

Authorizing The County Executive To Execute An Emergency Relief Project Agreement For Federal-Aid Municipal Streets And Highway Projects Not On The State Highway System – Department Of Public Works (Highways And Bridges)

Referred to: The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Briggs, Maloney, Roberts, and John Parete) and The Ways and Means Committee (Chairman Gerentine and Legislators Gregorius, Harris, Maio, Maloney, Provenzano and Rodriguez)

Chairman of the Public Works and Capital Projects Committee, Dean J. Fabiano, and Deputy Chairman John Parete 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 the Emergency Repair work to correct damages caused by Hurricane Irene August 26, 2011, at various locations in Ulster County, PIN 8701.91 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, for Federal emergency relief that calls for the apportionment of the costs of the Project to be borne at the ratio of 100% federal funds and 0% 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 thereof, and

WHEREAS, Capital Project No. 354 to fund emergency repair work necessitated by damages caused by Hurricane Irene was approved by Ulster County Legislature Resolution No. 217 dated September 20, 2011 and it was thereby agreed to advance the emergency repairs by making a commitment of 100% of the federal and non-federal share of the costs of emergency repair work,

WHEREAS, in addition to Federal Emergency Management Agency reimbursement for eligible expenditures, the Project is also eligible for reimbursement of up to \$257,373.00 from the Federal Highway Administration Fund, now

THEREFORE, the Ulster County Legislature, duly convened does hereby

RESOLVE, that the Ulster County Legislature hereby approves the above-subject project; and, it is hereby 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 the construction work for the Project or portions thereof; and, it is further

Resolution No. 204 July 23, 2013

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RESOLVED, that the sum of \$257,373.00 is hereby appropriated from Capital Project No. 354 of 2011 and made available to cover the cost of participation in the above phase of the Project, and, it is 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, it is further

RESOLVED, that the County Executive of Ulster County be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests, and any amendments to any of the foregoing, 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, it is further

RESOLVED, that in addition to the County Executive, the following municipal titles: Commissioner of Public Works, County Engineer, County Comptroller, and County Attorney are also hereby authorized to execute any 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, it is 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, it is further

RESOLVED, that this resolution shall take effect immediately,
and moves its adoption.

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ADOPTED BY THE FOLLOWING VOTE:

AYES: 23 NOES: 0
(Legislator Robert Parete arrived at 7:45 PM)

Passed Committee: Public Works and Capital Projects on July 10, 2013

Passed Committee: Ways and Means on July 16, 2013

FINANCIAL IMPACT:

**\$257,373.00 – BUDGETED CAPITAL PROJECT NO. 354 APPROPRIATION
DOLLARS**

\$257,373.00 – ADDITIONAL FEDERAL REVENUE DOLLARS

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 23rd Day of July, 2013, 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 24th Day of July in the year Two Thousand and Thirteen.

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

Submitted to the County Executive this
26th Day of July, 2013.

Approved by the County Executive this
5th Day of August, 2013.

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

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