

**Compelling The Administration Of The Ulster County Law Enforcement Facility To Withhold Funding To Contractors That Are Not Compensating Their Sub-Contractors In A Fair And Timely Fashion**

Legislators R.S. Parete, Kraft, R.A. Parete and Zimet offer the following:

WHEREAS, the Ulster County Law Enforcement Facility was intended to be completed in March of 2004 – at a cost of \$72,000,000.00, and

WHEREAS, the timeliness of the largest public works project in Ulster County history, the Ulster County Law Enforcement Facility, has hindered the ability of local contractors from gaining additional work, which has placed a considerable strain on local commerce and industry, and

WHEREAS, some sub-contractors may not have been compensated by prime contractors in a fair and timely manner, and

WHEREAS, sub-contractors employ local tradesmen who live and raise their families in our community, and

WHEREAS, local sub-contractors hire local craftsmen and others who live in the area, pay taxes, buy locally and donate to many local charitable organizations, and

RESOLVED, the Ulster County Legislature supports local trade organizations and their families, and

FURTHER RESOLVED, the Ulster County Legislature compels the Administration of the Ulster County Law Enforcement Facility to withhold its financial obligations to prime contractors that are not compensating their sub-contractors in a fair and timely fashion for the work they had performed in a fair and timely manner,

and moves its adoption.

DEFEATED BY THE FOLLOWING VOTE:

AYES: 14                      NOES: 16  
(AYES: Legislators Bartels, Berardi, Dart,  
Donaldson, Feldmann, Kraft, Lomita, Loughran,  
R.A. Parete, R.S. Parete, Rodriguez, Shapiro,  
Stoekeler and Zimet  
(Absent: Legislators Aiello, Hyatt and  
Provenzano)

**Resolution No. 265 September 8, 2005**

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Legislator Maloney motioned, seconded by Legislator Harris to amend the "FURTHER RESOLVED" and add an additional "FURTHER RESOLVED" to the resolution as follows:

"FURTHER RESOLVED, that Ulster County withhold payment to prime contractors that are not compensating their sub-contractors in a fair and timely fashion for the work they had performed in a fair and timely manner, where the architect or construction manager provides an opinion that such withholding is necessary to protect Ulster County from loss, and otherwise where authorized and permitted by law, and

FURTHER RESOLVED, that the Ulster County Legislature requests all prime contractors to make prompt payment to their sub-contractors for work completed by such sub-contractors in accordance with their contract with Ulster County,"

MOTION DEFEATED BY THE FOLLOWING VOTE:

AYES: 16                      NOES: 14

(AYES: Legislators: Alfonso, Busick, Cummings, DePew, Every, Felicello, Gerentine, Harris, Hathaway, Maloney, McAfee, Meyer, Noonan, Roberti, Stock and Tipp)

(Absent: Legislators Aiello, Hyatt and Provenzano)

FINANCIAL IMPACT:  
UNKNOWN

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