

NOTICE OF ADOPTION

At a Regular Meeting of the Town Board of the Town of Queensbury held on September 14th, 2026 at the Queensbury Center, Town of Queensbury, 742 Bay Road, Queensbury, New York, the following was adopted and is subject to permissive referendum:

RESOLUTION AUTHORIZING IMPLEMENTATION AND FUNDING IN FIRST INSTANCE 100% OF FEDERAL AND STATE “MARCHISELLI” PROGRAM AID-ELIGIBLE COSTS OF TRANSPORTATION FEDERAL AID PROJECT AND APPROPRIATING FUNDS THEREFORE AND ESTABLISHING THE ROUTE 9 AND ROUND POND ROAD INTERSECTION IMPROVEMENT CAPITAL PROJECT NO.: 261

RESOLUTION NO.: 309, 2026

**INTRODUCED BY: Mr. Timothy McNulty
WHO MOVED ITS ADOPTION**

SECONDED BY: Mrs. Rachel Hajos

WHEREAS, a Project for the US 9 Round Pond Road Intersection Improvements, Town of Queensbury P.I.N. 1763.59 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds, and

WHEREAS, by Resolution No.: 174,2025, the Town Board authorized an application for funding of the Project, and

WHEREAS, the Town of Queensbury desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Design and Right of Way Incidentals and establishing the Route 9 and Round Pond Road Intersection Improvement Capital Project No. 261, and

WHEREAS, in accordance with New York State General Municipal Law §6(c), the Town

Board is authorized to withdraw and expend funds from Capital Reserve No.: 64 subject to permissive referendum, and

WHEREAS, the Town Board wishes to also authorize a temporary loan from Capital Reserve Fund No. 64 up to \$316,825 until such time as such funding is received,

NOW, THEREFORE, BE IT

RESOLVED, that the Queensbury Town Board hereby approves the US 9 Round Pond Road Intersection Improvements, Town of Queensbury P.I.N. 1763 (the “Project”) and authorizes the establishment of the Route 9 and Round Pond Road Intersection Improvement Capital Project No.: 261 in the amount of \$333,500, and

BE IT FURTHER,

RESOLVED, that the Town Board hereby authorizes the Town of Queensbury to pay in the first instance 100% of the federal and non-federal share of the cost of Design and Right-of-Way Incidentals work for the Project or portions thereof, and

BE IT FURTHER,

RESOLVED, that the sum of \$333,500 (Three Hundred and Thirty-Three Thousand Five Hundred Dollars) is hereby appropriated from the Route 9 and Round Pond Road Intersection Improvement Capital Project No.: 261 and made available to cover the cost of participation in the above phase of the Project, and

BE IT FURTHER,

RESOLVED, that the Town Board hereby finds that the withdrawals and expenditures are expenditures for a specific capital project for which Capital Reserve Fund No.: 64 was established

and the Town Board authorizes and directs that funding shall be by a \$333,500 transfer from Capital Reserve Fund No.: 64 to Transfer to Capital Project Fund No.: 261, and

BE IT FURTHER,

RESOLVED that the Town Board further authorizes the Town Budget Officer to establish the following accounts for such appropriations and revenues:

- Revenue Acct. No. — 261-0000-55031 (Interfund Revenue) - \$16,675
- Revenue Acct. No. — 261-0000-53591 (State Aid, Highway Capital Projects) - \$50,025
- Revenue Acct. No. — 261-0000-54597 (Federal Aid, Transportation Capital Projects) - \$266,800
- Expense Acct. No. — 261-5112-2899 (Permanent Highway Improvement - Capital Construction) - \$333,500
- Increase Appr 001-9950-9030-0064 Transfer to Cap Project - \$16,675

and

BE IT FURTHER,

RESOLVED, that the Town Board further authorizes the Town Budget Officer to temporarily transfer funds as may be needed from Capital Reserve Fund No.: 064 to Capital Project Fund No.: 261 until such time as the Town receives such funding, arrange for repayment of the temporary loan as soon as available, amend the Town Budget, make any adjustments, transfers or prepare any documentation necessary to establish such appropriations and estimated revenues and upon Project completion close Capital Project No.: 261 and return any remaining Fund balances to Capital Reserve Fund No.: 64, and

BE IT FURTHER,

RESOLVED, that in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, the Town Board 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

BE IT FURTHER,

RESOLVED, that the Town Board further authorizes the Town Supervisor to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Town of Queensbury 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 Town'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

BE IT FURTHER,

RESOLVED, that the Town Board further authorizes and directs the Town Clerk to file a certified copy of this Resolution the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and

BE IT FURTHER,

RESOLVED, that the Town Board further authorizes and directs the Town Supervisor, Town Budget Officer, Finance Department, Senior Planner and/or Town Counsel to take all actions necessary to effectuate all terms of this Resolution, and

BE IT FURTHER,

RESOLVED, this Resolution shall take effect immediately, and

BE IT FURTHER,

RESOLVED, that this Resolution is subject to a permissive referendum in accordance with the provisions of Town Law Article 7 and the Town Board hereby authorizes and directs the Town Clerk to publish and post such notices and take such other actions as may be required by law.

Duly adopted this 14th day of September, 2026, by the following vote:

AYES : Mr. McNulty, Mr. Strough, Mr. Metivier, Mr. Gushlaw, Mrs. Hajos

NOES : None

ABSENT: None

I, Colleen Rathbun, Deputy Town Clerk of the Town of Queensbury, Warren County, New York, do hereby certify that I have compared the foregoing with the original resolution as listed above adopted at a regular meeting of the Town Board of the Town of Queensbury held on the 14th day of September, 2026 at which a quorum was present and that the same is a correct transcript therefrom and of the whole original thereof to date.

IN WITNESS THEREOF, I have hereto set my hand and the SEAL of said Town of Queensbury, this 15th day of September 2026.

SEAL

SIGNED:

Colleen Rathbun
Deputy Town Clerk
Town of Queensbury