

TOWN OF HURLEY

RESOLUTION TO AUTHORIZE AN AGREEMENT FOR PROFESSIONAL SERVICES (PAUL ECONOMOS)

Resolution No. _____

Moved By _____

Date: August 15, 2023

Seconded By _____

WHEREAS, the Town of Hurley is required by the NYS Department of Environmental Conservation to develop, implement, and enforce a Stormwater Management Program (SWMP) designed to reduce the discharge of contaminants in stormwater runoff to the maximum extent practical; and,

WHEREAS, the Town of Hurley is required to conduct an annual evaluation of the Town's progress in implementing the program and to submit an annual report to the NYS Department of Environmental Conservation regarding the same; and,

WHEREAS, the Town of Hurley Procurement Law codified at Town of Hurley Code § 35-6 exempts "professional services" from the otherwise applicable requirements for the solicitation of bids, quotes, or other comparative proposals for services; and,

WHEREAS, the Town Board has reviewed the attached, two-page proposed "Independent Contractor Agreement" as well as the attached, two-page "proposal" provided by Choice Words and finds the terms of each to be generally agreeable and the flat fee cost of \$7,500.00 and mileage for approved travel to be a reasonable sum for the services to be provided; and,

WHEREAS, the Town Board has reviewed the **attached**, two-page proposed "Independent Contractor Agreement" from Paul Economos of Kingston and finds the terms of each to be generally agreeable and that Mr. Economos is qualified to prepare the annual MS-4 Report; and,

WHEREAS, the **attached** standard clauses for municipal contracts required by different sections of state law and the Town Board finds it necessary that these also be agreed to as part of any contract by the Town of Hurley for professional services; and,

WHEREAS, time is of the essence and the annual MS-4 Report must be completed and submitted to the DEC by the end of the first week in September; and,

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Hurley, as follows:

1. The Town Board assents to the attached, four-page proposed agreement from Timothy J. Doyle, CPA, a Partner at Bonadio & Co., LLP, dated July 17, 2023 on the condition that the **attached** standard clauses are incorporated into the

agreement as well as the meeting of the September deadline for the DEC being made a condition of payment; and,

- 2. Upon the occurrence of the preceding paragraph, Supervisor Melinda McKnight is hereby authorized and directed to execute and issue payment according to the terms of the agreement; and under no circumstances shall any additional contract be authorized without further assent of the Town Board other than that hereby agreed to.

- 3. This resolution shall take effect immediately.

Motioned by: _____

Seconded by: _____

	AYE	NAY
Melinda McKnight, Supervisor	_____	_____
Peter Humphries, Deputy Supervisor	_____	_____
Michael Boms	_____	_____
Jana Martin	_____	_____
Gregory Simpson	_____	_____