

Establishing And Funding Capital Project No. 631 – A Geothermal System For Silver Gardens Senior Housing Development – ARPA - Department Of Finance, Division Of Recovery And Resilience

Referred to: The American Rescue Plan Act Special Committee (Chairman Criswell and Legislators Corcoran, Levine, Lopez, and Sperry), The Public Works, Capital Projects and Transportation Committee (Chairwoman Petit and Legislators Fabiano, Litts, Nolan, and Stewart), The Health, Human Services and Housing Committee (Chair Walter and Legislators Corcoran, Erner, Lopez, Nolan, Petit, and Uchitelle), and The Ways and Means Committee (Chairman Gavaris and Legislators Cahill, Fabiano, Ronk, and Walter)

Chairman of the ARPA Special Committee, Peter J. Criswell, and Deputy Chair Thomas Corcoran, Jr. offer the following:

WHEREAS, this resolution has been submitted at the request of the County Executive on behalf of the Department of Finance, Division of Recovery and Resilience; and

WHEREAS, RUPCO, a non-profit affordable housing provider, seeks a transfer of \$600,000.00 of ARPA Funds from Ulster County to act as a federal subrecipient in administering a program to construct Silver Gardens, a senior supportive housing development on Argent Drive in the Town of Lloyd; and

WHEREAS, the Silver Gardens low-income senior housing development will provide 57 one-bedroom units, with 10 marketed to seniors at an income level of 50% area median income, 13 to seniors at an income level of 60% area median income, 5 to seniors at and income level of 90% area median income, with the remaining 29 units reserved for the homeless frail elderly, those with HIV/AIDs, and chronically homeless with supportive services provided by RUPCO; and

WHEREAS, the ARPA funds will be transferred to RUPCO to specifically aid in the cost of constructing a geothermal ground source system for the purposes of heating and cooling and providing hot water to the proposed 57 housing units; and

WHEREAS, Silver Gardens plans to include a high-performance building envelope designed in accordance with the New York State Energy Research and Development's (NYSERDA) New Construction-Housing Program in order to reach Tier 3-level performance via the Environmental Protection Agency's (EPA) Energy Star Multifamily New Construction standards and receive a Leadership in Energy and Environmental Design (LEED) for Homes Silver certification from the US Green Building Council (USGBC); and

Resolution No. 163 April 19, 2022

Establishing And Funding Capital Project No. 631 – A Geothermal System For Silver Gardens Senior Housing Development – ARPA - Department Of Finance, Division Of Recovery And Resilience

WHEREAS, the Silver Gardens Senior Housing project addresses the critical need for additional housing options for the County’s aging population and provides units with rental subsidy and supportive services to permanently house the homeless, as identified by the 2021 Ulster County Housing Action Plan; and

WHEREAS, RUPCO will apply for 9% Low Income Housing Tax Credits (“LIHTC”) with New York State Homes and Community Renewal as a major affordable housing funding source for the project, and financial support from Ulster County will allow RUPCO’s application for LIHTC funds to score more competitively in the State application process; and

WHEREAS, RUPCO seeks no indirect costs in administering the ARPA funds for Silver Gardens, so that all money provided to RUPCO would be utilized for the capital project; and

WHEREAS, although Ulster County has passed Resolution No. 333 dated August 17, 2021, which created Capital Project No. 597 for ‘ARP Housing’, this resolution asks the Legislature to create a new capital project so that money provided to RUPCO for Silver Gardens would be in a single capital project that is easily identifiable and transparent; and

WHEREAS, the Town of Lloyd Planning Board, has taken lead agency, and has identified the Silver Gardens Senior Housing project as a “Type 1 Action” as said term is defined pursuant to 6 NYCRR Part 617.6 of the Regulations of Article 8 of the Environmental Conservation Law of New York State (“SEQRA”); and has conducted a review pursuant to NYCRR Part 617.6(b)(4), has approved the SEQRA Full Environmental Assessment Form (FEAF) and its supporting documentation, and has issued a negative declaration for the project and determined that Silver Gardens will not result in any significant adverse impact on the environment; now, therefore be it

RESOLVED, that the Ulster County Legislature hereby determines that the funding for Silver Gardens in the Town of Lloyd will not have a significant adverse environmental impact; that the County has reviewed the FEAF and supporting documentation prepared for the Town of Lloyd and requires no further environmental review; and has made a determination of non-significance under SEQRA (“Negative Declaration”), a copy of which is annexed to this Resolution and made a part hereof; and, be it further

Resolution No. 163 April 19, 2022

Establishing And Funding Capital Project No. 631 – A Geothermal System For Silver Gardens Senior Housing Development – ARPA - Department Of Finance, Division Of Recovery And Resilience

RESOLVED, the establishment and funding of this capital project shall be subject to and contingent upon the full execution of the subordination mortgage agreement annexed hereto as “Exhibit A”; and, be it further

RESOLVED, that Capital Project No. 631 for the Silver Gardens Senior Housing project be established as follows:

	<u>CREATE</u>	<u>AMOUNT</u>
Capital Project No. 631	Silver Gardens Senior Housing	\$600,000.00

and, be it further

RESOLVED, that the 2022 Ulster County Capital Fund budget is hereby amended as follows:

	<u>INCREASE</u>	<u>AMOUNT</u>
HH.8097.0631.4300.4505 (App. #)	Professional Services	\$600,000.00
HH.8097.0631.3400.4995 (Rev. #),	Federal Aid, ARPA	\$600,000.00

and move its adoption.

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 21 NOES: 2
(Noes: Legislators Gavaris and Maloney)

No Action Taken in Committee: American Rescue Plan Act Special on March 30, 2022

Passed Committee: Public Works and Capital Projects on April 5, 2022

Passed Committee: Health, Human Services and Housing on April 11, 2022

Passed Committee: Ways and Means on April 12, 2022

Resolution No. 163 April 19, 2022

Establishing And Funding Capital Project No. 631 – A Geothermal System For Silver Gardens Senior Housing Development – ARPA - Department Of Finance, Division Of Recovery And Resilience

Passed Committee: American Rescue Plan Act on April 13, 2022

FINANCIAL IMPACT:

\$600,000.00 – COUNTY CAPITAL FUND APPROPRIATIONS

\$600,000.00 – FEDERAL CAPITAL FUND REVENUES

Legislator Heppner motioned, seconded by Legislator Ronk, to amend the resolution by adding a RESOLVED clause as indicated above in bold font.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

STATE OF NEW YORK

ss:

COUNTY OF ULSTER

I, the undersigned Clerk of the Legislature of the County of Ulster, hereby certify that the foregoing resolution is the original resolution adopted by the Ulster County Legislature on the 19th Day of April in the year Two Thousand Twenty-Two, and said resolution shall remain on file in the office of said clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 21st Day of April in the year Two Thousand Twenty-Two.

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

Submitted to the County Executive this
22nd Day of April 2022.

Approved by the County Executive this
26th Day of April 2022.

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

|s| Patrick K. Ryan
Patrick K. Ryan, County Executive