

**Requiring An Apprenticeship Training Program For The Ulster County Community College Contracts Known As The Contract For Constructing Additions And Improvements To The Burroughs Science Building And Senate Gymnasium**

Legislators Bartels, Berardi, Bischoff, Cahill, Dart, Distel, Donaldson, Gregorius, Kraft, Liepmann, Lomita, Loughran, R.A. Parete, R.S. Parete, Provenzano, Rodriguez, Shapiro, Sheeley, Stoeckeler, Terpening and Zimet offer the following:

WHEREAS, the County of Ulster intends to seek competitive bids for the purpose of entering into contracts for a Capital Project at the Ulster County Community College for constructing additions and improvements to the Burroughs Science Building and Senate Gymnasium, and

WHEREAS, “project” shall mean herein and after, the construction of additions and improvements to the Burroughs Science Building and Senate Gymnasium, and

WHEREAS, current State law does not compel any governmental entity that is a party to a construction contract to require than any contractors or subcontractors participate in apprenticeship training programs approved by the State Commissioner of Labor, and

WHEREAS, there is a long and productive history of partnership between labor and management for the training of skilled craft workers in our State which began over fifty (50) years ago when the US Congress passed the Fitzgerald Act (29 USC Section 50) to encourage States to develop apprenticeship training programs, and

WHEREAS, the New York State Legislature adopted Article 23 of the New York Labor Law in 1961 to authorize the State Commissioner of Labor to develop standards for apprenticeship training and a process for certifying programs which meet said standards, and

WHEREAS, the promotion of apprenticeship training programs will expand the pool of skilled workers in the County of Ulster by providing many residents the means to earn a decent living thereby fostering the local and regional economies, and

WHEREAS, that the contractors apprentice program has also been in existence for two or more years and has a graduation rate of at least 25% and has a legitimate place of training or access to a legitimate place of training, and

WHEREAS, the Ways and Means Committee has met and reviewed said request with a majority of the members voting approval.

Resolution No. 125 April 11, 2007

**Requiring An Apprenticeship Training Program For The Ulster County Community College Contracts Known As The Contract For Constructing Additions And Improvements To The Burroughs Science Building And Senate Gymnasium**

RESOLVED, that the County of Ulster hereby establishes a policy to promote apprenticeship training as authorized by Section 818-b of the New York Labor Law for this project, and

FURTHER RESOLVED, that “construction contract” shall mean the above referenced contract including all construction work affiliated with the project, and

FURTHER RESOLVED, that “contractor or subcontractor” shall mean a contractor or subcontractor which directly employs labor under a construction contract for which an apprenticeship program has been approved by the New York Labor Law, and

FURTHER RESOLVED, that the County of Ulster hereby requires any contractor or subcontractor, entering into the construction contract for the above project to have apprenticeship agreements, appropriate for the type and scope of work to be performed, which have been registered with, and approved by, the New York State Commissioner of Labor in accordance with Article 23 of the New York Labor Law anything in Section 103 of the New York General Municipal Law to the contrary notwithstanding, and

FURTHER RESOLVED, that the County of Ulster Department of Purchasing is hereby authorized, empowered and directed to promulgate such rules and regulations necessary and appropriate for the implementation and enforcement of any provisions of the law for this project and the construction contracts related thereto, and

FURTHER RESOLVED, that the Ulster County Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this resolution constitutes a Type II action pursuant to Section 617.15(c)(20) and (27) of Title 6 of the New York Code Of Rules And Regulations (NYCRR) and within the meaning of Section 8-0109(2) of the New York Environmental Conservation Law as promulgation of regulations, rules, policies, procedures and legislative decisions in connection with continuing agency administration, management and information collection, and therefore, that pursuant to NYCRR 617.6(a)(1)(i), the County has no further responsibilities under SEQRA with respect to this matter, and

Resolution No. 125 April 11, 2007

**Requiring An Apprenticeship Training Program For The Ulster County Community College Contracts Known As The Contract For Constructing Additions And Improvements To The Burroughs Science Building And Senate Gymnasium**

FURTHER RESOLVED, that this resolution shall apply to the above referenced project only, and

FURTHER RESOLVED, that if any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance, directly involved in the controversy in which such judgment or order shall be rendered,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 30                      NOES: 1  
(NOES: Legislator R.A. Parete)  
(Absent: Legislators Every and Felicello)

FINANCIAL IMPACT:  
NONE

0441