

SPECIFICATION: WC 50-22

ITEM: SOLID WASTE AND RECYCLABLE DISPOSAL AND HAULING SERVICES

DATE: AUGUST 18, 2022

TIME: 3:00 P.M.

PLACE: HUMAN SERVICES BUILDING

BID REQUEST/SPECIFICATIONS

responsibility to check with New York State Department of Labor (using the applicable PRC number assigned to these services as provided herein), for updated wage rates on July 1st of each year, and to provide certified payrolls based on then current rates.

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MATERIAL DESCRIPTIONS

PROCESSIBLE WASTE:

Processible waste is any waste generated by a household or business within Warren County that may be legally disposed of at the 4 sites identified above. This shall include but not be limited to, all putrescible and non-putrescible materials or substances discarded or rejected as having served their original intended use or as being spent, useless or in excess to the owner at the time of discard or rejection, including garbage, refuse, litter, rubbish, but not including designated recyclable material, solid or dissolved matter in domestic sewage, hazardous materials or waste, or radioactive waste.

NON-PROCESSIBLE WASTE:

Waste which cannot be processed by the facility due to its physical characteristics or potential harmful effects, including but not limited to: steel banding, baling wire, solvents, tree trunks, logs greater than 6 inches in diameter or 4 feet in length or other overweight or bulky waste, gasoline, kerosene, propane tanks in any size, aerosol cans in quantity, motor vehicles or major parts thereof, trailers, agricultural equipment, marine vessels or similar items, farm or other large machinery, liquid wastes non-burnable construction mixed or separated material, and waste, except for paper products from the following establishments: service stations, auto paint shops, chemical plants, plastic processing plants, and textile plants.

C&D:

Debris generated during the construction, renovation, and demolition of buildings, roads, and bridges. C&D materials often contain bulky, heavy materials, such as concrete, wood, metals, glass, and salvaged building components.

RECYCLABLES:

Recyclables means materials derived from or otherwise destined to become solid waste. Recyclables shall be those materials mandated by the Warren County Solid Waste Management Plan (See A through F).

- A. Old newsprint (ONP)
- B. Old corrugated cardboard/kraft paper (OCC)
- C. Aluminum foil and used beverage containers
- D. Ferrous metal cans (tin)
- E. Glass - flint (clear); green, amber (brown)
- F. Plastics - # 1 - PET Bottles and #2 - HDPE jugs only
- G. Auto Tires

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PROPOSAL OF: Waste Management of New York, LLC
Company Name

TO: Julie A. Butler, Purchasing Agent
Warren County Human Services Building
3rd Floor
1340 State Route 9
Lake George, NY 12845

The undersigned having carefully examined the bid specifications covering the service of solid waste and/or recyclable disposal, will provide all necessary facilities, machinery, tools, apparatus, labor and other means of service and do all the work and provide said services. All pricing shall be fixed through December 31, 2023.

- 1. PRICE PER TON FOR DISPOSAL OF PROCESSIBLE WASTE : \$60.00 /TON
- 2. PRICE PER TON FOR DISPOSAL OF C&D WASTE : \$67.00 /TON
- 3. PRICE PER EACH FOR DISPOSAL OF TIRES: \$17.00 /EACH AUTO
\$22.00 /EACH TRUCK
- 4. If Bidder does not bid per each tire, please provide a price per ton: _____ /TON
- 5. PRICE/PAYMENT FOR RECYCLABLES: _____

Please attach schedule of fees or rebates for the specific categories of recyclables set forth in Section 2C of these specifications. If acceptance of any category is at no cost, please identify such by using a "0".

6. Price per Haul for the following sites:

Town of Bolton	\$ _____ /trip
Town of Chester	\$ _____ /trip
Town of Hague	\$ _____ /trip
Town of Horicon	\$ _____ /trip
Town of Johnsburg	\$ _____ /trip
Town of Lake Luzerne	\$ _____ /trip
Town of Queensbury - Ridge Rd.	\$ _____ /trip
Town of Queensbury - Luzerne Rd.	\$ _____ /trip
Town of Stony Creek	\$ _____ /trip
Town of Thurman	\$ _____ /trip
Town of Warrensburg	\$ _____ /trip

PLEASE SEE ATTACHED SCHEDULE PER DISPOSAL/ PROCESSING SITE

Waste Management of New York, LLC

Price Per Haul for the following sites:

	Green Ridge RDF	Perkins	Hiram Hollow	Toney Pit
Town of Bolton	\$351.00	\$257.40	\$280.80	\$152.10
Town of Chester	\$386.10	\$280.80	\$315.90	\$175.50
Town of Hague	NO BID	NO BID	NO BID	NO BID
Town of Horicon	\$374.40	\$280.80	\$304.20	\$163.80
Town of Johnsbury	\$421.20	\$304.20	\$351.00	\$234.00
Town of Lake Luzerne	\$315.90	\$187.20	\$234.00	\$175.50
Town of Queensbury-Ridge Rd.	\$257.40	\$187.20	\$187.20	\$175.50
Town of Queensbury-Luzerne Rd.	\$210.60	\$140.40	\$128.70	\$140.40
Town of Stony Creek	\$421.20	\$292.50	\$351.00	\$234.00
Town of Thurman	\$421.20	\$304.20	\$351.00	\$280.80
Town of Warrensburg	\$280.80	\$175.50	\$198.90	\$70.20

*Any Saturday Hauls will be billed at the rate of two hauls. This is due to lack of consistent disposal locations on Saturdays and the resulting need to move containers twice.

Price/Payment for Recyclables:

Newspaper per ton	PPI Mixed Paper (54) Buffalo High, minus \$120. Currently \$45-\$120=\$75 charge
Magazines per ton	PPI Mixed Paper (54) Buffalo High, minus \$120. Currently \$45-\$120=\$75 charge
Cardboard per ton	PPI OCC (11) Buffalo High, minus \$120. Currently \$120-\$120=\$0 charge
Glass per ton	\$0 Charge (Flat)
Plastics per ton	\$180 Charge (Flat)

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BIDDER'S FACILITIES ACCEPTING WASTE/RECYCLABLES:

<u>Name of Facility & Address</u>	<u>Type(s) of Waste/Recyclables Accepted</u>
WM Green Ridge RDF 24 Peters Road, Gansevoort, NY 12831	Processible Waste, Non-Processible Waste C&D Waste
Perkins Recycling Corp 17 River Street, Queensbury, NY 12804	Cardboard, Magazines, Paper
Hiram Hollow Transfer & Recycling Station 100 Washburn Road, Gansevoort, NY 12831	Plastics
Toney Pit Warrensburg, NY	Glass

DATE: 8/18/2022

FEDERAL ID #: 36-3700143

NAME OF FIRM: Waste Management of New York, LLC

BUSINESS ADDRESS: 100 Ransier Drive, West Seneca, NY 14224

SIGNATURE OF BIDDER: 

NAME OF BIDDER (PRINTED): Patrick Martino

TITLE: Public Sector Representative

TELEPHONE NO.: 716-239-0297

FAX NO.: 866-746-8704

E-MAIL ADDRESS: pmarti18@wm.com

COMMENTS:

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Please list three (3) current references, preferably school or government.

COMPANY NAME	CONTACT PERSON	PHONE #
1. Warren County	Julie Butler	518-761-6538
2. Northumberland	William Peck	518-792-9179
3. Village of East Rochester	Bill Marr	585-381-1565

Financial statement, if desired, will be requested at a later date. D.B.A. and/or Certificate of Incorporation will be required from successful bidder.

The attached Corporate Resolution, Bidder Certification and Iran Divestment Act Certification must be completed and signed and made a part of the Bid Proposal.

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CERTIFICATION

Non-Collusive Certification required of all bidders under Section 103-d of the General Municipal Law as amended by Chapter 675 of the Laws of 1966, and further amended by Chapter 56 of the Laws of 2010, effective June 22, 2010.

- (a) By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid, each party thereto certifies, as to its own organization, under penalty of perjury, that to the best of knowledge and belief:
 - (1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;
 - (2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
 - (3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.
- (a-1) Notwithstanding the foregoing, the statement of non-collusion may be submitted electronically in accordance with the provisions of subdivision one of section one hundred three of the General Municipal Law.
- (b) A bid shall not be considered for award nor shall any award be made where (a) (1) (2) and (3) above have not been complied with; provided however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth, in detail, the reasons therefor. Where (a) (1) (2) and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.
- (c) The person signing this bid or proposal certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties of perjury, affirms the truth thereof, such penalties being applicable to the bidder as well as to the person signing on its behalf;
- (d) That attached hereto (if a corporate bidder) is a certified copy of resolution authorizing the execution of this certificate by the signatory of this bid, or proposal, on behalf of the corporate bidder.

Individual Bidder

Co-Partnership

By _____
Partner

Waste Management of New York, LLC
Corporation

By  _____
President
XXXXXXXX

Patrick Martino, Public Sector Solutions Representative

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CORPORATE RESOLUTION

RESOLVED that ***See Attached Certificate of Authority***
(Name)

be authorized to sign and submit the Bid, or Proposal, of this Corporation for the following project:

(Title of Project)

and to include in such Bid Proposal the Certificate as to non-collusion required by Section 103-d of the General Municipal Law as the act and deed of such corporation, and for any inaccuracies of misstatements in such certifies this Corporate Bidder shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the Resolution adopted by _____

_____ Corporation at a meeting of its Board of

Directors held on the _____ Day of _____, 20____, and is still in force and

effective on this _____ Day of _____, 20_____.

SECRETARY
(Signature)

(SEAL OF CORPORATION)

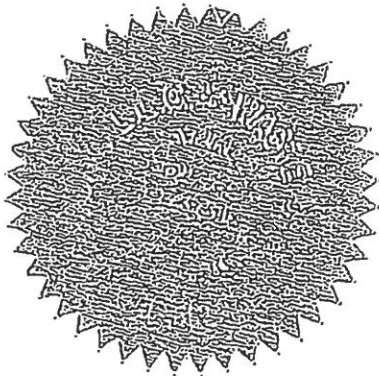
WASTE MANAGEMENT OF NEW YORK, LLC
CERTIFICATE OF AUTHORITY BY THE SOLE MEMBER

I, Jonathan R. Fabozzi, do hereby certify that:

- (1) I am the duly elected and incumbent Assistant Secretary of Waste Management of New Jersey, Inc. a Delaware corporation ("WMNJ");
- (2) WMNJ is the sole Member of Waste Management of New York, LLC a Delaware limited liability company ("Company")
- (3) the Company (a) was formed as of January 27, 1998; (b) has been qualified to transact business in the State of New York; (c) remains in good standing in the State of Delaware and the State of New York as of the date hereof; and
- (4) the Company is sufficiently capitalized to meet its obligations and discharge any liabilities it may accrue in the ordinary course of business; and
- (5) the following resolution was adopted by written consent of the Sole Member and remains in full force and effect as of the date hereof;

RESOLVED, that Patrick Martino, Public Sector Solutions Representative, or any officer of this Company, and each of them, are hereby authorized, following compliance with appropriate company policies and procedures, to prepare, execute and to submit on behalf of the Company a Bid Proposal to Warren County for Solid Waste and Recyclable Disposal and Hauling Services (the "Bid"), and to execute on behalf of the Company any and all documents required to be submitted by the Company in connection with the Bid and to execute the contract contained in any such Bid or resulting from the award of the Bid to the Company.

IN WITNESS WHEREOF, I have executed this Certificate on the 16th day of August 2022.



By:

Jonathan R. Fabozzi
Assistant Secretary
Waste Management of New Jersey, Inc.

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CERTIFICATION OF COMPLIANCE WITH THE IRAN DIVESTMENT ACT

As a result of the Iran Divestment Act of 2012 (the "Act"), Chapter 1 of the 2012 Laws of New York, a new provision has been added to State Finance Law (SFL) § 165-a and New York General Municipal Law § 103-g, both effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law) (the "Prohibited Entities List"). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act's effective date at which time it will be posted on the OGS website.

By submitting a bid in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, each Bidder/Contractor, any person signing on behalf of any Bidder/Contractor and any assignee or subcontractor and, in the case of a joint bid, each party thereto, certifies, under penalty of perjury, that once the Prohibited Entities List is posted on the OGS website, that to the best of its knowledge and belief, that each Bidder/Contractor and any subcontractor or assignee is not identified on the Prohibited Entities List created pursuant to SFL § 165-a(3)(b).

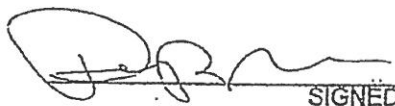
Additionally, Bidder/Contractor is advised that once the Prohibited Entities List is posted on the OGS Website, any Bidder/Contractor seeking to renew or extend a Contract or assume the responsibility of a Contract awarded in response to this solicitation must certify at the time the Contract is renewed, extended or assigned that it is not included on the Prohibited Entities List.

During the term of the Contract, should the County receive information that a Bidder/Contractor is in violation of the above-referenced certification, the County will offer the person or entity an opportunity to respond. If the person or entity fails to demonstrate that he/she/it has ceased engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the County shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages or declaring the Bidder/Contractor in default.

The County reserves the right to reject any bid or request for assignment for a Bidder/Contractor that appears on the Prohibited Entities List prior to the award of a contract and to pursue a responsibility review with respect to any Bidder/Contractor that is awarded a contract and subsequently appears on the Prohibited Entities List.

I, Patrick Martino, being duly sworn, deposes and says that he/she is the Public Sector Representative of the Waste Management of New York, LLC

Corporation and that neither the Bidder/Contractor nor any proposed subcontractor is identified on the Prohibited Entities List.

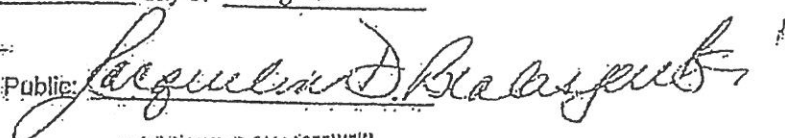

SIGNED

SWORN to before me this

17th day of August

2022

Notary Public:



JACQUELINE D GIALASZEWSKI
NOTARY PUBLIC, STATE OF NEW YORK
No. 01816276716
Qualified in Cortland County
Commission Expires 2/25/25

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ATTACHMENT 66 A 99

RECYCLABLES					
Municipality	Newspaper	Magazines	Cardboard	Glass	Plastics
Bolton	14.98	10.99	44.91	105	19.91
Chester	25.38		12.4	70	16.29
Hague	12.46 tons of single stream recyclables		11.55		
Horicon	19.33		19.9	66	6.89
Johnsburg	37.89		39.24	9	11.27
Lake George	49.22		92.69	75	8.41
Lake Luzerne*		40.3	49.54		25.29
Queensbury - Ridge Rd.**	29.72	51.79	39.54	30	21.16
Queensbury - Luzerne Rd.**	45.67	38.93	50.57	30	53.8
Stony Creek	16.25		6.16	11.4	8
Thurman*		1.5	12.04		
Warrensburg	9.89	11.75	48.32	18	20.7

*Used estimates from previous bid as no current data is available

**Used estimates from previous bid as new data did not provide breakdown by site. Total 2018 tonnage was very close to previous bid's estimates.

Tires are not listed as there is no current data on disposal.

All numbers above represent total annual tonnage.

