

Requiring Any Financial Judgment, Reimbursement, Settlement Or Award Resulting From Any And All Litigation, Mediation, Trial Or Agreements To Be Applied Solely As Pay Down Of Debt Already Accrued For The Building, Study And Investigation Of Cost Overruns In Relation To The Building Of The Ulster County Law Enforcement Center (UCLEC)

Legislators Cahill and R.S. Parete and Legislators Aiello, Fabiano, Felicello, Hansut, Harris, Maloney, Petit, Roberti, Roberts, Ronk and Terrizzi and the Ways and Means Committee (Chairman Lomita and Legislators Cahill, Dart, Gregorius, Provenzano, Zimet, Cummings, Gerentine and Noonan) offer the following:

WHEREAS, the cost overruns and litigation expenses related to the Ulster County Law Enforcement Center (UCLEC) created financial hardships to all taxpayers of Ulster County, and

WHEREAS, the taxpayers of Ulster County will be paying as much as \$6 million in “jail taxes” annually during the next 20 years, and

WHEREAS, the cost overruns and other expenses related to the building of the UCLEC have been investigated, resulting in a recommendation that Ulster County seek redress for losses incurred, and

WHEREAS, cost overruns and other related expenses have been litigated in United States Federal Court and said matter is currently pending therein, and

WHEREAS, the litigation may result in a sum of money being awarded to Ulster County due to the negligence and/or breach of contract of certain contracted agents of the County, and

WHEREAS, the long term financial future of Ulster County is unknown and uncertain, and

WHEREAS, the Ulster County Legislature pledges to the public that reducing long term public debt is its highest priority and a sensible financial policy decision, and

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

RESOLVED, that the Ulster County Legislature affirms all proceeds from any financial judgment, reimbursement, settlement or award resulting from litigation, mediation, trials or agreements shall be applied solely to V3-4450-2701 (Debt Service Fund) intended to eliminate debt as it relates to all phases of Capital Project No. 236 Construction of a New Law Enforcement Facility,

Resolution No. 48 March 11, 2009

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and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 31 NOES: 0
(Absent: Legislators Harris and R.A. Parete)

FINANCIAL IMPACT:
\$1,730,000.00 REVENUE

0333

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 11th Day of March, 2009, 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 12th Day of March in the year Two Thousand and Nine.

/s/ Mary L. Carey
Mary L. Carey, Clerk
Ulster County Legislature

Submitted to the County Executive this
13th Day of March, 2009.

/s/ Mary L. Carey
Mary L. Carey, Clerk
Ulster County Legislature

Approved by the County Executive this
13th Day of March, 2009.

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