

RESOLUTION No. 2023-

***AUTHORIZING THE IMPLEMENTATION, AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AID ELIGIBLE COSTS, OF TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE FOR PIN 5761.89, ROUTE 265 (MILITARY RD) RECONSTRUCTION; NIAGARA FALLS BLVD TO CAYUGA DR & CAYUGA DR RESURFACING; TUSCARORA RD TO BUFFALO AVE, CITY OF NIAGARA FALLS, NIAGARA COUNTY***

BY:

Council Member Kenny Tompkins

**WHEREAS**, a Project for the Route 265 (Military Road) Reconstruction; Niagara Falls Blvd. to Cayuga Drive & Cayuga Drive Resurfacing; Tuscarora Road to Buffalo Avenue, P.I.N.5761.89 (“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**, the City of Niagara Falls desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Route 265 (Military Road) Reconstruction; Niagara Falls Blvd. to Cayuga Drive & Cayuga Drive Resurfacing; Tuscarora Road to Buffalo Avenue; and

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

**RESOLVE**, that the City Council hereby approves the above-subject project; and it is hereby further

**RESOLVED**, that the City Council hereby authorizes the City of Niagara Falls to pay in the first instance 100% of the federal and non-federal share of the cost of the work for the Project

Bax \_\_\_\_\_ Cauley \_\_\_\_\_ Myles \_\_\_\_\_ Tompkins \_\_\_\_\_ Zajac \_\_\_\_\_

or portions thereof; and it is further

**RESOLVED**, that the sum of \$5,062,000.00 is hereby appropriated from American Rescue Plan Funds under the Treasury Guidance Expenditure Category 6.1, which is “Revenue Replacement for the Provision of Government Services” 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 City Council of Niagara Falls shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation 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 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.