st. When it is, has an opportunity to file it again, it will file that and be tax exempt as an entity. So, we're in this in between period this year because the county was the owner as of the roll date. The only option really is for it to continue to pay the taxes for this year with the transition happening next year.

Legislative Chairman Donaldson: [inaudible] Ginsburg [inaudible]

Legislator Bartels: No, I understand. I understand, the, when Ginsburg, I understand us making, and, and at the point of the county foreclosing on the property and taking ownership, the County's still obliged to make the school

Director Weidemann: Yes.

Legislator Bartels: and the, and the town's whole.

Director Weidemann: Yes. Which, which you know, as a reminder, that is what we're trying to eventually get out of that situation. And it's, you know, these are the steps necessary to get out of that situation. Again, just like the RFEI goals, and the goals in the transfer, our goals here to get this as a taxable property that is generating taxes. But these are the intermediate steps that it takes to get there.

Legislator Bartels: I'm still having, I still am having a little challenge understanding, but I got to wrap my head around it.

Director Weidemann: Happy to talk more about it if you have further questions.

Legislator Archer: Can you just articulate more about what the tax bill is? Can you lay it out for us, what, what we're paying this year and what we'll be paying next year even after it goes to UCEDA. Because what you're saying is we still have a tax, a school tax bill, even after UCEDA takes ownership.

Director Weidemann: So, so again, the roll dates are set on March 1st. The next roll date UCEDA will file its exemption, it will be the entity that that is technically taxable, but because of its tax exemption will be exempt from that property tax. This year, the roll date, March 1st, the county was the owner.

So, the tax bill's, remember tax bills are, are looking back at the assessment, the roll date of the, of that prior year. So, it's looking back at March '21 as they bill for the school taxes now, and then, the town taxes in January.

So, those tax bills will come to the county because the county was the owning entity as of the roll the date. And those tax bills will be made whole by the county for this remaining year with the transition happening next year.

Legislator Archer: And what's the amount?

Director Weidemann: I believe it's somewhere in the range of \$500,000 for school taxes and somewhere in the range of \$200,000 for town taxes.

Legislator Archer: Times two?

Director Weidemann: No, one.

Legislator Archer: Okay.

Chairman Gavaris: Okay, Legislator Walter, and then Delaune.

We can't hear you, Eve.

Unidentified Speaker: No.

Chairman Gavaris: No.

Multiple Speakers: There you go.

Legislator Walter: Yeah, okay. I was going to say, I'm not on mute. Thanks. Um, so I just have a question back to the 2021 RFEI. I was kind of surprised because after we made our approval for you to go, and that allowed you to go forward, we got I got a thank you from Farm Bridge, kind of almost so quickly that it felt like they knew they were getting it beforehand.

You say that most of them were for rent and lease, but that means that some of them were actually people interested in purchasing it. Can you speak to who was actually interested in purchasing, it even back then? And maybe why you didn't follow through with that, you know, with those, those proposals?

Director Weidemann: Sure. Sure. Of the 22 submissions, only one of them was a submission to purchase the property. The others were either leases or rentals, or there were some that were just

professional services firms making us aware that they would like to consult in some form on the redevelopment of the site.

The one submission that was interested in a purchase was a group out of New York City called A Larovere Development Group. Their proposal was mainly around housing and involved a complicated financing structure involving lots of public sources. As we interviewed them, they came to the conclusion themselves that that was not likely to be the best path forward on the site. They resubmitted in the second RFEI, and again, offered mostly a development consulting role rather than a purchase role. So they really turned out not to be a viable development partner in the sense that we need which is to bring private capital to bear to be able to accomplish the redevelopment of the site.

Chairman Gavaris: Legislator Delaune. Use your mic please, use your mic. Jim, use your mic.

Legislator Delaune: So, again, this isn't so much a question as it is just a thought process that I've gone through that I think might have made this whole thing a lot easier for you, and for us.

Director Weidemann: Okay.

Legislator Delaune: And that is, this is a development project, right? And so, when you go to a lender, and in this case, we are a lender, a partner, there's typically two documents that are generated. And one is a sources and uses. In other words, this is what I think it's going to take to get this building up and running. And this is when the tranches are going to come in. And this is when I need the money. And this is where I expect to get the money from. That's one document.

And the other is an operating. Okay, now we're up and operating, this is what I expect, the leases are going to be and this is what I expect, the expenses are going to be.

And so, that's not something that we, as a lender, or an investor, have seen. All we've seen are requests for cash, you know. And we don't know where that's going and how it's going to be used. And from our perspective, if it's, and I'm not saying it's not legitimate, I'm sure it is legitimate. But if it was in a document that we could examine, and know that, oh, you know what, in January, there's going to be a need for an environmental. Tim's probably going to come to us and say I need \$50,000. But what you've done is surprise the group and understand, I understand, it's a big project is the first time through this for you. And so, I give you some slack there. But I think that a sources in use, and an operating document really would help your cause and make all of us more comfortable in this investment.

Director Weidemann: Sure. I accept your comment, understand where you're coming from. I appreciate the past conversations that we've been able to have about this huge endeavor that we're undertaking. And I think I would just offer that what you ask is reasonable. And I think we've striven to provide as much of that as we can in a constantly evolving situation.

Here, I think, as I've shared before, it's frustrating personally to me and disappointing personally to me, that our initial attempt at a wave of client, tenants that we thought would be a really viable first wave did not work out.

That ultimately put us in a position where I think we had to adjust our plan. And I think that's the as I explained to the Economic Development Committee, the nature of this beast, there's a lot of moving parts here. [inaudible].

Legislator Delaune: Absolutely. But again when I go back to the strictly financial. Because there are certain things that you have to do, right, to get this up and running, and you know, those are coming down the line. So, to prepare the group, I think, would have lessened the blow.

Director Weidemann: Sure.

Legislator Delaune: And I don't think it's too late to do that, because I think this is not going to be the last request.

So, I would say, I would urge that you create both of those documents for this body. So that, one, we're on your side, and we understand where you're coming from, and why there's a need. But at this point, for some folks, literally, it's like pissing into a black hole. Right? Because we don't know.

So, thank you. And I'd be happy to review, you know, whatever you put together. But I think that is just so necessary at this point.

Director Weidemann: Understood.

Chairman Gavaris: Legislator Archer.

Legislator Archer: Yeah, I just need some clarification on the new response by National Resources. What are they proposing? Are they proposing just acting as a property manager in this scenario? Are they proposing a purchase? What are they proposing? And what is the potential timeline of, of executing their proposal?

Director Weidemann: They are proposing to enter into a development partnership with UCEDA. And they have not established a timeline. They're looking for us to come to the table to negotiate terms. And that's what I've been authorized to begin, as of last week, with UCEDA's board approval.

Legislator Archer: So what's their expectation of UCEDA?

Director Weidemann: It's, its unclear, as of yet, that's what we're going to be negotiating.

Legislator Archer: Okay.

Director Weidemann: It's certainly clear that they expect to have a partner that has an appraisal, has a survey, has the ability to maintain the property while we negotiate the terms of an agreement, all of those things, which are the purpose of the resolution.

Legislator Archer: And so, if you ever use sought out any other resourcing, I mean, you, resources or financial, have you gone to IDA? Have you thought about bonding? What other avenues have you explored with regards to financing this versus coming back here for this.

Director Weidemann: Sure. And I think we discussed this at the Economic Development Committee. Certainly

Legislator Archer: I want everyone to hear it.

Director Weidemann: Certainly understand that, it's a reasonable question. The challenges we explored both bonding and commercial borrowing is that we have currently no source of revenue to support that borrowing. We have an asset, but without the revenue stream to support that borrowing, those options are really precluded from us. So, again, the purpose of the partnership here would be to be able to make the improvements necessary in the building to then be in a position to generate revenue through leases that would allow future borrowing.

Legislator Archer: And what about IDA? Did you go to the IDA?

Director Weidemann: We didn't have a discussion with the IDA. We've entered into preliminary discussions with them about future options to incentivize development on the site, to talk about those options, but we haven't talked about financing these improvements.

Legislator Archer: And, and, and can we expect another expectation of funding beyond this?

Director Weidemann: I, I am hesitant, as you can understand, to answer that. I think when I was first

Legislator Archer: Because you answered it before and it hasn't followed through.

Director Weidemann: When I was first approaching you all with this resolution, you noted that you felt that you had been told that you wouldn't get any further requests. So, I, I, I think that Legislator Delaune's suggestion is a good one. And I think before we were to come back with any, if we are, that it would be reasonable for us to provide a more detailed picture of the sources and uses and the operating

plan for the, for the site to make sure that everyone is understanding what those investments get us in the long term.

Chairman Gavaris: Legislator Delaune then Bartels.

