

**Authorizing The Chairman Of The Ulster County Legislature To Execute An Inter-Municipal Agreement With Town Of Shandaken For Maintenance Of County Roads – Department Of Public Works (Highways And Bridges)**

The Public Works and Capital Projects Committee (Chairman Fabiano and Legislators Felicello, Maloney, Roberts, Hochberg, Loughran and Provenzano) offers the following:

WHEREAS, this resolution was submitted by the County Executive on behalf of the Department of Public Works (Highways and Bridges), and

WHEREAS, Sections 133-a, 135, and 135-a of Article 6 of the New York State Highway Law provide authorization for the County to enter into inter-municipal agreements with towns for the maintenance of County roads and for the leasing of the County's highway machinery, tools or equipment to towns for the purpose of maintaining County roads, subject to approval by resolution of both the Ulster County Legislature and the respective town board, and

WHEREAS, some County roads are so located that it is more efficient and less costly to the County for towns to perform snow removal and winter-related maintenance on these roads, and

WHEREAS, a 0.18-mile length of County Road 155 (Main Street, Phoenicia) and a 2.90-mile length of County Road 145 (Galli-Curci Road), both in the Town of Shandaken, are so located that it would be more efficient for the Town of Shandaken to maintain them, and

WHEREAS, the Ulster County Commissioner of Public Works has requested that the Chairman of the Ulster County Legislature execute an Inter-Municipal Agreement with the Town of Shandaken for the Town to perform snow removal and winter-related maintenance on these roads, which total 3.08 centerline miles, for the fixed fee of \$14,476.00, from the period beginning October 1, 2010 through September 30, 2011, and

WHEREAS, the services to be provided by the Town of Shandaken include plowing the entire width of roadways and shoulders, benching, removal of snow at intersections, sanding and salting the road, treatment of slippery spots including "black ice," and cold patching where necessary, and

WHEREAS, as part of the agreement, the County will further compensate the Town a performance incentive, based on the number of centerline miles, in the amount of \$2,000.00, and

**Resolution No. 227 September 21, 2010**

**Authorizing The Chairman Of The Ulster County Legislature To Execute An Inter-Municipal Agreement With Town Of Shandaken For Maintenance Of County Roads – Department Of Public Works (Highways And Bridges)**

WHEREAS, the Public Works and Capital Projects Committee has met and reviewed said request with a majority of the members voting approval, and

WHEREAS, the Budget and Finance Committee has met and reviewed said request with a majority of the members voting approval, now, therefore, be it

RESOLVED, that the Chairman of the Ulster County Legislature is hereby authorized to execute an Inter-Municipal Agreement, and any amendments thereto, with the Town of Shandaken for the performance of snow removal and winter-related road maintenance on 3.08 centerline miles, for the period from October 1, 2010 through September 30, 2011, in the form as filed with the Clerk of the Ulster County Legislature or as modified with the approval of the County Attorney,

and moves its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: 31                      NOES: 0  
(Absent: Legislators Briggs and Richard Parete)  
(Legislator Fabiano left at 7:44 PM)  
(Legislator Richard Parete arrived at 8:43 PM)

FINANCIAL IMPACT:  
\$10,133.20 – BUDGETED 2010 APPROPRIATION DOLLARS  
\$ 6,342.80 – 2011 APPROPRIATION DOLLARS

0907

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 21<sup>st</sup> day of September, 2010, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 23<sup>rd</sup> Day of September in the year Two Thousand and Ten.

|s| Karen L. Binder  
Karen L. Binder, Clerk  
Ulster County Legislature

Submitted to the County Executive this  
23<sup>rd</sup> Day of September, 2010.

|s| Karen L. Binder  
Karen L. Binder, Clerk  
Ulster County Legislature

Approved by the County Executive this  
27<sup>th</sup> Day of September, 2010.

|s| Michael P. Hein  
Michael P. Hein, County Executive