

TOWN BOARD MEMBERS PRESENT:

Steven J. Walters	Supervisor
Michael Quinn	Councilman
Cheryl Potter-Juda	Councilwoman

ALSO PRESENT: Catherine A. Rybczynski, Town Clerk
Walter Rooth III, Town Attorney

23.

On a motion of Councilman Quinn, seconded by Supervisor Walters, the following resolution was

ADOPTED	Ayes	3	Walters, Quinn, Potter-Juda
	Noes	0	

WHEREAS, there is pending litigation, ACKERMAN PLUMBING, INC. VS. TOWN OF HAMBURG, Erie County Supreme Court Index Number 804688/2015, seeking damages for contract breaches of the written contract, AIA Document A101-2007, entered into by the parties on or about January 14, 2014, for the Hamburg Public Library Phase II- Project Re-Bid (Plumbing Construction), and

WHEREAS, the parties have conducted settlement negotiations and desire to resolve the dispute as follows:

1. The separate amounts of Change Order Request No. 1 and Change Order Request No. 4REV total \$20,730.71
2. The Town of Hamburg shall pay the amount of \$8,035.00 directly to Transit Construction Services Corp., a subcontractor Ackerman Plumbing, Inc., for Change Order Request No. 1
3. The Town of Hamburg shall pay the amount of \$9,093.00 to Ackerman Plumbing, Inc. to resolve the remainder of the dispute on Change Order Request No. 1 and Change Order Request No. 4REV

NOW THEREFORE BE IT RESOLVED that the Town of Hamburg pay the amounts described above in full and final satisfaction of all claims against the Town of Hamburg in the action, ACKERMAN PLUMBING, INC. VS. TOWN OF HAMBURG, Erie County Supreme Court Index Number 804688/2015, and

BE IT FURTHER RESOLVED that the Supervisor is authorized to sign the Partial Settlement and Release Agreement on behalf of the Town of Hamburg.

24.

On a motion of Supervisor Walters, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED	Ayes	3	Walters, Quinn, Potter-Juda
	Noes	0	

RESOLVED, that the Town Board adjourn at 8:20 pm.

Catherine A. Rybczynski, R.M.C.
Town Clerk