

RESOLUTION APPROVING THE SHOVEL READY FUND APPLICATION FROM THE CITY OF KINGSTON PHASE II, THE ENTERING INTO OF A DISBURSEMENT AGREEMENT BETWEEN THE ULSTER COUNTY DEVELOPMENT CORPORATION AND THE CITY OF KINGSTON, AND THE DELIVERY OF PROJECT FUNDS AND ADMINISTRATIVE FEE TO THE ULSTER COUNTY DEVELOPMENT CORPORATION

The Economic Development / Education, Tourism and Cultural Affairs Committee (Chairman Harris and Legislators Cummings, Felicello, Roberti, Bartels, Loughran and Zimet) offers the following:

WHEREAS, the County of Ulster (hereinafter referred to as the "County") is desirous of enhancing job creation and retention of employment within its municipal boundaries, and

WHEREAS, the ULSTER COUNTY INDUSTRIAL DEVELOPMENT AGENCY (hereinafter referred to as the "IDA") promotes and assists in the acquiring, constructing, improving, maintaining and equipping of industrial, manufacturing, commercial, research, recreation, and civic facilities, and

WHEREAS, the ULSTER COUNTY DEVELOPMENT CORPORATION (hereinafter referred to as the "UCDC") fosters business growth and economic development in the County of Ulster and its municipal subdivisions, and

WHEREAS, the COUNTY and IDA wish to accomplish their purposes in part by making funds available that will encourage municipalities within Ulster County to develop, enhance, and expand public supporting infrastructure, and

WHEREAS, UCDC has established the Shovel Ready Fund, hereinafter referred to as the "FUND", for the purpose of administering funds of the COUNTY and IDA, and

WHEREAS, said funds are to be administered for the purpose of economic development within the County of Ulster pursuant to the Procedures and Guidelines of the Shovel Ready Fund dated November 2001 as filed with the Clerk of the Legislature (hereinafter referred to as the "GUIDELINES"), and

WHEREAS, the COUNTY, IDA and UCDC have entered into an Agreement for Administration of the Ulster County Shovel Ready Fund dated November 28, 2001 (hereinafter referred to as the "AGREEMENT"), and

RESOLUTION NO. 210 JUNE 10, 2004

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WHEREAS, pursuant to the GUIDELINES the City of Kingston and the Kingston Local Development Corporation (hereinafter collectively referred to as the "CITY") have submitted an application (a copy of which is on file at the office of the UCDC and the Clerk of the Legislature) for assistance to the Shovel Ready Fund, and

WHEREAS, the application is for a project that consists of (A) \$300,000.00 from the Shovel Ready Fund, (B) \$1,700,000.00 from the CITY, and (C) Installation of all utilities (electric, gas, telephone, and fiber optic cable), extension of the interior roadway, storm drains, and lighting for Phase Two of the Kingston Business Park for the Ameribag manufacturing facility, and

WHEREAS, in accordance with the GUIDELINES, the UCDC staff has reviewed and recommended the approval of the applications, and

WHEREAS, in accordance with the GUIDELINES, the Shovel Ready Committee has reviewed and recommended the approval of the application.

WHEREAS, the Economic Development Committee has met and reviewed said request with a majority of the members voting approval, and

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

RESOLVED, by the County Legislature of Ulster County, New York as follows:

Section 1. The application from the CITY for \$300,000.00 from the Shovel Ready Fund is approved.

Section 2. The entering into of a disbursement agreement as filed with the Clerk of the Legislature between the UCDC and the CITY in accordance with the GUIDELINES is approved.

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Section 3. The delivery of \$300,000.00 from the COUNTY to the UCDC to be paid to the City pursuant to the disbursement agreement and in accordance with the AGREEMENT is approved.

Section 4. The delivery of \$3,000.00 from the COUNTY to the UCDC as an administrative fee in accordance with the AGREEMENT is approved.

Section 5. This resolution shall take effect immediately.

Section 6. This resolution is subject to further agreement between the Kingston Local Development Corporation and the County conveying joint ownership of all roadways, water and sewer portions of the project constructed with County funds to the County, subject to the obligations of the Kingston Local Development Corporation, its successors and assignees to operate and maintain such portions and indemnify the County with respect thereto, which agreement the Chairman of the Legislature is authorized to sign in the form as filed with the Clerk of the Legislature or as modified with the approval of the County Attorney.

Section 7. It so found and determined, in accordance with the Environmental Impact Statement previously prepared for the project by the City of Kingston and KLDC that the work contemplated hereunder will not have a significant effect on the environment.

Section 8. This resolution shall take effect immediately,

FURTHER RESOLVED, that the 2004 Ulster County Budget be amended as follows:

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TRANSFER

FROM:	A4-1331-4553	Contingent Account	\$3,000.00
TO:	A4-1001-4400 (Appr. #'s)	Other Fees – Professional Svcs.	\$3,000.00

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: NOES:

FINANCIAL IMPACT:
\$300,000.00 – COUNTY SERIAL BONDS
\$3,000.00 – BUDGETED COUNTY DOLLARS (CONTINGENT)

0608

WITHDRAWN BY SPONSOR