

SHARED SERVICES AGREEMENT
Between
NYSDOT and the Town of Piercefield

THIS AGREEMENT, dated March 15th, 2021, is between the People of the State of New York, hereinafter referred to as “State” or “NYSDOT” and the Town of Piercefield, hereinafter referred to as “Municipality.” Pursuant to Section 99-r of the General Municipal Law, the State and the Municipality wish to share services, exchange or lend materials or equipment which shall promote and assist the maintenance of State and Municipal roads and highways and provide a cost savings by maximizing the effective utilization of both parties’ resources. Shared Services shall mean any service provided by one party (Provider) to another party (Recipient). The State and the municipality agree to share services as follows:

1. Description and Cost of Services, Materials, or Equipment to be shared: Provide details of the services, materials or equipment to be shared in the attached standard Schedule A. The total amount of the agreement shall not exceed ten thousand dollars (\$10,000.00). If applicable, indicate that the return exchange will be determined at a later date.
2. The provider’s employees shall remain under full supervision and control of the Provider. The parties shall remain fully responsible for their own employees for all matters, including, but not limited to, salary, insurance, benefits, and Worker’s Compensation.
3. If the borrowed machinery or equipment is damaged or otherwise needs repair arising out of or in connection with the Recipient’s use, the Recipient shall be responsible for such repairs.
4. The Municipality agrees to defend and indemnify the State for any and all claims arising out of the Municipality’s acts or omissions under this Agreement. Subject to the availability of lawful appropriations and consistent with section 8 of the State Court of Claims Act, the State shall hold the municipality harmless from and indemnify it for any final judgment of a court of competent jurisdiction to the extent attributable to the negligence of the State or of their officers or employees when acting in the course and scope of their employment.

A motion to adopt the foregoing Resolution was made by Councilmember Snye and seconded by Councilmember Lewis. The following each voted in favor of the Resolution: Supervisor Neil Pickering, Councilmember Gina Sarazen, Councilmember Amy Lalonde, Councilmember Thomas Snye, and Councilmember John Lewis. There were no NAY votes