

**AGREEMENT RESOLUTION #16 OF 2015**

**AUTHORIZING A MASTER AGREEMENT WITH NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR THE ORCHARD STREET RESURFACING PROJECT**

By Councilor McCormick,  
Seconded by Councilor Ruzicka

February 5, 2015

**WHEREAS**, a Project for the Resurfacing of Orchard Street P.I.N. 3MS55030A ("the Project") is eligible for funding under Title 23 U.S. Code, as amended, and New York State's Multi-Modal Program administered by the NYS Department of Transportation ("NYSDOT"); and

**WHEREAS**, the City of Auburn desires to advance the Project by making a commitment of advance funding of the non-local share and funding of the full local share of the costs of the Project; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Auburn does hereby approve the Project; and it is hereby:

**RESOLVED**, to authorize the City of Auburn to pay in the first instance 100% of the federal and non-federal share of the cost of construction work for the Project or portions thereof; and it is further

**RESOLVED**, that the 2014-15 Road Program (HA5110.440.HJ) is increased by \$100,000.00 to cover the cost of participation in the above phase of the Project and fully funded by the above said project, should the total capital project costs exceed the 2014-15 Road Program bond issuance (\$2.0 million) before reimbursement is received from New York State, the monies shall be advanced from the general fund and shall returned immediately upon the City's reimbursement by New York State; 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 of Auburn City Council shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYS DOT thereof, and it is further

**RESOLVED**, that the Mayor of the City of Auburn, NY be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Multi-Modal Program Funding on behalf of the City of Auburn with NYSDOT 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 all Project costs 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

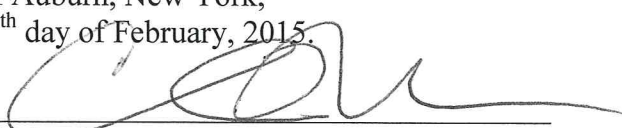
**RESOLVED**, that this Resolution shall take effect immediately.

|                     | Aye / No |  |
|---------------------|----------|--|
| Councilor McCormick | x        |  |
| Councilor Camardo   | x        |  |
| Councilor Cuddy     | x        |  |
| Councilor Ruzicka   | x        |  |
| Mayor Quill         | x        |  |
| Carried and Adopted | x        |  |

STATE OF NEW YORK )  
COUNTY OF CAYUGA )  
CITY OF AUBURN ) SS:

I, Charles Mason, Clerk of the City of Auburn, New York, do hereby certify that I have compared the foregoing copy of this Resolution with the original on file in my office, and that the same is a true and correct transcript of said original Resolution and of the whole thereof, as duly adopted by said at a meeting duly called and held at Memorial City Hall, 24 South Street, Auburn, New York on the 5<sup>th</sup> day of February 2015 by the required and necessary vote of the members to approve the Resolution.

WITNESS My Hand and the Official Seal of the  
City of Auburn, New York,  
this 13<sup>th</sup> day of February, 2015.

  
\_\_\_\_\_  
City Clerk