

**Establishing Capital Project No. 679 For The Replacement Of The Hurley Mountain Road Bridge, Town Of Marbletown - Authorizing Implementation And Funding Of Costs Exceeding Federal And/OR State Aid Reimbursements - Amending The Capital Fund Budget - Department Of Public Works (Highways And Bridges)**

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

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, a project for Hurley Mountain Road, over Esopus Creek Bridge Replacement (BIN 3347260), Town of Marbletown, Ulster County PIN 8763.12 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, 23CFR as amended and PUB. L. 117-58 also known as the "Bipartisan Infrastructure Law" (BIL); 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 preliminary, detailed design, and Right-of-Way Incidental work for the Project or portions thereof; 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, 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 \$515,000.00 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

**Resolution No. 740      December 18, 2023**

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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 that 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 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, the Project is a Type II Action as defined under 6 NYCRR 617.5(c) (2.2) and does not require any determination or procedure under the State Environmental Quality Review Act (SEQRA) and, be it further

RESOLVED, that Capital Project No. 679 is hereby established as follows:

	<u>CREATE</u>	<u>AMOUNT</u>
Capital Project No. 679	Hurley Mt. Bridge	\$515,000.00

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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.5197.0679-4300.4505 (App. #)	Professional Services Other	\$515,000.00
HH.5197.0679-3500.5710 (Rev. #),	Revenue- Serial Bonds	\$515,000.00

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

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

Passed Committee: Public Works, Capital Projects and Transportation on December 11, 2023

Passed Committee: Ways and Means on December 12, 2023

**FINANCIAL IMPACT:**

**\$515,000.00 - COUNTY CAPITAL FUND APPROPRIATIONS**

**\$515,000.00 - COUNTY REVENUE - SERIAL BONDS**

**(REIMBUSED BY 95% - FEDERAL REVENUES)**

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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 18<sup>th</sup> Day of December in the year Two Thousand Twenty-Three, 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 22<sup>nd</sup> Day of December in the year Two Thousand Twenty-Three.

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

Submitted to the County Executive this  
22<sup>nd</sup> Day of December 2023.

Approved by the County Executive this  
26<sup>th</sup> Day of December 2023.

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

[s] Jen Metzger  
Jen Metzger, County Executive