

**Amending The 2022 - 2027 Capital Improvement Program - Establishing Capital Project No. 633 Turnwood Bridge, Town Of Hardenburgh - Amending The 2022 Capital Fund Budget - Authorizing The Chair Of The Ulster County Legislature To Execute Agreements, Certifications Or Reimbursement Requests For Federal Aid On Behalf Of Ulster County With The New York State Department Of Transportation – Department Of Public Works (Highways & Bridges)**

Referred to: The Public Works, Capital Projects and Transportation Committee (Chairwoman Petit and Legislators Fabiano, Litts, Nolan, and Stewart), and The Ways and Means Committee (Chairman Gavaris and Legislators Cahill, Fabiano, Ronk, and Walter)

Chairwoman of the Public Works, Capital Projects and Transportation Committee, Laura Petit, and Deputy Chair Dean J. Fabiano offer the following:

WHEREAS, this resolution has been submitted at the request of the County Executive on behalf of the Department of Public Works; and

WHEREAS, the Turnwood Road Bridge/CR 54 crosses the Beaver Kill Creek in the Town of Hardenburgh; and

WHEREAS, this bridge is 84-foot single span thru girder bridge with a high hydraulic vulnerability rating over the Beaver Kill Creek; and

WHEREAS, a project for the Turnwood Road Bridge Replacement (BIN 3347160) in the Town of Hardenburgh, Ulster County, P.I.N. 8762.68 ("the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% Federal funds and 5% non-federal funds; and

WHEREAS, Ulster County will design, let and construct the Project: and

WHEREAS, Ulster County desires to advance the Project by making a commitment of 100% of the costs of the work for the Project or portions thereof; and

WHEREAS, it is necessary to amend the 2022-2027 Capital Improvement Program for the cost of preliminary engineering and right of way incidental phases for the replacement of Turnwood Road Bridge; and

WHEREAS, Ulster County has currently has been appropriated \$505,000.00 through the Bridge NY Program for the preliminary engineering and right of way incidental phases; and

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WHEREAS, the Commissioner of Public Works requests funds for the design phase for the Project in the amount of \$530,250.00; now, therefore be it

RESOLVED, that the Ulster County Legislature hereby approves the above-subject Project; and, be it further

RESOLVED, that the Ulster County Legislature hereby authorizes Ulster County to pay 100% of the cost of preliminary engineering and right-of-way incidentals work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds; and, be it further

RESOLVED, that the sum of \$530,250.00 is hereby appropriated from serial bond funding and made available to cover the cost of participation in the above phase(s) of the Project; and, be it further

RESOLVED, that the Ulster County Legislature hereby agrees that Ulster County shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid, or NY Bridge funding awarded to Ulster County; and, be it further

RESOLVED, that in the event the Project costs not covered by federal-aid, state-aid, or NY Bridge funding exceed 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, be it further

RESOLVED, that Ulster County hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and, be it further

RESOLVED, that the Chair of the Ulster County Legislature be and is hereby authorized to execute on behalf of Ulster County all necessary agreements, certifications or reimbursement requests for federal-aid and/or state-aid with the New York State Department of Transportation in connection with the advancement or

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approval of the Project and providing for the administration of the Project and Ulster County's 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, 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 necessary Agreement in connection with the Project; and, be it further

RESOLVED, that the 2022-2027 Ulster County Capital Improvement Program is amended as follows:

	<u>ADD</u>	<u>AMOUNT</u>
Capital Project No. 633	Turnwood Bridge	\$530,250.00

and, be it further,

RESOLVED, that Capital Project No. 633 is hereby established as follows:

	<u>CREATE</u>	<u>AMOUNT</u>
Capital Project No. 633	Turnwood Bridge	\$530,250.00

and be it further,

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

	<u>INCREASE</u>	<u>AMOUNT</u>
HH.5197.0633.4300.4505 (App. #)	Engineering Services	\$530,250.00

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HH.5197. 0633.3500.5710      Serial Bonds      \$530,250.00  
(Rev. #),

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES:    23                      NOES:    0

Passed Committee: Public Works, Capital Projects and Transportation on May 9, 2022

Passed Committee: Ways and Means on May 10, 2022

**FINANCIAL IMPACT:**

**\$ 530,250.00 – COUNTY CAPTIAL FUND APPROPRIATIONS**

**\$ 530,250.00 – COUNTY REVENUES – SERIAL BONDS**

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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 17<sup>th</sup> Day of May 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 19<sup>th</sup> Day of May in the year Two Thousand Twenty-Two.

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

Submitted to the County Executive this  
19<sup>th</sup> Day of May 2022.

Approved by the County Executive this  
25<sup>th</sup> Day of May 2022.

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

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