Legislator Delaune: Quick question, how much money

Chairman Gavaris: Jim, use your mic.

Legislator Delaune: I'm sorry. How much is the LDC prepared to partner with us on? I mean, you've got some assets, right?

Director Weidemann: Are you asking in terms of the investment contemplated in this resolution?

Legislator Delaune: Correct?

Director Weidemann: The expenses that we're asking for here would be funded by the funding through this resolution. UCEDA

Legislator Delaune: Entirely.

Director Weidemann: Entirely. It has a remaining cash balance of about \$200,000.

Legislator Delaune: So, that's enough to at least pay for the appraisal, right?

Director Weidemann: In, in, in strict dollar terms, yes. But I think as an organization that's carrying these two assets, and that also has other responsibilities, including the revolving loan fund that entails some degree of risk to have a zero-cash balance in that organization without

Legislator Delaune: I'm not saying zero, but at least

Director Weidemann: Sure.

Legislator Delaune: be our partner.

Director Weidemann: Understood.

Legislator Delaune: I think that's fair.

Director Weidemann: Understood.

Legislator Delaune: It shows good faith.

Chairman Gavaris: Legislator Bartels.

Legislator Bartels: Thank you. So, so one of the things, and you can correct me if I'm wrong, is my understanding is in the second RFEI, it did not include the possibility of sale. It was strictly an RFEI that contemplated partnership development deal.

And that's a concern to me. Because when we, when we first talked about transferring the property, we talked about the highest and best use. And really, and it was at that time, and in fact that Legislator Archer, among others, were really pushing for some of the things you're asking for in order to understand the asset that we had, and to be able to go out to, in earnest, get a, get a real sense of what the market would bear.

Now we're hearing, I don't know whether it's true or not, that there's an offer on another parcel of property, there's been a lot of discussion about who that person is. And, and in the media—that's of less of an interest to me than the fact that we haven't, we haven't gone through that due diligence to see, even in the case of the potential developer that you're talking about partnering with, how that deal might be different if that developer were actually making an offer to purchase and develop themselves.

And I am very concerned about a longer-term partnership, in the absence of really seeing a real plan, seeing a real understanding of what's happening. What I understood at the Economic Development meeting that I attended was, we're going to put in people as we're able to develop the building for tenants that feel appropriate.

And that may not, that may not be the best use for the building in the, in the long run. That may not be, that may be a drain, even on that county asset in terms of your time, and economic development teams time, etc.

So, I really struggle with what feels to me, and I think it was Chairman Gavaris calling it a boat, something that's going to just continue to go on and on as we formulate and fill the building. Rather than really find out is there an opportunity to sell this building to a developer on a project that makes sense, because we haven't, the last RFEI, didn't even include that.

And so when we're talking about sale, that's right now, that's a distant idea. Once we, once we meet some goals of what we want to see in the building, eventually turning it over. And it's very hard for me to, to support that.

And I also just want to say on the record, I really struggle with hearing the characterization of it being the county's responsibility to prevent a repeat of the previous owner.

The situation of the previous owner, in large part came about through a, through a series of I think, pretty serious mistakes. Starting with allowing the previous owner, it wasn't the county, but allowing the previous owner to split the property in multiple parcels

Then allowing the previous owner to fall in years and years of arrears. And having a county that was hopeful that we could get the property back into one campus. I mean, that was for a long time there were those of us who were here remember the internal discussions of why aren't we foreclosing on these pieces of property.

And there was a whole lot of secrecy and discussion was even hard, and Ken, Ken will recall, it was even hard to get maps at that time of where are we at in, and I'm not talking about on your watch, where are we at in this?

Director Weidemann: Sure.

Legislator Bartels: So, I'm not sure it's the county's responsibility to make sure that in every, you know, parcel of property that we don't have a, a repeat, a bad actor. But I also don't think we could have the same kind of bad actor. Because I certainly would hope we would, if there were, if there were three years of arrears, just like anyone else. If I fell into three years of arrears, we would begin a foreclosure process. Which, incidentally, we, to my knowledge, we are not we haven't done on all the parcels yet. So, all of this is very complicated.

But I just, I don't have a level of comfort and I certainly, in terms of the specifics of what you're asking, some of them are so out of whack for me. And, you know, we, we transferred, those of us who were reluctant, agreed to transfer the property to UCEDA, with really the understanding that we were putting it in UCEDA's hands to find the highest and best use. And for better or worse it was, it was no longer, you know, our direct concern.

And again, having to hear multiple times that I should attend UCEDA meetings to find out what's happening. That's okay, I'll take that point. But now, it's a different situation when I'm now being asked to approve money for, for this.

And I got to tell you, I had no idea what was happening. I didn't know that, that one of the tenants backed out until I saw it in the news. You know, I, I actually didn't even know what was happening with the other tenant. And I was pretty dismayed when I saw a contract that read to me like we were paying them to have parties. You know, what I mean? So, so there's a lot that's been going on there that I'm

really not comfortable with. And to me, this isn't enough of a plan to give me comfort. So, I'm sorry to go on so long, but that's where my head is at the moment.

Chairman Gavaris: I apologize to, go ahead

Director Weidemann: I just, I just want to clarify that I think, the, the goals for this effort are stated right on the second page of this handout. And I think, you know, I would be happy to hear if somebody disagrees with those goals.

And, and, you know, I think at the root of it, that's what I hear you saying, Legislator Bartels, that that, you know, are we investing more of our own staff time and you know, commitment from the legislature in terms of funding, then is worthy of, of what it would take to accomplish those goals.

I hope that we would agree that this is a critical site, for not just our county economy, but really in the region, there is nothing like it. And that we would be remiss if we, you know, the example the point two is the East side of the East Campus that recently sold in a way that, you know, time will tell how productive that purchaser is. But I think it's pretty clearly not the ideal situation.

And I think that we're trying to make sure that we end up in a place where we continue to have the best and highest use overall for this campus. And that's worth some degree of investment of, of both time and money on the part of the county in order to accomplish that.

That's at least my belief, and I understand if we have distance there and need to continue to find ways to get on the same page about how we do that. Because I understand that ultimately, that's, you know, we're asking for your commitment to something here. I understand that that comes with some concern and some desire to be involved in, in understanding all these things and thinking them through.

So, I just, you know, I'm not sure that that fully answers your question, but I just want to make it clear that that's where I'm operating from on this.

Chairman Gavaris: I apologize to Legislator Criswell, I didn't actually see you sitting there.

Legislator Criswell: That's okay.

Chairman Gavaris: So, then it's Litts and then Ronk.

Legislator Criswell: Thank you, I just wonder if you could speak to the second bullet, engage architects and engineers. Because when we had these multiple conversations, over and over again, it was about getting the building up to code. It was safety and security. And so, the bullet four, water supply for fire protection, totally agree with that.

Could you talk to, you know, what the engage architects and engineers is? Because, again, you know, if we have somebody who's going to come in and purchase the place, aren't they going to want to do their own design? Aren't they going to, going to want to do their own build out? So, tell us what this money is about?

Director Weidemann: Sure. Yeah, most certainly, if there's a buyer, when there's a buyer, they'll want to go through that. Even when there's a development partner that's going to be responsible for leasing up space, they're going to obviously have their own architects and engineers to work through that.

At this stage of the game, in order to come to a conclusion on a development partnership, there are going to be structural questions, there's going to be engineering questions and architectural questions that this relatively modest amount of architectural engineering services would allow UCEDA, to have its advisors to be able to position well in the negotiations with a developer.

So, it's not for detailed designs of tenant space, it's really to assess the condition of the building, understand the best and highest use of the building. As an example, we did have early in the process, we had Dutton Architecture do a feasibility study that looked at one particular set of options. We would want the ability in conversation with the developer and their professionals to really iron out whether or not a proposed use is feasible.

Chairman Gavaris: Legislator Litts.

Legislator Litts: Sure. Tim, the proceeds of the sale of this property goes to whom?

Director Weidemann: Back to the county, Mr. Legislator.

Legislator Litts: Ulster County. And I heard tonight that people wanted to know why UCEDA was not putting up their own money to sell this property. I don't know of any real estate agents that contribute money to improve a piece of property that they're selling for somebody else.

So, UCEDA, in my mind, is, is working here as a real estate agent to market the property, to get it ready for sale. If you need to upgrade a kitchen or redo the bathroom to enhance a sale on a property, the real estate agent typically doesn't pay for that, the owner does, and hopefully recoups it, you know from the sale of the property. If UCEDA were to put up any funding to enhance the sale of this property, would they be reimbursed upon the completion of the sale? Will the county pay them back?

Director Weidemann: All that I can say is that the agreement that the county passed to surplus, the property says that the proceeds of a sale will be returned to the county.

