

**TOWN OF CLAYTON
RESOLUTION NO. xx
AUTHORIZING CHIEF TOWN SUPERVISOR TO SIGN A CONTRACT FOR
SHARED HIGHWAY SERVICES ON BEHALF OF THE TOWN OF CLAYTON**

At a regular meeting of the Town Board of the Town of Clayton, Jefferson County, New York, held at the Town Offices located at 425 Mary Street, Clayton, New York, at 5:00PM prevailing time:

The meeting was called to order by Supervisor Taylor and upon roll being called the following were:

Present: Justin A. Taylor, Supervisor
George E. Kittle, Councilman
Donald I. Turcotte, Councilman
Lance Peterson, Councilman
Robert Cantwell, III, Councilman

The following resolution was offered by _____, who moved its adoption, seconded by _____, to wit:

Resolution Authorizing the Town Supervisor to sign a contract on behalf of the Town to permit the highway department head to share services with the highway department head in other municipalities who possess similar authorization for the borrowing or lending of materials and supplies and the exchanging, leasing, renting or maintaining of machinery and equipment, including the operators thereof, for the purpose of aiding the highway department head in the performance of his/her duties.

Whereas, pursuant to Article 5-G of the General Municipal Law, counties, towns, villages and cities are provided statutory authority to share specific highway services, and;

Whereas, pursuant to Section 142-d of the Highway Law, towns are authorized to permit the use of any town-owned highway machinery, tools or equipment by a county or any municipality, district, district corporation, school district, community college, or any unit of the state university of New York, and;

Whereas, pursuant to Article 5-G of the General Municipal Law (Section 99-r), as amended on under Chapter 165 on July 7, 2008, the Department of Transportation is authorized to contract with municipalities to provide fuel, equipment, machinery and repair and supplies for a municipality. Pursuant to this amendment, the contracting powers between municipalities and state agencies are expanded to any service that the state agency provides, and;

Whereas, pursuant to the above, the New York State Department of Transportation, the Jefferson County Highway Department, and all municipalities in New

York State, including the Town of Clayton, have the power and authority to contract for the purpose of renting, leasing, exchanging, borrowing or maintaining of machinery and equipment, with or without operators, with other municipalities, and;

Whereas, all municipalities, including the Town of Clayton, have the power and authority to borrow or lend materials and supplies to other municipalities, and;

Whereas, it is hereby determined that the Town of Clayton and other municipalities have machinery and equipment which is not used during certain periods, and;

Whereas, it is determined that the Town of Clayton and other municipalities often have materials and supplies on hand which are not immediately needed, and;

Whereas, it is hereby determined that by renting, borrowing, exchanging, leasing or maintaining highway machinery and equipment and the borrowing or lending of materials and supplies, the Town of Clayton and other municipalities may avoid the necessity of purchasing certain needed highway machinery and equipment and the purchasing of, or storage of, 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 and machinery, including the operators thereof, may be obtained or maintained with a minimum of paperwork and inconvenience and with a swift approval process, and;

Whereas, it is the intent of this Town of Clayton to give the head of the highway department the authority to enter into renting, exchanging, borrowing, lending or maintaining arrangements with the persons serving in similar capacities in other municipalities without the necessity of obtaining approval of the Town governing board prior to the making of each individual arrangements, and;

Whereas, a standard contract has been prepared which 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 head of the highway department, authority to make similar arrangements, and;

Whereas, it is hereby determined that it will be in the best interests of the Town of Clayton to be a party to such shared services arrangements;

NOW THEREFORE BE IT RESOLVED that the Town Supervisor of the Town of Clayton is hereby authorized to sign on behalf of the Town, the contract for shared highway services, dated XXXXXXXX.