

ECONOMIC RECOVERY PROJECTS MUNICIPAL/SPONSOR RESOLUTION

The following resolution was offered by Supervisor Preston, who moved its adoption.

WHEREAS, the CR83 (Haselton Road) over West Branch Ausable River Economic Recover Project(s) (hereinafter the “the Projects”) in the County of Essex, in Essex County, (hereinafter “the Municipality/Sponsor”) is (are) 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 100% Federal funds and 0% non-federal funds.

NOW, THEREFORE, the Municipal/Sponsor Council duly convened does hereby:

BE IT RESOLVED, that the Municipality/Sponsor Council hereby approves the above Projects; and it is hereby further

BE IT RESOLVED, that the Municipality/Sponsor agrees to advance the Projects through: (Check only one of the following boxes):

1) The Municipality/Sponsor’s resources and agrees that the Municipal/Sponsor Council hereby authorizes the Municipality/Sponsor to pay in the first instance the full federal costs and full non-federal costs of any and all phase(s) or portions thereof and hereby appropriates from Account Number H52234 5483 [or pursuant to _____] the funds necessary to complete the Project(s) including all phase(s) or portions thereof;

-OR-

2) NYSDOT resources and agrees that the Municipal/Sponsor Board hereby authorizes the Municipality/Sponsor to pay in the first instance the full non-federal costs of any and all phase(s) or portions thereof and hereby appropriates from _____ [or pursuant to _____] the funds necessary to complete the Project(s) including all phase(s) or portions thereof; and it is further

BE IT RESOLVED, that the Municipal/Sponsor Council makes a 100% commitment of the non-federal share (if any) of the costs of Construction/Construction Inspection phase(s) of work for the Project(s) or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation (hereinafter “NYSDOT”) pursuant to the State/Local Agreement and it is hereby further

RESOLVED, that the sum of \$1,900,679.00 (One million nine hundred thousand six hundred seventy nine dollars and no cents is hereby appropriated from Account Number H52234 5483 and made available to cover the cost of participation in the above phase(s) of the Project(s); and hereby appropriates from Account Number H52234 5483 [or, pursuant to _____] the funds necessary to complete the Project(s) including all phase(s) or portions thereof; and it is further

RESOLVED, that upon completion of construction of the Projects, or a fully usable portion thereof, the Municipality/Sponsor agrees to maintain the Project(s), or fully usable portion thereof, at their sole cost and expense; and it is hereby further

RESOLVED, that in the event the full federal and non-federal share of the Projects exceeds the amount appropriated above, Municipal/Sponsor Council shall convene as soon as possible to appropriate said excess amount immediately; and it is hereby further

RESOLVED, that the Chairman of the Essex County Board of Supervisors is hereby authorized to execute all necessary Agreements or certifications on behalf of the Municipality/Sponsor, (subject to the Municipal/Sponsor Attorney's approval as to form and content), with NYSDOT in connection with the advancement or approval of the Projects identified in the State/Local Agreement; and providing for the administration of the Projects and the municipality's first instance funding of the non-federal share 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 Chairman, the following municipal titles: Commissioner of Public Works, City Engineer, City Comptroller, Superintendent of DPW are 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

RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of the Department of Transportation by attaching it to any necessary Agreement in connection with the Project(s); and it is further

RESOLVED, that the County Chairperson and/or County Manager is hereby authorized to execute the Standard Federal Aid Highway and Marciselli/Aid Local Project Agreement bearing Project Number 1755.12/BIN 3302770.

RESOLVED, that this Resolution shall take effect immediately.

This resolution was seconded by Supervisors Douglas, Dobie & Merrihew, and adopted upon a roll-call vote as follows:

AYES: 2,673 votes
NOES: 0 votes
ABSENT: 170 votes (French)