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ATTACHMENT "B"

VOLUME-TO-WEIGHT CONVERSION FACTORS

Materials:

	Volume *	Weight in Pounds *
PAPER:		
Mixed Paper Grades/Junk Mail, loose (Magazines)	One cubic yard	875
Corrugated Cardboard (OCC), baled	One cubic yard	1,100
Corrugated Cardboard (OCC), baled	30" x 60" x 48"	900
Corrugated Cardboard (OCC); compacted	One cubic yard	500
Corrugated Cardboard (OCC), flattened, loose	40 cubic yard roll-off	2000
Newsprint (ONP), loose	One cubic yard	600
Newsprint (ONP), compacted	One cubic yard	860
Newsprint (ONP)	12" stack	35
Office paper	40" x 48" x 40"	650
Office paper	One cubic yard	400
Phone Books	12" stack	25

CONTAINERS:		
Mixed PET, dairy, whole loose	One cubic yard	30 (Average)
Mixed PET, dairy & other rigid, whole, loose	One cubic yard	40 (Average)
PET (soda bottles), whole, loose	One cubic yard	35
PET (soda bottles), whole, loose	Gaylord	45
PET (soda bottles), whole, baled	30" x 48" x 60"	600
HDPE (dairy only), baled	30" x 48" x 60"	650
HDPE (mixed); baled	30" x 48" x 60"	750
HDPE (whole) uncompacted	One cubic yard	24
HDPE (whole) compacted	One cubic yard	270
Aluminum Containers, whole	One cubic yard	62
Aluminum Containers, flattened	One cubic yard	250
Steel Cans, whole	One cubic yard	150
Steel Cans, flattened	One cubic yard	850
Glass Whole Containers	One cubic yard	1,000
Glass Whole Container	Full grocery bag	15

OTHER MATERIALS		
Scrap Metal	One cubic yard	225
Scrap Metal--Used Major Appliances (average of all types and brands)	One appliance	150
Pallets	One, average size	35
Pallets	Five cubic yards	2000
Electronic Scrap	CRT (Computer Monitor)	50
Electronic Scrap	TV	90
Plastic Film, baled	30" x 42" x 48"	1,100
Plastic Film, baled	semi-trailer load	44,000
Other Plastics:		
Mixed rigid, no film, granulated	Gaylord	750
Mixed rigid and densified by mixed plastic mold technology	One cubic foot	average 60
PS, granulated or peanuts	One cubic yard	9
Household Hazardous Waste	One gallon	10
Latex Paint	One gallon	10.9
Mixed Textiles, loose	One cubic yard	240
Mixed Textiles, baled	One cubic yard	480
Mixed Textiles, baled	31" x 45" x 60"	885
Carpet Padding	One cubic yard	62

* Formula for converting cubic yards to tons:

of cubic yards x weight in pounds ÷ 2000 pounds = tons

WARREN COUNTY PURCHASING DEPARTMENT

1340 State Route 9
Lake George, NY 12845
Telephone: (518) 761-6538
Fax: (518) 761-6395



Julie A. Butler, Purchasing Agent
Jason M. Shpur, Deputy Purchasing Agent
Amber N. Brownell, Purchasing Assistant

MEMO

TO: All Prospective Proposers
FROM: Julie Butler, Purchasing Agent
DATE: August 11, 2022
SUBJECT: ADDENDUM #1: WC 50-22 - DISPOSAL AND HAULING SERVICES FOR MUNICIPAL SOLID WASTE & RECYCLABLES

Please sign and return the following to our office with your proposal:

I, Patrick Martino, of _____,

Waste Management of New York, LLC (Company) have received the following addendum and will include it with the above quote.

Addendum:

The following questions have been submitted relative to the above-referenced specifications. Answers are provided herein.

- Q1. Page 3. - Section 2. Nature and Quantity of Municipal Solid Waste and Recyclables - As these tonnages are stated to be from 2018 and 2019, can the County provide updated tonnages?
- A1. See attached data from 2020 (2021 data is not readily available). Please note that the tonnages referenced are as reported to DEC. A "0" does not necessarily mean an item won't be included in the contract. See specifications for 2018/2019 data which is our most current information for these items.
- Q2. Page 4. E - Solid Waste and Recyclables Quantities Estimated and Committed... - To clarify, it is understood that the County cannot guarantee the volume of material, however, it is a little less clear what factors will be used by the municipalities in whether they will utilize the contract?
- A2. Municipalities have the option of participating or not participating in this contract. If they opt in, then they are committed to utilizing the contract for any and all items awarded for their site.
- Q3. Page 4. F - Equipment - For the containers provided by the municipalities, can the County or municipality guarantee that these containers are in good repair and can be safely hauled?
- A3. The County repairs containers upon notification of damage by the Transfer Stations. We make every effort to ensure that deployed containers are in good repair and can be safely handled.

Q4. Page 4. - Section 3, A. Term of Contract, Extension - Due to the accommodation of guaranteeing space at our facilities, it makes it problematic to have an agreement that can be terminated for any reason. For this reason, we ask that the provision be adjusted to limit termination for deficiency in service following Contractor's opportunity to cure said deficiency. Would the County consider removing the provision that the contract may be terminated upon 90 days by either party?

A4. Yes, the County will consider this request.

Q5. Page 10. E Contractor's Responsibility - As containers age, is it agreeable to the County that the Contractor only hauls containers that can be safely hauled, or hauled without causing damage?

A5. Yes, however, the County will make the final determination as to whether or not the containers may be safely hauled.

Q6. Page 5. C. Disposal Facility Requirements - Would the County clarify that the facility must accept all acceptable solid waste or recyclables...? Also, if any loads were to be turned away, would an e-mail be an acceptable form of written notice?

A6. Whatever material contractors are awarded via the bid, are the materials they would be required to accept under the contract. The County has separate bids for electronics and hazardous material, so those items should never be brought to facilities awarded this bid. Yes, an e-mail would be an acceptable form of written notice.

Q7. Page 10. F. Insurance Requirements - This section references that a copy of certificates and/or copies of policies may be requested by the County. It is certainly standard that Certificates of Insurance are provided, however, actual policies are not. Would a Certificate of Insurance satisfy this requirement?

A7. The County only requests Certificates of Insurance for contractual purposes, but it's standard procedure to reserve the right to request policies.

Q8. Page 11. G. Indemnification Requirement - Would the County consider mutual-fault based indemnification? We have found the following to be standard in the industry:

"The Contractor agrees to indemnify, save harmless, and defend the County from and against any and all liabilities, claims, penalties, forfeiture, suits, and the costs and expenses incident thereto (including costs of defense, settlement, and reasonable attorneys' fees), which it may hereafter incur, become responsible for, or pay out as a result of death or bodily injuries to any person, destruction or damage to any property, contamination of or adverse effects on the environment, or any violation of governmental laws, regulations, or orders to the extent caused by Contractor's employees, or its subcontractors breach of any term of or provision of this Agreement, or any negligent act or omission, or act of willful misconduct by the Contractor's or its employees, or its subcontractors in the performance of this Agreement. The County agrees to indemnify, save harmless, and defend the Contractor from and against any and all liabilities, claims, penalties, forfeiture, suits, and the costs and expenses incident thereto (including costs of defense, settlement, and reasonable attorneys' fees), which it may hereafter incur, become responsible for, or pay out as a result of death or bodily injuries to any person, destruction or damage to any property, contamination of or adverse effects on the environment, or any violation of governmental laws, regulations, or orders to the extent caused by County's breach of any term of or provision of this Agreement, or any negligent act or omission, or act of willful misconduct by the County or its employees in the performance of this Agreement. In no event, whether in contract, tort or otherwise shall either party be liable to the other for any special, indirect, incidental or consequential damages."

A8. Yes, the County will consider mutual-fault based indemnification.

August 11, 2022

WC 50-22 - Addendum #1

Page 3

Q9. Page 12. J Assigning - Would the County consider adding "which shall not be unreasonably withheld" to the end of this section? Further, would the County add "Successful Bidder shall have the right to assign this Agreement without the consent of the County or municipality in the event of a corporate reorganization, merger or transfer of substantially all of Successful Bidder's assets."?

A9. Yes, the County will add this language.

Q10. Page 15. Material Descriptions - Would the County agree that the definition of Solid Waste and Recyclables is to be consistent with the NYS DEC? Further, does the County agree that title to unacceptable or hazardous waste would remain with the generator?

A10. Yes to the first question. Yes to the 2nd as long as the material is not removed from a County or Town site. Once removed, it will no longer be the property of the generator.

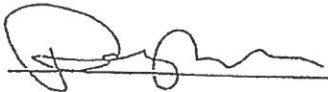
Q11. Miscellaneous - Force Majeure - Would the County consider adding Force Majeure to handle uncontrollable circumstances? We have found the following to be standard language in the industry:

"Except for the obligation to make payments hereunder, neither party shall be in default for its failure to perform or delay in performance caused by events or significant threats of events beyond its reasonable control, whether or not foreseeable, including, but not limited to, strikes, labor trouble, riots, changes in applicable laws or regulations and interpretations thereof, imposition of laws or governmental orders, pandemics, fires, acts of war or terrorism, acts of God, and the inability to obtain equipment, the affected party shall be excused from performance during the occurrence of such events. Contractor shall be entitled to an equitable adjustment in price in the event of the occurrence of a Force Majeure Event that increase the cost of performing its obligations under this Agreement, provided that if the Force Majeure delays performance for longer than thirty (30) days, the County shall be entitled to seek replacement service from another hauler for the term of the Force Majeure."

A. Yes, the County will add this language.

All other terms and conditions of the bid shall remain the same. If you have any questions, please contact me at (518) 761-6538.

Signature: _____



Date: _____

8/18/22

Town	Occ	Plastic	News Paper	Junk mail	msw	C&D
Ridge rd	59.82	23	29.36	14.24	842.61	
Luzern rd	62.13	26.07	32.44	21.39	982.31	
Lake George	90.46	13.9	42.9	0	541.25	80.75
Lake Luzern	41.15	20.4	30	0	76.99	286.44
Warrensburg	38.39	25.79	26.69	0	813.83	351.4
Horricon	18.47	9.65	0	12.92	308.52	230.42
Bolton	52.23	15.89	8.64	22.63	615.36	431.89
Chester	19.2	21.92	5.45	18.67	543.45	512.05
Johnsburg	0	0	0	0	226.62	259.63
Hague	11.56	13.18	0	0	138.26	104.56
Thurman	2.31	4.01	2.31	0	90.7	31.79
Stony Creek	4.02	0	0	0	186.03	112.6

Glass & Metal recycling data not readily available.



Kathy Hochul, Governor

Roberta Reardon, Commissioner

Warren County
Julie Butler, Purchasing Agent
1340 State Route 9
Lake George NY 12845

Schedule Year 2022 through 2023
Date Requested 08/04/2022
PRC# 2022900832

Location Throughout Warren County
Project ID# WC 50-22
Occupation Type(s) Trash and Refuse Removal

PREVAILING WAGE SCHEDULE FOR ARTICLE 9 PUBLIC WORK PROJECT

Attached is the current schedule(s) of the prevailing wage rates and prevailing hourly supplements for the project referenced above. A unique Prevailing Wage Case Number (PRC#) has been assigned to the schedule(s) for your project.

The Schedule is effective from July 2022 through June 2023. All updates or corrections, are posted on the 1st business day of each month. Updated PDF copies of your schedule can be accessed by entering your assigned PRC# at the proper location on the website, www.labor.ny.gov. Future copies of the annual determination are also available on the Department's website.

It is the responsibility of the contracting agency or its agent to annex and make part, the attached schedule, to the specifications for this project, when it is advertised for bids and /or to forward said schedules to the successful bidder(s), immediately upon receipt, in order to insure the proper payment of wages.

Please refer to the "General Provisions of Laws Covering Workers on Article 9 Public Work Building Service Contracts" provided with this schedule, for the specific details relating to other responsibilities of the Department of Jurisdiction.

Upon completion or cancellation of this project, enter the required information and mail OR fax this form to the office shown at the bottom of this notice, OR fill out the electronic version via the NYSDOL website.

NOTICE OF COMPLETION / CANCELLATION OF PROJECT

Date Completed: _____ Date Cancelled: _____

Name & Title of Representative: _____

Phone: (518) 457-5589 Fax: (518) 485-1870
W. Averell Harriman State Office Campus, Bldg. 12, Room 130, Albany, NY 12240

General Provisions of Laws Covering Workers on Article 9 Public Work Building Service Contracts

Introduction

The Labor Law requires public work contractors and subcontractors to pay a service employee under a contract for building service work for a public agency, a wage of not less than the prevailing wage and supplements (fringe benefits) in the locality for the classification(s) in which the worker was employed. Such a public work building service contract must be in excess of one thousand five hundred dollars (\$1,500.00).

Building service employee includes, but is not limited, to, watchman, guard, doorman, building cleaner, porter, handyman, janitor, gardener, groundskeeper, stationary fireman, elevator operator and starter, window cleaner, and occupations relating to the collection of garbage or refuse, and to the transportation of office furniture and equipment, and to the transportation and delivery of fossil fuel but does not include clerical, sales, professional, technician and related occupations.

Building service employee also does not include any employee to whom the provisions of Article 8 are applicable.

Responsibilities of the Public Agency

A Public Agency means the state, any of its political subdivisions, a public benefit corporation, a public authority or commission or special purpose district board appointed pursuant to law, and a board of education.

The Public Agency responsible for preparing the specifications for a building service contract must file a statement identifying the types of employees and work to be performed with the New York State Commissioner of Labor, or other fiscal officer (NOTE: The New York State Commissioner of Labor is the fiscal officer on all building service contracts except for those performed by or on behalf of a city, in which case the fiscal officer is the comptroller or other analogous officer of the city).

A separate filing is required for every building service contract. Only one filing is required for each contract, regardless of the duration of the contract. To file with the Commissioner of Labor, the Public Agency MUST submit a Request for Wage and Supplement Information" form (PW 39) to the Bureau of Public Work, either online, by fax, or by mail.

In response to each filing, the Bureau of Public Work will assign a Prevailing Rate Case (PRC) number to each building service contract, and will issue a Prevailing Wage Schedule setting forth the wage rates required to be paid for work performed and the expiration date of those rates. If work on the contract continues beyond the expiration date set forth in the Wage Schedule, new rates and expiration dates will be made available online as part of the original PRC Prevailing Wage Schedule determination automatically, without further filings or requests from the Public Agency.

The Public Agency must include in the specifications for each building service contract the PRC number assigned to such contract and stipulation obligating the contractor to pay not less than the wage rates set forth in the Prevailing Wage Schedule issued under that PRC number.

Upon the awarding of the contract, the law requires that the Public Agency furnish the following information to the Bureau of Public Work: the name and address of the contractor, the date the contract was let and the approximate dollar value of the contract. To facilitate compliance with this provision of the Labor Law, a copy of the Bureau's "Notice of Contract Award" form (PW 16.9) is provided with the original Prevailing Rate Schedule. The Public Agency is required to notify the Bureau of the completion or cancellation of any public work building service contract. The Bureau's PW 200.9 form is provided for this purpose.

Hours

A building service employee, employed by a contractor, shall work up to eight (8) hours in any one day and up to forty (40) hours in any workweek for the appropriate posted prevailing wage rate. A building service employee who works more than eight (8) hours in any one day or more than forty (40) hours in any workweek shall be paid wages for such overtime at a rate not less than one-and-one-half (1.5) times his prevailing basic cash hourly rate.

Wages and Supplements

The wages and supplements to be paid and/or provided to a building service employee, employed on a public work contract shall be not less than those listed in the Prevailing Rate Schedule provided with the awarded contract. In no event shall the basic hourly cash rate of pay be less than the statutory minimum wage or in a city with a local law requiring a higher minimum wage on city contract work, less than the minimum wage specified in such local law.

The Commissioner of Labor makes an annual determination of the prevailing rates, which is in effect from July 1st through June 30th of the following year. Any errors in the annual determination will be corrected and posted to the NYSDOL website on the first business day of each month. Contractors are responsible for paying these updated rates as well, retroactive to July 1st.

If a prime contractor on a public work contract has not been provided with a Prevailing Rate Schedule, the contractor must notify the Public Agency who in turn must request an original Prevailing Rate Schedule form the Bureau of Public Work.

Requests may be submitted by: mail to NYSDOL, Bureau of Public Work, State Office Bldg. Campus, Bldg. 12, Rm. 130, Albany, NY 12240; Fax to Bureau of Public Work (518) 485-1870; or electronically at the NYSDOL website www.labor.state.ny.us. www.labor.ny.gov.

Upon receiving the original schedule, the Public Agency is REQUIRED to provide complete copies to all prime contractors who in turn MUST, by law, provide copies of all applicable county schedules to each subcontractor and obtain from each subcontractor, an affidavit certifying such schedules were received.

Payrolls and Payroll Records

Every contractor and subcontractor MUST keep original payrolls or transcripts subscribed and affirmed as true under penalty of perjury. Payrolls must be maintained for at least three (3) years from the project's date of completion. Additionally, as per Article 6 of the Labor Law, contractors and subcontractors are required to establish, maintain, and preserve for not less than six (6) years, contemporaneous, true, and accurate payroll records. At a minimum, payrolls must show the following information for each person employed on a public work project: Name; Address, Last 4 Digits of Social Security number, Classification(s) in which the worker was employed, Hourly wage rate(s) paid, Supplements paid or provided, and Daily and weekly number of hours worked in each classification. Payroll records and transcripts are required to be kept on site during all the time that work under that contract is being performed.

