

Approving Construction, By Licensee Ulster County Agricultural Society, Of New Bathroom Facilities At The Ulster County Fairgrounds On Libertyville Road In New Paltz – Department Of Public Works (Buildings And Grounds)

Referred to: The Laws and Rules, Governmental Services Committee (Chairman Roberts and Legislators Fabiano, Maio, Ronk, Donaldson, Loughran and Robert Parete)

Legislator David B. Donaldson offers the following:

WHEREAS, effective January 1, 2008, the County entered into a five-year license agreement (the “License”) with the Ulster County Agricultural Society (the “Society”), whereby the County granted to the Society a revocable license to use a portion of property owned by the County, commonly known as the Ulster County Fairgrounds (the “Fairgrounds”) situated on Libertyville Road in the Town of New Paltz, and

WHEREAS, the portion licensed to the Society (the “Premises”) are to be used for the purpose of maintaining and managing the Fairgrounds, and organizing, scheduling and managing events, programs and activities at that location, for the County, and

WHEREAS, in 2010, the County razed the unsafe, unsanitary, dilapidated and unusable bathroom facilities on the Premises, and since that time portable units have been used to accommodate the needs of event attendees, and the Society has determined that there is an urgent need to permanently replace the bathroom facilities, and

WHEREAS, the Society is willing and financially able to construct, on the Premises, a new bathroom facility as specified on the Plans and Specifications attached to this Resolution, and in the same location as the previous bathroom facility, and

WHEREAS, pursuant to paragraph 18 of the License, a copy of which is attached to this Resolution, the Society “shall not construct any major improvements or permanent structures upon the licensed premises without the express written approval of the County Legislature” and “such approval shall be granted only upon a majority vote of the Legislature,” and

WHEREAS, pursuant to the terms of the License, if such approval for construction is granted by this body, the Society is further required, to comply with sub-paragraphs (a) through and including (h), and the Society will enter into a written agreement obligating itself to do so, and

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WHEREAS, pursuant to the State Environmental Quality Review Act (SEQRA) this construction is a “replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site” and is therefore a Type II action not subject to review under SEQRA, having been determined not to have a significant impact on the environment (6 NYCRR 617.5(c)(2)), and

WHEREAS, the construction will be overseen and monitored by the Ulster County Department of Public Works, Buildings and Grounds Division, and the Ulster County Safety Office, now, therefore, be it

RESOLVED, the Ulster County Legislature hereby approves the construction, by the Ulster County Agricultural Society, of new bathroom facilities on the same site as the previous bathroom facilities, on that portion of the Ulster County Fairgrounds currently licensed to the Society, and the Society avers and the Legislature acknowledges that such construction shall be completed at no cost to the County,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

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

Passed Committee: Laws and Rules, Governmental Services Committee on April 16, 2012

FINANCIAL IMPACT:
NONE

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 17th day of April, 2012, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 19th Day of April in the year Two Thousand and Twelve.

Karen L. Binder, Clerk
Ulster County Legislature

Submitted to the County Executive this
19th Day of April, 2012.

Approved by the County Executive this
_____ Day of April, 2012.

Karen L. Binder, Clerk
Ulster County Legislature

Michael P. Hein, County Executive