

RESOLUTION NO. 2015219

RE: 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 (PIN 8758.69) NOXON ROAD (CR 21)

Legislators HUTCHINGS, BOLNER, BORCHERT, HORTON, SAGLIANO, WEISS, JETER-JACKSON, and FARLEY offer the following and move its adoption:

WHEREAS, a project for Noxon Road (CR 21) at Titusville Road (CR 49) in the Town of LaGrange, Dutchess County, identified as PIN 8758.69 (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 ratio of 80% Federal funds and 20% non-federal funds, and

WHEREAS, Resolution No. 204298 adopted by the Dutchess County Legislature on November 8, 2004, Resolution No. 206294 adopted by the Dutchess County Legislature on November 13, 2006, Resolution No. 2011270 adopted by the Dutchess County Legislature on November 9, 2011, and Resolution No. 2014184 adopted July 7, 2014, approved of and agreed to advance the above project by making a commitment of 100% of the federal and non-federal share of the costs of preliminary engineering, right-of-way incidental and acquisition, construction, construction inspection and construction supervision work, and

WHEREAS, it was subsequently found necessary to undertake additional construction work not contemplated in the original agreement authorized by the previous Resolutions; and

WHEREAS, it has been found necessary to increase the federal and non-federal share of the costs for the additional construction work for the Project; and now therefore,

RESOLVED, that the Dutchess County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Dutchess County Legislature hereby authorizes Dutchess County to pay in the first instance 100% of the federal and non-federal share of the cost of construction, construction inspection and construction support work for the project or portions thereof, and it is further

RESOLVED, that the sum of \$141,951 (\$2,254,981 minus previous amount of \$2,113,030) is hereby appropriated from Capital Project H0290.5110.3250.213 – 2000 Roads (ISTEA/TEA21) and H0384.5110.3250.213 – 2007 Roads – ISTEA 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 Dutchess County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Dutchess County Executive thereof, and it is further

RESOLVED, that the County Executive be and he hereby is authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of Dutchess County with the New York State Department of Transportation in connection with the advancement or approval of the above referenced 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 a copy of this resolution shall be filed with the New York State Commissioner of Transportation by attaching it to any necessary executed agreement in connection with the project, and it is further

RESOLVED, that this resolution shall take effect immediately.

CA-138-15

CAB/kvh/C-6804/G-0188

8/13/14

Fiscal Impact: See attached statement

STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess 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 16th day of September, 2015, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 16th day of September, 2015.

CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS
(To be completed by requesting department)

Total Current Year Cost \$ 141,951

Total Current Year Revenue \$ 113,561
and Source

Source of County Funds (check one): Existing Appropriations, Contingency,
 Transfer of Existing Appropriations, Additional Appropriations, Other (explain).

Identify Line Items(s):
H0290.5120.3450.213 & H0384.5110.3250.213

Related Expenses: Amount \$ _____
Nature/Reason:

Anticipated Savings to County: \$ 113,591

Net County Cost (this year): \$ 28,390
Over Five Years: _____

Additional Comments/Explanation:

This F.I.S. is related to the resolution request to accept Supplemental Agreement # 5 for additional funds for the Construction and Construction Inspection for PIN 8768.69 Noxon Road (CR 21) at Titusville Road (CR 49) Intersection, Town of LaGrange.

Prepared by: Rosanne M. Hall, Contract Specialist, 486-2924

Prepared On: 08/04/2015

Supplemental Agreement Cover for Local Agreements (11/12)
MUNICIPALITY/SPONSOR: Dutchess County
PIN: 8758.69
BIN: N/A
Comptroller's Contract No: D022359
Supplemental Agreement No. 5
Date Prepared & By: 07/30/2015dh

SUPPLEMENTAL AGREEMENT NO. 5 to D022359

This Supplemental Agreement is by and between:

the New York State Department of Transportation ("NYSDOT"), having its principal office at
50 Wolf Road, Albany, New York, 12232, on behalf of New York State ("State");

And

Dutchess County (the Municipality/Sponsor)
Acting by and through the **Commissioner of Public Works**
With its office at **22 Market Street, Poughkeepsie, New York**

This amends the existing Agreement between the parties in the following respects only:

- X Amends a previously adopted Schedule A by:
 - amending a project description
 - amending the contract end date
 - X amending the scheduled funding by:
 - X adding additional funding:
 - adding 1,2,3 phase which covers eligible costs incurred on/after xxxxxx
 - adding 1,2,3 phase which covers eligible costs incurred on/after xxxxxx
 - X increasing funding for a project phases(s) – **Construction - 7/1/2015**
 - adding a pin extension
 - change from Non-Marchiselli to Marchiselli
 - deleting/reducing a project phase(s)
 - other (increased Marchiselli funds)
- Amends a previously adopted Schedule "B"
- X Amends a previously adopted agreement by adding Appendix 2-S – Iran Divestment Act
- Amends the Text of the Agreement as follows:

Supplemental Agreement Cover for Local Agreements (11/12)
MUNICIPALITY/SPONSOR: Dutchess County
PIN: 8758.69
BIN: N/A
Comptroller's Contract No: D022359
Supplemental Agreement No. 5
Date Prepared & By: 07/30/2015dh

IN WITNESS WHEREOF, the parties have caused this agreement to be executed by its duly authorized officials as of the date first above written.

Approved for the Municipality/Sponsor

Municipality/Sponsor Attorney:

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

APPROVED AS TO CONTENT

Date: ____/____/____

DEPARTMENT OF PUBLIC WORKS

STATE OF NEW YORK)
)ss.:
COUNTY OF DUTCHESS)

On this _____ day of _____, 2015 before me personally came _____ to me known, who, being by me duly sworn did depose and say that he/she resides at _____; that he/she is the _____ of the Municipal/Sponsor Corporation described in and which executed the above instrument; that it was executed by order of the _____ of said Municipal/Sponsor Corporation pursuant to a resolution or other authorization which was duly adopted on _____ and which a certified copy is attached and made a part hereof, and that he/she signed his/her name thereto by like order.

Notary Public

By: _____
For Commissioner of Transportation

APPROVED AS TO FORM:
STATE OF NEW YORK ATTORNEY GENERAL

Agency Certification: In addition to the Acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this Contract.

By: _____
Assistant Attorney General

COMPTROLLER'S APPROVAL:

By: _____
For the New York State Comptroller
Pursuant to State Finance Law § 112

SCHEDULE A -- Description of Project Phase, Funding and Deposit Requirements
NYS DOT/ State-Local Agreement - Schedule A for PIN 8758.69

OSC Municipal Contract #: <u>D022359</u>	Contract Start Date: <u>7/19/2004</u> (mm/dd/yyyy)	Contract End Date: <u>9/30/2016</u> (mm/dd/yyyy) <input type="checkbox"/> Check, if date changed from the last Schedule A
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Purpose: Original Standard Agreement Supplemental Schedule A No. 5

Agreement Type: Locally Administered Municipality/Sponsor (Contract Payee): Dutchess County
 Other Municipality/Sponsor (if applicable): _____

State Administered *List participating Municipality(ies) and the % of cost share for each and indicate by checkbox which Municipality this Schedule A applies.*

<input type="checkbox"/> Municipality: _____	% of Cost share
<input type="checkbox"/> Municipality: _____	% of Cost share
<input type="checkbox"/> Municipality: _____	% of Cost share

Authorized Project Phase(s) to which this Schedule applies: PE/Design ROW Incidentals
 ROW Acquisition Construction/CI/CS

Work Type: HWY SAFETY **County (if different from Municipality):** Dutchess County

Marchiselli Eligible: Yes No *(Check, if Project Description has changed from last Schedule A):*

Project Description: Noxon Road (CR 21) & Titusville Road (CR 49), Town of LaGrange, Dutchess County

Marchiselli Allocations Approved FOR ALL PHASES *To compute Total Costs in the last row and column, right click in each field and select "Update Field."*

Check box to indicate change from last Schedule A	State Fiscal Year(s)	Project Phase			TOTAL
		PE/Design	ROW (RI & RA)	Construction/CI/CS	
<input checked="" type="checkbox"/>	Cumulative total for all prior SFYs	\$30,045.00	\$4,000.00	\$249,000.00	\$283,045.00
<input type="checkbox"/>	Current SFY	\$	\$	\$0.00	\$ 0.00
Authorized Allocations to Date		\$30,045.00	\$4,000.00	\$249,000.00	\$283,045.00

A. Summary of allocated MARCHISELLI Program Costs FOR ALL PHASES *For each PIN/Fiscal State below, show current costs on the rows indicated as "Current". Show the old costs from the previous Schedule A on the row indicated as "Old". To compute Total Current Costs in the last row, right click in each field and select "Update Field."*

