

By Legislators Colby, Ancello and Delehanty

Intro. No. ____

RESOLUTION NO. ____ OF 2021

**AUTHORIZING INTERMUNICIPAL AGREEMENT WITH NEW YORK STATE DEPARTMENT OF
TRANSPORTATION FOR OPERATION AND MAINTENANCE OF COLONEL PATRICK O'RORKE
BRIDGE**

BE IT RESOLVED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. The County Executive, or his designee, is hereby authorized to execute an intermunicipal agreement, and any amendments thereto, with the New York State Department of Transportation for reimbursement to the County of appropriate costs relating to the operation and maintenance of the Colonel Patrick O'Rorke Bridge, in an amount not to exceed \$500,000, commencing on October 1, 2021 and ending September 30, 2023, with the option to renew for two (2) additional two-year terms in an amount not to exceed \$500,000 for each additional term upon mutual consent of both parties and with the approval of the New York State Attorney General's Office and the New York State Comptroller.

Section 2. The attached resolution required by New York State for the Operation and Maintenance of the Colonel Patrick O'Rorke Bridge Project is hereby incorporated by reference and adopted.

Section 3. The 2021 operating budget of the Department of Transportation is hereby amended by appropriating the sum of \$500,000 into road fund 9302, funds center 8005020000 O'Rorke Bridge Operations.

Section 4. The County Executive is hereby authorized to appropriate any subsequent years of the grant award in accordance with the grant terms, to reappropriate any unencumbered balances during the grant period according to the grantor requirements, and to make any necessary funding modifications within grant guidelines to meet contractual commitments.

Section 5. Should funding of this program be modified or terminated for any reason, the County Executive is hereby authorized to terminate or modify the program and, where applicable, to terminate or abolish some or all positions funded under such program. Any termination or abolishment of positions shall be in accordance with New York State Civil Service Law and, when applicable, the terms of any labor agreements affecting such positions.

Section 6. This resolution shall take effect in accordance with Section C2-7 of the Monroe County Charter.

Transportation Committee; July 27, 2021 - CV: 7-0
Intergovernmental Relations Committee; July 27, 2021 - CV: 5-0
Ways and Means Committee; July 27, 2021 - CV: 10-0
File No. 21-0271

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF RESOLUTION: _____

ATTACHMENT TO REFERRAL

RESOLUTION INCORPORATED WITHIN AND ATTACHED TO RESOLUTION NO. ____ OF 2021

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 Operation and Maintenance of the Colonel Patrick O'Rourke Memorial Bridge, P.I.N. 4T39.22 (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 0% Federal funds and 100% non-federal funds; and

WHEREAS, the County of Monroe desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Project.

NOW, THEREFORE, the Legislature of the County of Monroe ("Legislature"), duly convened does hereby

RESOLVE, that the Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Legislature hereby authorizes the County of Monroe to pay in the first instance 100% of the federal and non-federal share of the cost of design work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$500,000 is hereby appropriated pursuant to the annual Monroe County Operating Budget 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 Legislature shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the County of Monroe thereof, and it is further

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