

**AMENDMENT No. 1 TO
ECONOMIC DEVELOPMENT AGREEMENT
TOWN OF WAWARSING PARKS AND RECREATION IMPROVEMENTS**

This Amendment No. 1 (“Amendment No. 1”) is effective as of February 5, 2019 (the “Amendment Effective Date”) and entered into by and between the **ULSTER COUNTY ECONOMIC DEVELOPMENT ALLIANCE, INC.**, a local development corporation formed under the laws of the State of New York, with offices at 244 Fair Street, Kingston, New York 12401 (the “UCEDA”), and **THE TOWN OF WAWARSING**, a municipality within the County of Ulster, New York, with its offices at Town Hall, 108 Canal St, Ellenville, New York 12428 (the “Town”), (each, a “Party,” together, the “Parties”).

RECITALS

WHEREAS, UCEDA and the Town entered into an Agreement wherein the Village agreed to undertake a project to improve and expand outdoor recreational opportunities by constructing two pavilions: one located in Berme Road Park and another located in Lippman Park upon the demolition of an existing pavilion thereon, in the Town of Wawarsing, Ulster County, New York (hereinafter referred to as the “Agreement”); and

WHEREAS, subsequent to the execution of the original Agreement, the Town has reconsidered the need to demolish the existing pavilion located at Lippman Park;

WHEREAS, the Town now wishes to preserve the existing pavilion at Lippman Park and to utilize the funds available to construct a supplemental pavilion;

WHEREAS, UCEDA and the Town have agreed to amend the original Agreement in order to eliminate the need to demolish the existing pavilion at Lippman Park and to provide for the construction of a new, additional pavilion at Lippman Park in accordance with the terms below.

NOW, THEREFORE, in consideration of the mutual promises set forth herein, the Parties agree as follows:

AGREEMENT

1. **“SCHEDULE A”, SCOPE OF SERVICES. Section A. Project Description; sub-paragraph “2”** of the Agreement is hereby deleted in its entirety and is amended and restated to read as follows:

“2. The construction and installation of a new 36’ x 24’ pavilion in Lippman Park, in the Town of Wawarsing, Ulster County, NY.
2. **“SCHEDULE A”, SCOPE OF SERVICES. Section B** is hereby deleted in its entirety and is amended and restated to read as follows:

“B. The Town of Wawarsing and the Village of Ellenville shall perform and shall solely be responsible for the costs of the following items relative to the proposed project as follows:

 - Engineering costs for both pavilions
 - Site work for both pavilions
 - Finishing work on both pavilions
 - Concrete foundations for both pavilions”
3. Capitalized terms used but not defined herein shall have the meanings set forth in the Agreement.
4. Except as expressly set forth herein, the terms and conditions of the Agreement shall continue in full force and effect.

5. In the event of a conflict between the Agreement and this Amendment No. 1, the terms and conditions of this Amendment No. 1 shall control.

IN WITNESS WHEREOF, the Parties have caused their duly authorized representatives to enter into this Amendment No. 1, effective as of the Amendment Effective Date.

**ULSTER COUNTY ECONOMIC DEVELOPMENT
ALLIANCE, INC.**

TOWN OF WAWARSING

By: _____
NAME: Julie Cohen Lonstein
TITLE: Chair
DATE: _____

By: _____
NAME: Terry Houck
TITLE: Supervisor
DATE: _____