

Authorizing The Implementation And Funding In The First Instance 100% Of The Federal-Aid Eligible Costs Of A Transportation Federal-Aid Project (Kingston Rail Trail), And Appropriating Funds Therefor – Department Of Planning

Referred to: The Economic Development, Tourism, Housing, Planning, and Transit Committee (Chairman Briggs and Legislators Allen, Archer, Litts, Maio, Maloney and Wishnick), 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, a construction project for the Kingston Rail Trail, PIN 8758.04 (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 (state dedicated funds); and

WHEREAS, Ulster County has established Capital Project No. 334 by Resolution No. 58 on March 16, 2010, authorizing \$140,000.00 for the participation in the project, and amended the Capital Project to increase funding by Resolution No. 291 on August 19, 2014 to a total cost of \$245,000.00; and

WHEREAS, Ulster County desires 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; and

WHEREAS, as funded, the project constitutes a Type II action under section 4.2.2 of the County of Ulster’s State Environmental Quality Review Act (SEQRA) Type II List that was adopted in Resolution No. 118 on April 20, 2010; and

WHEREAS, as per section 3 of the County’s Type II List, this action does not pose a significant potential environmental impact and may be progressed as a Type II action; and in

RESOLVED, that the Ulster County Legislature hereby approves the preliminary engineering and right-of-way incidental 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 preliminary engineering and right-of-way incidental work for the Project or portions thereof; and, be it further

Resolution No. 293 August 19, 2014

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RESOLVED, that the sum of \$245,000.00 is hereby available from Capital Project No. 334 to cover the cost of participation in the above phases of the Project; and, be it 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 the Federal-Aid Highway and Marchiselli-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/or applicable Marchiselli Aid and any amendments thereto 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, be it further

RESOLVED, that in addition to the County Executive, the following municipal titles: Director of Purchasing, Commissioner of Public Works and Planning Director 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 State/Local 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 necessary Agreement in connection with the Project; and, be it further

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

