

**SPECIAL SESSION-TUESDAY, OCTOBER 4, 2022**

The Yates County Legislature convened in special session Tuesday, October 4, 2022 at 12:30 p.m. with Chairwoman Church presiding and Mr. Willson, Mr. Paddock, Mr. Bronson, and Ms. Chilson absent.

**RESOLUTION NO. 348B-22**

Mr. Banach offered the following resolution and moved its adoption, seconded by Dr. Cutler.

**DISCUSSION**

Mr. Banach stated that it has to be done.

Mr. Button stated that they had to move it forward.

**RESOLUTION AUTHORIZING IMMEDIATE REPAIRS TO THE EMBANKMENT ON THE PROPERTY AND ADJACENT PROPERTIES NEAR 1861 WEST LAKE ROAD, PENN YAN, NEW YORK**

WHEREAS, on or about March 25, 2022 an embankment slide occurred on the property at 1861 West Lake Road, Penn Yan; and

WHEREAS, the existing bank is unstable requiring repairs which has created a hazardous condition causing one lane of West Lake Road to be temporarily closed; and

WHEREAS, the County has contracted with Barton & Loguidice from Syracuse, New York to provide design documents and specifications to make the necessary repairs to this embankment, the road structure and any associated utilities and resident utility services; and

WHEREAS, the requested design documents were received from Barton & Loguidice for review by the County; and

WHEREAS, a pre-construction meeting was held with all interested parties, residents and contractors on September 14, 2022 resulting in quotes being received from three (3) contractors on September 28, 2022;

Contractor	Total Quote
City Hill Excavating, Inc.	\$330,905.00
TRT Masonry, Inc.	\$345,000.00
Marchionda Excavating, Inc.	\$385,000.00

WHEREAS, the Highway Superintendent has reviewed the bids and recommends that the project be awarded to City Hill Excavating, Inc. of Penn Yan, New York for a total price of \$330,905.00; and

WHEREAS, pursuant to the provisions of Section 103(4) of the General Municipal Law of the State of New York, the Yates County Legislature has determined that this problem constitutes an emergency arising out of an unforeseen occurrence or condition whereby

circumstances affecting life, health, safety or property, requiring immediate action which cannot await competitive bidding;

NOW, THEREFORE, BE IT RESOLVED, to award the project to City Hill Excavating, Inc. for the total price of \$ 330,905.00, contingent upon the receipt of their insurances, performance bond and executed agreement; and be it further

RESOLVED, that contingent upon the approval of the County Attorney the Chairwoman is hereby authorized to execute any and all necessary documents, including but not limited to the aforementioned agreement with City Hill Excavating, Inc.; and be it further

RESOLVED, that copies of this resolution be forwarded to the County Administrator, the Highway Superintendent, the Director of Finance, Matt Schooley of Barton & Loguidice, and Jared Miller of City Hill Excavating, Inc.

VOTE: Unanimous

Meeting adjourned at 12:33 p.m.