

**CITY OF BEACON, NY
CITY COUNCIL**

RESOLUTION NO. ____ OF 2017

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

WHEREAS, a Project for the **Rehabilitation of Fishkill Avenue 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. 58, adopted by the City of Beacon on April 18, 2011, approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering and right-of-way incidental work.

WHEREAS, it was subsequently found necessary to undertake additional preliminary engineering 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 preliminary engineering work for the project; and

WHEREAS, the City of Beacon desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering work for the Project or portions thereof.

NOW, THEREFORE, the Beacon City Council, duly convened does hereby

RESOLVE, that the Beacon City Council hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Beacon City Council hereby authorizes the City of Beacon to pay in the first instance 100% of the federal and non-federal share of the cost of the additional right-of-way incidental work and the right-of-way acquisition work for the Project or portions thereof; and it is further

RESOLVED, that the sum of **\$170,000** (\$330,000 minus previous \$160,000) is hereby appropriated from the City of Beacon Fishkill Avenue Capital Projects Account and made available to cover the cost of participation in the above phases 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 Beacon City Council shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Mayor thereof, and it is further

RESOLVED, that the Mayor of the City of Beacon be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests 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 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 Mayor, the following municipal titles: Commissioner of Public

Works, City Engineer, City Comptroller, and City Administrator 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;

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, this Resolution shall take effect immediately.

Resolution No. _____ of 2017			Date: <u>August 21, 2017</u>				
<input type="checkbox"/> Amendments			<input type="checkbox"/> On roll call			<input type="checkbox"/> 2/3 Required	
<input type="checkbox"/> Not on roll call.						<input type="checkbox"/> 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Ali Muhammad					
		Omar Harper					
		Lee Kyriacou					
		George Mansfield					
		Pam Wetherbee					
		Peggy Ross					
		Randy Casale					
		Motion Carried					

STATE OF NEW YORK)
) SS:
 COUNTY OF DUTCHESS)

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 _____, 2017.

 Clerk, City of Beacon