

**Amending Capital Project No. 262 - Bridge Replacement On Mud Tavern Road Over The Dwaarkill – Transportation Improvement Project (TIP) Not On The State Highway System – Public Works (Highways And Bridges)**

Referred to: The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Allen, Greene, Loughran and Roberts), and The Ways and Means Committee (Chairman Gerentine and Legislators Bartels, Belfiglio, Briggs, Maio, Maloney, Provenzano and Rodriguez)

Chairman of the Public Works and Capital Projects Committee, Dean J. Fabiano, and Deputy Chairman Peter M. Loughran offer the following:

WHEREAS, this resolution has been submitted by the County Executive on behalf of the Department of Public Works (Highways and Bridges); and

WHEREAS, a Project for the Bridge Replacement on Mud Tavern Road over the Dwaarkill (BIN 3347210), for PIN 8756.66 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% federal funds 20% non-federal funds; and

WHEREAS, the Project was approved and it was agreed to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering and right-of-way incidental work in the amount of \$243,983.00 pursuant to Resolution No. 100 dated April 16, 2013; and

WHEREAS, the Project has progressed to the Construction Phase and Ulster County desires to advance the Project by making a commitment of 100% of the non-federal share of the cost of the construction, construction inspection, and construction supervision work; now

THEREFORE, the Ulster County Legislature, duly convened, it is hereby;

RESOLVED, that the Ulster County Legislature hereby authorizes Ulster County to pay in the first instance 100% of the federal and non-federal share of the cost of the construction, construction inspection, and construction supervision work for the Project or portions thereof; and, it is further

RESOLVED, that the Ulster County 2014-2019 Capital Program be amended to increase the Project by \$1,278,000.00 from \$243,983.00 to \$1,521,983.00, and made available to cover the cost of participation in the above phase of the Project; and, it is further

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RESOLVED, that in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, the Ulster County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the County Executive thereof; and, it is further

RESOLVED, that the Chairman of the Ulster County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of Ulster County with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and, it is further

RESOLVED, that in addition to the Chairman of the Ulster County Legislature, the following municipal titles: Commissioner of Public Works, County Engineer, County Comptroller, and County Attorney are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality with NYSDOT in connection with the advancement or approval of the Project identified in the State/Local Agreement; and, it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and, it is further

RESOLVED, that Ulster County Capital Project No. 262 is hereby amended as follows:

	<u><b>INCREASE</b></u>	<u><b>AMOUNT</b></u>
HH-5197-0262-2300-2550 (App. #)	Construction	\$ 1,083,000.00
HH-5197-0262-4300-4355	Construction Inspection	\$ 195,000.00
HH-5197-0262-3500-5710 (Rev. #s)	Serial Bond Proceeds	\$ 1,278,000.00

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and, it is further

RESOLVED, that this resolution shall take effect immediately,  
and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 22                      NOES: 0  
(Absent: Legislator Roberts)

Passed Committee: Public Works and Capital Projects on June 5, 2014

Passed Committee: Ways and Means on June 11, 2014

**FINANCIAL IMPACT:**

\$1,278,000.00 – CAPITAL PROJECT NO. 262 APPROPRIATION DOLLARS

\$1,022,400.00 – SERIAL BOND PROCEEDS (80% REIMBURSABLE FROM  
FEDERAL FUNDS)

\$ 255,600.00 – SERIAL BOND PROCEEDS (20% STATE and COUNTY SHARE)

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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 17<sup>th</sup> Day of June, 2014, 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 20<sup>th</sup> Day of June in the year Two Thousand and Fourteen.

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

Submitted to the County Executive this  
20<sup>th</sup> Day of June, 2014.

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

Approved by the County Executive this  
\_\_\_\_\_ Day of June, 2014.

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Michael P. Hein, County Executive