

**Authorizing The Chairman Of The Ulster County Legislature To Execute A Revised Lease Agreement With Tivoli Management Corporation For The Mental Health Satellite Office In Highland – Department Of Public Works (Buildings And Grounds)**

The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Felicello, Maloney, Roberts, Hochberg, Loughran and Provenzano) offers the following:

WHEREAS, this resolution has been submitted by the County Executive on behalf of the Department of Public Works, and

WHEREAS, the lease agreement with Tivoli Management Corporation for the Ulster County Department of Mental Health satellite office, at 560 Rt. 299, Highland, New York, expired on May 31, 2010, and

WHEREAS, the Ulster County Legislature, by the adoption of Resolution No. 140, dated May 18, 2010, authorized the Chairman to execute a lease with Tivoli Management Corporation for the continued use of the office space for a term of three years, commencing June 1, 2010 and ending May 31, 2013, at an annual rent of \$37,200.00, with no increase from the previous five-year lease, and

WHEREAS, pursuant to Resolution No. 140, the office space was stated as 3,800 square feet, which amounted to a rental rate of \$9.79 per square foot, and

WHEREAS, as a result of a ministerial error, the number of square feet and, as a consequence, the price per square foot, were misstated in Resolution No. 140 and in the lease agreement, and

WHEREAS, the correct number of square feet is 3,432, making the correct price per square foot \$10.84, and

WHEREAS, the actual space occupied by the County remains unchanged and the annual rent remains unchanged from the previous lease, that is, \$37,200 annually, and

WHEREAS, the tenant, the County of Ulster, shall have the option to terminate the lease for any or no reason, upon ninety days written notice to the landlord, and

WHEREAS, the Commissioner of Public Works has requested that the Chairman of the Ulster County Legislature be authorized to execute a revised lease with Tivoli Management Corporation for the continued use of the office space for a term of three years, commencing September 1, 2010 and ending August 31, 2013, at an annual rent of \$37,200.00, for 3,432 square feet or \$10.84 per square foot, and

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WHEREAS, the Public Works and Capital Projects Committee has met and reviewed said request with a majority of the members voting approval, and

WHEREAS, the Budget and Finance Committee has met and reviewed said request with a majority of the members voting approval, now, therefore, be it

RESOLVED, that the Chairman of the Ulster County Legislature is hereby authorized to execute a revised lease agreement with Tivoli Management Corporation for office space for a satellite office of the Department of Mental Health, at 560 Rt. 299, Highland, New York, for a three-year term from September 1, 2010 to August 31, 2013, at an annual cost of \$37,200.00, in the form as filed with the Clerk of the Legislature or as modified with the approval of the County Attorney,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 30                      NOES: 0  
(Absent: Legislators Aiello, Harris and Lomita)

FINANCIAL IMPACT:

\$37,200.00 – BUDGETED 2010 COUNTY DOLLARS

0805

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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 17<sup>th</sup> day of August, 2010, 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 20<sup>th</sup> Day of August in the year Two Thousand and Ten.

/s/ Karen L. Binder  
Karen L. Binder, Clerk  
Ulster County Legislature

Submitted to the County Executive this

20<sup>th</sup> Day of August, 2010.

/s/ Karen L. Binder  
Karen L. Binder, Clerk  
Ulster County Legislature

Approved by the County Executive this

22<sup>nd</sup> Day of August, 2010.

/s/ Michael P. Hein  
Michael P. Hein, County Executive