

Authorizing The Implementation And Funding In The First Instance 100% Of The Federal-Aid And State "Marchiselli" Program-Aid Eligible Costs Of A Transportation Federal-Aid Project And Appropriating Funds Therefor (South Putt Corners Road)

The Budget and Finance Committee (Chairman Gerentine and Legislators Bernardo, Frey, Hansut, Harris, Maio, Maloney, Gregorius, Lomita, Provenzano and Sheeley) and Co-Sponsor: Legislator Rodriguez offer the following:

WHEREAS, this resolution has been submitted by the County Executive on behalf of the Department of Public Works, and

WHEREAS, a South Putt Corners Road Paving Project, PIN 8759.90 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of 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 and federal share of the costs of preliminary engineering and right-of-way incidentals, and

WHEREAS, Ulster County has established Capital Project No. 336 by Resolution No. 7 on January 4, 2011, authorizing \$178,000.00 for participation in the project, and

WHEREAS, the Project constitutes a Type II action under section 2.25 of the County of Ulster's State Environmental Quality Review Act (SEQRA) Type II List that was adopted in Resolution No. 118 on April 20, 2010, and

WHEREAS, Ulster County determines that this 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

WHEREAS, the Budget and Finance Committee has met and reviewed said request with a majority of its members voting approval, 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 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 \$178,000.00 is hereby available from Capital Project No. 336 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 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 the Commissioner of Public Works or a County Engineer are also hereby authorized to execute any necessary certifications or reimbursement requests on behalf of the Municipal Sponsor with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement, and be it further

RESOLVED, that the County Executive of Ulster County 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 (NYSDOT) 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 therefor 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, this resolution shall take effect immediately,
and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 30 NOES: 0
(Absent: Legislators Felicello, Lomita and
Terrizzi)

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FINANCIAL IMPACT:

\$178,000.00 – BUDGETED 2011 APPROPRIATION DOLLARS (80%
REIMBURSABLE)

\$178,000.00 – SERIAL BOND PROCEEDS (80% REIMBURSALE FROM
FEDERAL; FUNDS)

\$ 35,600.00 – 20% COUNTY SHARE

0109

STATE OF 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 4th day of January, 2011, 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 6th Day of January in the year Two Thousand and Eleven.

/s/ Karen L. Binder
Karen L. Binder, Clerk
Ulster County Legislature

Submitted to the County Executive this

6th Day of January, 2011.

/s/ Karen L. Binder
Karen L. Binder, Clerk
Ulster County Legislature

Approved by the County Executive this

11th Day of January, 2011.

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