

Amending Capital Project No. 540 – For The Samsonville Road Culvert Replacement Project, Town Of Rochester – Amending The 2024 Capital Fund Budget - Authorizing The Implementation And Funding Of 100% Of The Costs Of Replacing Said Culvert, Of Which Qualified Costs May Be Reimbursed From Bridge NY Funds – Department Of Public Works (Highways & Bridges)

Referred to: The Public Works, Capital Projects and Transportation Committee (Chair Nolan and Legislators Donaldson, Kovacs, Litts, and McCollough), and The Ways and Means Committee (Chairman Gavaris and Legislators Collins, Hansut, Kovacs, Nolan, and Roberts)

Chair of the Public Works, Capital Projects and Transportation Committee, Kathy Nolan, and Deputy Chair Herbert Litts, III 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 adopted 2024 – 2029 Capital Improvement Program includes the Samsonville Road Culvert Project; and

WHEREAS, Capital Project No. 540 was established pursuant to Resolution No. 160 dated April 16, 2019 in the amount of \$550,000.00; and

WHEREAS, Capital Project No. 540 was amended pursuant to Resolution No. 520 dated November 16, 2021 in the amount of \$743,847.00 for a total project cost of \$1,293,847.00; and

WHEREAS, the County of Ulster will design, let, and administer all phases of the Project; and

WHEREAS, a project for the Samsonville Road over Tributary to the Mombaccus Creek Culvert Replacement, Town of Rochester, Ulster County, P.I.N. 8762.35 (the "Project") is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs to be borne at the ratio of 100% Bridge NY funds and 0% non-Bridge NY funds; and

WHEREAS, the County of Ulster desires to advance the Project by making a commitment of 100% of the costs of preliminary design, detailed design, ROW incidentals, ROW Acquisition, construction, and construction inspection work for the Project or portions thereof; and

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WHEREAS, the Commissioner of Public Works requests additional funds for the preliminary engineering, right of way incidental and construction phases for the Project in the amount of \$206,153.00 for a total project cost of \$1,500,000.00; now therefore be it

RESOLVED, the Ulster County Legislature, duly convened does hereby approve the Project; and, be it further

RESOLVED, that the Ulster County Legislature hereby authorizes the County of Ulster to pay 100% of the cost of preliminary design, detailed design, ROW incidentals, ROW Acquisition, construction, and construction inspection work for the Project or portions thereof, with the understanding that qualified costs will be reimbursed from Bridge NY funding; and, be it further

RESOLVED, that the sum of \$1,500,000.00 is hereby appropriated from serial bond funding and made available to cover the cost of participation in the above phase of the Project; and, be it further

RESOLVED, that the Ulster County Legislature hereby agrees that the County of Ulster shall be responsible for all costs of the project, including costs that exceed the amount of reimbursement available from the NY Bridge Funding awarded to the County of Ulster; and, be it further

RESOLVED, that in the event the costs of the Project exceed the amount appropriated above, the County of Ulster 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 County of Ulster hereby commits 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

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RESOLVED, that the County Executive is hereby authorized to execute all necessary agreements, certifications or reimbursement requests with NYSDOT for State Aid and/or Bridge NY funding on behalf of County of Ulster in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's funding of the Project costs; and, be it further

RESOLVED, that County of Ulster will be responsible for all maintenance of the Project; 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 a certified copy of this resolution be filed with the New York State Commissioner of Transportation; and, be it further

RESOLVED, based upon examination by the Ulster County Legislature, the County's funding of this Project constitutes a Type II action as defined under Sections 4.5.5 of the County of Ulster's State Environmental Quality Review Act (SEQRA) Type II List, which was adopted pursuant to Resolution No. 118 dated April 20, 2010; and, be it further

RESOLVED, Ulster County has determined that this funding action does not pose a significant potential environmental impact and may be progressed as a Type II action in accordance with 6 NYCRR Part 617 of SEQRA, and does not require any further determination or procedure under SEQRA; and, be it further

RESOLVED, this Resolution shall take effect immediately; and, be it further

RESOLVED, that Capital Project No. 540, Samsonville Road Culvert is hereby amended as follows:

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	<u>INCREASE</u>	<u>AMOUNT</u>
Capital Project No. 540	Samsonville Road Culvert	\$206,153.00

and, be it further

RESOLVED, that the 2024 Ulster County Capital Fund budget is hereby amended as follows:

	<u>INCREASE</u>	<u>AMOUNT</u>
HH.5197.0540-4100.4100 (App. #)	Highway Materials	\$206,153.00
HH.5197.0540-3500.5710 (Rev. #),	Serial Bonds	\$206,153.00

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

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

Passed Committee: Public Works, Capital Projects and Transportation on November 4, 2024

Passed Committee: Ways and Means on November 14, 2024

FINANCIAL IMPACT:

\$206,153.00 – COUNTY CAPITAL FUND APPROPRIATIONS
\$206,153.00 – COUNTY REVENUE - 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 19th Day of November in the year Two Thousand Twenty-Four, 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 22nd Day of November in the year Two Thousand Twenty-Four.

[s] Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
22nd Day of November 2024.

Approved by the County Executive this
27th Day of November 2024.

[s] Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

[s] Jen Metzger
Jen Metzger, County Executive