

RESOLUTION No. 2021-

**AUTHORIZING THE IMPLEMENTATION AND FUNDING OF A STATE
“MARCHISELLI” PROGRAM-AID ELIGIBLE TRANSPORTATION FEDERAL-
AID PROJECT, TO FULLY FUND THE LOCAL SHARE OF A FEDERAL-AND
STATE-AID ELIGIBLE AND INELIGIBLE PROJECT COSTS AND
APPROPRIATING FUNDS THEREFORE**

BY:

Council Chairman Kenny Tompkins
Council Member Andrew Touma

WHEREAS, a Project for the Niagara Street Betterment between Fifth Street and John B. Daly Boulevard, P.I.N. 5813.48 (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 95% Federal funds and 5% non-federal funds; and

WHEREAS, the Niagara Falls City Council desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of aforementioned work for the Project or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation (“NYSDOT”) pursuant to Agreement; and it is further

NOW, THEREFORE, the City Council of the City of Niagara Falls, New York, duly convened does hereby

RESOLVE, that the City Council of the City of Niagara Falls, New York, hereby approves the above-subject Project; and it is hereby further

Kennedy _____ Spanbauer _____ Touma _____ Voccio _____ Tompkins _____

RESOLVED, that the City Council of the City of Niagara Falls, New York, hereby authorizes the City of Niagara Falls to pay in the first instance the full non-federal share of the cost of \$1,190,594.43 work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$59,529.73 is hereby appropriated from excess reserves within the Road Reconstruction Capital Project account code 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 non-federal share of the costs of the project exceed the amount appropriated above, the City of Niagara Falls shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT thereof, and it is further

RESOLVED, that the Mayor of the City of Niagara Falls 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 City of Niagara Falls 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 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 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.