Legislator Litts: Okay, thank you.

Chairman Gavaris: Legislator Ronk and then

Legislator Ronk: Thank you. Just, I wanted to make one comment. You know, just to follow up to Legislator Bartels' comments on, gosh, what was it? This is too many comments ago, because now I've been rethinking everything that everyone else has been saying, since then. Oh, about the foreclosure.

You know, I think that we're finding out exactly why the property hadn't been foreclosed on over the years. Because, you know, the foreclosure is just the first part of a very expensive process. I've been thinking about that a lot today, because I know you and I, and, and Mike Hein, and others had talked about that for years about the foreclosure and the properties and, and the parcels, and how to connect them, if we could connect them. And then what would happen if we end up foreclosing. And I think that this is one of those reasons, including the environmental issues, there's another reason, but I mean, just this right here.

You know, to Legislator Litt's point, I, I respect his point of view on, on the money coming back to the county for a sale. But we're not talking about being anywhere near a sale here. So, that's talking about money coming back to the county for a sale, that may be five years down the road, that may be 10 years down the road, it may never happen.

You know. And to, to your point, Tim, you know, I, don't think anybody in this room disagrees with the goal. The goal of, of the highest and best use for the property, the highest and best sale. You know, all of those things are, you know, nobody disagrees with the goal.

And I think that that's where I, I some of my frustration comes from, with this entire discussion is that, you know, anybody who disagrees with this resolution, and with county funds being spent in this manner, is automatically seen, by some, as disagreeing with the goal of moving, moving forward on, on the property.

I, I think that the goal is shared by everybody. It's the process, that's the problem. And, you know, 90% of the time I spend arguing in this room is about process. And it makes a lot of people really crazy. Some people over here a lot more crazy than others. (Laughter). And, you know, but it's because the process matters. And sometimes the process matters more than the end result.

Because if you get to an end result, through a bad process. You know, you, you buy a house, right? You, you get enough cash and you buy a house. It's a great end, right? What if you, what if you robbed a little old lady to get the money to buy that house? You you're not going to say that the end result was a good thing, because the process you took to get there was very poor.

I don't think that we've had the best process here. And, again, to Legislator Delaune's point, and other, other folks, you know, we, we sort of stay in the dark, stay in the dark, stay in the dark, and then are hit with a \$435,000 bill.

You know, I'm personally prepared tonight to support some of it, but not all of it. I think that there are portions of this that are necessary to, to keep moving forward while also being able to build trust and confidence in this body. You know, but I'm not, I'm not here tonight prepared to, to spend \$435,000 of the, of the taxpayers of Ulster County.

Chairman Gavaris: Legislator Bartels.

Legislator Bartels: Thank you. Yeah, I just I want to agree with what Legislator Ronk just said regarding sale. You know, to, to Legislator Litts earlier point, if what we were talking about right now, were a sale, we'd be having a different conversation. But we're not, we're not talking about a sale. So, the idea of, you know, investing money, we are talking about potentially a very long term partnership. And I can't gauge how long that is because I'm on the process issue, I'm not really, I have real, no zero clarity on where we're headed. And that's, that, that's going to be my next question.

Because I've heard rumors, and some of them maybe contained in the, in the budget, that there may be a proposal to move county departments into this facility. And the, the portion of it that I've heard that's been rumored is that part of this development deal is contingent on those moves and that foot traffic and that guarantee.

And so, is, is that in fact, is that a part of the proposal? Is that a part of the discussion? Are we talking about moving full departments to the property? Or would we be paying rent at the? If we moved a county department in, would the county be paying rent to UCEDA and the developer? And without that move, would it still be a viable deal that we're talking about? Like, these are all things that are swirling around, and maybe happen at UCEDA, but nobody, it's not in this, it's not in this. So, I'm just going to ask it straight-up.

Director Weidemann: So I mean, if, if I might answer I, I don't know the answer to those questions. Those are things that are currently part of the discussion, that we're trying to figure out the next steps here. They're not in this because they have not been determined yet.

So, if they were to be determined, certainly if, if, and I think this actually goes back to a point that Legislator Gavaris made a long time ago, if there was a, a future scenario where a county function was to be housed in this building, that would involve a lease that would come before this body for approval.

So, that's all I can say on that at this point. It's not a condition of the interest that was expressed by the developer. It's certainly, you know, it's a possibility on the table. But if it were to come to fruition, it would have to come through this body.

Legislator Bartels: Can I just follow up? So, is it, is it a part of the discussion with a developer in terms of the shared vision of what the use of the building would be? Is it the developers understanding that the county wants to use a portion of the building for county offices, and the county is going to pay rent for that?

Director Weidemann: That is not, that has not been broached with the developer yet.

Legislator Bartels: Okay.

Legislator Archer: Any type of development, particularly one of this magnitude, and we've seen it fail in, in its previous owner, it requires a lot of understanding on how to develop properties, how to negotiate partnerships, etc. Who's advising the county in this negotiation, to ensure that we're also protecting our, our, our investment and this partnership. Because all we hear is you all working on it. But how many developments have you really worked on? Do you have the expertise to do this? We have talked about this at nauseum. And we're not getting any kind of answers. And once again, we're at a critical stage. And oh, if we don't do this, we're going to lose the potential of this developer. Who's advising you?

Director Weidemann: So, I would take issue with the statement that I have no experience in this. I think that's part of what qualifies me for the position that you all approved me for. So, I just want to make that clear. This is an area of expertise for me. I have done this work,

Legislator Archer: This major development?

Director Weidemann: Not as a developer, but in consulting to developers and working on development projects.

So, we have as part of our team, the UCEDA board authorized a contract with Harris Beach, which is a law firm, well respected for this kind of work. They are advisors to us. We have an accounting firm that advises on accounting related matters, UHY. Those are parts of our team, as well as the, the, the staff at the Office of Economic Development, who have a variety of experiences and, and backgrounds that help them, help us to do this work.

Legislator Archer: And that's coming out of UCEDA's budget?

Director Weidemann: Which part?

Legislator Archer: The lawyers and accountants, etc.

Director Weidemann: Yes. Yes.

Chairman Gavaris: Legislator Ronk, you had your hand up.

Legislator Ronk: Thank you, but there's also attorney's fees, lawyers coming out of this money.

Director Weidemann: Yes. Correct.

Legislator Ronk: All right. I just, I wanted, I wanted to follow up on that. You know, one more thing, I, I just want to, make less of a question more of a statement is some have said today, that, you know, we continue to talk about UCEDA like, it's not an arm of the county in any way, shape, or form.

I just want to remind everybody in the room that the County Executive is the sole member of the corporation. And, you know, until very recently, all the board members were county employees, and now we still have Legislators on there. And you, sir, are a county employee.

So, I, I just, I, I hesitate to keep talking about it like it's two different sets of, you know, two different sets of organizations, two different sets of dollars. I mean, you know, the money that UCEDA does have has been provided in some way, shape or form by the county in the beginning. Because in the beginning, there was no money in UCEDA. You know, the county is the only contributor, I believe, except for profits from other things.

Director Weidemann: Well, not to belabor the point, I think you're absolutely right. But just as reference here, UCEDA was UCDC at one point, was a separate organization that was brought under the county during the transition to a charter form of government.

And, and I think Legislate Ronk, your point is exactly right. I think it actually speaks to the point that Legislator Litts was making, which is that UCEDA is an arm of the county for the purposes of doing work just like this. And, and this is a partnership, one that ultimately the return on the investment that's being made here comes back to the county.

And that's why, despite, you know, a lot of sleepless nights trying to figure out how to do this and, and standing up in front of you all and, and getting a suitable grilling, I feel that this is the right thing to do. This is how this is designed to work. And I know that it involves a lot of concern and questions. And I'm, I'm glad and eager to continue answering those questions. And really, quite frankly, grateful for, you know, the challenges that those poses just to improve all of this. This is uncharted territory for Ulster County. And I think it's important that we develop the muscles that we need in order to do this work. And that's what we're doing tonight.

Chairman Gavaris: Legislator Bartels.

Legislator Bartels: Yeah, I think Legislator Ronk makes a, a fair point. And it's something that I, that I struggle with, because, you know, in the transition of the property to UCEDA, while it is a county component, and it's, the Exec is a sole member and we're all I think aware of that. We cede a lot of control to UCEDA. We no longer have a say except for one year asking for funds. And what we have a say about is whether or not to give you those funds. But ultimately, once you get the funds or don't, the, the property's still in UCEDA's control until it's not.

You know, which is why I think it's important to understand how the relationship works. I mean, I'm struggling to see if we're talking, or anyone's talking about moving County, county departments, county offices, to, to the building, would the relationship, if we think about it as an arm of the county, we wouldn't pay rent to, to house a county department in the county building. And yet, we could be required to pay rent to house a county, a county department in that building, owned by UCEDA, which is a component of the county.

