

RESOLUTION NO. 20-219

RESOLUTION AUTHORIZING INTER-MUNICIPAL AGREEMENT ON BEHALF OF THE
CHEMUNG COUNTY PLANNING DEPARTMENT
(Northern Extension of the Lackawanna Rail Trail)

By: Strange

Seconded by: Sonsire

WHEREAS, the Chemung County Planning Commissioner, on behalf of the Elmira-Chemung Transportation Council, has requested authorization to enter into an Inter-Municipal agreement with various local municipalities for the purpose of developing a multi-use trail for the purpose of recreation, education, economic development and alternative transportation, to be known as the Northern Extension of the Lackawanna Rail Trail (the "trail extension") to connect Eldridge Park (City of Elmira) to Memorial Park (Village of Elmira Heights); and

WHEREAS, the property is part of the former Lehigh Valley Railroad and the old Chemung Canal and is owned by the County of Chemung (tax parcel 79.14-1-22); and

WHEREAS, the County of Chemung, City of Elmira, Town of Elmira, Town of Horseheads, and the Village of Elmira Heights desire to enter into an inter-municipal agreement for cost-sharing the expense incurred to develop this multi-use trail and to be equal partners in maintaining the trail extension; and

WHEREAS, the development of the trail extension will begin immediately, utilizing up to \$50,000 in Certificate of Deposit funds contributed to the Chemung County Soil and Water Conservation District by the above-referenced municipalities; and

WHEREAS, the County of Chemung Department of Public Works shall allocate in-kind labor, permitting and engineering resources, and bridge panels on hand to the project; and

WHEREAS, the agreement will provide that from beginning in 2023 through 2027, and thereafter renewable every four years upon the recommendation of the County Executive and Resolution of the Legislature, the above referenced municipalities will each allocate \$2,500 annually for maintenance and administration of the trail extension; and

WHEREAS, the County Executive and the Highway Committee have recommended that the Chemung County Legislature approve the Commissioner's Request; now, therefore, be it

RESOLVED, that the Chemung County Executive is hereby authorized and directed to execute an Inter-Municipal agreement, subject to the review and approval of the County Attorney, between the County of Chemung and the City of Elmira, Town of Elmira, Town of Horseheads, and the Village of Horseheads for the development, and maintenance and administration of the Northern Extension of the Lackawanna Rail Trail with the terms thereof consistent with the preamble to this Resolution; and, be it further

RESOLVED, that the Inter-Municipal agreement shall not be renewed, the initial terms thereof extended, or the agreement amended without express consent by Resolution of this Legislature.

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BACKGROUND INFORMATION

Requested by: Commissioner of Planning

Purpose: to authorize Inter-Municipal Agreement

Authority: Section 203 of the Chemung County Charter

Funds involved: \$2,500 annually

Approved by: Highway Committee, April 27, 2020

Ayes: Pastrick, Sweet, Brennan, Margeson, Hyland, Sonsire, Woodard, Burin, Chalk, Briggs, McCarthy, Drake, Smith, Strange, Manchester (Chairman) (15); Opposed: None

STATE OF NEW YORK)
COUNTY OF CHEMUNG) SS:

THIS IS TO CERTIFY, that I, the undersigned Clerk of the Chemung County Legislature, have compared the foregoing copy of resolution with the original resolution now on file in my office, and which was passed by the Chemung County Legislature on the 11th day of May 2020, a majority of all the members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of the Chemung County Legislature this 12th day of May 2020.

Cynthia G. Kalweit
Cynthia G. Kalweit, Clerk
Chemung County Legislature