

RESOLUTION No. 2021-

**AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS THEREFORE**

BY:

Council Member William Kennedy  
Council Member John Spanbauer  
Council Member Kenny Tompkins  
Council Member Andrew Touma

**WHEREAS**, a Project for the City of Niagara Falls Pedestrian Safety Action Plan (P.S.A.P.), P.I.N. 5762.67 (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 100% federal eligible funds and \$51,000.00 non-federal eligible funds; and

**WHEREAS**, the City of Niagara Falls desires to advance the Project by making a commitment of 100% of the non-federal eligible share of the costs of engineering design, construction and construction inspection.

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

**RESOLVE**, that the City Council of the City of Niagara Falls, New York, hereby approves the above-subject Project; and it is hereby further

**RESOLVED**, that the City Council of the City of Niagara Falls, New York, 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 all work for the Project or portions thereof; and it is further

**RESOLVED**, that the sum of \$51,000.00 is hereby appropriated from capital funds previously designated for this Project and made available to cover the cost of participation in the above phase of the Project; and it is further

Kennedy \_\_\_\_\_ Spanbauer \_\_\_\_\_ Tompkins \_\_\_\_\_ Touma \_\_\_\_\_ Voccio \_\_\_\_\_

**RESOLVED**, that in the event of the full federal and non-federal share costs of the project exceeds the amount appropriated above, the City of Niagara Falls shall convert as soon as possible to appropriate said excess amount immediately upon the notification by the NYSDOT 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.