PIN Fiscal Share	"Current" or "Old" entry indicator	Federal Funding Program	Total Costs	FEDERAL Participating Share and Percentage	STATE MARCHISELLI Match	LOCAL Matching Share	LOCAL DEPOSIT AMOUNT (Required only if State Administered)
8758.69.121 122.	Current	CMAQ (80%)	\$200,300.00	\$160,240.00	\$30,045.00	\$10,015.00	\$0.00
	Old	CMAQ (80%)	\$200,300.00	\$160,240.00	\$30,045.00	\$10,015.00	\$0.00
8758.69.221 222.223	Current	CMAQ (80%)	\$204,730.00	\$163,784.00	\$4,000.00 *	\$36,946.00	\$0.00
	Old	CMAQ (80%)	\$204,730.00	\$163,784.00	\$4,000.00	\$36,946.00	\$0.00
8758.69.321	Current	CMAQ (80%)	\$1,849,951.00	\$1,479,961.00	\$249,000.00 *	\$120,990.00	\$0.00
	Old		\$1,700,000.00	\$1,366,400.00	\$249,000.00	\$92,600.00	\$
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
	Current		\$	\$	\$	\$	\$
	Old		\$	\$	\$	\$	\$
TOTAL CURRENT COSTS:			\$2,254,981.00	\$1,803,985.00	\$283,045.00	\$167,951.00	\$ 0.00

NYS DOT/State-Local Agreement – Schedule A

B. Summary of Other (Including Non-allocated MARCHISELLI) Participating Costs FOR ALL PHASES. For each PIN Fiscal Share, show current costs on the rows indicated as "Current". Show the old costs from the previous Schedule A on the row indicated as "Old". To compile Total Current Costs in last row, right click in each field and select "Update Field."						
Other PIN Fiscal Shares	'Current' or 'Old' entry indicator	Funding Source	TOTAL	Other FEDERAL	Other STATE	Other LOCAL
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
	Current		\$	\$	\$	\$
	Old		\$	\$	\$	\$
TOTAL CURRENT COSTS:			\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00

C. Total Local Deposit(s) Required for State Administered Projects:	\$0.00
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D. Total Project Costs To compute Total Costs in the last column, right click in the field and select "Update Field."				
Total FEDERAL Cost	Total STATE MARCHISELLI Cost	Total Other STATE Cost	Total LOCAL Cost	Total Costs (all sources)
\$1,803,985.00	\$283,045.00	\$0.00	\$167,951.00	\$2,254,981.00

E. Point of Contact for Questions Regarding this Schedule A (Must be completed)	Name: <u>Doreen Holsopple</u> Phone No: <u>845-431-5977</u>
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See Agreement (or Supplemental Agreement Cover) for required contract signatures.

NYS DOT/State-Local Agreement – Schedule A

Footnotes: (See LPE's website for link to sample footnotes)

- The project consists of the removal and replacement with a fully-actuated signal with signs, pavement markings and channelization. Overlay entire existing pavement with asphalt concrete. Add additional pavement on southbound approach to allow for a separate left turn lane. reduce the overall size of the intersection and modify the existing curbed island.
-
- *Marchiselli funding hereunder is limited by the amount authorized on the Comprehensive List. Additional Marchiselli funding is contingent on appropriate increase(s) to the Comprehensive List and the execution of a Supplemental Schedule A providing such additional funds.
- Beyond Preservation was Approved 2/15/2012.
-
- This Schedule A includes additional funds for the Construction and construction inspection phase.
-
-
-
-
-
- PIN 8758.69; 07/30/2015dh

APPENDIX 2-S
IRAN DIVESTMENT ACT

As a result of the Iran Divestment Act of 2012 (Act), Chapter 1 of the 2012 Laws of New York, a new provision has been added to the State Finance Law (SFL), § 165-a, effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list (prohibited entities list) of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act's effective date, at which time it will be posted on the OGS website.

By entering into a renewal or extension of this Contract, Contractor (or any assignee) certifies that once the prohibited entities list is posted on the OGS website, it will not utilize on such Contract any subcontractor that is identified on the prohibited entities list.

