

Draft RESOLUTION: _____ 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 locally-administered project, and appropriating funds, therefore.

WHEREAS, a Project for the Dryden Rail Trail Phase 2 P.I.N. 395071 (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, in March 2020, the Town Board authorized \$2,190,675 which included a Transportation Alternatives Program (TAP) grant of \$1,469,665 that was made available by the New York State Department of Transportation for the project to cover the costs of Design, ROW and Construction work; and

WHEREAS, the current Construction estimate was more than anticipated, with costs projected at \$3,057,082 which includes \$2,169,082 in federal funding; and

WHEREAS, the Town of Dryden desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Design, ROW & Construction, currently totaling \$887,417, which is comprised of State, county, town and private funds; and

WHEREAS, the Town Board on February 17, 2022 issued a negative declaration under Article 8 of the Environmental Conservation Law and Regulations adopted pursuant thereto by the Department of Environmental Conservation of the State (collectively, “SEQR”) with respect to work on the Dryden Rail Trail pedestrian bridge;

NOW, THEREFORE BE IT RESOLVED, that the Town Board, hereby authorizes the Town of Dryden to pay in the first instance 100% of the federal and non-federal share of the cost of Design, Row and Construction work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$3,057,082 is hereby committed and will be bonded for 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 Town of Dryden shall convene as soon as possible to appropriate said excess amount immediately upon receipt of notification to the Town from New York State Department of Transportation (NYSDOT), and it is further

RESOLVED, that the Supervisor of the Town of Dryden is hereby authorized to execute all necessary Agreements, certification or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Town of Dryden 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, and it is further

RESOLVED, this Resolution shall take effect immediately.