Resolution No. 218 May 19, 2015

Amending Capital Project No. 260 - Bailey Bridge (BIN 3347090), A Project for the Bridge Replacement On Denning Road Over The East Branch Of The Neversink Creek – Transportation Improvement Project (TIP) Not On The State Highway System – Amending the 2015 – 2020 Capital Improvement Program – Department Of Public Works (Highways And Bridges)

Referred to: The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Archer, Greene, Loughran, and Roberts), and The Ways and Means Committee (Chairman Gerentine and Legislators Allen, Belfiglio, Briggs, Gregorius, Maio, Maloney, and Richard Parete)

Chairman of the Public Works and Capital Projects Committee, Dean J. Fabiano, and Deputy Chairman Peter M. Loughran offer the following:

WHEREAS, this resolution has been submitted by the County Executive on behalf of the Department of Public Works (Highways and Bridges); and

WHEREAS, a Project for Denning Road over the East Branch of the Neversink Creek in the Town of Denning: the Bailey Bridge (BIN 3347090), PIN 8758.79 (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 ration of 80% federal funds 20% non-federal funds; and

WHEREAS, this Project is eligible for New York State Marchiselli Aid, and if this aid becomes available, then Ulster County's financial obligation to the Project will be diminished from its present 20% share to a 5% share; and

WHEREAS, Ulster County desires to advance the Project by making a commitment of 100% of the non-federal share of the cost of the construction work; and

WHEREAS, the Project was approved and it was resolved to advance the Project by making a commitment of 100% of the non-federal share of the costs of construction work in the amount of $2,550,000 pursuant to Resolution No. 263 dated July 15, 2014; and

WHEREAS, it has been found to be necessary to increase original construction costs in order to undertake the Construction Phase, which was not included in the original Department of Transportation budget authorized by the previous resolution; and

WHEREAS, it has been found necessary to modify the existing Department Of Transportation funding agreement and increase the federal and non-federal share of costs for the additional construction costs for the Project in the amount of $483,000.00; and

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WHEREAS, the increase in costs is eligible for 80% federal funds reimbursement should an offset be found; 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 construction work for the Project or portions thereof; and, be it further

RESOLVED, that the Ulster County 2015-2020 Capital Program be amended to increase the Project by $483,000.00 from $2,550,000.00 to $3,033,000.00, 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; and, be it further

RESOLVED, that the Chairman of the Ulster County Legislature be 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 Chairman of the Ulster County Legislature, the following municipal titles: Commissioner of Public Works, County Engineer, County Comptroller, and County Attorney are also hereby authorized to execute and necessary Agreements or certifications on behalf of the Municipality with NYSDOT in connection with the advancement or approval of the Project identified in the State/Local Agreement; and, be it further

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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, that Ulster County Capital Project No. 260 is hereby amended as follows:

	INCREASE	**AMOUNT**
HH.5197.0260-2300-2550 (App. #)	Construction Capital Project No.260	$483,000.00
HH.5197.0260-3400-4597	Federal Aid, Capital Highway Projects	$386,400.00
HH.5197.0260-3300-3591	State Aid, NYS Marchiselli Funding	$ 72,450.00
HH.5197.0260-3500-5710 (Rev. #s)	Serial Bond Proceeds	$ 24,150.00

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0

Passed Committee: Public Works and Capital Projects on May 7, 2015

Passed Committee: Ways and Means on May 13, 2015

FINANCIAL IMPACT:
$ 483,000.00 – CAPITAL PROJECT NO. 260 APPROPRIATION DOLLARS
$ 386,400.00 – 80% REIMBURSABLE FROM FEDERAL FUNDS
$ 72,450.00 – 15% REIMBURSABLE NYS MARCHISELLI FUNDING
$ 24,150.00 – 5% SERIAL BOND PROCEEDS

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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 19th Day of May in the year Two Thousand and Fifteen, 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 May in the year Two Thousand and Fifteen.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Submitted to the County Executive this
21st Day of May, 2015.

|s| Victoria A. Fabella
Victoria A. Fabella, Clerk
Ulster County Legislature

Approved by the County Executive this
_____ Day of May, 2015.

_____
Michael P. Hein, County Executive