And, and I don't mean \$1 rent. I mean, we could be talking, and that was raised at one point by someone when a discussion was broached about BOE, what's the market rate rent. We'd have to talk about the market rate rent. Talking about a county department in a building that was just transferred to UCEDA.

So, so these relationships are not uncomplicated. I mean, they don't have to be complicated, but I think they are. Which is why I'd like to understand what the discussion is, if we are talking about moving county department, are we talking about paying market rate rents? I don't know what's happening.

Director Weidemann: So, I, I can say that those conversations, to my knowledge aren't happening, yet. And if they do, I would just point out that in your scenario is correct. But I would note that a county department operating out of a county facility has occupancy costs, there is still a cost to that. It's not paid in rent, it's paid in DPW salaries to maintain that building utilities paid by the county, all that.

So, you know, in the hypothetical scenario that there is county use in the space, it is only fair that that use compensate for the cost of occupancy in the space. That, that is just a basic premise of, of you know, of tenancy in a building.

And so, I think that's just, so you're aware, that's the position that I come to in thinking about this. It's not been un, it's been considered at various points as we've been laying out what are the possible tenancy's in this building, and it's always been under the assumption that if there were county uses, they would have to cover their occupancy costs. It wouldn't be a market rate discussion, it would be trying to figure out how that gets carried. The cost of the building get carried.

Chairman Gavaris: Comptroller Gallagher.

Comptroller Gallagher: Good evening, I want to just reiterate a point that we made in a memorandum which is, I'm going to speak to the resolutions even though you're not to them, because I expect that this looks like the bulk of the discussion.

But we express that we are concerned, in the Comptroller's Office, about the accounting for capital versus operating costs in these buckets that are moving through capital projects with ARPA funds.

And I just want to note that out of the \$435,000 noted in this Resolution, 450 and 451, that there are expenditures here that appear to us to be clearly operating expenditures, including legal counsel, which is never capitalized, and property management and leasing. So, I just want to note that. I know we've already had discussions with finance, I'm sure it will be dealt with later, that's fine.

The second thing I want to note is that we do not, the Comptroller's Office, does not exercise the same claims audit authority over the expenditures that UCEDA makes. And I want the Legislators who are here today to realize that.

That when a claim for payment is made right now, from a county department, we are reviewing it to make sure it's within budget, that we've received the services rendered etc. And that the funds are available.

The contract with UCEDA, and between UCEDA and the county, is for professional services. That is how the contract is stated. And there will be quarterly billings from UCEDA. We will be seeking backup of invoices. Although that is, you know, not clear that it's directly within our purview to request those.

And then finally, I have a question for, for Director Weidemann, which is, is the \$100,000 in property management and leasing agent anticipated to be paid to someone like a national development organization? Is there discussion to pay NDI, right now?

Director Weidemann: NDI, specifically as an entity? I'm not sure which organization you're talking about.

Comptroller Gallagher: You're in discussions with National Development, right?

Director Weidemann: No, National Resources.

Comptroller Gallagher: National Resources, I'm sorry. Is the \$100,000 in this budget to pay them?

Director Weidemann: It, it is not considered to pay them. It would be through an RFP, to issue an RFP, to select a property manager or leasing agent.

Comptroller Gallagher: Okay. Thank you.

Chairman Gavaris: Any other, Legislator Bartels.

Legislator Bartels: I just have maybe one last question for the moment. So, in terms of contemplating using, which we haven't even touched on today, but using ARPA funds for these purposes, which, which use, are we using it under? Like how, Because I feel, I looked at the list, and it seems to me like we could be stretching the eligibility. If it's which one I think it is. So, I'm just curious, which one, we're, we're attempting to be covered under?

Director Weidemann: I'm not sure the question

Legislator Archer: Categorized. How is going to be categorized.

Legislator Bartels: So, the ARPA funds have specific, in terms of limited use. Supporting the public health expenditures, I'm reading the

Director Weidemann: Sure.

Legislator Archer: Categories

Legislator Bartels: categories, addressing negative economic impacts caused by the public health emergency; replacing lost public sector revenue; providing premium pay for essential workers; and investing in water, sewer and broadband infrastructure.

Director Weidemann: I would, I would look to our budget team to they've structured the buckets.

Legislator Bartels: That wouldn't be, that wouldn't be, it's not for you exactly. But maybe the budget team could tell me.

Commissioner Gulnick: It's under the economic development portion of that, for small business.

Legislator Bartels: Supporting small businesses, who have faced financial challenges during the pandemic, and investing in COVID, prevention and mitigation tactics?

Legislator Archer: That doesn't,

Legislator Ronk: There's one small business portion of that [inaudible].

Legislator Bartels: I feel like it's a little bit of a stretch, like if you actually read the guidance.

Deputy Executive Rider: I believe there's a large economic recovery

Director Weidemann: Component

Legislator Bartels: So, maybe someone could provide that to me so I could really see and understand it?

Chairman Gavaris: Legislator Bartels, are you all set?

Legislator Bartels: That, I'm done, thank you.

Chairman Gavaris: Okay. Legislator Ronk?

Legislator Ronk: I was just going to suggest that that be directed towards the budget team. [Inaudible].

Chairman Gavaris: Okay. Any other comments, discussion?

Alright, I have a few myself. So, you were mentioning the taxes, you have \$200,000 currently in your account to spend outside of this money. You have a \$200,000

Director Weidemann: Fund balance, basically. Yes.

Chairman Gavaris: Okay. You have a \$200,000 tax bill, which I presume Town of Ulster runs on a calendar year for taxes.

Director Weidemann: Correct. The town tax bill is likely to come in December, I believe, is when the town tax bills are issued.

Chairman Gavaris: So, if that's \$200,000, you're saying, where's that money coming from to pay those taxes?

Director Weidemann: So, again, the taxes will be billed to the county. The county was the owner of record on the roll date. So, what we're saying is that for the remainder of this year, the status quo that we've held for the past few years, the county has paid, has made the school district and the town whole will continue this year. So, that means the school district bill, which we've just received, and the town tax bill, which we'll receive later this year.

Chairman Gavaris: So, you're saying—so when you say 2022? You really mean that UCEDA would pay the, the town taxes for 2023? The budget year 2023.

Director Weidemann: Yes, yes. Yes. The bill that arrives in late '22, which is for the '23 tax year.

Chairman Gavaris: Okay. So, between, let's say now, and September? Yeah, around September for the school tax bill, you have to come up with \$700,000.

Director Weidemann: No, I guess what I was trying to explain is that in that intervening time, as is general practice for a not for profit that owns property, we will file the requisite exemption forms with the town that will grant the tax-exempt status for the properties under UCEDA's ownership, as a tax exempt entity. And so, that'll take effect on the roll date in, in March of 2022. And therefore will show as an exemption when those bills come due in 2022, late 2022.

Chairman Gavaris: Okay, so it won't have to carry over another year of, until the following fiscal year.

Director Weidemann: Right.

Chairman Gavaris: Okay. All right. So, then the other question, I made so many notes here as you were rolling along? Do you know what the operating costs are of the building now?

Director Weidemann: Yes, we have an estimate of those operating costs at over an annual basis somewhere in the range of \$400,000 to \$500,000 a year.

Chairman Gavaris: Okay, so this, this money seems to be pretty well earmarked. Where, where's that money coming from?

Director Weidemann: That, that is a valid question that for the time being will come out of UCEDA funds and then ultimately, we'll come out of leasehold lease income from tenants.

Chairman Gavaris: Tenants, that we don't currently have.

Director Weidemann: That we do not currently have.

Chairman Gavaris: Okay, so, Legislator Bartels had brought up my comment previously about calling it a boat. And actually, I'm going to stop calling it a boat. Because I realized as actually, as I was driving up here tonight, when I was 17, I got a really great deal on a 1979 BMW 535I. Price was fantastic. There's a stick shift, really nice car. And then after I bought it, a month later, I forgot what it was,

something needed, water pump needs to be replaced and it just kept on going on and on. By time I realized it, the vehicle wasn't worth what I put into it. I wound up selling it for less than I had into it.

And what did the person do that I sold it to? They demolished it turned it around, and they took it off for parts, and they sold the parts.

We're just, it seems like we're going down the road of dumping money into something that we really don't have an end in sight. We have no clear path. We have a general direction. But I just don't see a clear path forward that gets us out of the real estate business.

And I've been saying this for 20 years now, government should never be in the real estate business. We're not good at it. We pay high prices, more than then a private individual would pay. And we, we have what is perceived as unlimited pockets to start pulling from. And I just I don't see a way forward. So, I'm sorry.

