

TOWN OF WEST SENECA



ENGINEERING DEPARTMENT

TOWN SUPERVISOR
SHEILA M. MEEGAN
TOWN COUNCIL
EUGENE P. HART
JOHN M. RUSINSKI

August 26, 2013

Honorable Town Board
Town of West Seneca

**Re: NYSDOT Enabling Resolution for
Reimbursement of work done by Town of West Seneca Crews
PMI: ADA Compliance Project SFY 2011/2012
PIN 5808.25**

Honorable Board Members,

We have enclosed a suggested resolution which authorizes the Supervisor to sign three (3) copies of the Municipal General Release for the relocation work completed by Town of West Seneca crews on the NYSDOT's ADA Compliance Project. This will enable the NYS DOT to close the contract out with the Town of West Seneca and allow the Town to get reimbursed the remaining **\$98.76**. Please note a total of \$987.60 was previously approved, of which \$888.84 was forwarded to the Town.

Upon your authorization, we will forward three (3) original signed copies of the Municipal General Release and three (3) original copies of the Certified Resolution to the NYS DOT for further processing.

Very truly yours,

A handwritten signature in black ink that reads "Jason A. Foote".

Jason A. Foote, P.E.
Town Engineer

cc: Files: TB.
Project

Resolution Authorizing the Municipal Official to sign the Municipal General Release with the
New York State Department of Transportation

RESOLUTION

Resolution #

On motion by (name), _____ seconded by (name) _____,
unanimously authorized Supervisor Sheila Meegan, Town of West Seneca, to sign the
Municipal General Release for the contract for the New York State Department of
Transportation's construction project: **ADA Compliance Project; SFY 11-12; Erie County;**
PIN 5808.25.301.

I, _____, duly appointed and qualified _____,
do hereby CERTIFY that the foregoing resolution was adopted at a meeting duly called and held
in the office of, _____, a quorum being present on the ____ day of _____, and that said
copy is a true, correct and compared copy of the original resolution so adopted and that the
same has not been revoked or rescinded.

WITNESSETH, my hand and seal this _____ day of _____.

Name, title

256 (6/03) GENERAL RELEASE UNDER AN AGREEMENT IN CONNECTION
WITH COST OF RELOCATING MUNICIPALLY
OWNED FACILITIES MAINTAINED FOR PUBLIC USE
(SUBDIVISION 24, SECTION 10, OF THE HIGHWAY LAW)

WHEREAS, the **Town of West Seneca**, a Municipal Corporation in the County of **Erie**, and State of New York (hereinafter referred to as "Municipality") entered into a certain Agreement with the State of New York, acting by and through the Commissioner of Transportation, dated **December 1, 2011**, entitled "Agreement in Connection With Cost of Relocating Municipally Owned Facilities Maintained For Public Use (Subdivision 24, Section 10, of The Highway Law)" and concerning a particular project known as **PMI: ADA Compliance Project SFY 2011/2012; Various Locations; Erie County; PIN 5808.25**, and

WHEREAS, the general description of the work required of the Municipality under the said Agreement consisted of the **removal of a light pole and relocation of a luminary to a signal pole**, and

WHEREAS, all work under the Agreement has been performed by the employment of the forces and the use of the equipment of the Municipality or by contract between the Municipality and others, and accepted by the State of New York , and

WHEREAS, as a condition of and prior to reimbursement by the State of New York of the funds expended by the Municipality for said work under said Agreement, the Municipality is required to deliver a certain release,

NOW, THEREFORE, Know All Men by These Presents that the **Town of West Seneca**, the Municipal Corporation hereinbefore mentioned, acting by and through _____(name) _____(title), in consideration of the sum of **nine hundred eighty-seven and 60/100 dollars (\$ 987.60)** to it in hand duly paid by the said State of New York, the receipt whereof is hereby confessed and acknowledged, and which sum is in complete and full reimbursement for the work performed by the said Municipal Corporation under the said Agreement, does for itself, its successors and assigns, in all things fully release and discharge the said State of New York, its officers, agents and employees, from all claims, demands and liabilities of every kind in nature, legal or equitable, occasioned by or arising out of the work performed by said Municipal Corporation under the said Agreement or occasioned by or arising out of any estate or interest in real property acquired by the State of New York for the purpose of the above captioned project.

IN WITNESS WHEREOF, the said Municipal Corporation has caused this instrument to be signed by its _____, and its corporate seal to be hereunto affixed the _____ day of _____.

CORPORATE SEAL

Municipal Corporation
by _____
(TITLE)