Additionally, Contractor understands that during the term of the Contract, should NYSDOT receive information that a person is in violation of the above-referenced certification NYSDOT will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then NYSDOT shall take such action as may be appropriate including; but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

NYSDOT reserves the right to reject any renewal, extension or request for assignment for an entity that appears on the prohibited entities list hereafter and to pursue a responsibility review with respect to any entity that is granted a contract extension/renewal or assignment and appears on the prohibited entities list thereafter.

Public Works and Capital Projects

RESOLUTION NO. 204298

RE: 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

Legislator SEARS offers the following and moves its adoption:

WHEREAS, a project for the improvements to Noxon Road (CR 21) at Titusville Road (CR 49) in the Town of LaGrange, identified as PIN 8758.69 (the "Project") is eligible for funding under Title 23, U.S. Code, as amended, that calls for the apportionment of the costs of such project to be borne at the ratio of 80% Federal funds and 20% non-federal funds, and

WHEREAS, Dutchess County desires 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, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby approves of the above subject project, and it is further

RESOLVED, that the Dutchess County Legislature hereby authorizes Dutchess County to pay in the first instance 100% of the federal and non-federal share of the cost of preliminary engineering and right-of-way incidental work for the Project or portions thereof, and it is further

RESOLVED, that the sum of \$65,000 is hereby appropriated 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 Dutchess County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by Dutchess County thereof, and it is further

RESOLVED, that the County Executive be and he hereby is authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the County of Dutchess 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 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.

CA-213-04 ca/C-6804 10/14/04 Fiscal Impact: See attached statement
STATE OF NEW YORK

ss:
COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess 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 8th day of November, 2004, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 8th day of November, 2004.

Patricia J. Hohmann
PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

APPROVED
William R. Steinhaus
WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

11/19, 2004

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS
(To be completed by requesting department)

Total Current Year Cost \$ 65,000

Total Current Year Revenue \$ 61,750
and Source

Source of County Funds (check one): Existing Appropriations, Contingency,
 Transfer of Existing Appropriations, Additional Appropriations, Other (explain).

Identify Line Items(s):
HO290 - 2000 Roads (ISTEA/TEA21)

Related Expenses: Amount \$ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): \$3,250
Over Five Years: \$3,250

Additional Comments/Explanation:

This F.I.S. is related to the Resolution Request for executing a Master Agreement from NYSDOT for the preliminary engineering phase for P.I.N. 8758.69 - Noxon Road (CR 21) at Titusville Road (CR 49) Intersection improvements.

Prepared by: Robert Balkind, PE, Assistant Director of Engineering

DUI.pdf

RESOLUTION NO. 206294

RE: 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 THEREFORE (PIN 8758.69)

Legislators SEARS and HUTCHINGS offer the following and move its adoption:

WHEREAS, a project for Noxon Road (CR 21) at Titusville Road (CR 49) in the Town of LaGrange, Dutchess County, identified as PIN 8758.69 (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 ratio of 80% Federal funds and 20% non-federal funds, and

WHEREAS, Resolution No. 204298 adopted by the Dutchess County Legislature on November 8, 2004 approved of and agreed to advance the above project by making a commitment of 100% of the federal and non-federal share of the costs of preliminary engineering and right-of-way incidental work, and

WHEREAS, it was subsequently found necessary to undertake additional preliminary engineering and 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 the costs for the additional preliminary engineering and right-of-way incident work for the Project, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby approves of the above subject project, and it is further

RESOLVED, that the Dutchess County Legislature hereby authorizes the County of Dutchess to pay in the first instance 100% of the federal and non-federal share of the cost of additional preliminary engineering and right-of-way incidental work for the Project or portions thereof, and it is further

RESOLVED, that the sum of \$137,300 (\$202,300 minus previous amount of \$65,000) is hereby appropriated 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 Dutchess County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Commissioner of Public Works thereof, and it is further

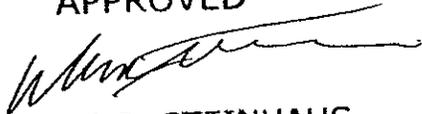
RESOLVED, that the County Executive be and he hereby is authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid with the New York State Department of Transportation on behalf of the County of Dutchess in connection with the advancement or approval of the above referenced 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 therefor that are not so eligible, and it is further

RESOLVED, that a copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary executed agreement in connection with the project, and it is further

RESOLVED, that this resolution shall take effect immediately.

