

**TOWN OF CLAVERACK
COLUMBIA COUNTY, NEW YORK**

RESOLUTION NO. 41 of 2024

**EMERGENCY PROCUREMENT AUTHORIZATION
FOR CULVERT REPLACEMENT – CATSKILL
VIEW ROAD**

At a meeting of the Town Board of the Town of Claverack, Columbia County, New York, duly held on the 14th day of March 2024 at the Temporary Town Hall, NYS Route 23B, Claverack, New York, the following Resolution was proposed and seconded:

Resolution by: George Duntz ;

Seconded by: Doug Colwell .

WHEREAS, the Town of Claverack maintains Catskill View Road and has a certain culvert which carries Catskill View Road over the Loomis Creek; and

WHEREAS, the road over the culvert has experienced recent and unexcepted pavement settlement across the north bound lane near the northern abutment. Upon inspection by the Town’s Highway Superintendent and the Town’s Engineering firm, CPL, the northern abutment was found to be missing a large section of concrete and the soil and rubble from the original abutment has slipped away. Three vertical cracks from the opening to the bottom of the concrete deck have presented; and

WHEREAS, upon further inspection, the culvert is comprised of concrete abutments and a concrete deck, there is no redundant structural member to assist in picking up the loads that the failed northern abutment has now caused. Therefore, as a temporary measure, a 5-ton maximum weight limit has been imposed and structural road plates have been installed as a temporary measure of support.

WHEREAS, the reduction in weight limit and the risk if said culvert fails is an immediate risk to the health, safety and welfare to the residents of the Town of Claverack and those upon Catskill View Road, and if the road becomes unpassable or limited use for purposes for fire protection, emergency services, plows or other necessary services is a condition that is emergent and needs to be immediately remedied; and

WHEREAS, the Town Board recognizes in such a situation, there is a permitted exception to formal bidding and procurement requirements. New York General Municipal Law § 103(4) expressly states “in the case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants of a political subdivision or district therein, require immediate action which cannot await competitive bidding, contracts for public work or the purchase of supplies, material or equipment may be let by the appropriate officer, board or agency of a political subdivision or district therein.”

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Claverack deems the culvert work and associated contracts and procurement emergent and necessary due to the unforeseen determination and failing of the Catskill View – Loomis Creek culvert, the board herein finding that said situation has provided the requisite public emergency that requires the Town’s immediate attention and action to replace and repair the culvert and roadway by the Town of Claverack Highway Superintendent with design and procurement assistance from the Town’s engineers at CPL.

Upon question of the foregoing Resolution, the following Claverack Town Board members voted "Aye" in favor of the Resolution:

Stephen Hook, Deputy Supervisor ;

Doug Colwell, Councilman ;

George Duntz, Councilman ; and

Eugene Hallenbeck, Councilman .

The following Claverack Town Board Members voted "No" in opposition, thereto: None .

The following Claverack Town Board Member(s) were absent:

Clifford Weigelt, Supervisor .

The Resolution having been approved by a majority of the Town Board, the same was declared duly adopted by the Supervisor of the Town of Claverack.

Dated: March 14, 2022

Mary J. Hoose, Town Clerk
Town of Claverack