

Amending Resolution No. 253 Dated October 19, 2010, And Authorizing The Chairman Of The Ulster County Legislature To Execute A Revocable Permit Agreement With The State of New York, Allowing The New York State Department Of Correctional Services And Community Supervision To Use Space At Ulster County's Old Jail – Department of Public Works, Division Of Buildings And Grounds

Referred to: The Public Works and Capital Projects Committee (Chairman Fabiano, Deputy Chairman John Parete, and Legislators Briggs, Maloney, and Roberts) and The Ways and Means Committee (Chairman Gerentine and Legislators Harris, Maio, Maloney, Gregorius, Provenzano and Rodriguez)

Chairman of the Public Works and Capital Projects Committee, Dean J. Fabiano, and Deputy Chairman John Parete offer the following:

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

WHEREAS, pursuant to Resolution No. 135, dated April 7, 2009, the County entered into a Memorandum of Understanding (MOU) with the New York State Division of Parole (the State), whereby the State was allowed to use approximately 1850 square feet of space in the old County Jail, approximately two days per month, in exchange for a monthly payment of \$1,100; and

WHEREAS, the MOU was to commence on June 1, 2009 and end on December 31, 2010, and the purpose of the MOU was to facilitate the reporting process for parolees located in and near Ulster County; and

WHEREAS, on October 19, 2010, the County, having been advised by the State that it desired to continue the arrangement, adopted Resolution No. 253, authorizing the Chairman to renew the MOU for a two-year term commencing January 1, 2011 and ending December 31, 2013, at the same \$1,100 per month rate; and

WHEREAS, subsequent to the adoption of Resolution No. 253, the State determined that it desired a five-year revocable permit rather than a memorandum of understanding, and the State and the County agreed to continue the arrangement on a month-to-month basis while drafting and negotiations relative to such a permit were carried out; and

Resolution No. 235

September 19, 2012

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WHEREAS, the County and the State, through its Office of General Services, have completed the drafting and negotiations and have created a Revocable Permit for the same space at the same \$1,100 per month rate, to commence on July 1, 2012 and end on June 30, 2017 (subject to the State's options to renew and subject to the County's rights to revoke or terminate the Permit); and

WHEREAS, because of the inter-municipal nature of the agreement, the County Executive and the Commissioner of Public Works requests that the Chairman of the Ulster County Legislature be authorized to execute the Permit; now, therefore, be it

RESOLVED, that the Chairman of the Ulster County Legislature is hereby authorized to execute a Revocable Permit, and any amendments thereto, with the State of New York, Office of General Services, which Permit will allow the State Department of Correctional Services and Community Supervision (DOCCS) to use a portion of the former Ulster County jail for a five-year term, at a monthly rate of \$1,100, 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: 21 NOES: 0
(Absent: Legislators Donaldson and Harris)

Passed Committee: Public Works and Capital Projects on September 4, 2012

Passed Committee: Ways and Means on September 11, 2012

FINANCIAL IMPACT:

\$13,200.00 – BUDGETED 2012 REVENUE DOLLARS

\$13,200.00 – ANTICIPATED 2013 REVENUE DOLLARS

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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 19th day of September, 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 21st Day of September in the year Two Thousand and Twelve.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
21st Day of September, 2012.

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

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Michael P. Hein, County Executive