CA-161-06
CAB/ca/C-6804
10/11/06
Fiscal Impact: See attached statement

APPROVED

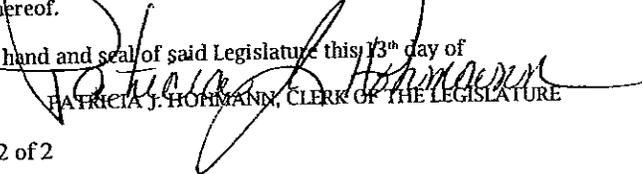

WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date November 21, 2006

STATE OF NEW YORK
COUNTY OF DUTCHESS ss:

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess 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 13th day of November, 2006, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 13th day of November, 2006.


PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 137,300

Total Current Year Revenue \$ 121,840
and Source

Source of County Funds *(check one)*: Existing Appropriations, Contingency,
 Transfer of Existing Appropriations, Additional Appropriations, Other *(explain)*.

Identify Line Items(s):
H0290.5110.3250.213

Related Expenses: Amount \$ _____
Nature/Reason:

Anticipated Savings to County: _____

Net County Cost (this year): _____
Over Five Years: \$15,460

Additional Comments/Explanation:

This F.I.S. is related to the resolution Request for executing Supplemental #1 to the Master Agreement from NYSDOT for the Preliminary Engineering and Right of Way (ROW) phase for PIN 8758.69-Noxon Road (CR21) at Titusville Road (CR93) Intersection improvements.

Prepared by: Rosanne M. Pinto, Contract Specialist

RESOLUTION NO. 2011270

RE: 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 THEREFORE (PIN 8758.69) NOXON ROAD (CR 21)

Legislators COOPER, BORCHERT, and HUTCHINGS offer the following and move its adoption:

WHEREAS, a project for Noxon Rod (CR 21) at Titusville Road (CR 49) in the Town of LaGrange, Dutchess County, identified as PIN 8758.69 (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 ratio of 80% Federal funds and 20% non-federal funds, and

WHEREAS, Resolution No. 204298 adopted by the Dutchess County Legislature on November 8, 2004 and Resolution No. 206294 adopted by the Dutchess County Legislature on November 13, 2006 approved of and agreed to advance the above project by making a commitment of 100% of the federal and non-federal share of the costs of preliminary engineering and right-of-way incidental work, and

WHEREAS, it was subsequently found necessary to undertake additional preliminary engineering not contemplated in the original agreement authorized by the previous Resolutions, and

WHEREAS, it has been found necessary to increase the federal and non-federal share of the costs for the additional preliminary engineering work for the Project, and

WHEREAS, Dutchess County desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of right-of-way acquisition work for the Project or portions thereof, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby approves of the above subject project, and it is further

RESOLVED, that the Dutchess County Legislature hereby authorizes the County of Dutchess to pay in the first instance 100% of the federal and non-federal share of the cost of additional preliminary engineering and right-of-way acquisition work for the Project or portions thereof, and it is further

RESOLVED, that the sum of \$110,730 (\$313,030 minus previous amount of \$202,300) is hereby appropriated 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 Dutchess County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Commissioner of Public Works thereof, and it is further

RESOLVED, that the County Executive be and he hereby is authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid with the New York State Department of Transportation on behalf of the County of Dutchess in connection with the advancement or approval of the above referenced 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 a copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary executed agreement in connection with the project, and it is further

RESOLVED, that this resolution shall take effect immediately.

CA-179-11
ca/C-6804
10/19/11
Fiscal Impact: See attached statement

APPROVED



WILLIAM R. STEINHAUS
COUNTY EXECUTIVE

Date November 22, 2011

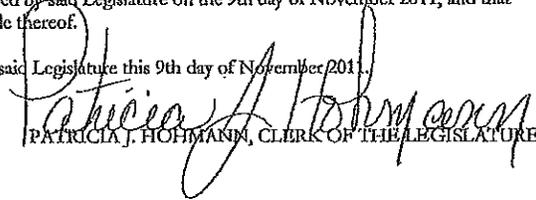
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess 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 9th day of November 2011, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 9th day of November 2011.



PATRICIA J. HOHMANN, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS

(To be completed by requesting department)

Total Current Year Cost \$ 110,730

Total Current Year Revenue \$ 92,284
and Source

Source of County Funds *(check one)*: Existing Appropriations, Contingency,
 Transfer of Existing Appropriations, Additional Appropriations, Other *(explain)*.

