

Establishing Capital Project No. 317, Repaving Enterprise Drive, Town Of Ulster – Surface Transportation Program (STP), Transportation Improvement Project (TIP) Not On The State Highway System – Public Works (Highways And Bridges)

The Public Works and Capital Projects Committee (Chairman Loughran and Legislators Decker, Hochberg, Sheeley, Fabiano, Felicello and Roberts) offers the following:

WHEREAS, a Project for Enterprise Drive from Boices Lane to Lohmaier Lane: Enterprise Drive Repaving Project, PIN 8759.29 (the “Project”), is eligible for funding under Title 23 U.S. Code, as amended, that calls for apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% County, and

WHEREAS, the Project will provide major improvements to the existing road conditions and enhance driving safety, and

WHEREAS, Ulster County desires to advance the Project by making a commitment, in the first instance, of 100% of the federal and non-federal share of the costs of preliminary engineering and right-of-way incidental work, and

WHEREAS, the Commissioner of Public Works requests funds for Enterprise Drive from Boices Lane to Lohmaier Lane, Town of Ulster: Enterprise Drive Repaving Project, PIN 8759.29 (the “Project”), for the Preliminary Engineering and Right-of-Way Incidentals in the amount of \$65,000.00 which is eligible for 80% Federal reimbursement under the Federal Aid Highway and Marchiselli Aid Project Agreement, and

WHEREAS, the Project was approved in the 2009 – 2014 Ulster County Capital Program, and pursuant to Resolution No. 351 dated December 3, 2008, and

WHEREAS, the Project was approved by the Ulster County Transportation Council in the 2008 – 2012 Transportation Improvement Program, and

WHEREAS, the Public Works and Capital Projects Committee has met and reviewed said request with a majority of the members voting approval, and

WHEREAS, the Ways and Means Committee has met and reviewed said request with a majority of the members voting approval, now, therefore, be it

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

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RESOLVED, that the sum of \$65,000.00 is hereby appropriated and made available to cover the costs of participation in the above phase of the Project, and, be it further

RESOLVED, that the County Executive of Ulster 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 Enterprise Drive from Boices Lane to Lohmaier Lane, Town of Ulster: Enterprise Drive Repaving Project, PIN 8759.29 (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, based upon the examination of the Ulster County Legislature, and pursuant to Part 617 of the implementary regulations pertaining to Article 8 of the State Environmental Quality Review Act (SEQRA), it hereby determined that the adoption of this proposed Capital Project constitutes a Type II action as defined under 6 NYCRR 617.5(c) (2) and does not require any determination or procedure under SEQRA, and, be it further

RESOLVED, that Capital Project No. 317 be established for the Enterprise Drive Repaving Project, Town of Ulster: Enterprise Drive Repaving Project, and, be it further

RESOLVED, that the 2009 Ulster County Capital Fund Budget is hereby amended as follows:

<u>CREATE</u>		<u>AMOUNT</u>
Capital Project No. 317	Repaving Enterprise Drive (STP)	\$65,000.00
<u>INCREASE</u>		<u>AMOUNT</u>
H4-0317-2962 (App. #)	Engineer Services Capital Project No. 317 Boices Lane Repaving	\$65,000.00

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H3-0317-4591	Federal Aid, Highway Projects	\$52,000.00
H3-0317-5031 (Rev. #'s)	Interfund Revenues	\$13,000.00

TRANSFER

<u>FROM</u>		<u>AMOUNT</u>
A4-1331-4553 (App. #)	Contingent Account	\$13,000.00

<u>TO</u>		<u>AMOUNT</u>
A4-4650-9006 (App. #)	Transfer to Capital Project Fund Capital Project No. 317 Enterprise Drive Repaving Project	\$13,000.00

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 30 NOES: 0
(1 Abstention: Legislator Roberti)
(Absent: Legislators Harris and R.A. Parete)

FINANCIAL IMPACT:

\$65,000.00 – CAPITAL PROJECT NO. 317 APPROPRIATIONS
\$52,000.00 – 80% REIMBURSABLE FROM FEDERAL FUNDS
\$13,000.00 – TRANSFER FROM CONTINGENT ACCOUNT
BUDGETED COUNTY DOLLARS

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NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 11th Day of March, 2009, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 12th Day of March in the year Two Thousand and Nine.

/s/ Mary L. Carey
Mary L. Carey, Clerk
Ulster County Legislature

Submitted to the County Executive this
13th Day of March, 2009.

/s/ Mary L. Carey
Mary L. Carey, Clerk
Ulster County Legislature

Approved by the County Executive this
13th Day of March, 2009.

/s/ Michael P. Hein
Michael P. Hein, County Executive