

Amending Capital Project No. 264 - Sawkill School Bridge (BIN 3347630) – Additional Detailed Design Work And Preparation Of A Stormwater Pollution Prevention Plan (SWPPP) – Amending The 2012 Capital Fund Budget – Public Works (Highways And Bridges)

Referred to: 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, this resolution has been submitted by the County Executive on behalf of the Department of Public Works; and

WHEREAS, a Capital Project for Sawkill Road over the Sawkill Creek in the Town of Ulster: The Sawkill School Bridge (BIN 3347630), PIN 8756.20 (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 is eligible for New York State Marchiselli Aid, and if this aid becomes available, and Ulster County’s financial obligation to the Project will be diminished from its present 20% share to a 5% share; and

WHEREAS, Capital Project No. 264 was established pursuant to Resolution #142, April 11, 2002, to provide authorization and funding for preliminary engineering and right-of-way-incidental work for the Sawkill School Bridge (BIN 3347630), PIN 8756.20), over the Sawkill Creek, located on Sawkill Road in the Town of Ulster; and

WHEREAS, the Ulster County Legislature approved and agreed to advance the Project by committing 100% of the federal and non-federal shares of the costs of preliminary engineering and right-of-way incidental work, in the first instance; and

WHEREAS, it was subsequently found necessary to undertake additional preliminary engineering work not contemplated in the original agreement authorized by the previous resolution; and

WHEREAS, Ulster County desires to advance the Project by making a commitment of 100% of the federal and non-federal share of the costs of Preliminary and Detailed Design; and

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WHEREAS, the Commissioner of Public Works requests funds from serial bonds for the Sawkill Road over the Sawkill Creek: the Sawkill School Bridge Project, PIN 8756.20 to complete the additional preliminary and detailed design engineering for the Project in the amount of \$134,217.00; and now, therefore, be it

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 additional preliminary engineering and right-of-way incidentals work for the Project or portions thereof; and, it is further

RESOLVED, that the sum of \$134,217.00 is appropriated from serial bond funding and made available to cover additional required preliminary and detailed design engineering 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 County Executive thereof; and, it is further

RESOLVED, that the County Executive of Ulster County 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 (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 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 County Executive, 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

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RESOLVED, that a certified copy of this resolution will 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 the 2015 Ulster County Capital Fund Budget is hereby amended as follows:

	<u>INCREASE</u>	<u>AMOUNT</u>
HH.5197.0264-4300.4355 (App. #)	Professional Services- Engineering Capital Project No.264 Sawkill School Bridge	\$134,217.00
HH.5197.0264-3500-5710 (Rev. #s)	Serial Bond Proceeds	\$134,217.00

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
(1 Abstention: Legislator Litts)

Passed Committee: Public Works and Capital Projects on January 21, 2016

Passed Committee: Ways and Means on January 26, 2016

FINANCIAL IMPACT:

\$134,217.00– CAPITAL PROJECT NO. 264 APPROPRIATION DOLLARS
\$134,217.00 – SERIAL BOND PROCEEDS

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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 26th Day of January 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 29th Day of January in the year Two Thousand and Sixteen.

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

Submitted to the County Executive this
29th Day of January, 2016.

Approved by the County Executive this
5th Day of February, 2016.

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

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