

RESOLUTION NUMBER: _____

WHEREAS, a Project for the Town of Pendleton, Niagara County to rehabilitate the Paving Surface of Fisk Road from Transit Road to East Canal Road, P.I.N. 5761.70 (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 state funds; and

WHEREAS, the Town of Pendleton desired to advance the Project by making a commitment to pay in the first instance 100% of the federal and non-federal share of the costs of Preliminary Engineering Phase (Design 2 – VI), with the understanding that the New York State Department of Transportation will reimburse the Town of Pendleton as the Project progresses.

WHEREAS, prior to execution of the required contract documents, the Town Attorney will review them for approval as to legal form, language, and compliance, therefore, be it

RESOLVED, that the Town Board hereby approves the above-subject Project and it is hereby further

RESOLVED, that the Town Board hereby authorizes the Town of Pendleton to pay in the first instance 100% of the federal and non-federal share of the cost of Preliminary Design Phase of the Project or portions thereof; and it is further

RESOLVED, that the sum of \$400,000 is hereby appropriated from _____ (or, appropriated pursuant to _____) 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 amount required to pay the full federal and non-federal share of the cost of the Project Preliminary Design Phase exceeds the amount appropriated above, the Town of Pendleton shall convene its Board as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and be it further

RESOLVED, that the Supervisor of the Town of Pendleton be, and hereby is authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the Town Board 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 of federal-aid and state-aid eligible Project costs and all Project costs within appropriations; therefore that are not so eligible, and be 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 following the Town Attorney's review, the Supervisor of the Town Board be, and hereby is authorized to execute the required documents, and be it further

RESOLVED, that this Resolution shall take effect immediately.

Signature