

## RESOLUTION 2024-02

### ULSTER COUNTY TRANSPORTATION COUNCIL

#### **AUTHORIZE THE TRANSFER OF ADMINISTRATIVE AND MANAGEMENT RESPONSIBILITIES FOR ULSTER COUNTY COMMUTER BUS CARRIER'S SHARE OF FFY 2021 FTA SECTION 5307 TMA FORMULA FUNDS TO THE CAPITAL DISTRICT TRANSPORTATION AUTHORITY (CDTA), ALBANY, NEW YORK**

**WHEREAS**, the Ulster County Transportation Council (UCTC), Dutchess Transportation Council (DCTC), and Orange County Transportation Council (OCTC) have been designated by the Governor of the State of New York as the Metropolitan Planning Organizations (MPOs) responsible, together with the State, for the comprehensive, continuing, and cooperative transportation planning processes for their respective counties of the Poughkeepsie-Newburgh NY-NJ Urbanized Area; and

**WHEREAS**, the federal surface transportation programs that are the responsibility of the UCTC, OCTC, and DCTC are authorized by the Infrastructure Investment and Jobs Act (IIJA or 'Infrastructure Act') (PL 117-58, November 15, 2021); and

**WHEREAS**, Section 5307 formula funds have been apportioned by the Federal Transit Administration (FTA) to the Mid-Hudson Valley Transportation Management Area (TMA) for **Federal Fiscal Year 2021 (FFY 2021)**; and,

**WHEREAS**, the three TMA Transportation Councils share responsibility for transportation planning and programming within the TMA; and,

**WHEREAS**, the three TMA Transportation Councils have considered the planning factors under 23 USC 135 (d)(1)(A-J) in reaching consensus in the methodology supporting the sub-allocation of the FFY 2021 Section 5307 Urbanized Area Formula funds apportioned to UZA89 for the transit services within the three counties, and regional transit services as provided by the Metropolitan Transportation Authority and inter-county bus services; and

**WHEREAS**, "the preservation of the existing transportation system" and "enhancing the integration and connectivity of the transportation system, across and between modes, for people" and the State's goals of the "Mobility, Reliability and Safety" priority results areas are reflected in the methodology; and

**WHEREAS**, the TMA and the State, as a policy goal, recognize the commuter bus contribution to the UZA and wish to ensure continued and enhanced commuter bus services at a reasonable cost to the consumer, and

**WHEREAS**, actual project selection for the inter-county commuter bus operators will be determined through the respective Metropolitan Planning Organization (MPO) processes, and may include any mix of eligible FTA capital activities; and

**WHEREAS**, the FTA has allocated Section 5307 TMA formula funds to the Mid-Hudson Valley TMA and the Capital District TMA that are attributable to the operations of Ulster County commuter bus carriers which provide services in both Capital District and Mid-Hudson Valley TMAs; and

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**WHEREAS**, the New York State Department of Transportation (NYSDOT) has conducted a Request for Proposals for an inter- county commuter bus operator to provide services associated with the UZA 89 and the use of Section 5307 funds and;

**WHEREAS**, NYSDOT has awarded this service to Adirondack Trailways (Trailways) and a signed contract exists between the parties including responsibility for administration of the funding by Capital District Transportation Authority (CDTA); and

**WHEREAS**, CDTA is a Designated Recipient of FTA Section 5307 TMA formula funds for Capital District TMA; and

**WHEREAS**, CDTA is willing and able to provide administrative oversight for the UCTC’s share of the commuter bus carrier’s **FFY 2021** FTA Section 5307 TMA formula funds attributable to Ulster County’s commuter bus carrier services utilizing capital costs of contracting (maintenance, operation and depreciation of contracted capital assets used in transit service in accordance with the funding provided in Contract.; and

**WHEREAS**, under **Resolution 2022-09** UCTC agreed to the distribution of **FFY 2021** Section 5307 Capital Funds up to the amount of **\$2,576,161** for the purposes of meeting the transit needs including Commuter Bus Service in Ulster County and the TMA; and

**WHEREAS**, it is the intent of the UCTC to transfer the administrative and management responsibilities of Ulster County commuter bus carrier’s contractual share of **FFY 2021** FTA 5307 TMA formula funds to CDTA up to the amount of **\$2,325,000**;

**NOW, THEREFORE BE IT RESOLVED**, that the Ulster County Transportation Council pending approval of the FTA, agrees to transfer FTA Section 5307 TMA formula funds up to the amount of **\$2,325,000** with administrative and management responsibilities to CDTA for use by Ulster County commuter bus carrier, Adirondack Trailways, for services provided in the Mid-Hudson Valley TMA/UZA 89 in accordance the amount provided for capital costs of contracting as included in the Contract between Adirondack Trailways and NYSDOT to be expended for commuter bus carrier services for routes attributable to UZA 89 and in keeping with the purposes specified in UCTC’s adopted Transportation Improvement Program (TIP); and,

**BE IT FURTHER RESOLVED**, that the UCTC in accordance with the NYSDOT Contract hereby requests that all records and reports associated with the use of funds transferred to CDTA by UCTC for use by Trailways be made available to UCTC including such grant applications, invoices and payments.

**CERTIFICATE**, the undersigned, duly qualified and acting Secretary of the Ulster County Transportation Council, certifies that the foregoing is a true and correct copy of a resolution adopted by a vote on February 27, 2024.

\_\_\_\_\_  
Date

By \_\_\_\_\_  
Lance MacMillan, P.E., Secretary,  
Ulster County Transportation Council

