

Establishing Capital Project No. 680 – Replacement Of The Scudder Brook Bridge, Town Of Hardenburgh, And Authorizing Implementation Funding Pending Reimbursement From Federal-Aid And State "Marchiselli" Program-aid Eligible Costs, - 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 the Beaver Kill Road/Scudder Brook Bridge Replacement, in the Town of Hardenburgh, Ulster County PIN 8762.80 (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 80% federal funds and 20% non-federal funds; 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 the Right-of-Way Incidental work; 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 in the first instance 100% of the federal and non-federal share of the cost of Preliminary Engineering, and the Right-of-Way Incidental work for the Project or portions thereof; and, be it further

RESOLVED, that the sum of \$285,000.00 is hereby appropriated from serial bonds and made available to cover the cost of participation in the above phase 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, be it further

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RESOLVED, that the Ulster County Executive be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid 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 Commissioner of Public Works, County Engineer, and County Attorney 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, 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 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, be it further

RESOLVED, that the Ulster County Commissioner of Finance is authorized to make payments associated with all phases of the project; and, be it further

RESOLVED, that the 2024-2029 Ulster County Capital Improvement Program is amended as follows:

	<u>INCREASE</u>	<u>AMOUNT</u>
Capital Project No. 680	Scudder Brook Bridge	\$285,000.00

and, be it further

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RESOLVED, that Capital Project No. 681 is hereby established as follows:

	<u>CREATE</u>	<u>AMOUNT</u>
Capital Project No. 680	Scudder Brook Bridge	\$285,000.00

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.5197.0680-4300.4505 (App. #)	Professional Services Other	\$285,000.00
HH.5197.0680-3500.5710 (Rev. #),	Revenue- Serial Bonds	\$285,000.00

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:

\$285,000.00 - COUNTY CAPITAL FUND APPROPRIATION

\$285,000.00 - COUNTY REVENUE - SERIAL BONDS

(REIMBUSED BY 80% - FEDERAL REVENUES AND 15% STATE 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 18th 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 22nd 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
22nd Day of December 2023.

Approved by the County Executive this
26th Day of December 2023.

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

[s] Jen Metzger
Jen Metzger, County Executive