In addition, the Commissioner of Labor may require contractors to furnish, with ten (10) days of a request, payroll records sworn to as their validity and accuracy for public work and private work. Payroll records include, but are not limited to time cards, work description sheets, proof that supplements were provided, canceled payroll checks and payrolls. Failure to provide the requested information within the allotted ten (10) days will result in the withholding of up to 25% of the contract, not to exceed \$100,000.00.

All contractors or their subcontractors shall provide to their subcontractors a copy of the Prevailing Rate Schedule specified in the public work contract as well as any subsequently issued schedules. A failure to provide these schedules by a contractor or subcontractor is a violation of Article 9, Section 237 of the Labor Law. The prime contractor is responsible for any underpayments of prevailing wages or supplements by any subcontractor.

All subcontractors engaged by a public work project contractor or its subcontractor, upon receipt of the original schedule and any subsequently issued schedules shall provide to such contractor a verified statement attesting that the subcontractor has received the Prevailing Rate Schedule and will pay or provide the applicable rates of wages and supplements specified therein. (See NYS Labor Law, Article 9, Section 237).

Withholding of Payments

When a complaint is filed with the Commissioner of Labor alleging the failure of a contractor or subcontractor to pay or provide the prevailing wages or supplements, or when the Commissioner of Labor believes that unpaid wages or supplements may be due, payments on the public work contract shall be withheld from the prime contractor in a sufficient amount to satisfy the alleged unpaid wages and supplements, including interest and civil penalty, pending a final determination.

When the Bureau of Public Work finds that a contractor or subcontractor on a public work contract failed to pay or provide the requisite prevailing wages or supplements, the Bureau is authorized by Sections 235.2 of the Labor Law to so notify the financial officer of the Public Agency that awarded the public work contract. Such officer MUST then withhold or cause to be withheld from any payment due the prime contractor on account of such contract the amount indicated by the Bureau as sufficient to satisfy the unpaid wages and supplements, including interest and any civil penalty that may be assessed by the Commissioner of Labor. The withholding continues until there is a final determination of the underpayment by the Commissioner of Labor or by the court in the event a legal proceeding is instituted for review of the determination of the Commissioner of Labor.

The Public Agency shall comply with this order of the Commissioner of Labor or of the court with respect to the release of the funds so withheld.

Summary of Notice Posting Requirements

The current Prevailing Rate Schedule must be posted in a prominent and accessible place on the site of the public work contract.

Apprentices

Employees cannot be paid apprentice rates unless they are individually registered in a program registered with the NYS Commissioner of Labor. The allowable ratio of apprentices to journeymen in any craft classification can be no greater than the statewide building trade ratios promulgated by the Department of Labor and included with the Prevailing Rate Schedule. An employee listed on a payroll as an apprentice who is not registered as above, must be paid the prevailing journeyworker's wage rate for the classification of work the employee is actually performing.

NYS DOL Labor Law, Article 9, Section 231-7a, require that only apprentices individually registered with the NYS Department of Labor may be paid apprenticeship rates on a public work project. No other Federal or State Agency of office registers apprentices in New York State.

Persons wishing to verify the apprentice registration of any person must do so in writing by mail, to the NYSDOL Office of Employability Development / Apprenticeship Training, State Office Bldg. Campus, Bldg. 12, Albany, NY 12240 or by Fax to NYSDOL Apprenticeship Training (518) 457-7154. All requests for verification must include the name and social security number of the person for whom the information is requested

The only conclusive proof of individual apprentice registration is written verification from the NYSDOL Apprenticeship Training Albany Central office. Neither Federal nor State Apprenticeship Training offices outside of Albany can provide conclusive registration information.

It should be noted that the existence of a registered apprenticeship program is not conclusive proof that any person is registered in that program. Furthermore, the existence or possession of wallet cards, identification cards, or copies of state forms is not conclusive proof of the registration of any person as an apprentice.

Interest and Penalties

In the event that an underpayment of wages and/or supplements is found:

- Interest shall be assessed at the rate then in effect as prescribed by the Superintendent of Banks pursuant to section 14-a of the Banking Law, per annum from the date of underpayment to the date restitution is made.
- A Civil Penalty may also be assessed, not to exceed 25% of the total of wages, supplements, and interest due.

Debarment

Any contractor or subcontractor and/or its successor shall be ineligible to submit a bid on or be awarded any public work contract or subcontract with any state, municipal corporation or public body for a period of five (5) years when:

- Two (2) willful determinations have been rendered against that contractor or subcontractor and/or its successor within any consecutive six (6) year period.
- There is any willful determination that involves the falsification of payroll records or the kickback of wages or supplements.

Criminal Sanctions

Willful violations of the Prevailing Wage Law (Article 9 of the Labor Law) constitute a misdemeanor punishable by fine or imprisonment, or both.

Discrimination

No employee or applicant for employment may be discriminated against on account of age, race, creed, color, national origin, sex, disability or marital status.

No contractor, subcontractor nor any person acting on its behalf, shall by reason of race, creed, color, disability, sex or national origin discriminate against any citizen of the State of New York who is qualified and available to perform the work to which the employment relates (NYS Labor Law, Article 9, Section 239-1).

No contractor, subcontractor, nor any person acting on its behalf, shall in any manner, discriminate against or intimidate any employee on account of race, creed, color, disability, sex, or national origin (NYS Labor Law, Article 9, Section 239-2).

The Human Rights Law also prohibits discrimination in employment because of age, marital status, or religion.

There may be deducted from the amount payable to the contractor under the contract a penalty of \$50.00 for each calendar day during which such person was discriminated against or intimidated in violation of the provision of the contract (NYS Labor Law, Article 9, Section 239-3).

The contract may be cancelled or terminated by the State or municipality. All monies due or to become due thereunder may be forfeited for a second or any subsequent violation of the terms or conditions of the anti-discrimination sections of the contract (NYS Labor Law, Article 9, Section 239-4).

Every employer subject to the New York State Human Rights Law must conspicuously post at its offices, places of employment, or employment training centers notices furnished by the State Division of Human Rights.

Workers' Compensation

In accordance with Section 142 of the State Finance Law, the contractor shall maintain coverage during the life of the contract for the benefit of such employees as required by the provisions of the New York State Workers' Compensation Law.

A contractor who is awarded a public work contract must provide proof of workers' compensation coverage prior to being allowed to begin work.

The insurance policy must be issued by a company authorized to provide workers' compensation coverage in New York State. Proof of coverage must be on form C-105.2 (Certificate of Workers' Compensation Insurance) and must name this agency as a certificate holder.

If New York State coverage is added to an existing out-of-state policy, it can only be added to a policy from a company authorized to write workers' compensation coverage in this state. The coverage must be listed under item 3A of the information page.

The contractor must maintain proof that subcontractors doing work covered under this contract secured and maintained a workers' compensation policy for all employees working in New York State.

Every employer providing worker's compensation insurance and disability benefits must post notices of such coverage in the format prescribed by the Workers' Compensation Board in a conspicuous place on the jobsite.

Unemployment Insurance

Employers liable for contributions under the Unemployment Insurance Law must conspicuously post on the jobsite notices furnished by the New York State Department of Labor.



Kathy Hochul, Governor

Roberta Reardon, Commissioner

Warren County
Julie Büttler, Purchasing Agent
1340 State Route 9
Lake George NY 12845

Schedule Year 2022 through 2023
Date Requested 08/04/2022
PRC# 2022900832

Location Throughout Warren County
Project ID# WC 50-22
Occupation Type(s) Trash and Refuse Removal

Notice of Contract Award

New York State Labor Law, Article 9, Section 231.5 requires that certain information regarding the awarding of public work contracts, be furnished to the Commissioner of Labor. One "Notice of Contract Award" (PW 16.9, which may be photocopied), MUST be completed for EACH prime contractor on the above referenced project.

Upon notifying the successful bidder(s) of this building service contract, enter the required information and mail OR fax this form to the office shown at the bottom of this notice, OR fill out the electronic version via the NYSDOL website.

Contractor Information

All information must be supplied

Federal Employer Identification Number: _____		
Name: _____		
Address: _____ _____		
City: _____	State: _____	Zip: _____
Amount of Contract: \$ _____	Occupation(s): _____	
Approximate Starting Date: _____ / _____ / _____	_____	
Approximate Completion Date: _____ / _____ / _____	_____	

Phone: (518) 457-5589 Fax: (518) 485-1870
W. Averell Harriman State Office Campus, Bldg. 12, Room 130, Albany, NY 12240

Introduction to the Prevailing Rate Schedule

Introduction

The Labor Law requires public work contractors and subcontractors to pay a service employee under a contract for building service work for a public agency, a wage of not less than the prevailing wage and supplements (fringe benefits) in the locality for the classification(s) in which the worker was employed. Such a public work building service contract must be in excess of one thousand five hundred dollars (\$1,500).

Requesting a Wage Schedule

For every building service contract, the public agency must file a statement identifying the types of employees and work to be performed by submitting a Request for Wage and Supplement Information form (PW 39) to the Bureau of Public Work, either online, by fax, or by mail.

The Commissioner of Labor makes an annual determination of the prevailing rates. This determination is in effect from July 1st through June 30th of the following year.

The Public Agency must include the specifications for each building service contract the PRC number assigned to such contract and stipulation obligating the contractor to pay not less than the wage rates set forth in the Prevailing Wage Schedule issued under that PRC number.

Hours

A building service employee, employed by a contractor, shall work up to eight (8) hours in any one day and up to forty (40) hours in any workweek for the appropriate posted prevailing wage rates. A building service employee who works more than eight (8) hours in any one day or more than forty (40) hours in any workweek shall be paid wages for such overtime at a rate not less than one-and-one-half (1.5) times the prevailing basic cash hourly rate.

Wages and Supplements

The wages and supplements to be paid and/or provided to a building service employee, employed on a public work contract shall be not less than those listed in the Prevailing Rate Schedule.

A supplemental benefit of 'paid time off' shall be provided as paid leave, or converted to an hourly value paid to the employee. If 'paid time off' is converted to an hourly monetary value, such an amount is to be paid in addition to any other hourly supplements required by this schedule.

The hourly value for 'paid time off' would be calculated as follows: hourly wage rate X 8 hours per day X total number of paid days off divided by 2080 hours. For example: \$16.00 per hour wage rate X 8 hours per day = \$128.00; \$128.00 X 5 paid days off = \$640.00; \$640.00 divided by 2080 hours = \$0.31 per hour. The \$0.31 per hour amount would be in addition to any other required supplemental monetary amount paid.

All 'paid time off' provided to part-time employees, shall be prorated (divided, distributed, or assessed proportionately) based on fulltime equivalent hours.

The amount of 'paid time off' for part-time employees, would be calculated as follows: number of part-time weekly hours divided by 40 fulltime weekly hours = percentage of 'paid time off' for part-time employee. For example: a fulltime employee works 40 hours per week and a part-time employee works 30 hours per week (30 hours divided by 40 hours = .75); if a fulltime employee is provided 5 paid vacation days (5 X .75 = 3.75), a part-time employee would be provided 3.75 paid vacation days.

Payrolls and Payroll Records

Every contractor and subcontractor MUST keep original payrolls or transcripts subscribed and affirmed as true under penalty of perjury. Payrolls must be maintained for at least three (3) years from the projects date of completion. Additionally, as per Article 6 of the Labor Law, contractors and subcontractors are required to establish, maintain, and preserve for not less than six (6) years, contemporaneous, true, and accurate payroll records.

At a minimum, payrolls must show the following information for each person employed on a public work project: Name; Address, Last 4 Digits of Social Security number, Classification(s) in which the worker was employed, Hourly wage rate(s) paid, Supplements paid or provided, and Daily and weekly number of hours worked in each classification.

Payroll records and transcripts are required to be kept on site during all the time that work under that contract is being performed.

NOTE: For more detailed information regarding Article 9 prevailing wage contracts, please refer to "General Provisions of Laws Covering Workers on Article 9 Public Work Building Service Contracts".

If you have any questions concerning the attached schedule or would like additional information, please write to:

New York State Department of Labor
Bureau of Public Work
State Office Campus, Bldg. 12
Albany, NY 12240

OR

Contact the nearest BUREAU of PUBLIC WORK District Office

District Office Locations:	Telephone #	FAX #
Bureau of Public Work - Albany	518-457-2744	518-485-0240
Bureau of Public Work - Binghamton	607-721-8005	607-721-8004
Bureau of Public Work - Buffalo	716-847-7159	716-847-7650
Bureau of Public Work - Garden City	516-228-3915	516-794-3518
Bureau of Public Work - Newburgh	845-568-5287	845-568-5332
Bureau of Public Work - New York City	212-932-2419	212-775-3579
Bureau of Public Work - Patchogue	631-687-4882	631-687-4902
Bureau of Public Work - Rochester	585-258-4505	585-258-4708
Bureau of Public Work - Syracuse	315-428-4056	315-428-4671
Bureau of Public Work - Ulica	315-793-2314	315-793-2514
Bureau of Public Work - White Plains	914-997-9507	914-997-9523
Bureau of Public Work - Central Office	518-457-5589	518-485-1870

Warren County Article 9

Trash and Refuse Removal

08/01/2022

JOB DESCRIPTION Trash and Refuse Removal

DISTRICT 10

ENTIRE COUNTIES

Albany, Columbia, Fulton, Greene, Montgomery, Rensselaer, Saratoga, Schenectady, Schoharie, Ulster, Warren, Washington

WAGES

Per hour:	07/01/2022	09/01/2022	09/01/2023
Commercial	\$ 20.81	\$ 21.22	\$ 21.65
Residential	19.25	19.63	20.02

IMPORTANT INFORMATION:

Article 9 §230.6. "Prevailing wage" means the wage determined by the fiscal officer to be prevailing for the various classes of building service employees in the locality. In no event shall the basic hourly cash rate of pay be less than the statutory minimum wage established by article nineteen of this chapter, or, in a city with a local law requiring a higher minimum wage on city contract work, less than the minimum wage specified in such local law.

SUPPLEMENTAL BENEFITS

Benefits paid to non-probationary employees after 90 days:

First (1st) Forly (40) Hours:

	07/01/2022	01/01/2023
Single	\$ 3.57	TBD
Two Person	6.84	
Family	9.295	

First calendar year quarter after the 90 days probation \$250.00 per quarter and every quarter thereafter while employed with employer.

Vacation is earned by employees working at least 150 days in the last 12 consecutive months:

After completing 12 Months of service (1 yr)	1 Week
After completing 36 Months of service (3 yrs)	2 Weeks
After completing 120 Months of service (10 yrs)	3 Weeks
After completing 180 Months of service (15 yrs)	3 Weeks 1 Day
After completing 192 Months of service (16 yrs)	3 Weeks 2 Days
After completing 204 Months of service (17 yrs)	3 Weeks 3 Days
After completing 216 Months of service (18 yrs)	3 Weeks 4 Days
After completing 228 Months of service (19 yrs)	4 Weeks

*Vacation weekly pay shall be determined by taking the employees previous years W-2 gross reported earnings and multiplying by 2.0%

OVERTIME PAY

See (B, B2, K) on OVERTIME PAGE

HOLIDAY

Paid: See (5, 6) on HOLIDAY PAGE

Must work the last regularly scheduled day before and after holiday.

Holidays falling on a Saturday or Sunday are observed on same day designated by the State of New York for Public Employees.

Employee's working at least 12 consecutive months and having worked 200 days will receive 5 floating holidays.

10-294

Trash and Refuse Removal

08/01/2022

JOB DESCRIPTION Trash and Refuse Removal

DISTRICT 10

ENTIRE COUNTIES

Albany, Columbia, Greene, Rensselaer, Saratoga, Schenectady, Warren, Washington

WAGES

For use with Transfer Station Site Operations Only

Per hour:	07/01/2022
Indus. Truck Driver/Tractor Operator	\$ 22.01
Laborer/ non-construction	

Conveyor operators and tenders	\$ 19.04
Weighers/Measurers	\$ 17.16
	\$ 20.64

IMPORTANT INFORMATION:

Article 9 §230.6. "Prevailing wage" means the wage determined by the fiscal officer to be prevailing for the various classes of building service employees in the locality. In no event shall the basic hourly cash rate of pay be less than the statutory minimum wage established by article nineteen of this chapter, or, in a city with a local law requiring a higher minimum wage on city contract work, less than the minimum wage specified in such local law.

