



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 107 OF 2022

**AUTHORIZING THE IMPLEMENTATION AND FUNDING, IN THE FIRST INSTANCE, OF
100% OF THE FEDERAL-AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE
COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND
APPROPRIATING FUNDS THEREFORE**

WHEREAS, a Project for the Rehabilitation of Fishkill Avenue in the City of Beacon, Dutchess County, PIN 8757.30 (the "Project") is eligible for funding under Title 23 of the U.S. Code, as amended, which 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. 139 of 2001, adopted by the City of Beacon on September 4, 2001, 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-incidentals work; and

WHEREAS, Resolution No. 129 of 2010, adopted by the City of Beacon on September 7, 2010, approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the additional costs of right-of-way-incidentals work; and

WHEREAS, Resolution No. 58 of 2011, 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 additional costs of right-of-way acquisition; and

WHEREAS, Resolution No. 84 of 2017, adopted by the City of Beacon on May 6, 2017, approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the additional costs of preliminary design work; and

WHEREAS, Resolution No. 68 of 2019, adopted by the City of Beacon on May 6, 2019, approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the additional costs of right-of-way incidentals work; and

WHEREAS, Resolution No. 127 of 2019, adopted by the City of Beacon on September 16, 2019, approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the costs of construction and construction inspection; and

WHEREAS, it has been found necessary to increase the federal and non-federal share of costs for the design work, right-of-way acquisition, and construction and construction inspection 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 additional costs of design work, right-of-way acquisitions, and construction and construction inspection work for the Project or portions thereof.

NOW, THEREFORE, BE IT RESOLVED THAT the Beacon City Council, duly convened, hereby approves the above-subject Project; and

BE IT 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 design work, right-of-way acquisition, and construction and construction inspection for the Project or portions thereof; and

BE IT FURTHER RESOLVED, that the sum of **\$1,977,162 (\$7,212,962 minus previous \$5,235,800)** is hereby appropriated from the Fishkill Avenue Capital Account 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 City Administrator thereof; and

BE IT FURTHER RESOLVED that the Beacon City Administrator 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

BE IT FURTHER RESOLVED, that in addition to the City Administrator, the City of Beacon Mayor and Director of Finance are also hereby authorized to execute any necessary Agreements or certifications on behalf of the City of beacon, 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.

Resolution No. 107 of 2022			Date: August 15, 2022				
<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
		Paloma Wake	x				
		Justice McCray	x				
x		George Mansfield	x				
		Wren Longno	x				
		Molly Rhodes					x
	x	Dan Aymar-Blair	x				
		Mayor Lee Kyriacou	x				
		Motion Carried	x				