

Authorizing Inter Municipal Agreements With Various Municipalities For The Purpose Of Shared Services – Department Of Public Works (Highways And Bridges)

Referred to: The Public Works, Capital Projects and Transportation Committee (Chair Nolan and Legislators Donaldson, Kovacs, Litts, and McCollough)

Chair of the Public Works, Capital Projects and Transportation Committee, Kathy Nolan, and Deputy Chair Herbert Litts, III offer the following:

WHEREAS, this resolution has been submitted at the request of the County Executive on behalf of the Department of Public Works; and

WHEREAS, Sections 133-a, 135, and 142-d of the New York State Highway Law and Section 20(31) of General City Law provide authorization for (1) the County to permit the use of County-owned street or highway machinery, tools or equipment by any municipal corporation, political subdivision, district corporation or school district within the State, and (2) for towns and/or cities within the County to permit the use of town and/or city-owned highway machinery, tools and equipment by a county in which such town or city is wholly or partly located; and

WHEREAS, pursuant to Article 5, Section 119-O of New York State General Municipal Law, all municipalities have the power and authority to borrow or lend materials and supplies to other municipalities; and

WHEREAS, the Ulster County Commissioner of Public Works has determined that from time-to-time, the County has machinery, tools and/or equipment, with or without operators, available for use by other municipalities, and likewise, other municipalities from time-to-time have machinery, tools and/or equipment available for use by the County; and

WHEREAS, from time to time, a municipality may have a need for materials and/or supplies that are not otherwise available in a timely manner, and may desire to borrow such materials and/or supplies from another municipality, in order to progress a project without delay; and

WHEREAS, it is understood between the municipalities that such borrowed or loaned materials and/or supplies are to be replaced at the borrower's earliest opportunity; and

Resolution No. 404 July 16, 2024

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WHEREAS, it is hereby determined that by borrowing, loaning, or exchanging machinery, tools, and equipment and that the borrowing or lending of materials and/or supplies, the County and other municipalities may avoid the necessity of purchasing certain machinery, tools, and equipment and the purchasing of or storing a large inventory of certain extra materials and supplies, thereby saving the taxpayers money; and

WHEREAS, it is incumbent upon each municipality to design a simple method whereby materials and supplies, equipment, tools, and machinery, including the operators thereof, may obtained or maintained with a minimum of paperwork and inconvenience and with a swift approval process; and

WHEREAS, it is the intent of this resolution is to give the Ulster County Commissioner of Public Works, or designee, the authority to enter into arrangements with the persons serving in similar capacities in other municipalities without the necessity of obtaining approval of the County Legislature prior to the making of each individual arrangement; and

WHEREAS, a sample agreement, a copy of which is appended to this resolution, has been prepared and the same or a substantively similar agreement is expected to be adopted and placed into effect in other municipalities, and will grant the person holding the position comparable to that of the Ulster County Commissioner of Public Works authority to make similar arrangements; and

WHEREAS, it is hereby determined that it will be in the best interest of the County to be a party to such shared services arrangements; now, therefore be it

RESOLVED, that the Ulster County Legislature hereby authorizes the Commissioner of the Ulster County Department of Public Works or designee to enter into shared services agreements with other municipalities for the borrowing or loaning of equipment, tools, machinery (with or without operators), materials and supplies, without the necessity of obtaining approval of the Ulster County Legislature prior to the making of each individual arrangement in the form as modified with the approval of the County Attorney,

and moves its adoption.