SUPPLEMENTAL BENEFITS

Per hour: \$ 2.30

OVERTIME PAY

See (B, B2) on OVERTIME PAGE

HOLIDAY

Paid: See (1) on HOLIDAY PAGE

10-NYS/R&S- Trans.Station.Ops

Overtime Codes

Following is an explanation of the code(s) listed in the OVERTIME section of each classification contained in the attached schedule. Additional requirements may also be listed in the HOLIDAY section:

NOTE: Supplemental Benefits are 'Per hour worked' (for each hour worked) unless otherwise noted

- (AA) Time and one half of the hourly rate after 7 and one half hours per day
- (A) Time and one half of the hourly rate after 7 hours per day
- (B) Time and one half of the hourly rate after 8 hours per day
- (B1) Time and one half of the hourly rate for the 9th & 10th hours week days and the 1st 8 hours on Saturday. Double the hourly rate for all additional hours
- (B2) Time and one half of the hourly rate after 40 hours per week
- (C) Double the hourly rate after 7 hours per day
- (C1) Double the hourly rate after 7 and one half hours per day
- (D) Double the hourly rate after 8 hours per day
- (D1) Double the hourly rate after 9 hours per day
- (E) Time and one half of the hourly rate on Saturday
- (E1) Time and one half 1st 4 hours on Saturday; Double the hourly rate all additional Saturday hours
- (E2) Saturday may be used as a make-up day at straight time when a day is lost during that week due to inclement weather
- (E3) Between November 1st and March 3rd Saturday may be used as a make-up day at straight time when a day is lost during that week due to inclement weather, provided a given employee has worked between 16 and 32 hours that week
- (E4) Saturday and Sunday may be used as a make-up day at straight time when a day is lost during that week due to inclement weather
- (E5) Double time after 8 hours on Saturdays
- (F) Time and one half of the hourly rate on Saturday and Sunday
- (G) Time and one half of the hourly rate on Saturday and Holidays
- (H) Time and one half of the hourly rate on Saturday, Sunday, and Holidays
- (I) Time and one half of the hourly rate on Sunday
- (J) Time and one half of the hourly rate on Sunday and Holidays
- (K) Time and one half of the hourly rate on Holidays
- (L) Double the hourly rate on Saturday
- (M) Double the hourly rate on Saturday and Sunday
- (N) Double the hourly rate on Saturday and Holidays
- (O) Double the hourly rate on Saturday, Sunday, and Holidays
- (P) Double the hourly rate on Sunday
- (Q) Double the hourly rate on Sunday and Holidays
- (R) Double the hourly rate on Holidays
- (S) Two and one half times the hourly rate for Holidays

-
- (S1) Two and one half times the hourly rate the first 8 hours on Sunday or Holidays One and one half times the hourly rate all additional hours.
 - (T) Triple the hourly rate for Holidays
 - (U) Four times the hourly rate for Holidays
 - (V) Including benefits at SAME PREMIUM as shown for overtime
 - (W) Time and one half for benefits on all overtime hours.
 - (X) Benefits payable on Paid Holiday at straight time. If worked, additional benefit amount will be required for worked hours. (Refer to other codes listed.)

Holiday Codes

PAID Holidays:

Paid Holidays are days for which an eligible employee receives a regular day's pay, but is not required to perform work. If an employee works on a day listed as a paid holiday, this remuneration is in addition to payment of the required prevailing rate for the work actually performed.

OVERTIME Holiday Pay:

Overtime holiday pay is the premium pay that is required for work performed on specified holidays. It is only required where the employee actually performs work on such holidays. The applicable holidays are listed under HOLIDAYS: OVERTIME. The required rate of pay for these covered holidays can be found in the OVERTIME PAY section listings for each classification.

Following is an explanation of the code(s) listed in the HOLIDAY section of each classification contained in the attached schedule. The Holidays as listed below are to be paid at the wage rates at which the employee is normally classified.

- (1) None
- (2) Labor Day
- (3) Memorial Day and Labor Day
- (4) Memorial Day and July 4th
- (5) Memorial Day, July 4th, and Labor Day
- (6) New Year's, Thanksgiving, and Christmas
- (7) Lincoln's Birthday, Washington's Birthday, and Veterans Day
- (8) Good Friday
- (9) Lincoln's Birthday
- (10) Washington's Birthday
- (11) Columbus Day
- (12) Election Day
- (13) Presidential Election Day
- (14) 1/2 Day on Presidential Election Day
- (15) Veterans Day
- (16) Day after Thanksgiving
- (17) July 4th
- (18) 1/2 Day before Christmas
- (19) 1/2 Day before New Years
- (20) Thanksgiving
- (21) New Year's Day
- (22) Christmas
- (23) Day before Christmas
- (24) Day before New Year's
- (25) Presidents' Day
- (26) Martin Luther King, Jr. Day
- (27) Memorial Day
- (28) Easter Sunday

(29) Juneteenth



New York State Department of Labor - Bureau of Public Work
 State Office Building Campus
 Building 12 - Room 130
 Albany, New York 12240

REQUEST FOR WAGE AND SUPPLEMENT INFORMATION

As Required by Articles 8 and 9 of the NYS Labor Law

Fax (518) 485-1870 or mail this form for new schedules or for determination for additional occupations.

This Form Must Be Typed

Submitted By:

(Check Only One)

Contracting Agency

Architect or Engineering Firm

Public Work District Office

Date:

A. Public Work Contract to be let by: (Enter Data Pertaining to Contracting/Public Agency)

1. Name and complete address (Check if new or change)

Telephone: ()

Fax: ()

E-Mail:

2. NY State Units (see Item 5)

01 DOT

02 OGS

03 Dormitory Authority

04 State University
Construction Fund

05 Mental Hygiene
Facilities Corp.

06 OTHER N.Y. STATE UNIT

07 City

08 Local School District

09 Special Local District, i.e.
Fire, Sewer, Water Distr

10 Village

11 Town

12 County

13 Other Non-N.Y. State

(Describe)

3. SEND REPLY TO (check if new or change)
Name and complete address:

Telephone:()

Fax: ()

E-Mail:

4. SERVICE REQUIRED. Check appropriate box and provide project information.

New Schedule of Wages and Supplements.

APPROXIMATE BID DATE :

Additional Occupation and/or Redetermination

PRC NUMBER ISSUED PREVIOUSLY FOR
THIS PROJECT :

OFFICE USE ONLY

B. PROJECT PARTICULARS

5. Project Title _____

Description of Work _____

Contract Identification Number _____

Note: For NYS units, the OSC Contract No. _____

6. Location of Project:
Location on Site _____

Route No/Street Address _____

Village or City _____

Town _____

County _____

7. Nature of Project - Check One:

- 1. New Building
- 2. Addition to Existing Structure
- 3. Heavy and Highway Construction (New and Repair)
- 4. New Sewer or Waterline
- 5. Other New Construction (Explain)
- 6. Other Reconstruction, Maintenance, Repair or Alteration
- 7. Demolition
- 8. Building Service Contract

8. OCCUPATION FOR PROJECT :

- Construction (Building, Heavy Highway/Sewer/Water)
- Tunnel
- Residential
- Landscape Maintenance
- Elevator maintenance
- Exterminators, Fumigators
- Fire Safety Director, NYC Only
- Guards, Watchmen
- Janitors, Porters, Cleaners Elevator Operators
- Moving furniture and equipment
- Trash and refuse removal
- Window cleaners
- Other (Describe)

9. Has this project been reviewed for compliance with the Wicks Law involving separate bidding? YES NO

10. Name and Title of Requester

Signature



NEW YORK STATE DEPARTMENT OF LABOR
Bureau of Public Work - Debarment List

**LIST OF EMPLOYERS INELIGIBLE TO BID ON OR BE
AWARDED ANY PUBLIC WORK CONTRACT**

Under Article 8 and Article 9 of the NYS Labor Law, a contractor, sub-contractor and/or its successor shall be debarred and ineligible to submit a bid on or be awarded any public work or public building service contract/sub-contract with the state, any municipal corporation or public body for a period of five (5) years from the date of debarment when:

- Two (2) final determinations have been rendered within any consecutive six-year (6) period determining that such contractor, sub-contractor and/or its successor has WILLFULLY failed to pay the prevailing wage and/or supplements;
- One (1) final determination involves falsification of payroll records or the kickback of wages and/or supplements.

The agency issuing the determination and providing the information, is denoted under the heading 'Fiscal Officer'. DOL = New York State Department of Labor; NYC = New York City Comptroller's Office; AG = New York State Attorney General's Office; DA = County District Attorney's Office.

Debarment Database: To search for contractors, sub-contractors and/or their successors debarred from bidding or being awarded any public work contract or subcontract under NYS Labor Law Articles 8 and 9, or under NYS Workers' Compensation Law Section 141-b, access the database at this link: <https://applications.labor.ny.gov/EDList/searchPage.do>

For inquiries where WCB is listed as the "Agency", please call 1-866-546-9322

Article 9

AGENCY	Fiscal Officer	FEIN	EMPLOYER NAME	EMPLOYER DBA NAME	ADDRESS	DEBARMENT START DATE	DEBARMENT END DATE
DOL	NYC	*****5732	COMMERCIAL BUILDING MAINTENANCE CORPORATION		65 BILTMORE DR MASTIC BEACH NY 11951	03/14/2022	03/14/2027
DOL	NYC		DAVID PARSONS		200 OAK DR SYOSSET NY 11791	03/14/2022	03/14/2027
DOL	DOL		DENNIS DAN OGBEIDE		P.O BOX 50028 BRONX NY 10458	04/24/2018	04/24/2023
DOL	DOL	*****5067	DENOG PROTECTIVE SECURITY SERVICES INC		P. O BOX 50028 BRONX NY 10458	04/24/2018	04/24/2023
DOL	DOL	*****9060	PEC GROUP OF N.Y., INC.		9.35 S LAKE BLVD SUITE 7MAHOPAC NY 10541	03/02/2021	03/02/2026
DOL	DOL		RUSSELL NEEDHAM		532 NEPTUNE AVENUE BROOKLYN NY 11224	01/12/2022	01/12/2027
DOL	DOL	*****7007	SHOREFRONT MENTAL HEALTH BOARD	BROOKLYN BRIGHT	532 NEPTUNE AVENUE BROOKLYN NY 11224	01/12/2022	01/12/2027



CERTIFICATE OF LIABILITY INSURANCE

1/1/2023

DATE (MM/DD/YYYY)
12/09/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER LOCKTON COMPANIES 3657 BRIARPARK DRIVE, SUITE 700 HOUSTON TX 77042 866-260-3538	CONTACT NAME:	
	PHONE (A/C No., Ext.):	FAX (A/C No.):
	E-MAIL ADDRESS:	
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED 1300299 WASTE MANAGEMENT HOLDINGS, INC. & ALL AFFILIATED & SUBSIDIARY COMPANIES INCLUDING: WASTE MANAGEMENT OF NEW YORK, LLC 100 RANSIER DRIVE WEST SENECA NY 14224	INSURER A: ACE American Insurance Company	22667
	INSURER B: Indemnity Insurance Co of North America	43575
	INSURER C: ACE Fire Underwriters Insurance Company	20702
	INSURER D: ACE Property & Casualty Insurance Co	20699
	INSURER E:	
	INSURER F:	

COVERAGES CERTIFICATE NUMBER: 3458648 REVISION NUMBER: XXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> XCU INCLUDED <input checked="" type="checkbox"/> ISO FORM CG00010413 GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:		Y	HDO G72492365	01/01/2022	01/01/2023	EACH OCCURRENCE \$ 5,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 5,000,000 MED EXP (Any one person) \$ XXXXXXX PERSONAL & ADV INJURY \$ 5,000,000 GENERAL AGGREGATE \$ 6,000,000 PRODUCTS - COM/OP AGG \$ 6,000,000 \$
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input checked="" type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> MCS-90 <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY		Y	MMT H25550328	01/01/2022	01/01/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ XXXXXXX BODILY INJURY (Per accident) \$ XXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXX \$ XXXXXXX
D	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTIONS		Y	XEUG27929242 007	01/01/2022	01/01/2023	EACH OCCURRENCE \$ 15,000,000 AGGREGATE \$ 15,000,000 \$
B A C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NY) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	WLR C68918595 (AOS) WLR C68918558 (AZ, CA & MA) SCF C68918637 (WI)	01/01/2022 01/01/2022 01/01/2022	01/01/2023 01/01/2023 01/01/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH. FER E.L. EACH ACCIDENT \$ 3,000,000 E.L. DISEASE - EA EMPLOYEE \$ 3,000,000 E.L. DISEASE - POLICY LIMIT \$ 3,000,000
A	EXCESS AUTO LIABILITY		Y	XSA H25550286	01/01/2022	01/01/2023	COMBINED SINGLE LIMIT \$9,000,000 (EACH ACCIDENT)

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
BLANKET WAIVER OF SUBROGATION IS GRANTED IN FAVOR OF CERTIFICATE HOLDER ON ALL POLICIES WHERE AND TO THE EXTENT REQUIRED BY WRITTEN CONTRACT WHERE PERMISSIBLE BY LAW. CERTIFICATE HOLDER IS NAMED AS AN ADDITIONAL INSURED ON ALL POLICIES (EXCEPT FOR WORKERS' COMP/EL) WHERE AND TO THE EXTENT REQUIRED BY WRITTEN CONTRACT. ADDITIONAL INSURED IN FAVOR OF WARREN COUNTY, ITS BOARD, OFFICERS AND/OR EMPLOYEES (ON ALL POLICIES EXCEPT WORKERS' COMPENSATION/EL) ON ISO FORM CG 2010 11 85 WHERE AND TO THE EXTENT REQUIRED BY WRITTEN CONTRACT.

CERTIFICATE HOLDER

CANCELLATION

3458648
WARREN COUNTY
C/O WARREN COUNTY ATTORNEY'S OFFICE
1340 STATE ROUTE 9
LAKE GEORGE NY 12645

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



Workers' Compensation Board

CERTIFICATE OF NYS WORKERS' COMPENSATION INSURANCE COVERAGE

<p>1a. Legal Name & Address of Insured (use street address only)</p> <p>Waste Management of New York, LLC 100 Ransier Dr West Seneca, NY 14224</p> <p><i>Work Location of Insured (Only required if coverage is specifically limited to certain locations in New York State, i.e., a Wrap-Up Policy)</i></p>	<p>1b. Business Telephone Number of Insured 860-290-1250</p> <p>1c. NYS Unemployment Insurance Employer Registration Number of Insured 76-0686861</p> <p>1d. Federal Employer Identification Number of Insured or Social Security Number 76-0686861</p>
<p>2. Name and Address of Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder)</p> <p>Warren County 1340 State Route 9 Lake George, NY 12845</p>	<p>3a. Name of Insurance Carrier Indemnity Insurance Co of North America</p> <p>3b. Policy Number of Entity Listed in Box "1a" WLR C68918595</p> <p>3c. Policy effective period 01/01/2022 to 01/01/2023</p> <p>3d. The Proprietor, Partners or Executive Officers are <input checked="" type="checkbox"/> included. (Only check box if all partners/officers included) <input type="checkbox"/> all excluded or certain partners/officers excluded.</p>

This certifies that the insurance carrier indicated above in box "3" insures the business referenced above in box "1a" for workers' compensation under the New York State Workers' Compensation Law. (To use this form, New York (NY) must be listed under Item 3A on the INFORMATION PAGE of the workers' compensation insurance policy). The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed above as the certificate holder in box "2".

The insurance carrier must notify the above certificate holder and the Workers' Compensation Board within 10 days IF a policy is canceled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from the coverage indicated on this Certificate. (These notices may be sent by regular mail.) Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in box "3c", whichever is earlier.

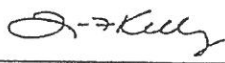
This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This certificate may be used as evidence of a Workers' Compensation contract of insurance only while the underlying policy is in effect.

Please Note: Upon cancellation of the workers' compensation policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of Workers' Compensation Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Workers' Compensation Law.

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has the coverage as depicted on this form.

Approved by: Timothy F. Kelly
(Print name of authorized representative or licensed agent of insurance carrier)

Approved by:  4/7/2022
(Signature) (Date)

Title: CEO/Chairman

Telephone Number of authorized representative or licensed agent of insurance carrier: 713-458-5200

Please Note: Only insurance carriers and their licensed agents are authorized to issue Form C-105.2. Insurance brokers are NOT authorized to issue it.