So, Legislator Ronk.

Legislator Ronk: You said, it's so good. I'm just going to let that stop there.

Chairman Gavaris: Legislator Bartels.

Legislator Bartels: I just wanted to ask for clarity on the, the estimate, the cost estimate you just gave in terms of the expenses. That \$400,000 to \$500,000? Is that an estimate in the building's current state? Or in the build out state? Because I would expect, you know, as people were using, then

Director Weidemann: That's in, that's in a minimal occupancy scenario. So, I think it anticipates that users would be separately metered. Would pay additional utilities on top of that for their individual use.

Legislator Bartels: So, it's a substantial, it's a substantial amount of money for essentially minimal occupancy space.

Director Weidemann: Yes, yeah.

Legislator Bartels: Okay.

Legislator Archer: And you said, UCEDA, you said, UCEDA is going to pay for it, but right now you only have a couple hundred thousand in

Director Weidemann: Hence the urgency to get a development partner and tenants in the building. That's always been the case, I think we've explained that from the beginning, that this is not a building

that can be carried empty for very long. And so, there's an urgency here to getting tenants in the space, which again, pulls us back to the need for a development partner that can help us make the space suitable for those tenants.

Legislator Archer: And this development partner will also invest in the expenses of just operating that building until you can get renters?

Director Weidemann: Well, the expectation is to get renters as quickly as we can, so that those renters can carry the cost of occupancy.

Legislator Archer: And is that, is that developer bringing renters to the table?

Director Weidemann: That's, that's the goal. That's what I think was expressed in the submission for National Resources that they have the ability to do.

Chairman Gavaris: Just quickly to clarify though. In the beginning, that was not the stated goal. The stated goal was to sell the property. I asked that question several times in the beginning of this, because as I said before, government should never be in the real estate business. And it was very clearly said the goal of it is to sell the property for the best and highest, the best price and the best use, and it was never to be a landlord.

So, I don't like that comment is being said, that that was always the case. That may have been the behind-the-doors plan. But what was stated to us was, it was a property that we wanted to sell. Just make that point.

Legislator Ronk then Bartels.

Legislator Ronk: Yeah, I changed my mind. Thanks. It happens a lot.

So, one thing that's been said to me several times on this, including more than once today by more than one different person, is that, you know, one of the goals is to get the property back on the tax rolls.

And now, this is you know, when, when Deputy Executive Milgrim asked if, if you would be welcome at our caucus. I said, yeah, but at your own risk. And this is sort of why.

Because, you know, sometimes you can say that, you know, it seems like there's a lot of different people saying a lot of different things. Now, I'm, I'm hearing from you that the goal, at least in the short term, is to get a tax exempt status for the property. And then that begs questions on how we can have income generating property that is exempt from property taxes.

Director Weidemann: So, if I might, I understand that concern.

Legislator Ronk: Yeah.

Director Weidemann: And I take it to heart. I think what I'm trying to explain is that in the interim, if UCEDA owns this property, without tenants next year, an exemption is the only option. UCEDA can't continue to pay taxes on a building that has no revenue stream. That should be pretty obvious. We've got \$200,000 in the bank, that's not going to cover the taxes. So

Legislator Ronk: Nor is going to cover the expenses. Nor is it going to

Director Weidemann: But this is, this is, the, the motivation and the urgency here. Is that we need to move forward with a development partner so that we have the capital to be able to improve the building to get tenants in.

And to your point, Legislator Gavaris, the goal there is not to hold this long term, the goal is to find a responsible partner, and then to transition the property to that partner.

You know, I am certainly hopeful that we won't need an exemption next year, because we'll have a development partner, we'll have commercial tenants in the building, and there'll be a property tax rate being generated.

But I think, I hope you all understand that this is a process that started with the foreclosure. And I think, as you pointed out, Legislator Ronk. That was the beginning of a process, not the end of a process. And we're moving through that process now to get this property back on the tax rolls and productive.

Legislator Ronk: May I just follow-up? I, I mean, you know, I, I disagree slightly with your timeline. And I think that that's one of the things that puts us here, is that the foreclosure shouldn't have been the beginning of the process. The foreclosure should have been the middle of the process. The beginning of the process, is deciding what we were going to do once we foreclosed.

And I think that one of the problems is that we said, we're going to foreclose on this property. And then we said, oh, gosh, we don't have any money in UCEDA. We foreclosed on this property. That was the plan, to transfer to UCEDA. Now what do we do?

And I feel like every everything since then, has been a scramble. So, we were, you know, first went to Farm Bridge, then Farm Bridge fell apart. Now we're going to, you know, National Resources.

I guess my, my concern is what happens if National Resources says, you know, what, it just doesn't work, we're not going to be able to come to a deal.

Then we're out another \$435,000. And then we're still with a building that UCEDA owns. That UCEDA doesn't have the money to pay the taxes for. That UCEDA doesn't have the money to pay the maintenance for. And then we're going to be scrambling for the next thing. And you're going to be coming to us for another half a million dollars to be able to pay the, the, the costs of operating the, the empty building until we find it.

And the answer there is going to be well, we can't have another Ginsburg. So, I feel like there's just this, there's the potential for this just endless loop of spending county dollars, which goes into the money pit, you know, idea.

So, again, I just disagree that the foreclosure was the, I disagree that the foreclosure should have been the beginning, I think it should have been the middle. And I think that that's what's gotten us in this mess to begin with.

Director Weidemann: If, I, I just want to make it clear that the alternative to the foreclosure was a continuation of what was present before the foreclosure.

Legislator Ronk: I understand.

Director Weidemann: So, so I think, I, I understand your frustration, I share it. I certainly would be the first to tell you, I'm not here to somehow perpetuate a cycle of coming before the legislature to ask for funding here. We are working through a plan that we feel confident will result in a better and higher use for this property.

Legislator Ronk: With all, with all due respect, I don't think that that's what you're here trying to do, either. I believe that your goals are laudable. And I believe that they are positive.

But we have to represent the 180,000 people that are going to, that are going to have to spend the money every time you have to come back in order to be able to try and continue to operate the property. That's, that's where that's where my mind is coming from on this is that, you know, we, you know, I, I know it's not your goal. We all have the same goal. Like I said, in the very beginning, we all have the same goal, which is, which is to do the absolute best thing with this property that can.

I just, I think that some of us have deep concerns about that potential loop. And there's and there's not a small potential for it, either. It's not it's not it's not like there's a 95% chance that this works out and a 5% chance that you, know, it goes to hell. You know, you know, you're dealing you're dealing with, you know, businesses in the real estate market and, and you know, everything is in flux right now. So.

Chairman Gavaris: Legislator Bartels

Legislator Bartels: Chair Donaldson, can go first, I've spoken a couple of times.

Legislative Chairman Donaldson: Right now we, can hear me?

Group: No.

Legislative Chairman Donaldson: There we go. Alright, well, we keep going around here, we could have done this, we should have done this. We could be doing this. We should be doing this. But I have to ask what are the alternatives?

Chairman Gavaris: Legislator Bartels.

Unidentified Speaker: I thought there was more coming.

Legislator Bartels: I am just going to say that Legislator Ronk, in the description of this circular fear, has totally crystallized my concerns.

And then when you, when you, when you compound that with what you Chair Gavaris said, regarding the county being in real estate. That's, that's the crux of this for me. Is that while the idea of a sale, it's this eventual idea. And the, and the absolute immediate idea, is it filling it with tenants and being, and, and the county, because it is the county, being a landlord to, to this dream, it's just very hard for me to see us getting us to that end. I don't have confidence right now. I don't have confidence. Because there's not enough for me to hold on to, to have confidence that we're in a realistic way heading that way. That's, that's, that's my struggle.

Chairman Gavaris: Legislator Ronk.

Legislator Ronk: Thank you. And I apologize. This is a question because of my tardiness. I got stuck in traffic on the way here and I had to make a stop. Are we on the resolution right now? Are we just in the discussion?

Legislator Maio: Oh no we're just in a discussion.

Legislator Ronk: Before I started making motions, I want to make sure thanks.

Chairman Gavaris: Anybody else? Okay. All right. Director Weidemann, thank you.

Director Weidemann: Thank you.

Chairman Gavaris: Burt, you're up. The only good news is not many arrows left in their quiver, so, you should be okay.

Commissioner Gulnick: In terms of the budget for [inaudible]

There we go. Gotcha. Sorry.

In terms of the number of positions. In 2022, I have 36 positions that I'm responsible for. It's the same exact number as 2020.

This includes four new positions in finance. Three of which are the ARP positions. And I am asking for an accountant. Kind of in 2021, I removed a Fiscal Officer. I'm not asking for a Fiscal Officer back. Just an Accountant, it fits the office better.

