

Establishing Capital Project No. 715 For The Replacement Of The Denning Road Bridge, Town Of Denning - Amending The 2025 Capital Fund Budget - Authorizing The Implementation And Funding Of The Costs Of A Transportation Project, Which May Be Eligible For Federal-Aid And/Or State-Aid, Or Reimbursement From Bridge NY Funds - Department Of Public Works (Highways And 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, a project for the Denning Road over E. Branch Neversink River Bridge Replacement, Town of Denning, Ulster County, P.I.N. 8763.57, BIN # 3347470, (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, the County of Ulster will design, let, and construct the Project; and

WHEREAS, the County of Ulster desires to advance the Project by making a commitment of 100% of the costs of the work for the Project; now, therefore, be it

RESOLVED, that the Ulster County Legislature hereby approves 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, and Right-of-Way Incidental 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 \$522,500.00 is hereby appropriated from serial bond funding and made available to cover the cost of participation in the above phases of the Project; and, be it further

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RESOLVED, that the Ulster County Legislature hereby agrees that the County Executive shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid, or NY Bridge funding awarded to the County of Ulster; 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 County of Ulster 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 County Executive be and is hereby authorized to execute on behalf of the County of Ulster 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 approval of the Project and providing for the administration of the Project and the 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, based upon examination by the Ulster County Legislature, the County's funding of this Project constitutes a Type II action as defined under Section 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

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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, that Capital Project No. 715, Denning Road Bridge Replacement is hereby established; and be it further

RESOLVED, that the 2025-2030 Ulster County Capital Improvement Program is hereby amended as follows:

| | <u>CREATE</u> | <u>AMOUNT</u> |
|-------------------------|---|---------------|
| Capital Project No. 715 | Denning Road Bridge Bridge Replacement | \$522,500.00 |

and, be it further

RESOLVED, that the 2025 Ulster County Capital Fund Budget is hereby amended as follows:

| | <u>INCREASE</u> | <u>AMOUNT</u> |
|-------------------------------------|-----------------------|---------------|
| HH.5197.0715-4300.4505 (App. #) | Professional Services | \$522,500.00 |
| HH.5197.0715-3500.5710 (Rev. #), | Serial Bonds | \$522,500.00 |

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

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

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Passed Committee: Public Works, Capital Projects and Transportation on December 9, 2024

Passed Committee: Ways and Means on December 12, 2024

FINANCIAL IMPACT:

\$522,500.00 - COUNTY CAPITAL FUND APPROPRIATIONS

\$522,500.00 - COUNTY REVENUE - SERIAL BONDS

(REIMBUSED BY 95% - FEDERAL REVENUES)

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 17th Day of December 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 20th Day of December in the year Two Thousand Twenty-Four.

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

Submitted to the County Executive this
20th Day of December 2024.

Approved by the County Executive this
23rd Day of December 2024.

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

[s] Jen Metzger
Jen Metzger, County Executive