Workers' Compensation Law

Section 57. Restriction on issue of permits and the entering into contracts unless compensation is secured.

1. The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, and notwithstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any compensation to any such employee if so employed.
2. The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in a hazardous employment defined by this chapter, notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that compensation for all employees has been secured as provided by this chapter.



Workers'
Compensation
Board

CERTIFICATE OF INSURANCE COVERAGE
under the NYS DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

PART 1. To be completed by Disability and Paid Family Leave Benefits Carrier or Licensed Insurance Agent of that Carrier

<p>1a. Legal Name & Address of Insured (use street address only) Waste Management of New York, LLC 215 Varick Avenue Brooklyn, NY 11237</p> <p>Work Location of Insured (Only required if coverage is specifically limited to certain locations in New York State, i.e., Wrap-Up Policy) Waste Management of New York, LLC 100 Rancier Dr. West Seneca, NY 14224</p>	<p>1b. Business Telephone Number of Insured</p> <p>1c. Federal Employer Identification Number of Insured or Social Security Number 36-4206797</p>
--	---

<p>2. Name and Address of Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder) Warren County C/O Warren County Attorney's Office Lake George, NY 12845</p>	<p>3a. Name of Insurance Carrier New York Life Group Insurance Company of NY</p> <p>3b. Policy Number of Entity Listed in Box "1a" NYD074540</p> <p>3c. Policy effective period 1/1/2022 to 1/1/2023</p>
---	--

4. Policy provides the following benefits:

- A. Both disability and paid family leave benefits.
- B. Disability benefits only.
- C. Paid family leave benefits only.

5. Policy covers:

- A. All of the employer's employees eligible under the NYS Disability and Paid Family Leave Benefits Law.
- B. Only the following class or classes of employer's employees:

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has NYS Disability and/or Paid Family Leave Benefits insurance coverage as described above.

Date Signed August 31, 2022 By _____
(Signature of insurance carrier's authorized representative or NYS Licensed Insurance Agent of that insurance carrier)

Telephone Number 1-866-761-4236 Name and Title Underwriting Director

IMPORTANT: If Boxes 4A and 5A are checked, and this form is signed by the insurance carrier's authorized representative or NYS Licensed Insurance Agent of that carrier, this certificate is COMPLETE. Mail it directly to the certificate holder.
If Box 4B, 4C or 5B is checked, this certificate is NOT COMPLETE for purposes of Section 220, Subd. 8 of the NYS Disability and Paid Family Leave Benefits Law. It must be mailed for completion to the Workers' Compensation Board, Plans Acceptance Unit, PO Box 5200, Binghamton, NY 13902-5200.

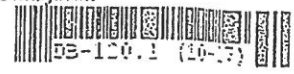
PART 2. To be completed by the NYS Workers' Compensation Board (Only if Box 4B, 4C or 5B of Part I has been checked)
State of New York

Workers' Compensation Board
According to information maintained by the NYS Workers' Compensation Board, the above-named employer has complied with the NYS Disability and Paid Family Leave Benefits Law with respect to all of his/her employees.

Date Signed _____ By _____
(Signature of Authorized NYS Workers' Compensation Board Employee)

Telephone Number _____ Name and Title _____

Please Note: Only insurance carriers licensed to write NYS disability and paid family leave benefits insurance policies and NYS licensed insurance agents of those insurance carriers are authorized to issue Form DB-120.1. Insurance brokers are NOT authorized to issue this form.



Additional Instructions for Form DB-120.1

By signing this form, the insurance carrier identified in Box 3 on this form is certifying that it is insuring the business referenced in box "1a" for disability and/or paid family leave benefits under the New York State Disability and Paid Family Leave Benefits Law. The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed as the certificate holder in Box 2.

The insurance carrier must notify the above certificate holder and the Workers' Compensation Board within 10 days IF a policy is cancelled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from coverage indicated on this Certificate. (These notices may be sent by regular mail.) Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in Box 3c, whichever is earlier.

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This certificate may be used as evidence of a Disability and/or Paid Family Leave Benefits contract of insurance only while the underlying policy is in effect.

Please Note: Upon the cancellation of the disability and/or paid family leave benefits policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of NYS Disability and/or Paid Family Leave Benefits Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Disability and Paid Family Leave Benefits Law.

DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

§220. Subd. 8

(a) The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in employment as defined in this article, and notwithstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand and twenty-one, the payment of family leave benefits for all employees has been secured as provided by this article. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any disability benefits to any such employee if so employed.

(b) The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in employment as defined in this article and notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand eighteen, the payment of family leave benefits for all employees has been secured as provided by this article.

LEASE AGREEMENT – SKI BOWL CONNECTOR TRAIL PARCEL – 2022 - 2023

LEASE AGREEMENT, dated October 30, 2022 (“Lease”) between **THE TOWN OF JOHNSBURG**, a governmental entity, having an address at P.O. Box 7, North Creek, New York 12853 (“the Town”), and **FRONTSTREET MOUNTAIN DEVELOPMENT, LLC**, a Delaware limited liability company, having an address at P.O. Box 142, Darien, CT 06820 (“FrontStreet”).

RECITALS

A. **WHEREAS**, the parties hereto are parties to the Real Estate Agreement (Ski Lift Parcel) dated February 5, 2009 and Amendments relating thereto (“Real Estate Agreement”), which was recorded in 2009 in the Warren County Clerk’s Office, Queensbury, New York;

B. **WHEREAS**, the parties are parties to the Master Agreement dated November 3, 2005 (“Master Agreement”); and

C. **WHEREAS**, pending the completion and construction of the ski trails contemplated by the Master Agreement, the parties wish to allow the Town to use the property described in Exhibit A (the “Ski Bowl Connector Trail Parcel”) subject to the terms of the Real Estate Agreement and subject to the terms of this Lease.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals, the agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

Section 1. Lease.

(a) For a period commencing with the signing of this Lease and ending on October 1, 2023 or until the ski trail construction contemplated under the Master Agreement has been completed, whichever occurs first, FrontStreet will grant to the Town the unlimited use of the Ski Bowl Connector Trail Parcel more fully described in Exhibit A.

(b) During the term of the Lease the Town may make any improvements to the Ski Bowl Connector Trail Parcel as it deems fit with no obligation to return the land to the state which existed prior to the commencement of the Lease.

(c) The rent payable to FrontStreet for the term of the Lease will be one dollar (\$1.00).

Section 2. Indemnity. The Town will be wholly responsible for any claims made by third parties in connection with its use of the Ski Bowl Connector Trail Parcel and will fully indemnify and hold FrontStreet harmless for and against any such claims.

Section 3. Counterparts. This Lease may be executed in any number of counterparts and each such counterpart shall be considered an original and an enforceable agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the day and year first above written.

TOWN OF JOHNSBURG

By: _____

Name:

Title:

**FRONTSTREET MOUNTAIN
DEVELOPMENT, LLC**

By: _____

Name:

Title:

Exhibit A to Lease Agreement

Property to be Leased to the Town of Johnsbury is designated as the “Ski Bowl Connector Trail” on the map entitled “Ski Bowl Park Trail System” which is posted on the Town of Johnsbury Web Site.

Cedarwood - Fall 2022

For landfill post-closure monitoring reports for 2023 we are adjusting the not to exceed rates as follows:

- Routine Sampling Post-Closure Monitoring Report: **\$1,750**
- Baseline Sampling Post-Closure Monitoring Report: **\$2,250**
 - The fee is higher for baseline sampling as there is a lot more data input and evaluation required versus the standard routine sampling events.

This does not cover any laboratory fees which are typically handled between the lab and the respective Town. The fee does cover the following:

- Completion of the post-closure monitoring report and submission to the Town and NYS DEC.
- One site visit per year for a visual inspection of the landfill.
- Coordination with the labs to ensure they sample the correct parameters each year (prior to the sampling event).

Again, these are also not to exceed numbers, so if a landfill report does not require the full time allocated for the above estimate, we would only bill for the time it takes to complete the report (e.g.: If a landfill required reduced parameter sampling which would take less time to input data and interpret/review the analytical data than the full routine or baseline sampling event).



587 East Middle Turnpike P.O. Box 370 Manchester, CT 06040
 Telephone: 860 645 1102 Fax: 860 645 0823

Quote #: CE101722BA

Date: 10/17/22

Effective: 01/01/23

Town of Chestertown

Parameter	Frequency	# of GW samples	# of SW samples	Price Per Sample	Total Cost
Routine analysis	Annual	3	1	\$ 190.00	\$ 760.00
RDissMetals	Annual	3	1	\$ 60.00	\$ 240.00
Baseline 1988 Parameters	Annual	3	1	\$ 325.00	\$ 1,300.00
Baseline 1993 Parameters	Annual	3	1	\$ 325.00	\$ 1,300.00
Dissolved Baseline 1988 Metals	Annual	3	1	\$ 140.00	\$ 560.00
Dissolved Baseline 1993 Metals	Annual	3	1	\$ 140.00	\$ 560.00
Sampling Fee	Annual	3	1	\$ 60.00	\$ 240.00
Environmentally Responsible Waste Disposal Fee	Annual	3	1	\$ 2.00	\$ 8.00
Total =					\$ 4,968.00

Town of Hague

Parameter	Frequency	# of GW samples	# of SW samples	Price Per Sample	Total Cost
Routine analysis	Annual	3	0	\$ 190.00	\$ 570.00
RDissMetals	Annual	3	0	\$ 60.00	\$ 180.00
Gas monitoring	Annual		13	\$15.00/location	\$ 195.00
Sampling Fee	Annual	3	0	\$ 60.00	\$ 180.00
Environmentally Responsible Waste Disposal Fee	Annual	3	0	\$ 2.00	\$ 6.00
Total =					\$ 1,131.00

Town of Horicon

Parameter	Frequency	# of GW samples	# of SW samples	Price Per Sample	Total Cost
Routine analysis	Annual	3	0	\$ 190.00	\$ 570.00
RDissMetals	Annual	3	0	\$ 60.00	\$ 180.00
Sampling Fee	Annual	3	0	\$ 60.00	\$ 180.00
Environmentally Responsible Waste Disposal Fee	Annual	3	0	\$ 2.00	\$ 6.00
Total =					\$ 936.00

Town of Johnsburg

Parameter	Frequency	# of GW samples	# of SW samples	Price Per Sample	Total Cost
Routine analysis	Annual	3	0	\$ 190.00	\$ 570.00
RDissMetals	Annual	3	0	\$ 60.00	\$ 180.00
Baseline 1988 Parameters	Annual	3	0	\$ 325.00	\$ 975.00
Baseline 1993 Parameters	Annual	3	0	\$ 325.00	\$ 975.00
Dissolved Baseline 1988 Metals	Annual	3	0	\$ 140.00	\$ 420.00
Dissolved Baseline 1993 Metals	Annual	3	0	\$ 140.00	\$ 420.00
Sampling Fee	Annual	3	0	\$ 60.00	\$ 180.00
Environmentally Responsible Waste Disposal Fee	Annual	3	0	\$ 2.00	\$ 6.00
Total =					\$ 3,726.00

Town of Lake Luzerne

Parameter	Frequency	# of GW samples	# of SW samples	Price Per Sample	Total Cost
Routine analysis	Annual	3	0	\$ 190.00	\$ 570.00
RDissMetals	Annual	3	0	\$ 60.00	\$ 180.00
Gas monitoring	Annual		42	\$15.00/location	\$ 630.00
Sampling Fee	Annual	3	0	\$ 60.00	\$ 180.00
Environmentally Responsible Waste Disposal Fee	Annual	3	0	\$ 2.00	\$ 6.00
Total =					\$ 1,566.00

Town of Stony Creek

Parameter	Frequency	# of GW samples	# of SW samples	Price Per Sample	Total Cost
Routine analysis	Annual	3	0	\$ 190.00	\$ 570.00
RDissMetals	Annual	3	0	\$ 60.00	\$ 180.00
Sampling Fee	Annual	3	0	\$ 60.00	\$ 180.00
Environmentally Responsible Waste Disposal Fee	Annual	3	0	\$ 2.00	\$ 6.00
Total =					\$ 936.00



587 East Middle Turnpike P. O. Box 370 Manchester, CT 06040
 Telephone: 860 645 1102 Fax: 860 645 0823

Quote #: CE101722BA

Date: 10/17/22

Effective: 01/01/23

Town of Thurman

Parameter	Frequency	# of GW samples	# of SW samples	Price Per Sample	Total Cost
Routine analysis	Annual	3	0	\$ 190.00	\$ 570.00
RDissMetals	Annual	3	0	\$ 60.00	\$ 180.00
Gas monitoring	Annual		28	\$15.00/location	\$ 420.00
Sampling Fee	Annual	3	0	\$ 60.00	\$ 180.00
Environmentally Responsible Waste Disposal Fee	Annual	3	0	\$ 2.00	\$ 6.00
Total =					\$ 1,356.00

Town of Warrensburg

Parameter	Frequency	# of GW samples	# of SW samples	Price Per Sample	Total Cost
Routine analysis	Annual	1	2	\$ 190.00	\$ 570.00
RDissMetals	Annual	1	2	\$ 60.00	\$ 180.00
Baseline 1988 Parameters	Annual	1	2	\$ 325.00	\$ 975.00
Baseline 1993 Parameters	Annual	1	2	\$ 325.00	\$ 975.00
Dissolved Baseline 1988 Metals	Annual	1	2	\$ 140.00	\$ 420.00
Dissolved Baseline 1993 Metals	Annual	1	2	\$ 140.00	\$ 420.00
Sampling Fee	Annual	1	2	\$ 60.00	\$ 180.00
Environmentally Responsible Waste Disposal Fee	Annual	1	2	\$ 2.00	\$ 6.00
Total =					\$ 3,726.00

Notes:

Standard reporting with a (7-10) working day turnaround time will be provided.

Pricing is valid for one year.

\$775 SAFETY ALLOTMENT

OBJECTIVE The addendum below is to help the employee use their Safety Allotment money with no out of pocket cost, a total amount of \$775 each year, to be used solely for dental, eyecare, work shoes, safety equipment, protective clothing and / or prescription drug expenses.

ADDITION You will be able to go to the participating businesses and bill safety equipment directly to the town.

COMPANY NAMES **SEE ATTACHED APPENDIX A – MAY BE UPDATED BY BOOKKEEPER OR SAFETY OFFICER**

EMPLOYEE LIST **UP TO DATE EMPLOYEE LIST HAS BEEN GIVEN TO ABOVE LOCATIONS**
The town Safety Officer will be responsible for making the changes to the employee list and getting them out to participating locations. The employee will also be required by the above locations to present ID before being allowed to make charges to the town.

EMPLOYEE RESPONSIBILITY Receive a copy of your receipt and turn it into the town Bookkeeper or Safety Officer for fund tracking. Any overspending above the annual calendar year amount of \$775 is the employee's responsibility. Employees who over-spend will be asked to reimburse the town for the amount over-spent. Non-compliance with this request may result in disciplinary action.

HOW IT WORKS The employee will use their name as a PO# when charging items to the town. This can only be done at the businesses listed on Appendix A.
Employee will retain the receipt showing item purchased and total amount, making certain taxes were not charged.
Employee will turn receipt in to the town Book Keeper, who will track balances and provide quarterly reports.
The employee or their supervisor can request their balance at any time through the Bookkeeper. The employee will be responsible for over spending. That will be an out of pocket cost to them.
The business will then send a bill directly to the town hall.

NOTICE **COMPANIES NOT IN THE BILLING PROGRAM**
Previous guidelines are to be followed with the reimbursement process if the employee purchases from a company that is not listed above. If the employee would like to have a new business on the direct billing program, the employee should forward contact information for that business to the Safety officer or Town Hall and they will follow up.
The employee has until the end of December to use their Safety Allotment but it is preferred if they can use it by December 1st for record keeping.