Identify Line Items(s):

H0290.5110.3250.213

Related Expenses: Amount \$ _____

Nature/Reason:

Anticipated Savings to County: \$92,284

Net County Cost (this year): \$18,446
Over Five Years: _____

Additional Comments/Explanation:

This F.I.S. is related to the Resolution to authorized the County Executive to sign Supplemental Agreement # 3 for PIN 8758,69 Noxon Rd. (CR 21) at Titusville Rd. (CR 49) intersection.

Prepared by: Rosanne M. Hall, Contract Specialist

PUBLIC WORKS & CAPITAL PROJECTS

RESOLUTION NO. 2014184

RE: 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 (PIN 8758.69) NOXON ROAD (CR 21)

Legislators BOLNER, MICCIO, FARLEY, and SAGLIANO offer the following and move its adoption:

WHEREAS, a project for Noxon Road (CR 21) at Titusville Road (CR 49) in the Town of LaGrange, Dutchess County, identified as PIN 8758.69 (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 ratio of 80% Federal funds and 20% non-federal funds, and

WHEREAS, Resolution No. 204298 adopted by the Dutchess County Legislature on November 8, 2004, Resolution No. 206294 adopted by the Dutchess County Legislature on November 13, 2006 and Resolution No. 2011270 adopted by the Dutchess County Legislature on November 9, 2011 approved of and agreed to advance the above project by making a commitment of 100% of the federal and non-federal share of the costs of preliminary engineering and right-of-way incidental work, and

WHEREAS, Dutchess County desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of right-of-way acquisition work for the Project or portions thereof, now, therefore, be it

RESOLVED, that the Dutchess County Legislature hereby authorizes Dutchess County to pay in the first instance 100% of the federal and non-federal share of the cost of construction, construction inspection and construction support work for the project or portions thereof, and it is further

RESOLVED, that the sum of \$1,800,000 is hereby appropriated from Capital Project H0290.5110.3250.213 - 2000 Roads (ISTEA/TEA21) 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 Dutchess County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Dutchess County Executive thereof, and it is further

RESOLVED, that the County Executive be and he hereby is authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid with the New York State Department of Transportation on behalf of the County of Dutchess in connection with the advancement or approval of the above referenced 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 a copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary executed agreement in connection with the project, and it is further

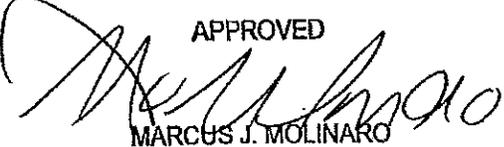
RESOLVED, that this resolution shall take effect immediately.

CA-108-14

CAB/ca/C-6804

6/6/14

Fiscal Impact: See attached statement

APPROVED

MARCUS J. MOLINARO
COUNTY EXECUTIVE
Date 7/6/2014

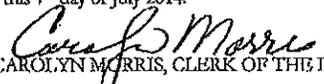
STATE OF NEW YORK

ss:

COUNTY OF DUTCHESS

This is to certify that I, the undersigned Clerk of the Legislature of the County of Dutchess 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 7th day of July 2014, and that the same is a true and correct transcript of said original resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Legislature this 7th day of July 2014.


CAROLYN MORRIS, CLERK OF THE LEGISLATURE

FISCAL IMPACT STATEMENT

NO FISCAL IMPACT PROJECTED

APPROPRIATION RESOLUTIONS
(To be completed by requesting department)

Total Current Year Cost \$ _____

Total Current Year Revenue \$ 1,689,000
and Source _____

Source of County Funds (check one): Existing Appropriations, Contingency,
 Transfer of Existing Appropriations, Additional Appropriations, Other (explain).

Identify Line Items(s):

Related Expenses: Amount \$ _____
Nature/Reason:

Anticipated Savings to County: \$1,689,000 _____

Net County Cost (this year): _____
Over Five Years: _____

Additional Comments/Explanation:

This F.I.S. is related to the resolution request to accept Supplemental Agreement # 4 for Construction and Construction Inspection funds from NYSDOT for PIN 8758.69 Noxon Rd. (CR 21) & Titusville Rd. (CR 49) Intersection, Town of Legrange.

Prepared by: Rosanne M. Hall, Contract Specialist - DPW - 486-2924