

Authorizing The Implementation and Funding In The First Instance 100% Of The Federal-Aid Eligible Costs Of A Transportation Federal-Aid Project (Hudson Valley Rail Trail West: Phase 4), And Appropriating Funds Therefore- Department of Planning

Referred to: The Economic Development, Tourism, Housing, Planning and Transit Committee (Chairman Maloney and Legislators Berky, Delaune, Lapp, Litts, Maio and Rodriguez), The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Greene, Litts, Loughran, and Maloney), and The Ways and Means Committee (Chairman Gerentine and Legislators Allen, Bartels, Belfiglio, Briggs, Maio, and Maloney)

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

WHEREAS, a Project for the Hudson Valley Rail Trail West: Phase 4, PIN 8761.21 (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 and 20% non-federal funds; and

WHEREAS, Ulster County desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of right-of-way acquisition work; now, therefore, be it

RESOLVED, the Ulster County Legislature hereby approves the right-of-way acquisition work for this Project; and, be it further

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 right-of-way acquisition work for the Project or portions thereof; and be it further

RESOLVED, that the sum of \$84,835.00 is hereby appropriated and made available from Capital Project No. 451 to cover the cost of participation in the above phases of the Project; and it is further

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 Ulster County Executive thereof; and it is further

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RESOLVED, that the Ulster County Executive be and is hereby authorized to execute the Federal-Aid Local Project Agreement, in the form as filed with the Clerk of the Legislature or as modified with the approval of the County Attorney, as well as all necessary additional agreements, certifications or reimbursement requests for Federal Aid and any amendments thereto on behalf of Ulster County with the New York State Department of Transportation (NYSDOT) 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 Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that in addition to the County Executive, the following municipal titles-- Director of Purchasing, Commissioner of Public Works, and Director of Planning—are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the Project identified in the Federal-Aid Local Project Agreement; and be it further

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

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

ADOPTED BY THE FOLLOWING VOTE:

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

Passed Committee: Economic Development, Tourism, Housing, Planning and Transit on April 5, 2016

Passed Committee: Public Works and Capital Projects on April 7, 2016

Passed Committee: Ways and Means on April 12, 2016

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FINANCIAL IMPACT:

\$84,835.00 – CAPITAL APPROPRIATIONS- 80% REIMBURSABLE (\$67,868.00-
BUDGETED FEDERAL REVENUE DOLLARS, \$16,967.00 COUNTY SHARE)

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 and Sixteen, 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 20th Day of April in the year Two Thousand and Sixteen.

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

Submitted to the County Executive this
21st Day of April, 2016.

Approved by the County Executive this
29th Day of April, 2016.

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

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