Appendix A to Employee Handbook – Participating Companies, Safety Allotment

BRALEY NOXON HARDWARE
FAMILY FOOTWEAR
SAFETY WAREHOUSE
SUPER SHOES
TRACTOR SUPPLY
WALKERS FARM, HOME AND TACK



TOWN OF JOHNSBURG

Zoning Enforcement

219 Main Street, North Creek, NY 12853

Phone: (518) 251-2421 ~Fax: (518) 251-9991

11/10/2022

Attention:

Town Board members of the Town of Johnsburg, NY

Warren County Office of Emergency Services are requesting that the Town approve a resolution to officially name (3) roads in the town of North Creek. These roads are on private property and will remain private roads, not Town maintained. The property owner has named these roads, see below list. The roads/location were defined with guidance from the Office of Emergency Services. Attached is an image of the tax map with the roads in question color coated.

The owner has approved this request, his signature below.

Property tax map: 66.-1-49.2 (19 acres)

(Red) Airport Rd

(Blue) Skytrain Rd

(Yellow) Maverick Rd

Print: Ryan Whitson

Sign: Ryan Whitson Date 11/13/22
Member, RAJRE LLC

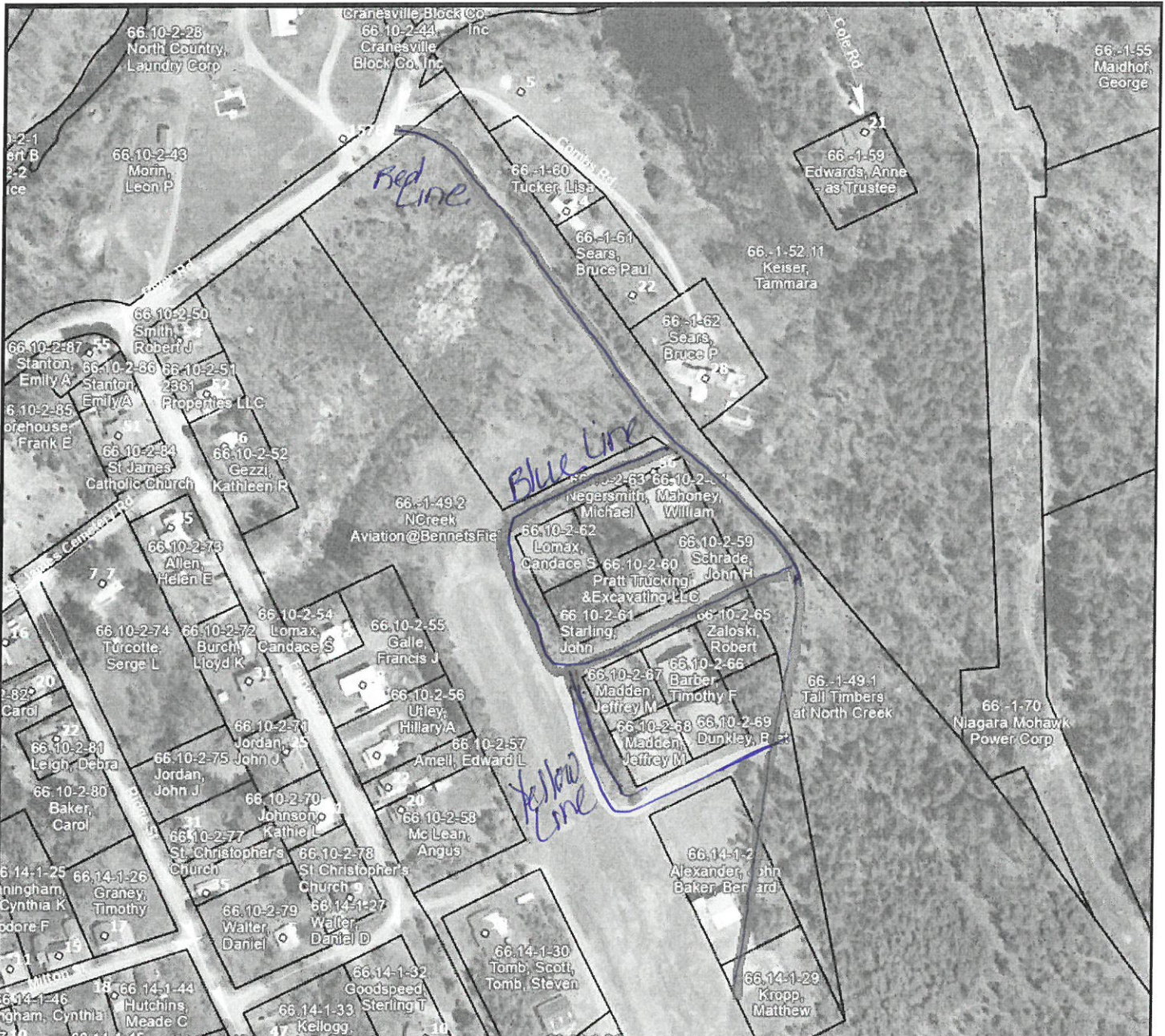


TOWN OF JOHNSBURG

Zoning Enforcement

219 Main Street, North Creek, NY 12853

Phone: (518) 251-2421 ~Fax: (518) 251-9991



Above map provided by Warren County Office of Emergency Services

Town of Lake Luzerne
Town Board Meeting
February 14, 2022
7:00 pm

Resolution No. 32 of 2022 – Resolution naming Private Road

RESOLVED, pursuant to Town Law Section 64(9) the Town Board hereby names the private road on the Warren County Tax Map Id Parcel No. 318.-1-26 as "Storage Building Drive Extension."

Introduced by Councilman Lewandowski, **Seconded by** Councilman Niles. All in favor, none opposed.
Carried 4/0.

SAMPLE

From: zeo johnsburgny.com
Sent: Thursday, November 10, 2022 2:47 PM
To: Ryan Whitson
Cc: townclerk johnsburgny.com
Subject: Airport Road naming (Whitson)
Attachments: airport.rd.whitson.request.letter.docx; Resolution No. 32 of 2022 Private Road naming.docx

Jean,
Ryan Whitson (copied) is the new owner of the Bennets airfield property. The Warren County Office of Emergency Services won't provide him with a 911 address because "Airport Road" was never officially named. Upon further inspection, they are requesting that two other roads be named on the property. We're requesting a Town Resolution be presented to the Board to make it official. I'm going to have Ryan sign the attached document...can you confirm that this will be acceptable for this request? I can make changes if needed. I've also attached a sample resolution for naming of roads...the County provided it as an example, just for your review.
Ryan, as long as Jean doesn't have any issues with this document, can you print/sign the first page and email it back to us?
Thanks to all, -Colin

Colin Mangan
Zoning Enforcement Officer
Town of Johnsbury
219 Main Street
North Creek, NY 12853
zeo@johnsburgny.com
O. 518-251-8203
M. 518-545-7433
www.johnsburgny.com



TOWN OF JOHNSBURG

Zoning Enforcement

219 Main Street, North Creek, NY 12853

Phone: (518) 251-2421 ~ Fax: (518) 251-9991



Above map provided by Warren County Office of Emergency Services



TOWN OF JOHNSBURG

Zoning Enforcement

219 Main Street, North Creek, NY 12853

Phone: (518) 251-2421 ~Fax: (518) 251-9991

11/10/2022

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The owner has approved this request, his signature below.

Property tax map: 66.-1-49.2 (19 acres)

(Red) Airport Rd

(Blue) Skytrain Rd

(Yellow) Maverick Rd

Print: _____

Sign: _____ Date _____

**Town of Johnsburg Historian
September-October 2022
Report to Town Board**

<u>Numerical Report</u>	<u>Bi-Month</u>	<u>Year</u>
Office Visitors:	2	5
Inquiries:	6	40
Municipal meetings attended: (Town)	4	18
Exhibits:	1	2
School Classroom Lectures/Presentations:		

Historical Research:

APNYS Region 5 Coordinator held a meeting on May 6th which I was unable to attend. The focus was on the 250th Anniversary (2026?) of the American Revolution. The NYS Historian Devin Lander has asked that we gather information about the American Revolution as it relates to our towns. Although, Johnsburg does not have a lot of history with this, there are Revolutionary soldiers buried here and I will focus on them. At our Warren County Municipal Historians' meeting John Berry, Queensbury Historian, was approved as the leader and he provided names of Revolutionary soldiers who are buried in each town. *Continuing.*

Researching Johnsburg hotels and lodging over the years for Warren County Planning for website, Amanda Beck contact. I've shared photos and information with her. Nothing in July or August but this is *continuing.*

Historical Publications & Exhibits:

On September 10th for Johnsburg History Weekend I arranged an exhibit of "old time crafters" with David Newkirk making corn brooms, Alonzo Conlon with his hay rakes, a treadle sewing machine on display and samplings of "Johnsburgh Red (or Brown) paint.

Historical Events/Celebrations:

The Town of Johnsburg History Weekend was held September 9-11. I participated in all of the events; Waddell House historic marker installation, my exhibit above, the Gem Radio graveyard walk, and the T. Roosevelt reception on Sunday.

Historical Preservation Projects:

Cemeteries: This spring, I presented a list of cemeteries and burial sites in the Town of Johnsburg to the Town Board and discussed some concerns about them especially the need for a fence at the north end of the Wevertown Cemetery. Nothing was decided but Supervisor Andrea Hogan and I met via Zoom on June 3rd and talked about the possibilities at the Wevertown Cemetery. We will continue to discuss, research, review the NYS cemetery law, and bring suggestions forward about this cemetery. The last burial there was 1936. This cemetery has someone from the American Revolution, War of 1812, Civil War, and WWI buried there. This may be a focus for the 250th anniversary of the Revolution, since Johnsburg did not exist and to my knowledge no Revolutionary activities took place here. There are four Revolutionary soldiers buried in the town.

I have discovered that a survey was completed on the Hack Cemetery in the 1890's. I will contact the county to see if it is on file. I will also ask about other maps that may help us with the cemeteries. *Pending.*

We, the Johnsburg Cemetery Volunteers, use Facebook and email to share times and places we will be working. Sharon and Ken Hammond continue to work at Union Cemetery. The key members of the Johnsburg Cemetery Volunteers are me, Sharon & Ken Hammond, Ron & Kathy Allen, and Iva Loomis. We have ordered and received the tripod approved by the town and will begin work again in the spring of 2023.

**Town of Johnsborg Historian
September-October 2022
Report to Town Board**

Heritage/Tourism Projects:

I am working with JHS as the Town Historian on research and as Treasurer of JHS to get the house/museum ready for opening hopefully in 2023.

Conferences/Workshops/Webinars Attended:

Sept. 9: Warren County Municipal Historians' meeting arranged by Warren County Historian, Stan Cianfarano. The upcoming 250th Anniversary in 2026 of the American Revolution, Revolutionary War burial sites, the county cemetery project, and various historians' activities were discussed.

Sept. 19-21: Association of Public Historians of NYS (APHNYS) annual conference (via Zoom).

Oct. 28: Tour of the genealogical and local history section of the NYS Research Library in Albany.

Inquiries:

September:

Jim Ross of Texas requested a meeting to review his wife's (Enid Lackey) ancestors (Lackey, Fuller, Bartman, Smith) who lived in Johnsborg. We met in October and they were able to see the files and take photos of the photos and information relating to her ancestors. This Jim Ross has no known connection to the Jim Ross of Johnsborg.

Stan Cianfarano, Warren County Historian, requested an historic photo from each Warren County historian for a 2023 calendar that is planned. I sent one of "Tally Ho" at Riverside.

Stan also asked us for 5 important historic dates. I sent the following:

1805 - Johnsborg becomes a town. Named after John Thurman.

1871 - Completion of the sixty-mile line of train track that brought the railroad from Saratoga Springs to North Creek. Dr. Thomas Durant held the Adirondack Railroad Company charter.

1878 - The beginning of garnet mining on Gore Mountain.

1893 - Discovery of the Johnsborg Paint Beds by D. M. Haley.

1934 - March, Reverend J. F. McMahon, priest of St. James Catholic Church at North Creek, agreed to purchase the property that would become the North Creek Ski Bowl. The agreement was that the Town of Johnsborg would purchase the property from him. This happened in November 1935. The deed gave ownership to the North Creek Park District.

October:

Met with Mary Sue McCarthy and worked with her on her Dennis McCarthy ancestors.

Franklin Bennett asked for information leading to proof of his grandmother, Charlotte Harvey's third marriage. I could not find anything.

Susan Post who is writing a book asked for information on North River. Her grandfather was Fred J. Harrison who worked for Barton's Mines and then started a gravel pit off 13th Lake Road and went into business for himself.

I am still working on this. I have found some of what she wants.

**Town of Johnsbury Historian
September-October 2022
Report to Town Board**

Research/Items received from others:

Ginney Linden whose Putraw family lived in North River in 1908 has been sending photos of the area and the Putraw home, plus family information to me.

Raymond Flanigan has sent information about Father McMahon to me.

Greg Schaefer shared a story from 1925-1928, "It Happened in North Creek", written by Mary E. Flanigan Nolan.

Joann Morehouse gave me old newspaper clippings and papers plus some photos.

Other:

Andrea and I met and discussed the condition of the records room and whether the records are treated properly, how to know what should be with the Town Clerk and which should be with the Historian. We also discussed the possibility of applying for a NYS Local Government Records grant. Jean Comstock and I talked about this at the beginning of the year and have been tracking the temperature and humidity in the records room. I found information on the NYS Archives website defining what records belong where. I will start with this. We also reached out to the county historian and the Town of Lake George supervisor and the historian. LG town and village received a grant to improve their shared records room.

The Geneseo History Department sent a letter looking for placement for interns. I have not followed up on this.

Plans for 2022:

Respond to all inquiries and requests. Ongoing.

Continue work and research on the cemeteries.

Complete an inventory of the historian's records, books, and files.

Continue to monitor The History Mapper Project by Warren County Planning/GIS for updates, additions.

Help the Johnsbury Historical Society, Depot Museum Society, Warren County Historical Society, GEM Radio Theatre, with projects as much as is reasonable.

Update the Historian's bulletin board in the library.

Respectfully submitted November 14, 2022.

Deana Wood, Historian

TOWN OF JOHNSBURG

Abstract # 016
Summary by Fund

11/15/2022
13:45:26

Code	Fund	Prepays	Unpays	Totals
A	GENERAL FUND	7,385.23	30,205.46	37,590.69
DA	HIGHWAY FUND		65,166.87	65,166.87
L	LIBRARY FUND		1,180.05	1,180.05
SW	WATER DISTRICT	1,018.86	1,200.00	2,218.86
TA	TRUST AND AGENCY	257.28		257.28
Total:		8,661.37	97,752.38	106,413.75

ABSTRACT OF AUDITED VOUCHERS

GENERAL FUND

TOWN OF JOHNSBURG

Page 1 of 9

WARREN COUNTY, NEW YORK

DATE OF AUDIT: 11/15/2022

NUMBER 016

TOTAL CLAIMS: \$106,413.75

To the Supervisor:

I certify that the vouchers listed on this Abstract were audited by the Town Board on the above date and allowed in the amounts shown. You are hereby authorized to pay to each of the claimants the amount opposite their name.

