
VILLAGE OF AVOCA RESOLUTION 2023-05

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF AVOCA, authorizing the implementation and funding of 100% of the costs of a transportation project, of which qualified costs may be reimbursed from Bridge NY funds.

WHEREAS, on the 9th day of November, 2023 the Board of Trustees has hereby adopted the following Resolution in 2023 for the East Avenue Culvert Project in conjunction with Bridge NY.

WHEREAS, a project for the Bridge NY (4) Culvert Replacement East Avenue over Salmon Creek, Village of Avoca, Steuben County, P.I.N. 6755.66 (the "Project") is eligible for reimbursement of qualified costs from Bridge NY funding that calls for the post-reimbursement apportionment of the qualified costs to be borne at the ratio of 100% Bridge NY funds and 0% non-Bridge NY funds; and

WHEREAS, the Village of Avoca will design, let, and administer all phases of the Project.

WHEREAS, the Village of Avoca desires to advance the Project by making a commitment of 100% of the costs of Design, Right of Way Incidentals and Acquisition, and Construction/Construction Inspection work for the Project or portions thereof.

NOW, THEREFORE, the Avoca Village Board of Trustees, duly convened does hereby;

RESOLVED, that the Avoca Village Board of Trustees hereby approves the Project; and it is hereby further;

RESOLVED, that the Avoca Village Board of Trustees hereby authorizes the Village of Avoca to pay 100% of the cost of Design, Right of Way Incidentals and Acquisition, and Construction/Construction Inspection work for the Project or portions thereof, with the understanding that qualified costs will be reimbursed from Bridge NY funding; and it is further;

RESOLVED, that the sum of \$1,250,000 is hereby appropriated from the Village Street Department Fund, to be financed by the sale of a statutory installment bond and/or revenue anticipation note, and made available to cover the cost of participation in the above phase of the Project; and it is further;

RESOLVED, that the Avoca Village Board hereby agrees that the Village of Avoca shall be responsible for all costs of the Project, including costs, which exceed the amount of reimbursement available from the NY Bridge Funding awarded to the Village of Avoca; and it is further;

RESOLVED, that in the event the costs of the Project exceed the amount appropriated above, the Village of Avoca 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 Avoca Village Board of Trustees hereby agrees that Village of Avoca hereby commits that construction of the Project shall begin no later than twenty-four (24) months after award

and the construction phase of the Project shall be completed within thirty (30) months; and it is further;

RESOLVED, that the Mayor of the Village of Avoca be and is hereby authorized to execute all necessary agreements, certifications, or reimbursement requests with NYSDOT for State Aid and/or Bridge NY funding on behalf of the Village of Avoca in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's funding of the Project costs, and it is further;

RESOLVED, that the Village of Avoca will be responsible for all maintenance of the Project; 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.

The motion having been duly seconded, it was adopted and the following votes were cast:

<u>Name</u>	<u>AYE</u>	<u>NAY</u>	<u>Absent/ Abstain</u>
Mayor Eric R. Tyner	<u>ERT</u>	_____	_____
Trustee Andrew Hubbard	<u>AJH</u>	_____	_____
Trustee Lannie Gay	<u>LG</u>	_____	_____
Trustee Donald Rodbourn	<u>DR</u>	_____	_____
Trustee Marcia Rowe-Smalt	<u>MR</u>	_____	_____

Dated: November 9, 2023

By order of the Board of Trustees of the Village of Avoca, Steuben County, New York.

IN WITNESS WHEREOF, the Village of Avoca caused this Resolution to be signed by its Village Clerk, and its corporate seal to be hereunto affixed and attested by its own Village Clerk and to be dated as of the 9th day of November , 2023.

VILLAGE OF AVOCA

SEAL

By: _____
Christine Haar, Village Clerk

ATTEST: _____
Christine Haar, Village Clerk