Budget has increased. We offered a position in July. We were told to present it back in the budget which we did, which is the Director of Budget and Innovation.

The Budget Department, there is alternative work schedules for the positions in there. I think it's needed. You all have seen the new budget document. I think we can develop it even farther. It is the county's most important policy document. I want to make it better each year. One thing we want to do is add more department measurements.

And one thing I know Legislature Archer will be glad to, I want to improve the Capital Program a lot more than what it is. So, that is a goal for 2022.

My contractual expenses are up only \$100,000 from 2021. Primarily because the courts are open now. Our 18B expenses are up more. You got to remember finance is responsible for paying attorneys who are assigned by the court, who aren't public defenders.

Debt service overall, throughout the county, it's a half a million dollars down from the 2021 adopted. It has to do with the refunding bond that you guys approved recently, which is good.

Retirement overall, throughout the county and amongst the departments, we're down \$1.9 million from 2021. That's due to New York State Retirement rates are down, which is significant. I do expect those rates probably to, to stay constant, which is a good thing that will save county expenses going forward.

The good news, on the on the revenue side occupancy tax, and budgeted to almost \$2.9 million, which is up from \$2 million in 2021. Through three quarters this year alone, we have roughly \$2.4 million in occupancy tax. Our last quarter alone was roughly \$900 and, I wrote it down here somewhere, give me a second here. \$925,000, our last quarter alone, it's the highest quarter we've ever had since the tax was reinstated in 2005.

Sales tax, as I think you all are aware, it's projected in the 2022 budget to be \$143 million dollars. It is a substantial increase from what we've had budgeted prior. I'm always concerned with the sales tax being the most volatile and biggest revenue we have. We will achieve that number in 2021. I'm, I'm confident. Hopefully the growth continues in 2022.

And to make you all aware, it is a substantial increase. Do I expect the trend to continue? Yes, but I do expect that to slow down too. There's only so much folks have in the, in terms of the economy to spend. And we'll see. One kind of catastrophic event, knock on wood, we've seen it before. So, I do caution you when it comes to sales tax.

I don't have anything else to share in a quick summary and I know you guys have a long night ahead. If you do have any questions, you always can email me some details too, if you need any more information.

Chairman Gavaris: Okay. Thank you.

Commissioner Gulnick: Alright, thanks.

Chairman Gavaris: Okay. All right, we'll move on to the agenda here.

Resolution 374: Setting A Public Hearing for Local Law No. 6, Establishing, Hello? Have to get closer, that's why, Ulster County School-Based Mental Health And Safety Act.

Can I have a motion? Can I get a motion? Bueller? Move it? Second?

Legislator Bartels: I'll second for discussion.

Chairman Gavaris: Second, Legislator Bartels.

Discussion? Legislator Bartels

Legislator Bartels: Thank you. So this is obviously here because it came out of Laws and Rules yesterday. Legislator Parete joined us and he might have said he was going to read about it in the paper because he, he left just at the minute we passed it.

I, you know, I'm open to sending it to public hearing to hear what the public has to say. But I just want to be on the record saying I have some real reservations about, a couple of things came up in committee.

First of all, Legislator Gavaris, you raised some, some concern that I hadn't thought about before, as to whether or not we, based on the, the language in the, in the law, whether we would be obliged to

reimburse schools for work that they're already doing, and personnel that are already in place. I think that's, that's something that we need to address.

I also do not feel comfortable with moving the, the legislation forward as a, a blueprint. I would really want to understand what it is programmatically that we're supporting. And, again, the way I'm reading it, what the legislation does is obliged us to, to spend the money but doesn't prescribe how that money's going to be spent.

And, and I get that could be a difference of opinion among legislators. But I'm saying for myself, I have some concerns. And I also just want to say that if we are going to move this to a Public Hearing, I would want the understanding and the confidence from my colleagues, that while it's not required by our rules, that we would have a second Public Hearing if there were substantive changes.

Because I really do in this case, this is a, it's laudable goal. But it's also a very big goal with a lot of moving targets, talking about school districts and, and I do think it's important to put our money where our mouth is I just want to make sure that we're investing in programs that are demonstrated to work and that there is that back and forth feedback, which right now I'm not seeing in the legislation. But the sponsors seemed open to, to, to having more specifics, but just really wanting to hear with Public had to say about this now.

Chairman Gavaris: Discussion?

All right, all those in favor?

Group: Aye

Chairman Gavaris: Opposed? So carried.

445: authorizing design.

Legislator Ronk: I'll move it.

Chairman Gavaris: Second, Chair Donaldson.

Discussion?

All those in favor?

Group: Aye.

Chairman Gavaris: Opposed? So carried.

Resolution 450, establishing Capital Project 601.

Chairman Donaldson: I'll move it.

Chairman Gavaris: Move it. Second?

Legislator Ronk: I'll second it.

Chairman Gavaris: Second. Discussion? Legislator Ronk.

Legislator Ronk: As I said, during the director's presentation, I'm prepared tonight personally, to support the money to cover the appraisal, the survey, and the legal fees, because those are three things that would definitely have to be done when entering into a contract for either lease or sale, or, or, or for someone to come in and manage the development. I'm not prepared to cover the other costs.

I, I would be open to having them come back to us after having been farther in negotiations. And, and giving us concrete plans that would, that would, you know, warrant, the larger amount of funding. You know, I, I want to make that very clear. I'm not saying that, you know, here's the money for, you know, if we were to pass it, here's the money for the appraisal, the survey and the legal fees, and the rest is on you.

But what I'm saying is that those are three things that have a concrete, direct relationship with either a sale or a lease of, of the facility. You know, understanding that the money would come back to us if it were sold, or when it were sold, hopefully.

But, you know, I, I feel like we went down the road of the fire suppression system once already. And I understand that, you know, we then transferred it to quickly to then have an interest to be able to bondable interest. You know, and, and the property management I can't get on board with, with signing up for \$100,000 of that before we even decide what's going to happen there.

But that's, I think that those numbers add up to \$170,000. For the legal, you know for the estimate. And again, it's astonishing to me that we only have estimates on these, since we've been going at this for so long, but I'm going to, I'll let that lie. You know, but I, I think \$170,000 is a good faith effort from, would be a good faith effort from, from this body, to, to show that we're not invested in seeing the property go just as is forever. But also that we have a lack of trust that would allow us to, you know, pony up to the whole \$435,000. That's, that's where I'm at. I don't know if I want to make that in the form of a motion yet, or if we want to get some more weigh in from the committee first.

Chairman Gavaris: Okay, further discussion, Legislator Archer.

Legislator Archer: I think that's reasonable. And particularly the part that if there's, if there's, not even if they come back for us for more money, but to come back with the things that Legislator Delaune outlined. That we should have had from the get-go, which outlines what direction you're going, what you're going to need from us in the future. So that we're not doing fire drills, every time there's a real emergency and we've got to make something happen.

I know deals fall through, things happen. But the more informed, the better planning, and better understanding of directionally what's happening, I think that we can all get on board. Because nobody wants to see this building go to waste. And it's a real opportunity, but it's not been communicated very effectively.

Chairman Gavaris: Further discussion? Legislator Bartels.

Legislator Bartels: Yeah. You know, I, you know, I wasn't, I mean, I came here not prepared to, to support any of it. Although the portions that Legislator Ronk references are the, are arguably the portions that make most sense to me, for the reasons that you state.

Again, I, my challenge is that many of us seem to be having a conversation about sale. And I'm not sure that that's, well, I'm sure that that's not really what we're talking about. What we're really talking about is a development deal and filling the building with tenants. And I don't really have a sense of how long that would be for. And so, I don't know. But that's definitely more reasonable than the whole.

I'd be curious what the rest of the, what the rest of the members of the committee think.

Chairman Gavaris: Chair Donaldson, did you

Legislative Chairman Donaldson: What is the total number on 340? I don't have the

Legislator Ronk: \$435,000.

Legislative Chairman Donaldson: That's at for 450?

Legislator Ronk: Yes.

Chairman Gavaris: Yes. Well, yeah, it's 451 is the actual transfer of the money.

Chairman Donaldson: Okay. I got it.

Legislator Ronk: 450 is the Capital Project. 451 is the [inaudible].

Sorry 450 is the Capital Project. 451 is the contract with UCEDA.

Legislative Chairman Donaldson: Right.

Chairman Gavaris: Is that all you had, Chairman Donaldson? Okay. Legislator Archer.

Legislator Archer: Can somebody explain to us. You talked about us owing tax money. But if, if the county owns a building, we don't pay taxes on it. And so, you're saying that, you know, we took ownership. So, UCEDA did miss the tax roll for ownership and applying for exemption. Why are we paying taxes, if we took ownership?