Date

Town Clerk/Comptroller

Voucher #	Claimant/Invoice/Description	Account #	Amount	Check
804	HIGHMARK BLUE SHIELD OF NE NY 222980000056/Billing Period 11/01/22-11/30/22	A9060.8	1,187.28	10164 11/16/2022
805	National Grid 11/18/22/51552-94102 Outdoor lighting services	A5182.4	3,229.07	10165 11/16/2022
806	North Creek Water Department 2022/Balance due for 2022 Water Fees	A1620.4	85.00	10166 11/16/2022
807	National Grid 11/22/53088-24101 10/4-11/3 NC Wevertown Rd	A1620.4	33.17	10215 11/08/2022
807	National Grid 11/22/76640-33100 10/3-11/2 Main Street	A1620.4	21.02	10215 11/08/2022
807	National Grid 11/22/41088-24106	A1620.4	31.70	10215 11/08/2022
807	National Grid 11/22/76440-34110 10/3-11/2 HWY Garage	A1620.4	366.96	10215 11/08/2022
807	National Grid 11/22/23240-34104 10/5-11/3 8 Peqaceful Valley Road	A1620.4	94.13	10215 11/08/2022
807	National Grid 11/22/13591-40043 10/4-11/27 21 RR Place	A1620.4	474.32	10215 11/08/2022
807	National Grid 11/22/18840-34101 10/3-11/2 Senior Citizens	A1620.4	472.73	10215 11/08/2022
807	National Grid 11/22/20640-34119 10/3-/11/2 Landfill	A1620.4	219.48	10215 11/08/2022
807	National Grid 11/22/20688-24100 105-11/3 2370 St Rt 28	A1620.4	62.72	10215 11/08/2022
807	National Grid 11/22/18750-39018 10/3-11/2 228 Main Street TP	A1620.41	1,107.65	10215 11/08/2022
808	W. B. Mason Co. Inc. STMT50136221/folders/legal pads	A1430.4	11.75	
815	Freebern, Roxanna 10/18/22/Warren County Inspector for Special Sewer Election	A4010.4C	97.50	
816	Dwyer, Shannon 10/18/22/Warren County Inspector for Special Sewer Election	A4010.4C	97.50	
817	The Post Star 10/23/22Ad for Parks/Rec Director	A1410.4	336.35	

ABSTRACT OF AUDITED VOUCHERS

GENERAL FUND

TOWN OF JOHNSBURG

Page 2 of 9

WARREN COUNTY, NEW YORK

DATE OF AUDIT: 11/15/2022

NUMBER 016

TOTAL CLAIMS: \$106,413.75

Voucher #	Claimant/Invoice/Description	Account #	Amount	Check
817	The Post Star 11/5/22/Public Hearing Local Law #4	A1410.4	38.05	
817	The Post Star 10/11/22/Legal Ad - Public Hearing - Prelim. Budget	A1410.4	38.95	
818	SLIC Network Solutions, INC. 3234035/Internet/equipment charges	A1620.4	124.48	
818	SLIC Network Solutions, INC. 3235354/basic charges/toll charges	A1620.4	217.98	
819	Gore Mountain Seniors 11/22/art class; dinner theater; boat trip; insurance ..	A6772.4	4,063.59	
820	Warren County Treasurer 11/9/22/9 - installs for anti-virus	A1430.4	49.05	
821	Janet Konis 11/9/22/SCAR Reimbursement	A1355.41	30.00	
826	APHNYS 11/10/22/2023 Dues	A7510.4	40.00	
827	DANAE TUCKER 10/1/22/invisalign payment	A9089.8	73.50	
827	DANAE TUCKER 9/1/22/Invisalign payment	A9089.8	201.50	
828	Office of State Comptroller 9/2022/Court Distribution Statement	A690	520.00	
830	Edmunds GovTech, Inc. 23-IN1836/Tax portal maintenance/licensing, ...	A1410.4	2,415.00	
831	Sun Community News 323231/PH - prelim. budget	A1410.4	35.02	
831	Sun Community News 323229/PH - planning board - railroad place	A8020.4	27.71	
834	Letitia Williams 11/9/22/To county to deliver back-up	A1355.4	37.50	
834	Letitia Williams 10/28/22/lunch for WCAA	A1355.4	34.24	
834	Letitia Williams 8/31/22/data collection of C/O's	A1355.4	4.19	
834	Letitia Williams 10/28/22/county-mail; mtg of WCAA	A1355.4	37.50	
835	DEANA WOOD 10/28/22/round trip to Albany NYS Library Tour	A7510.4	105.74	
837	Braley & Noxon Warrensburg 10/28/22/Buildings Invoices	A1620.4	755.38	
837	Braley & Noxon Warrensburg 10/1/22/Parks Invoices	A7110.4	27.32	

ABSTRACT OF AUDITED VOUCHERS

GENERAL FUND

TOWN OF JOHNSBURG

Page 3 of 9

WARREN COUNTY, NEW YORK

DATE OF AUDIT: 11/15/2022

NUMBER 016

TOTAL CLAIMS: \$106,413.75

Voucher #	Claimant/Invoice/Description	Account #	Amount	Check
851	Andrea Hogan 12/1/22/Phone reimbursement	A1220.4	25.00	
852	Matt Olden 12/1/22/Phone reimbursement	A7110.4	25.00	
853	David Cavanagh 12/1/22/Phone Reimbursement	A1110.4	25.00	
854	Colin Mangan 12/1/22/Phone reimbursement	A8010.4	25.00	
855	Joann Morehouse 12/1/22/Phone reimbursement	A1430.4	25.00	
856	Jim Jones Excavating 11/13/22/Dumpster rental	A7110.4	1,317.00	
858	WALKER'S FARM, HOME & TACK 0140015500/Matt Olden allotment - Jeans	A9089.8	209.96	
859	FAMILY FOOTWEAR CENTER 430549/Matt Olden - Allotment - Boots	A9089.8	359.98	
860	First National Bank of Omaha 12/1/22 5477256126863944/Go Daddy monthly hosting fee 10/28	A1430.4	10.99	
860	First National Bank of Omaha 12/1/22 5477256126863944/Ollies - First Aid Kits 10/5/22	A1620.4	79.92	
861	Staples Advantage 3522349665/laptop case	A3010.4C	29.84	
862	Quill 28819114/post it, tape	A1430.4	32.57	
862	Quill 28806788/pens	A1430.4	4.79	
863	Waste Management Corporate Ser 7470-4791-8Disposal fees for C&D	A8160.4	1,641.14	
864	Casella Waste Services 2406589/Hauling fees for C&D containers	A8160.4	1,125.00	
864	Casella Waste Services 2404452/Hauling fees for containers at landfill	A8160.4	825.00	
865	TC Murphy Lumber Co. 10/13/22/Numbers for the 911 address at Town Hall	A1620.4	7.47	
866	Tolls by Mail Payment Processg 17817421237/tolls	A5010.4	6.14	
866	Tolls by Mail Payment Processg 17795973631/Tolls to pick up trailer	A5010.4	27.90	
867	Main Care Energy 11-1-22-4/MC Wingerguard 88 Ski Bowl (Highway)	A1620.4	1,386.67	
867	Main Care Energy 11-1-22-3/MC Winterguard 219 Main St. (Town Hall)	A1620.4	767.65	

ABSTRACT OF AUDITED VOUCHERS

GENERAL FUND

TOWN OF JOHNSBURG

Page 4 of 9

WARREN COUNTY, NEW YORK

DATE OF AUDIT: 11/15/2022

NUMBER 016

TOTAL CLAIMS: \$106,413.75

Voucher #	Claimant/Invoice/Description	Account #	Amount	Check
867	Main Care Energy 11/1/22/UCHO - 2370 State Route 28 (Wevertown)	A1620.4	558.15	
867	Main Care Energy 11/1/22-1/UCHO - 4 Peaceful Valley (Parks)	A1620.4	251.26	
867	Main Care Energy 11/1/22-2/UCHO - 4 Peaceful Valley (Scout Hall)	A1620.4	146.73	
868	North Creek Postmaster 11/4/22-5/4 rolls - Court	A1110.4	240.00	
868	North Creek Postmaster 11/4/22-2/26 rolls - Assessor	A1355.4	1,560.00	
868	North Creek Postmaster 11/4/22/100 rolls - Clerk/Taxes	A1410.4	6,000.00	
868	North Creek Postmaster 11/4/22-3/60 rolls - General	A1430.4	3,600.00	
868	North Creek Postmaster 11/4/22-4/1 roll - ZEO	A8010.4	60.00	
869	Jean Comstock 11/1/22/Final Budget to County	A1430.1	37.50	
869	Jean Comstock 11/15/22/Special Election Certification to BOE & County	A1430.1	37.50	
869	Jean Comstock 11/8/22/Election Balltot to County BOE	A1430.1	37.50	
870	Johnsburg Emergency Services 6/9/22/CPR (7)	A1430.4	175.00	
870	Johnsburg Emergency Services 10/14/22/CPR (3)	A1430.4	75.00	
870	Johnsburg Emergency Services 8/2/22/CPR (2)	A1430.4	50.00	

ABSTRACT OF AUDITED VOUCHERS

HIGHWAY FUND

TOWN OF JOHNSBURG

Page 5 of 9

WARREN COUNTY, NEW YORK

DATE OF AUDIT: 11/15/2022

NUMBER 016

TOTAL CLAIMS: \$106,413.75

Voucher #	Claimant/Invoice/Description	Account #	Amount	Check
809	A&D Autobody Supply, Inc 255316/Thane paint/act for F150	DA5130.4	539.00	
810	Tractor Supply Credit Plan 10/27/22/underbody tool box for tandem	DA5130.4	299.99	
811	VI Enterprises 10/4/22 - 10/31-22/synthetic oil/lube/solvent/filters/vbelt/seals/col	DA5130.4	1,037.51	
812	Albany Steel Inc 707102/W8 x 13A 992 14'-0"	DA5130.4	287.06	
813	Fastenal Company NYSOU187512/misc. nuts/bolts/locks	DA5130.4	448.45	
814	Benjamin Gadway 8/7/22/safety glasses	DA9089.8	10.99	
814	Benjamin Gadway 7/5/22/repair of boots	DA9089.8	80.75	
814	Benjamin Gadway 5/8/22/Steel Toe Boots	DA9089.8	152.99	
814	Benjamin Gadway 5/3/22/Doctor co-pay	DA9089.8	50.00	
814	Benjamin Gadway 4/22/22/Doctor co-pay	DA9089.8	25.00	
822	JMT of New York Inc. 2-103906/Labor for Sept. 2022 (9/6-9/30)	DA5110.4	5,332.50	
823	Warren Tire Service 76502/4 - studded snow tires; 4 dura trac tires	DA5130.4	997.48	
824	Peckham Materials Corp 1020235/3 loads to repair culverts/ Type 6 6.52 tons	DA5110.4	451.52	
825	Rob Smith 11/8/22/Pharmacy/specialty co-pay	DA9089.8	72.64	
829	Mountain Medical Services PLLC 15413K1798/4 drug screens/1 alcohol screen	DA5110.4	286.00	
832	Chemung Supply Corporation 19750/heavy duty blade (3)	DA5142.4	988.77	
832	Chemung Supply Corporation 19751/cutting edges for 11' plow & wing; inc. hardware	DA5142.4	2,919.13	
833	Montage Enterprises 96564/idler bearing; pulley; arm; spring; turnbuckle	DA5130.4	465.84	
833	Montage Enterprises 99929/seals; bearing adapter;	DA5130.4	555.85	
836	Allegiance Trucks 8/30/22 - 10/27/22/fluids; brake chamber;brake shoes; horn; pump; f	DA5130.4	2,518.61	
837	Braley & Noxon Warrensburg 57255,57264,57282,57516/bushing; connector; bolts;tap & die set;	DA5130.4	123.95	

ABSTRACT OF AUDITED VOUCHERS

HIGHWAY FUND

TOWN OF JOHNSBURG

Page 6 of 9

WARREN COUNTY, NEW YORK

DATE OF AUDIT: 11/15/2022

NUMBER 016

TOTAL CLAIMS: \$106,413.75

Voucher #	Claimant/Invoice/Description	Account #	Amount	Check
838	Noble Gas Solutions 10/31/22/tank rental (days)	DA5130.4	18.71	
839	Capital Tractor Inc PG61404/bolt blade; lock washer; nut slot	DA5130.4	100.38	
840	MDI Truck 68774/bushing kit	DA5130.4	253.73	
841	Anderson & Son Speciality 1520/1/4" x 12" x 8' steel	DA5130.4	125.00	
842	Emerald Equipment Systems Inc 0116783-IN/6' x 4' side screen for screen plant	DA5130.4	446.70	
843	Chestertown Truck & Auto Suppl 10/25/22/work lights; mud flap; bulbs	DA5130.4	120.14	
857	YACANO ENTERPRISES LLC 263/2014 New Holland Tractor Purchaser	DA5130.2	42,000.00	
860	First National Bank of Omaha 12/1/22 5477256126863944/OPUS Inspection Computer 10/28/22	DA5130.2	1,695.00	
871	Kenneth Mulvey 11/12/22/Eye exam reimbursement	DA9089.8	100.00	
872	Northern Supply, INC 110340/armored carbide edges (3)	DA5142.4	2,420.00	
873	Lake George Auto and Marine 299466/299469/299470/Brake chambers (2); combo 3 stroke	DA5130.4	243.18	

ABSTRACT OF AUDITED VOUCHERS

LIBRARY FUND

TOWN OF JOHNSBURG

Page 7 of 9

WARREN COUNTY, NEW YORK

DATE OF AUDIT: 11/15/2022

NUMBER 016

TOTAL CLAIMS: \$106,413.75

Voucher #	Claimant/Invoice/Description	Account #	Amount	Check
844	Southern ADK Library System 2022-9 JBG/Automation fee	L7410.4	452.34	
845	Midwest Tape 502761327/502761329 .../8 DVD	L7410.4	164.91	
846	Baker & Taylor 2037049830/2037082027/13 Books	L7410.4	221.89	
847	Gale/Cengage Learning 79454192/79520472/3 Large Type Books	L7410.4	74.39	
848	Brodart Co. 612523/2 book processing supplies	L7410.4	93.41	
849	Carrie Mason 113-7750087-1479408/Halloween Supplies	L7410.4	51.28	
849	Carrie Mason 111-0325439-2569841/Halloween supplies	L7410.4	21.38	
849	Carrie Mason 114-8446996-2605013/laminating sheets	L7410.4	51.36	
849	Carrie Mason 114-4185228-8611430/Halloween Supplies	L7410.4	5.34	
850	Sun Community News 10/10/22/Help Wanted Ad	L7410.4	43.75	

ABSTRACT OF AUDITED VOUCHERS

WATER DISTRICT

TOWN OF JOHNSBURG

Page 8 of 9

WARREN COUNTY, NEW YORK

DATE OF AUDIT: 11/15/2022

NUMBER 016

TOTAL CLAIMS: \$106,413.75

Voucher #	Claimant/Invoice/Description	Account #	Amount	Check
807	National Grid 11/22/69840-33101 10/3-11/2 88 Ski Bowl RD Well #4	SW8320.4	450.20	10215 11/08/2022
807	National Grid 11/22/27331-38006 10/3-11/2 NC Water Dist -Well 5&6	SW8320.4	394.53	10215 11/08/2022
807	National Grid 11/22/71240-34105 10/4-11/2 Peacefil Valley RD Pump	SW8320.4	22.15	10215 11/08/2022
807	National Grid 11/22/16888-24107 10/3-11/2 Main Street Pump	SW8320.4	151.98	10215 11/08/2022
868	North Creek Postmaster 11/4/22-1/20 rolls - Water Clerk	SW8320.4	1,200.00	

ABSTRACT OF AUDITED VOUCHERS

TRUST AND AGENCY

TOWN OF JOHNSBURG

Page 9 of 9

WARREN COUNTY, NEW YORK

DATE OF AUDIT: 11/15/2022

NUMBER 016

TOTAL CLAIMS: \$106,413.75

Voucher #	Claimant/Invoice/Description	Account #	Amount	Check
70	Warren County Sheriff PR #23/Court Case #334/07 Case 14000054 PR23	TA36	164.00	9792 11/07/2022
71	NYS Child Support Processing PR#23/BF47418A3 PR#23	TA49	56.00	9793 11/07/2022
72	Empire Blue Cross 0202211701684/12/1/22-1/1/22	TA27	37.28	9794 11/08/2022

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DISTRIBUTED OR MADE AVAILABLE TO THE PUBLIC OR MADE PART OF ANY PUBLIC RECORD -
IT IS NOT SUBJECT TO DISCLOSURE UNDER THE FREEDOM OF INFORMATION LAW (FOIL)

MEMORANDUM

TO: Andrea Hogan, Supervisor
Jean Comstock, Town Clerk

FROM: Miller, Mannix, Schachner & Hafner, LLC, Bond Counsel

RE: North Creek Sewer District - Bond Financing

DATE: November 15, 2022

VIA E-MAIL

We attach (1) the Final Order for the North Creek Sewer District and (2) the Bond Resolution authorizing financing for the North Creek Sewer District for the Town Board to consider at its meeting tonight. Please provide copies to the other Town Board members. ***The Bond Resolution needs four votes to be successfully adopted*** (which is why we draft this Resolution to show a roll call vote). This Resolution is not subject to permissive referendum.

We also attach the Estoppel Notice and Summary of Bond Resolution which needs to be published in the Town's official newspapers.

Jean, before the Town Board considered and adopts the Final Order, you need to attach as Schedule A the same Schedule A that was attached to the Order Setting Public Hearing (Resolution #22-110 adopted on 6/21/22). The District boundary must be part of the Final Order. The Final Order should be adopted first.

Please let us know: (1) if the Bond Resolution is passed and (2) when the Estoppel Notice/Summary of Bond Resolution is published.

