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## **VILLAGE OF AVOCA RESOLUTION 2024-03**

**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 11<sup>th</sup> day of April, 2024 the Board of Trustees has hereby adopted the following Resolution in 2024 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 be borne at the ratio of 100% Bridge NY funds and 0% non-Bridge NY funds; and

**WHEREAS,** the New York State Department of Transportation (NYSDOT) will design, let, and administer the Right of Way phases of the Project.

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

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

**RESOLVE,** that the Avoca Village Board hereby approves the Project; and it is hereby further;

**RESOLVED,** that the Avoca Village Board hereby grants NYSDOT permission to directly apply Bridge NY funds to reimburse costs incurred by NYSDOT on 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 which exceed the amount of 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 of Bridge NY funding appropriated, 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 hereby agrees that the 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

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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>ETS</u>	_____	_____
Trustee Andrew Hubbard	<u>AH</u>	_____	_____
Trustee Lannie Gay	<u>LG</u>	_____	_____
Trustee Donald Rodbourn	<u>DR</u>	_____	_____
Trustee Marcia Rowe-Smalt	<u>MSR</u>	_____	_____

Dated: April 11, 2024

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 11<sup>th</sup> day of April, 2024.

VILLAGE OF AVOCA

SEAL

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STATE OF NEW YORK            )  
  ) SS:  
COUNTY OF STEUBEN         )

I, Christine Haar, Clerk of the Avoca Village Board, 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 Avoca Village Board at a meeting duly called and held at 7:00 PM on April 11, 2024 by the required and necessary vote of the members to approve the Resolution.

WITNESS My Hand and the Official Seal of the Village of Avoca, New York, this  
11<sup>th</sup> day of April, 2024.

\_\_\_\_\_  
*Christine Haar*  
Village Clerk

SEAL

By: \_\_\_\_\_  
*Christine Haar*  
Christine Haar, Village Clerk

ATTEST: \_\_\_\_\_  
*Christine Haar*  
Christine Haar, Village Clerk

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