Director Weidemann: So, two things. UCEDA, didn't miss the tax roll. The transfer didn't get completed until July. So, it wasn't just that they missed it. It is a unique situation for a county to acquire properties in rem foreclosure. In that instance, the county is obligated to pay the taxes on the property. So, this is a unique situation. Marc, do you want to?

Deputy Executive Rider: It's not that we pay the taxes on the property, it's that we make the other taxing jurisdictions whole. And we do that for any foreclosed properties that we take through an in rem process.

Legislator Archer: Expecting to get it back sale of that property?

Deputy Executive Rider: Hoping to eventually get it back.

Legislator Bartels: Can I just ask for clarity, so, is that in is perpetuity? If the county, let's say we didn't transfer to UCEDA, and let's say the county kept the building, and said, you know what, we're going to move all operations to that building. We're going to now make it the government seat. We'd have to pay, we'd have to pay school taxes in perpetuity? We would have to [inaudible].

Deputy Executive Rider: As long as its, sorry. It actually goes a step further back than that. And that's, for a property like this where Ginsburg wasn't paying taxes, we've been making him whole, prior to the we've been making, sorry, not him, the, the town, the school whole prior to the foreclosure process. So, it started even earlier than that. We, we are supposed to collect the taxes and pay the other municipalities. So, even prior to the foreclosure, if those taxes aren't getting paid, we're making those other jurisdictions whole.

Now, if we foreclose on the property and use it for a county purpose, then no, we're not paying taxes in perpetuity. But otherwise, we continue to pay, make that

Legislator Archer: We first year only I, it's not clear [inaudible]

Deputy Executive Milgrim: [inaudible]

Legislator Archer: Yeah, we need to just a little clarification on that because we're saying, this year where we're, we're responsible for about \$700,000 in tax, but not next year?

Deputy Executive Rider: Right.

Director Weidemann: And by virtue of the fact that UCEDA will, will go through the process,

Legislator Archer: Right and if UCEDA applies to get exempt from that. Well, what happens, what if they don't?

Deputy Executive Rider: We don't make the, the jurisdictions whole, well, no, we don't make the jurisdictions whole if it is a tax-exempt property, then the jurisdictions would not receive [inaudible].

Chairman Gavaris: Legislator Bartels then Legislator Parete.

Legislator Bartels: Thank you. Yeah, I'm just so, while, because I was confused on this, and it's being earnest and saying I just don't fully understand, you know, I looked on the parcel finder and looked at a county owned properties. And 201, it says wholly exempt. It says wholly exempt on the railroad. It's wholly exempt on Creeks Lock Road. It says that we own vacant commercial property, it says wholly exempt, it says wholly exempt on vacant residential property that we own. So, what I'm trying to understand is why this is a unique property that we, I get that we make the town's whole when we haven't foreclosed. But when we take ownership, I want to understand why we have to continue to take, make the town's whole

Chairman Gavaris: Can I attempt to clarify this? I think I understand it. And let me just see if I'm correct in my understanding of this. It's a timing issue. That if it doesn't get taken over, if it happens after the, the March, whatever that deadline time there, it's still technically seen as the previous owner, which is why the county makes them whole. Is that the correct understanding? Or am I completely off base?

Director Weidemann: And I think everybody's got elements of the correct understanding. And I think it just would take a sit down to go through this in detail, and honestly should involve Burt and the County Attorney, because that's really who the specialists in this.

Chairman Gavaris: Legislator Parete first and then Comptroller Gallagher.

Legislator Parete: Alright, thank you, Mr. Chairman. I listened to the discussions before. And it seems to be an underlying theme that there has to be a better idea. Has to be something different. But I didn't hear anything different. I didn't hear a better idea.

And as the right honorable leader behind me said earlier, the place has been vacant and a bone of contention for 25 or 30 years.

Now, suddenly, there's some traction, things happening. You know, a body in motion tends to stay in motion. And a body at rest, tends to stay at rest. If there's a little motion, now, they can get some traction, make some adjustments. If they get bogged down, they're going to be bogged down for an awful long time. I think it's a, it's time to move forward on what they're trying to do out there. So, I thank you for the for the time.

Chairman Gavaris: Comptroller Gallagher.

Comptroller Gallagher: Case law in New York says that local development corporations are not by their nature, necessarily considered charitable entities. And so that is why UCEDA is going to maybe be required to pay these taxes on it going forward. The assessor will review the exemption request and make a judgment. And there will be square footage that hopefully will be leased up. And the assessor will make a judgment on the value of that square footage, and there will be taxes on those portions of the building.

Chairman Gavaris: Legislator Bartels.

Unidentified Speaker: [inaudible]

Comptroller Gallagher: That's for those that are rented for the portions that are not rented. We're going to have to make the argument to the assessor that is for county use.

Legislator Bartels: I, I, thank you

Chairman Gavaris: Legislator Bartels, just use your mic, please.

Legislator Bartels: Sorry. Thank you. I think what I need to get clarity on is not so much the situation with UCEDA, which that, that I feel like I actually understand. And maybe I don't, but I feel like I do.

But what I definitely don't understand is why the county, once the county has taken ownership, why the county is obliged to to make the town and the school whole. That's the part. Because I don't see any county owned property, including commercial and residential vacant property, including the railroad, including every building that we own, that says County of Ulster, every one of them says wholly exempt

on the tax parcel. So, that's what I'm under trying to understand in the portion that we're talking about where the county owes the bill. That's, that's the part that I don't get.

Director Weidemann: Yeah, yeah, I think, a technical discussion that that would reveal, I think a lot and we can do that. I just wanted to make a clarification that on the resolution and the, and the proposed amount of the, of the contract with UCEDA, there's \$100,000 in here, that's for improvements to the sprinkler system. And I know Legislator, Ronk pointed that out.

And just to clarify, this is a separate need than what was identified in the prior Capital Project, related and I think this will all be familiar maybe in a painful way, that IBM had all utilities on one connection. So, natural gas, electric sewer, water all one connection. About a year and a half ago, we separated the natural gas and the electric. The water is not separated for the past year and a half or so, a tenant on the east side of the campus has been paying that water bill, they are no longer paying that water bill that means that there is a shutoff in the future. In order to fire protect this building, there needs to be a separate connection for sprinkler service. So, that's what's included in this budget that \$100,000 in the last line item in the Schedule B.

Chairman Gavaris: Further discussion? Legislator Ronk.

Legislator Ronk: I make a motion that we amend the resolution to pay for in this in this resolution, the property appraisals the property management, I'm setting up sorry, the property appraisals, property surveys, and legal counsel for Enterprise West totaling \$80,000, \$50,000, and \$40,000.

Chairman Gavaris: Can I have a second?

Legislator Maio: I'll second that.

Chairman Gavaris: Second, Legislator Maio. Discussion? Chairman Donaldson. Can you, just use the microphone, Chair Donaldson.

Legislative Chairman Donaldson: You don't want to do the water system? The water sprinkler system.

Legislator Ronk: I am not saying I don't want to do the water sprinkler system. What I'm saying is that the argument that has been made to me and my caucus over and over again is that you know, there are costs here that need to be done immediately in order to properly enter into contract negotiations.

And the, the common theme was, we need to, you know, you can't do it without a survey, you can't do it without an appraisal. I think that, you know, that this offering of a compromise allows some of the project to move forward this, this month, and show the good faith to our developer partner that they're

currently negotiating with. And then it gives the EDA and the administration some extra time to try and build trust and confidence in the project as a whole.

I, I, again, I, I came in tonight, I came into today, you know, fully planning on making a motion to postpone everything in here tonight. And I have searched my soul throughout the day and, and have thought that this might give us the opportunity to have a happy medium where we can start to negotiate with National Resources or, I say we, Mr. Weidemann can, you know, start to negotiate with National Resources, in, in good faith, with the understanding that they'll have what they need to be able to, to make those negotiations happen.

And I want to make it clear, I, I understand that if they're able to build our trust and confidence that they'll be coming back for sprinklers and some property management items. I will tell you that the property management's going to be a hard sell for me because the you know, the, the EDA does have \$200,000. And if they used \$100,000 of it for plowing and mowing, as if the county really can't, you know, help accomplish those goals, they would still have \$100,000.

Chairman Gavaris: Chair Donaldson.

Legislative Chairman Donaldson: I think really be in good faith with this, I think we should include the engineering and architectural services, the \$65,000, that way they can start that process.

Legislator Ronk: I, I'd like to see what the committee's thoughts are on this, first.

I don't think that the architecture and engineering are our responsibility, that's, again, that goes down a rabbit hole, because then you know, the architecture and design is going to turn up \$300,000 in more cost that we're going to have to pay right after we do that.