Jean, please provide us with three (3) Town Clerk certified copies of the Final Order and of the Bond Resolution after they are passed. Please ask the newspapers for two Affidavits of Publication of the Estoppel Notice/Summary of Bond Resolution and send one of them to us.

Please do not hesitate to contact us if you have any questions about any of these requirements or the attached documents. Thank you.

RESOLUTION NO.:
INTRODUCED BY:
SECONDED BY:
DATED:

**RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO
\$7,630,880 SERIAL BONDS OF THE TOWN OF JOHNSBURG
TO PAY THE COST OF THE NORTH CREEK SEWER DISTRICT
IMPROVEMENTS; AND AUTHORIZING THE ISSUANCE OF
UP TO \$7,630,880 BOND ANTICIPATION NOTES
OF THE TOWN FOR THE SAME PURPOSE**

WHEREAS, as Lead Agency the Johnsburg Town Board conducted coordinated SEQRA review, with the Project being a Type I Action and the Town Board issued SEQRA Negative Declaration for this Project on July 20, 2021; and

WHEREAS, after a 34-14 vote of the property owners and the actions of the Town Board, the North Creek Sewer District (the "District") has been duly established; and

WHEREAS, the Town Board needs to authorize the District's financing of the construction and improvements as detailed in the Map, Plan and Report of Cedarwood Engineering, PLLC and the Order setting the Public Hearing;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF JOHNSBURG, WARREN COUNTY, NEW YORK, AS FOLLOWS:

Section 1. The specific object or purpose for which the obligations authorized by this Resolution (the "Bond Resolution") are to be issued is the construction of a new wastewater treatment facility and a collection system, including eight inch sewer mains and 66 lateral connections, approximately 4,850 linear feet of a gravity sewer main, approximately 4,835 linear feet of a force main and a pump station and 2,000 feet from ORDA's property to a pump station with approximately 1,120 linear feet of a force main, including related preliminary and incidental costs (collectively referred to as the "Project"), and such specific Project is hereby authorized at a maximum estimated cost of Seven Million Six Hundred Thirty Thousand Eight Hundred Eighty and 00/100 Dollars (\$7,630,880.00).

Section 2. The plan for the financing of such maximum estimated cost would be as follows: (1) \$750,000 from a Northern Border Regional Commission grant; (2) \$1,600,000 from an Empire State Development Grant; (3) \$1,498,000 from a USDA grant; and (4) \$3,782,880 from a USDA loan bearing no more than 1.5% interest for 38 years. Since the grants are expected to reimburse the Town for costs it actually incurs, this Bond Resolution authorizes the issuance of up to the maximum estimated cost of the Project, \$7,630,880, in serial bonds and/or bond anticipation notes of said Town and such amount

is hereby authorized to be issued pursuant to the Local Finance Law. However, after the grants are received, the long-term financing with USDA at 1.5% interest for 38 years is expected to be \$3,782,880.

The proceeds of the bonds or bond anticipation notes may be used to reimburse expenditures paid by the Town from other funds or otherwise on or after the date of adoption of this Bond Resolution or up to 60 days before such date per Section 3 below. Pursuant to Local Finance Law Section 107.00(d)(9), no down payment from current funds is required.

Section 3. The Town Board anticipates that the Town may pay certain capital expenditures in connection with the Project prior to the receipt of the proceeds of the Bonds. The Town Board hereby declares its official intent to use Bond proceeds to reimburse the Town for such Project expenditures. This section of the Resolution is adopted solely for the purpose of establishing compliance with the requirements of Section 1.150-2 of the Treasury Regulations and does not bind the Town to make any expenditure, incur any indebtedness or proceed with the acquisition, construction and installation of the Project.

Section 4. It is hereby determined that the period of probable usefulness of the specific object or purpose of the Project is forty (40) years pursuant to Section 11.00(a)(4) of the New York Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five (5) years.

Section 5. The faith and credit of the Town of Johnsbury, Warren County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as they become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such years. There shall annually be levied on all the taxable real property of the Town a tax sufficient to pay the principal of and interest on such obligations as they become due and payable.

Section 6. For the purpose of paying the cost of the Project, there are hereby authorized to be issued serial bonds of the Town up to a maximum amount of \$7,630,880 the maximum maturity of which shall not exceed the forty (40) year period of probable usefulness set forth above which shall mature on or before such date as measured from the date of the bonds or from the date of the first bond anticipation note issued in anticipation of the sale of such bonds, whichever date is earlier. The bonds may be issued in the form of a statutory installment bond.

Section 7. There are hereby authorized to be issued bond anticipation notes for the specific object or purpose in an amount up to but not exceeding the \$7,630,880 maximum amount of serial bonds authorized to be issued, in anticipation of the issuance

and sale of the serial bonds authorized, including renewals of such bond anticipation notes.

Section 8. Any bond anticipation notes shall be payable from the proceeds derived from the sale of the bonds or otherwise redeemed in the manner provided by Section 23.00 of the Local Finance Law. The faith and credit of the Town are hereby irrevocably pledged for the payment of the bond anticipation notes and the interest on them.

Section 9. There are no bond anticipation notes outstanding which have been previously issued in anticipation of the sale of these bonds. Neither are the bond anticipation notes hereby authorized renewal notes. These bond anticipation notes will not be issued in anticipation of bonds for an assessable improvement. These notes shall mature at such time as the Town may determine and may be renewed from time to time, provided that in no event shall such notes or renewals extend more than one (1) year beyond the original date of issue except as permitted in the Local Finance Law.

Section 10. Subject to the terms and conditions of this Resolution and of the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00 and 56.00 to 60.00, inclusive, of the Local Finance Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this Resolution and the renewal of these notes, and the power to prescribe the terms, form and contents of the serial bonds and bond anticipation notes and the power to sell and deliver the serial bonds and bond anticipation notes issued in anticipation of the issuance of the bonds is hereby delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. The Town Supervisor is hereby authorized to sign any serial bonds and bond anticipation notes issued in anticipation of the issuance of the serial bonds and bond anticipation notes issued pursuant to this Resolution by manual or facsimile signature, and the Town Clerk is hereby authorized to affix or impress or imprint a facsimile of the seal of the Town to any of the serial bonds or bond anticipation notes and to attest such seal by manual or facsimile signature. If executed by facsimile signature, such obligation shall be authenticated by the manual countersignature of the Town Supervisor or a designated fiscal agent. The Town Supervisor, as Chief Fiscal Officer of the Town, is authorized to execute and deliver any documents and to take such other action as may be necessary and proper to carry out the intent of the provisions of this Resolution.

Section 11. The exact date of issuance of the bonds and/or notes and the exact date upon which they shall become due and payable shall be fixed and determined by the Chief Fiscal Officer, provided, however, that the maturity of the notes or renewals shall not exceed one (1) year from the date of issue except as permitted by the Local Finance Law.

Section 12. The Chief Fiscal Officer shall prepare the bonds and/or notes and sell them at public or private sale and in accordance with the provisions of the Local Finance Law including, but not limited to, the provisions of Section 169.00, if applicable, and at such sale shall determine the interest rate to be borne by such bonds and/or notes, and whether fixed or variable. The Town Board authorizes the Chief Fiscal Officer to establish substantially level annual debt service or a declining annual balance for the repayment of such Bonds if he believes it is in the best interests of the Town. The Town Board authorizes the Chief Fiscal Officer to issue such serial bonds in the form of a statutory installment bond.

Section 13. If issued, the bonds and/or notes shall be in registered form, and shall bear interest at the determined rate.

Section 14. The Chief Fiscal Officer shall deliver the bonds and/or notes to the purchaser only against a certified check or other immediately available funds. The proceeds of the sale of the bonds and/or notes shall be deposited and/or invested as required by Section 165.00 of the Local Finance Law, and the power to invest the proceeds of sale is hereby delegated to the Chief Fiscal Officer and the power to invest in any instruments described in Section 165.00 is expressly granted.

Section 15. To the extent that it is permitted to do so under the Internal Revenue Code of 1986, as amended to the date hereof (the "Code"), the Town hereby designates the bonds and/or notes as "qualified tax-exempt obligations" under Section 265(b)(3) of the Code. The Town hereby covenants that, to the extent permitted under the Code in effect as of the date of issuance of any bonds and/or notes, it will (i) take all actions on its part necessary to cause interest on the bonds and/or notes to be excluded from gross income for purposes of Federal income taxes and (ii) refrain from taking any action which would cause interest on the bonds and/or notes to be included in gross income for purposes of Federal income taxes.

Section 16. The Town of Johnsburg is a town wholly within the Adirondack Park. However, State lands subject to taxation within the Town's boundaries are assessed at less than thirty percent (30%) of the total taxable assessed valuation of the Town, so permission of the State Comptroller to issue the bonds and/or notes is not required under Local Finance Law Section 104.10(3).

Section 17. This Resolution is not subject to permissive referendum pursuant to Section 35.00(b)(1)(2) of New York Local Finance Law.

Section 18. Miller, Mannix, Schachner & Hafner, LLC, Glens Falls, New York, is hereby designated bond counsel.

Section 19. The validity of these serial bonds and bond anticipation notes may be contested only if:

(1) These obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or

(3) Such obligations are authorized in violation of the provisions of the State Constitution.

Section 20. This Resolution or a summary thereof shall be published in the Glens Falls Post Star and Sun Community News, which have been designated as the official newspapers of the Town, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 21. This Resolution shall take effect immediately.

Section 22. The question of the adoption of this Resolution was duly put to a vote on roll call which resulted as follows:

AYES: _____ NAYS: _____ ABSENT: _____

ROLL CALL

AYES:

NAYS:

ABSENT:

The Resolution was declared duly adopted by a vote of not less than two-thirds (2/3) of the full membership of the Town Board.

**ESTOPPEL NOTICE AND SUMMARY OF BOND RESOLUTION
AUTHORIZING ISSUANCE OF UP TO \$7,630,880 IN SERIAL BONDS
AND/OR BOND ANTICIPATION NOTES OF THE TOWN OF JOHNSBURG TO
PAY THE COST OF THE NORTH CREEK SEWER DISTRICT IMPROVEMENTS**

The Bond Resolution which is summarized below (the "Bond Resolution") was adopted by the Johnsburg Town Board on November 15, 2021. The validity of the obligations authorized by the Bond Resolution may be contested only if (i) the obligations were authorized for an object or purpose for which the Town is not authorized to expend money or (ii) the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or (iii) such obligations were authorized in violation of the provisions of the State Constitution.

The specific object or purpose for which the obligations authorized by the Bond Resolution are to be issued is to make the necessary and approved improvements to the North Creek Sewer District including the construction of a new wastewater treatment facility and a collection system, including eight inch sewer mains and 66 lateral connections, approximately 4,850 linear feet of a gravity sewer main, approximately 4,835 linear feet of a force main and a pump station and 2,000 feet from ORDA's property to a pump station with approximately 1,120 linear feet of a force main, including related preliminary and incidental costs (collectively referred to as the "Project"). The Bond Resolution authorizes a maximum estimated Project cost of \$7,630,880. The plan for the financing of such maximum estimated cost would be as follows: (1) \$750,000 from a Northern Border Regional Commission grant; (2) \$1,600,000 from an Empire State Development Grant; (3) \$1,498,000 from a USDA grant; and (4) \$3,782,880 from a USDA loan bearing no more than 1.5% interest for 38 years. Since the grants are expected to reimburse the Town for costs it actually incurs, this Bond Resolution authorizes the issuance of up to the maximum estimated cost of the Project, \$7,630,880, in serial bonds and/or bond anticipation notes of said Town and such amount is hereby authorized to be issued pursuant to the Local Finance Law. However, after the grants are received, the long-term financing with USDA at 1.5% interest for 38 years is expected to be \$3,782,880. The period of probable usefulness of the Project is forty (40) years pursuant to Section 11(a)(4) of the Local Finance Law. The maximum maturity of the Bonds/BANs will not exceed the Project's period of probable usefulness but will exceed five (5) years. A tax sufficient to pay the principal of and interest on these obligations as they become due and payable will be levied annually on all the taxable real property within the North Creek Sewer District.

A full copy of the Bond Resolution will be available for public inspection during normal business hours for twenty (20) days following publication of this Summary at the offices of the Town Clerk, Johnsburg Town Hall, 219 Main Street, North Creek, New York.

Jean Comstock
Johnsburg Town Clerk

**RESOLUTION AND FINAL ORDER
APPROVING ESTABLISHMENT OF THE
NORTH CREEK SEWER DISTRICT**

RESOLUTION NO.:

**INTRODUCED BY:
WHO MOVED ITS ADOPTION**

SECONDED BY:

WHEREAS, the Town of Johnsburg has been working to establish the North Creek Sewer District (the "District") in accordance with New York State Town Law Article 12-A; and

WHEREAS, as Lead Agency the Johnsburg Town Board conducted coordinated SEQRA review, with the Project being a Type I Action and the Town Board issued SEQRA Negative Declaration for this Project on July 20, 2021; and

WHEREAS, a Map, Plan and Report (the "MPR") was prepared by Cedarwood Engineering Services, PLLC concerning the proposed District; and

WHEREAS, the MPR was duly filed with the Johnsburg Town Clerk's Office and was accepted by the Town; and

WHEREAS, the MPR delineates the boundaries of the District, a general plan of the proposed system and its proposed method of operation, all outlets and the terminus and course of each proposed main sewer or drain together with the location and a general proposed description of all sewage disposal plants, dumping stations and other public works; and

WHEREAS, on June 21, 2022, subsequent to the filing of the MPR with the Town Clerk, the Town Board adopted an Order ("Public Hearing Order" or "PHO") reciting (a) the boundaries of the proposed district; (b) the proposed improvements; (c) the maximum amount proposed to be expended for the improvements; (d) the estimated cost of hook-up fees; (e) the proposed method of financing; (f) the fact that the MPR was on file in the

Town Clerk's office; and (g) the time and place of a public hearing on the establishment of the proposed District; and

WHEREAS, copies of the PHO were duly published, posted and filed as required by law and also placed on the Town's website; and

WHEREAS, the MPR, which was filed with the Town Clerk, provided a detailed explanation of how the estimated cost of hook-up fees (if any) and the cost of the District were computed; and

WHEREAS, the estimated annual cost to the typical property, which is a one or two family residence for the District, was included in the MRP and PHO: and

WHEREAS, on July 19, 2022, the Town duly held the public hearing and heard all interested persons and considered the evidence and information; and

WHEREAS, on July 19, 2022, the Town Board adopted Resolution No. 22-135, determining that (a) the Notice of Public Hearing was published and posted as required by law and was otherwise sufficient; (b) all property and property owners within the proposed District would be benefited thereby; (c) all property and property owners benefited are included in the proposed District; and (d) it is in the public interest to establish the District; and

WHEREAS, such Resolution would have been subject to permissive referendum pursuant to Town Law 209-e, but based on the interest to the public, the Town Board, on its own motion pursuant to Town Law Section 94, made formation of the District subject to referendum; and

WHEREAS, such referendum was duly held on October 18, 2022 and by a vote of 34 votes in favor and 14 votes against, the formation of the District was approved by the property owners within the District; and

WHEREAS, the Town Clerk has duly filed or will duly file its Certificate of Election

with the Warren County Clerk's Office; and

WHEREAS, the permission of the State Comptroller is not required pursuant with Town Law Section 209-f; and

WHEREAS, the Town Board wishes to confirm the establishment of the North Creek Sewer District;

NOW, THEREFORE, IT IS HEREBY

ORDERED, that the North Creek Sewer District is established as described in the Order and in the Map, Plan and Report prepared by Cedarwood Engineering, PLLC having boundaries as detailed in the Public Hearing Order Resolution #22-110 dated June 27, 2022 and attached hereto as Schedule A and the Town is authorized to make the improvements detailed in the MPR and provide sewer service to the District after the improvements are made; and

BE IT FURTHER,

ORDERED, that the Johnsbury Town Board hereby authorizes and directs the Town Clerk to cause a certified copy of this Order to be duly recorded in the Warren County Clerk's Office and to be filed in the Office of the New York State Department of Audit and Control in the time and manner required by law; and

BE IT FURTHER,

ORDERED, that the Town Board further authorizes and directs the Town Supervisor, Town Clerk and/or Town Counsel to take all actions necessary to effectuate the terms of this Resolution.

Duly adopted this _____ day of November, 2022, by the following vote:

AYES :
NOES :
ABSENT: