

Second Special Meeting
March 19, 2009

The Second Special Meeting of 2009 was called to order by the Chair at 10:07 A.M. All Legislative members were present.

The Chair asked Legislator Monell to have a moment of prayer. “Lord, we thank you for the opportunity to serve the County. We pray Lord that you would continue to direct us as we make decisions regarding the people we represent, that you would keep us cognizance of the duties that we have before us. Bless all that we do.”

Legislator Monell led all Legislators and those in attendance in the Pledge of Allegiance.

There were 6 people in attendance.

REFERRED TO: PUBLIC WORKS
FINANCE

RESOLUTION NO. 129-09 *ECONOMIC RECOVERY PROJECT
MUNICIPAL/SPONSOR RESOLUTION
PUBLIC WORKS*

Adoption moved by Legislator Roberts,
seconded by Legislator McEwen.

WHEREAS: The Economic Recovery Project (hereafter “the Project”) Southside Drive Bridge over Pumpelly Creek in the Town of Owego, in Tioga County, NY (hereafter “the Municipality/Sponsor”) 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 100% Federal Funds; and

WHEREAS: Tioga County is responsible for initiating the funding for this project and will be reimbursed through the Federal Stimulus Program; and

WHEREAS: Tioga County Department of Public Works has established account H2008.08 for the Southside Drive Bridge over Pumpelly Creek; and

WHEREAS: Funds need to be transferred from H4502 – Federal Aid Bridge Projects in the amount of \$1,500,000 to H2008.08 Southside Drive Bridge over Pumpelly Creek (BIN 3335530); therefore be it

RESOLVED: That the Tioga County Legislature hereby approves the Project; and be it further

RESOLVED: That the Tioga County Legislature agrees to advance the Project through Tioga County resources and agrees that the Tioga County Legislature hereby authorizes the Tioga County Commissioner of Public Works to pay in the first instance the full federal costs of any kind and all phases(s) or portions thereof and hereby appropriates \$1,500,000 from H4502-Federal Aid Bridge Projects to H2008.08-Southside Drive Bridge over Pumpelly Creek (BIN 3335530) the funds necessary to complete the Project including all phases or portions thereof; and be it further

RESOLVED: That the Tioga County Legislature makes a 100% commitment of the costs of the non-federal share (if any) of the costs of or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation(hereinafter "NYSDOT") pursuant to the State/Local Agreement and be it further

RESOLVED: That upon completion of construction of the Project or a fully usable portion thereof, the Tioga County Legislature agrees to maintain the Project or fully usable portion thereof at their sole cost and expense; and be it further

RESOLVED: That in the event the full federal share of the Project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately; and be it further

RESOLVED: That the Chairman of the Tioga County Legislature is hereby authorized to execute all necessary Agreements or certifications on behalf of Tioga County(subject to the Municipal/Sponsor Attorney's approval as to form and content), with NYSDOT in connection with the advancement or approval of the Project identified in the State/Local Agreement; and providing for the administration of the Project and the municipality's first instance funding of the non-federal share 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 a certified copy of this Resolution be filed with the New York State Commissioner of the Department of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED: That this Resolution shall take effect immediately.

Roll Call:

Ayes 09

Noes 00

Absent 00

CARRIED

The meeting was adjourned at 10:09 A.M.