I you know, I see it going down, I see, I see the boulder rolling down the hill, and they only gets bigger when you roll down the hill. You know, I think that this is a good starting point. And, and these are also the costs that have been repeatedly said to me, are 100% necessary to be able to enter negotiations.

Chairman Gavaris: Legislator Bartels, but we got to be mindful of time here. We only have 20, less than 25 minutes here so.

Legislator Ronk: Well, technically, we're supposed to have caucus after this.

Chairman Gavaris: So, we'll give you two minutes.

Legislator Bartels: Yeah, I came to today too, fully prepared to support a postponement in anticipation of, of really getting a better sense and a more thorough presentation and understanding of what the goal is, in the way that Legislator Delaune articulated, and others have articulated today, as well.

You know, I, Legislator, Legislator's Ronk's suggestions. It is true. I mean, these were the things that were being asked for at the front end. One question I have is, and it's a technical one for someone who, who knows. In terms of an appraisal, is an appraisal, an appraisal, an appraisal, an appraisal? Meaning, is an appraisal for this use, would that be the same appraisal as an appraisal for sale? Are they is it all the same?

Legislator Archer: No. No. There's different appraisals,

Legislator Maio: No, there's refinance, refinance appraisal, sale,

Legislator Archer: lending appraisals. Yep.

Legislator Bartels: So, what kind of appraisal are we contemplating for this cost?

Legislator Ronk: A \$50,000 one.

Legislator Archer: Which type of appraisal?

Legislator Bartels: What type of appraisal?

Director Weidemann: So, I think the closest equivalent is a sale appraisal. We ultimately want to know the value of the property. So, as we enter into negotiations with the developer, on a master developer agreement, we can understand what thresholds would have to be met to consider a purchase.

Legislator Bartels: Okay, so that that answer, I feel more I do feel more comfortable. Because I feel like with that information, if that information came back to the legislature as part of a discussion, we could also have that discussion where smart minds can disagree on the best use. But hopefully, we could have that discussion about potentially even contemplating an RFEI that looks at sale. Because that would be something that I would like to have a sense of on the table, as well. It would make me feel much more comfortable about where we were going.

So, my short answer is that I feel more comfortable.

Chairman Gavaris: Deputy Executive Rider.

Deputy Executive Rider: If I could just add one thing, and you know, Tim raised it, but we, we have been notified that there is an intent by the Kingston Water Authority to shut off the east side campus. Because, you know, he, he mentioned the customer, that Farm Bridge was paying the bill and they're no longer doing so. And by the end of the year, the water will be shut off, and there will be no fire protection to this building. So, we will have, UCEDA will have an asset that that is there that will not have fire protection. And, and I get that you're saying we can come back to you. But that that takes time to get that work done. And so, to accomplish that, by the end of the year, this, this would need to move forward.

Chairman Gavaris: Legislator Ronk.

Legislator Ronk: Then I, two things. First off, I think that the Kingston, you know, that Kingston would be—it wouldn't be their best interest, I don't think, in, in, in working in working together with the county, to turn off the water to a county asset. I'm throwing that out there as a you know, usually government partners work together. In the City of Kingston, you know, again, I don't know that they want to burn all of those bridges. But if they do, then the onus is on the Executives Office and UCEDA to build that trust in a hurry and come back to us next month. That's you know, that's all I can say.

Chairman Gavaris: Chair Donaldson.

Legislative Chairman Donaldson: This is a point of information. The Kingston Water Department is virtually in an autonomous body within the City of Kingston. So, it'll be up to that board.

Chairman Gavaris: All right. If there's no new discussion, let's vote on Legislator Ronk's motion. All those in favor?

Group: Aye.

Legislator Archer: Can we just get a clarification, is that on the three?

Legislator Ronk: Yes, the totaling \$170,000. It is the property surveys total estimated \$80,000 property appraisals estimated at \$50,000. And legal counsel for Enterprise West, estimated at \$40,000.

Chairman Gavaris: Okay, again, all those in favor?

Group: Aye.

Chairman Gavaris: Okay Opposed?

I'm actually going to oppose myself. Is it carried?

Legislator Parete: Yes.

Chairman Gavaris: Legislator Parete's votes was?

Legislator Parete: Yes.

Chairman Gavaris: Okay. All right. Okay. Motion carries

451, approving the execution of contracts

Legislator Ronk: Mr. Chairman, we have to vote on the resolution as amended.

Chairman Gavaris: Oh you're right. On the resolution as amended.

Group: Aye.

Chairman Gavaris: All in favor?

Opposed? Chairman Donaldson, are you opposed on this as well?

Legislative Chairman Donaldson: I'm for it.

Chairman Gavaris: You're for it. Okay. Legislator Parete.

Legislative Chairman Donaldson: He raised his hand.

Chairman Gavaris: I'm opposed. Okay. 451: approving execution

Legislator Ronk: I'll move it for discussion

Chairman Gavaris: Move it for discussion?

Legislator Archer: Second.

Chairman Gavaris: Discussion? Legislator Ronk.

Legislator Ronk: This resolution is going to have to be amended to match the dollar amounts and scope of services that we have just approved in 450. So, I make a motion that we amend 451 to, you know, and

again, it's going to take some work from our attorney, but, you know, to amend the contract to match what we just approved in the capital project in 450.

Chairman Gavaris: Second?

Legislator Maio: I'll second it.

Chairman Gavaris: Discussion. All those in favor on the amendment?

Legislator Ronk: Aye.

Chairman Gavaris: Opposed? I'm going to be opposed as well. All right, on the amended resolution, all those in favor?

Legislator Ronk: Aye.

Chairman Gavaris: Opposed? Thank you.

459: purchasing buses for \$91,000. Can I have a motion?

Chairman Gavaris: Chair Donaldson.

Legislator Ronk: Second.

Chairman Gavaris: Ronk. All those in favor?

Group: Aye.

Chairman Gavaris: Opposed? So carried

461.

Legislator Ronk: I'll move it.

Chairman Gavaris: Second? Second, Archer. Discussion? All those in favor?

Group: Aye.

Chairman Gavaris: Opposed? So carried.

464.

Legislator Ronk: I'll make a motion to be blocked 464 through 475. They're all bonds.

Chairman Gavaris: Motion. Second?

Legislator Maio: Second.

Chairman Gavaris: Second, Maio. All those in favor?

Group: Aye.

Chairman Gavaris: Opposed? So carried. Alright, on the block?

Group: Aye.

Chairman Gavaris: Opposed? So carried.

478: authorizing the chair to sign an agreement with the Town of Rochester for the use of voting equipment.

Legislator Ronk: I'll move it.

Chairman Gavaris: Second?

Legislator Archer: Second.

Chairman Gavaris: Second, Archer. Discussion? All those in favor?

Group: Aye.

Chairman Gavaris: Opposed. So, carried.

Rescinding Resolution Number 333. Can I have a motion?

Legislator Ronk: I'll move it for discussion.

Chairman Gavaris: Move it. Second? Second, Archer. Discussion? Legislator Ronk.

Legislator Ronk: Huh?

Chairman Gavaris: Oh, I thought you had discussion.

Legislator Ronk: No.

Chairman Gavaris: Legislator Bartels.

Legislator Bartels: I'm going to ask that we postpone this resolution a month. There have been some good discussions before between the, the legislative financial team and the financial team, financial director. And I also, I feel like we're not there yet. So, we're working. We're working toward inclusion. So, I'd like to ask that.

Legislator Ronk: I second that motion.

Chairman Gavaris: Second. All those in favor?

Legislative Chairman Donaldson: Which one, which resolution?

Chairman Gavaris: Opposed?

Legislator Ronk: 478, 505 sorry.

Chairman Gavaris: 505. All right. All those in favor?

Group: Aye.

Chairman Gavaris: Opposed? All right.

Legislator Ronk: I move that we blocked 506-507 and 508 together. They're all the late resolutions.

Chairman Gavaris: We actually, we can't. 506 we can't. Sorry, 506, approving the execution of a contract for Institute of Family Health. Can I have a motion?

Legislator Ronk: I'll move it.

Chairman Gavaris: Second? Any discussion? All those in favor?

Group: Aye.

Chairman Gavaris: Opposed? All right. Legislator Walker is going to recuse for purposes of employment.

Now if you want to five, 507 and

Legislator Ronk: Yeah, I'll move we block 507 and 508.

Chairman Gavaris: All right. Second? All those in favor?

Group: Aye.

Chairman Gavaris: Opposed? All right.

On the block.

Group: Aye.

Chairman Gavaris: All in favor? Opposed? So carried.

Any new business?

Motion to adjourn? Chairman Donaldson. Second? Archer. All in favor? Opposed? So carried. Thank you.