



Tompkins County Legislature

Governor Daniel D. Tompkins Building
Ithaca, NY 14850

Meeting: 02/14/17 03:00 PM
Department: Highway Division
Category: Roads and Bridges
Functional Category:

SCHEDULED

RESOLUTION NO. DOC ID: 6855

1 **Authorization to Execute Right-of-Way Acquisition Funding**
2 **Agreement with New York State Department of Transportation**
3 **(NYSDOT) - Coddington Road Highway Safety Improvements at**
4 **Burns Road and East King Road Intersections, PIN 3753.24**

5 WHEREAS, Resolution No. 11 adopted on January 18, 2005, approved reconstruction of Coddington Road
6 (County Road 119) in the Town of Ithaca between the City of Ithaca and Town of Danby lines and authorized
7 execution of an agreement with the New York State Department of Transportation (NYSDOT) regarding
8 administration and funding of Scoping, Design (Phases I-VI), and Right-of-Way (ROW) Incidentals, and
9

10 WHEREAS, Resolution No. 141 adopted on July 5, 2016, and Resolution No. 151 adopted on August 2, 2016,
11 while limiting the scope of said reconstruction to improvements at Coddington Road's intersections with Burns Road
12 (County Road 116) and East King Road (County Road 179), P.I.N. 3753.24, (the Project), authorized execution of
13 agreements with NYSDOT again regarding administration and funding of Scoping, Design, and ROW Incidentals, and
14

15 WHEREAS, the County of Tompkins desires to advance the Project by making a commitment of 100% of the
16 non-federal share of the costs of ROW Acquisition, now therefore be it
17

18 RESOLVED, on recommendation of the Facilities and Infrastructure Committee, That the Tompkins County
19 Legislature hereby approves the above-subject Project and authorizes the County of Tompkins to pay in the first
20 instance one hundred (100%) percent of the federal and non-federal share of the costs of Scoping, Design, ROW
21 Incidentals, and ROW Acquisition work for the subject Project or portions thereof,
22

23 RESOLVED, further, That the sums made available by the above-cited resolutions within account
24 HZ5103.59239.53.08, Coddington Capital Project Account, totaling \$995,000.00, is hereby made available to cover
25 the cost of participation in Scoping, Design, ROW Incidentals, and ROW Acquisition work for the Project,
26

27 RESOLVED, further, That in the event the non-federal share of the costs of the Project exceed the amount
28 appropriated above, the County Legislature shall convene as soon as possible to appropriate said excess amount
29 immediately upon the notification of the NYSDOT thereof,
30

31 RESOLVED, further, That the Tompkins County Administrator or his designee be and is hereby authorized to
32 execute all necessary Agreements, certifications, or reimbursement requests for Federal Aid and/or Marchiselli Aid on
33 behalf of the County of Tompkins with the NYSDOT in connection with the advancement or approval of the Project
34 and providing for the administration of the Project and the municipality's first instance funding of Project costs and
35 permanent funding the local share of federal-aid and State-aid eligible Project costs and all Project costs within
36 appropriations therefor that are not so eligible,
37

38 RESOLVED, further, That a certified copy of this resolution be filed with the New York State Commissioner
39 of Transportation by attaching it to any necessary Agreement in connection with the Project,
40

41 RESOLVED, further, That this resolution shall take effect immediately.

SEDR ACTION: *Unlisted, Negative Declaration issued (No further action required)*



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Memorandum

To: Facilities and Infrastructure Committee
From: Jeffrey Smith, Highway Director
Date: February 2, 2017
Subject: **Authorization to Execute Right-of-Way Acquisition Funding Agreement with NYSDOT - Coddington Road Highway Safety Improvements at Burns Road and East King Road Intersections, PIN 3753.24**

A resolution is being submitted to the Facilities & Infrastructure Committee for review and approval. This resolution will also require approval by the Legislature. Pertinent information related to the resolution is as follows:

1. Action requested:

Authorization is requested for the County to enter into a supplemental agreement with NYSDOT for reimbursement of County expenses related to right-of-way (ROW) acquisition for reconstruction of County Road 119, Coddington Road, at its intersection with County Road 116, Burns Road, and County Road 179, East King Road, in the Town of Ithaca.

2. Background:

In April, the Legislature approved conceptual design, pending NYSDOT concurrence, of the safety improvement project for these Coddington Road intersections. In July and August it authorized project agreements with NYSDOT to fund incidental ROW expenses. However, since a new federal fiscal year started on October 1 before final processing of these agreements, federal funding may now be also used to actually acquire the needed right-of-way. Therefore, NYSDOT has requested that the County Legislature provide additional authorization to use the funding for ROW Acquisition.

The need for an additional ROW Acquisition was mentioned when the August resolution was brought up. At that time it was expected that a second supplemental agreement would be needed to utilize acquisition funding. Purchase of approximately 8 small permanent easements (PEs) is underway. Acquisition of the first parcel was completed at the end of December 2016.

Project construction is scheduled for 2018.

3. Financial Implications:

No additional funding is made available by this resolution.