



**CITY OF BEACON
CITY COUNCIL**

Resolution No. ____ of 2019

**RESOLUTION AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST
INSTANCE 100% OF THE FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AID
ELEIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT, AND
APPRORIATEING FUNDS THEREFORE**

WHEREAS, a Project for the **Fishkill Avenue from the Beacon City Line to Main Street in the City of Beacon**, identified as **PIN 8757.30** (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, Resolution No. 84 of 2017 adopted by the City of Beacon on August 21, 2017 approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the costs of right-of-way acquisition work; and

WHEREAS, it was subsequently found necessary to undertake additional right-of-way incidental work not contemplated in the original agreement authorized by the previous Resolution; and

WHEREAS, it has been found necessary to increase the federal and non-federal share of costs for the additional right-of-way incidental work for the project.

NOW THEREFORE BE IT RESOLVED, that the Beacon City Council hereby approves the above-subject project; and

BE IT FURTHER RESOLVED, that the Beacon City Council hereby authorizes the Beacon City Council to pay in the first instance 100% of the federal and non-federal share of the costs of the additional right-of-way incidental work for the Project or portions thereof; and

BE IT FURTHER RESOLVED, that the sum of **\$16,839** (\$179,800 minus the previously estimated cost of \$162,961) is hereby appropriated from _____ [or, appropriated pursuant to _____] and made available to cover the cost of participation in the above phases 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 Beacon City Council shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Mayor thereof; and

BE IT FURTHER RESOLVED, that the City Administrator of the City of Beacon be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement request for Federal Aid and/or applicable Marchiselli Aid on behalf of the City of Beacon 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 the 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 City Administrator, the following municipal titles: Mayor, City Engineer, City Finance Director, _____ are also 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; 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.

Dated: _____

Resolution No. ____ of 2019			Date: May 6, 2019				
" Amendments			" 2/3 Required				
" Not on roll call			" On roll call			" 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		John Rembert					
		Lee Kyriacou					
		George Mansfield					
		Jodi McCredo					
		Amber Grant					
		Mayor Randy Casale					



CERTIFICATE OF RECORDING OFFICER

I, _____, Clerk of the City of Beacon, New York, do hereby certify that I have compared the foregoing copy of this Resolution with the original on file in my office, and that the same is a true and correct transcript of said original Resolution and of the whole thereof, as duly adopted by said _____ at a meeting duly called and held at the _____ on _____ by the required and necessary vote of the members to approve the Resolution.

WITNESS My Hand and the Official Seal of the City of Beacon, New York, this

_____ day of _____, 2019.

Iola C. Taylor
City Clerk
City of Beacon