



Resolution
Board of Supervisors
County of Columbia
New York

RESOLUTION NO.: 46-2013

DATE: February 13, 2013

BY SUPERVISOR: _____
PUBLIC WORKS COMMITTEE
CHAIRPERSON: MICHAEL BENSON

**AUTHORIZING THE COUNTY OF COLUMBIA TO COMMENCE
LEGAL ACTION AGAINST HOOSAC VALLEY CONTRACTORS,
INC. AND TO OBTAIN COUNSEL TO PROCEED AGAINST DMI
DIMENSIONAL METALS, INC. AND S&L ROOFING & SHEET
METAL, INC. IN CONNECTION WITH THE FAILURE OF THE
ROOF AND ASSOCIATED STRUCTURES AT THE COLUMBIA
COUNTY PUBLIC SAFETY BUILDING**

UPON, the recommendation of the Public Works Committee at a meeting held on the 23rd day of January, 2013 and of the Finance Committee meeting held on the 5th day of February 2013;

WHEREAS, the County of Columbia contracted with Hoosac Valley Contracting in 2006 for certain construction work involving an addition to the Public Safety Building located at 85 Industrial Tract, Hudson, New York; and

WHEREAS, following completion of the construction project, leaking developed in the roof structure of the newly constructed addition; and

WHEREAS, DMI Dimensional Metals, Inc. and S&L Roofing & Sheet Metal, Inc. provided a Warranty for the newly constructed roof, venue for which is set in the State of Ohio; and

WHEREAS, the County of Columbia has conducted an investigation which reveals that the leakage problems in the roof of the addition to the Public Safety Building are due to the incomplete and/or unworkmanlike construction of said roof:

NOW, THEREFORE BE IT

RESOLVED, that the Columbia County Attorney's Office shall be authorized to commence action against Hoosac Valley Contracting, Inc. for the damages sustained as a result of the incomplete and/or unworkmanlike construction of the addition at the Public Safety Building; and be it further

RESOLVED, that the Columbia County Attorney's Office shall be authorized to retain local counsel in the State of Ohio to prosecute Columbia County's claims against DMI Dimensional Metals, Inc. and/or S&L Roofing & Sheet Metal, Inc., pursuant to the written warranty issued by DMI Dimensional Metals, Inc; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Commissioner of Public Works, Columbia County Attorney, Columbia County Treasurer, and Accounts Payable.

Approved:

County Attorney

**Resolution
Committee**

