

OCTOBER 1, 2009 – WORK SESSION

Minutes of a work session meeting of the Town Board of the Town of Somers held on Thursday evening October 1, 2009 at 6:50 PM at the Town House 335 Route 202, Somers, New York.

ROLL CALL:

PRESENT:       Supervisor       Mary Beth Murphy  
                  Councilman       Paul Z. Meyer, Jr.  
                  Councilman       George R. Dieter  
                  Councilman       Richard G. Clinchy  
                  Councilman       Thomas A. Garrity, Jr.

ABSENT:

Also present were Kathleen R. Pacella, Town Clerk, Patricia Kalba, Deputy Town Clerk and Roland A. Baroni, Jr., Town Attorney.

The Supervisor said that it was in order for the Board to enter into an executive session with regard to personnel and litigation matters.

Thereupon motion of Supervisor Murphy, seconded by Councilman Clinchy, the meeting was adjourned to an executive session to discuss personnel and litigation matters to return that evening at 6:50 PM.

7:40 PM – meeting reconvened

This being a work session the following action was taken:

The Supervisor said that it was in order for the Board to authorize the Supervisor and Town Attorney to execute the NYSDOT PIN #8760.12 Resurfacing Grant Supplement Agreement and to adopt the draft Resolution with regard to the same.

Thereupon motion of Supervisor Murphy, seconded by Councilman Meyer, it was unanimously,

RESOLVED, that the Town Board does hereby give authorization to the Supervisor and Town Attorney to execute the NYSDOT PIN #8760.12 Resurfacing Grant Supplement Agreement and to adopt the draft Resolution with regard to the same.

Thereupon motion of Supervisor Murphy, seconded by Councilman Meyer, it was unanimously,

RESOLUTION NUMBER: 09102

**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.**

WHEREAS, a Project for the Town of Somers Road Resurfacing: Wood Street, Orchard Hill Road, Plumbrook Road, Deans Bridge Road and Wilner Road in the Town of Somers, Westchester County, Identified as PIN 8760.12 (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 funds; and

WHEREAS, the Town of Somers desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of construction, construction inspection and construction supervision.

NOW, THEREFORE, the Somers Town Board, duly convened does hereby

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RESOLVED, that the Somers Town Board hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Somers Town Board hereby authorizes the Town of Somers to pay in the first instance 100% of the federal and non-federal share of the cost of construction, construction inspection and construction supervision work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$431,000 is hereby appropriated from Budget line item #5110.402 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 full federal and non-federal share costs of the project exceeds the amount appropriated above, the Somers Town Board shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Town Supervisor hereof, and it is further

RESOLVED, that the Supervisor of the Town of Somers be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the Town of Somers 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 in addition to the Town Supervisor, the following municipal titles: Highway Superintendent, Town Engineer, Director of Finance, are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement;

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.

This being a work session no further actions were taken.

Thereupon motion of Supervisor Murphy, seconded by Councilman Garrity the meeting was adjourned at 8:05 PM.

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Town Clerk