

VILLAGE OF MILLBROOK- BOARD OF TRUSTEES

VILLAGE HALL - 35 MERRITT AVE

DATE:

August 28, 2024

TIME:

6:00 PM-Call to Order
& Pledge

FACILITATOR:

Mayor Collopy

IN ATTENDANCE

Mayor Collopy, Deputy Mayor Murphy, Trustee Herzog, Trustee Contino, Trustee Doro, Chief Dworkin, Attorney Mackey, and Clerk Witt

MEETING VIDEO LINK

[YouTube Link](#)

AWARD CONTRACT FOR WASHINGTON AVE STORM DRAIN REPLACEMENT

After Board discussion on the list of bids received (attached), *Motion* made by Trustee Doro to accept the bid from Race Septic, seconded by Trustee Murphy and all were in favor. Race Septic was not the lowest bid- the Board unanimously voted for Race Septic as they are very familiar with the Village's infrastructure and their work is known and trusted. Mayor Collopy explained between the road project on Maple Ave and this storm drain replacement project, the Village will not have enough money in CHIPS. His plan it to pay for any overage available in the non-budgeted funds accounts (HNL, FEMA, TG Donations, etc.)

SPEED LIMIT SIGN DEPLOYMENT AND PLAN COSTS- MAYOR COLLOPY

The Board passed a Local Law lowering the speed limit on Village owned streets to 25 M.P.H. Mayor Collopy explained the total cost of replacing and adding speed limit signs and posts will be \$3000. There is \$1100 left in the donation made by Tribute Garden. The remaining amount will be paid out of one of the non-budgeted funds accounts. *Motion* made by Trustee Herzog to approve purchasing the speed limit signs and posts, seconded by Deputy Mayor Murphy and all were in favor.

BANK BIDS FOR PD VEHICLE

Mayor Collopy explained the need the Police Department has for a vehicle. Chief Dworkin was able to secure a quote for an unused 2023 Police Dodge Charger. The Charger, upfit, and lettering will cost approximately \$52,000. The first payment for the SIB (Serial Installment Bond) will not need to be made until the 2025/2026 Budget. The SIB payments will be made over the course of five years (\$10,400/ year). Mayor Collopy asked Clerk Witt to solicit bank bids to approve at the next meeting (9/11/24).

Announcements

Mayor Collopy announced that Kristin DiFiore resigned as Planning Board and ZBA secretary. A plan for her replacement is in the works. The Board will hold the second meeting in September to hold DPW Candidate interviews. The meeting will open and will be moved to Executive Session.

RESOLUTION 2024-011- ATTACHED

- Resolution 2024-011 Corporate Resolution for reissuing the Newmont Stocks
- Intentions are to sell and cash in the Newmont Stock (worth approximately \$6000)
- *Motion* made by Trustee Doro to accept Resolution 2024-011 as presented, seconded by Trustee Herzog and all were in favor

RESOLUTION 2024-012- ATTACHED

- Resolution 2024-012 BOND Resolution for the WWTP Upgrade.
- This resolution is an amendment to the BOND Resolution of 2022- due to the projected amount of cost increase of the WWTP Upgrade project.(From \$7 Million to \$10 Million)
- *Motion* made by Trustee Doro to accept Resolution 2024-012 as presented, seconded by Trustee Herzog
- Roll Call Vote:
Mayor Collopy- Aye
Deputy Mayor Murphy- Aye
Trustee Herzog - Aye
Trustee Contino- Aye
Trustee Doro- Aye

EXECUTIVE SESSION- POLICE UPDATE- CHIEF DWORKIN

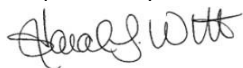
Motion made by Mayor Collopy to enter executive session at 7:54PM, seconded by Trustee Contino and all were in favor. The Board discussed inflation's potential impact on the budget, but no motions or decisions were made, and no subsequent discussions are planned. *Motion* made by Mayor Collopy to exit exec session at 8:11PM, seconded by Trustee Contino and all were in favor.

ADJOURNMENT

Next meeting: September 11, 2024, | 6:00 PM- Millbrook Firehouse- 20 Front St

Motion to adjourn was made at 8:12 p.m. and was passed unanimously.

Respectfully submitted



by Village Clerk - Sarah J. Witt

**Village of Millbrook
Board of Trustees Agenda
Wednesday, 8/28/2024 - 6 PM
Location: Village Hall, 35 Merritt Avenue, Millbrook**

Residents are welcome to attend in-person.

This meeting will be broadcast on YouTube Live & then will be posted to the Village website

- 1. Open Meeting:**
 - a. Pledge of allegiance
 - b. Roll call of trustees
- 2. Award Contract for Washington Avenue Storm Drain Replacement**
- 3. Speed Sign Deployment Plan/Cost**
- 4. Resolution 2024-011 – Corporate Resolution (Newmont Stock)**
- 5. Resolution 2024-012- Updated BOND Resolution for WWTP Upgrade Project**
- 6. Executive Session: Police Update – Chief Dworkin**
- 7. Next Board Meeting:** Wednesday, 9/11/2024 - 6PM back to MB Firehouse
- 8. Adjournment**



CORPORATE RESOLUTION 2024-011

THE VILLAGE OF MILLBROOK/ TREASURER OF THE VILLAGE OF MILLBROOK

We, the undersigned, being all the Board of Trustees of the Village of Millbrook, do hereby consent pursuant to Section 708(b) of the Business Corporation Laws of the State of New York, organized and existing under the laws of New York, and having its principal place of business at 35 Merritt Ave, Millbrook, New York 12545, upon motion duly made and seconded, the following was adopted by a majority of the officers present in person entitled to vote thereon August 28,2024:

Therefore, it is resolved:

Mayor Tim Collopy and Treasurer Clerk Witt are authorized to sign any documents for the Village on behalf of the Village of Millbrook Board of Trustees

By affirmative votes noted as signatures below, a majority vote of the Board of Trustees with authority to bind the Village of Millbrook approves the form and content of this resolution, to be effective immediately.

Deputy Mayor Murphy

Trustee Herzog

Trustee Contino

Trustee Doro

Mayor Tim Collopy- Authorized Signer

Treasurer Village of Millbrook
Sarah J. Witt-
Authorized Signer

Certified By- Sarah J. Witt- Village Clerk
Dated: August 28, 2024

NOTARY ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of **NEW YORK**
County of **DUTCHESS**

On August __, 2024 before me _____ - Notary for the State of New York, personally appeared, **SARAH J WITT- TREASURER & TIM COLLOPY- MAYOR**, known to me (or satisfactorily proven) to be the person/s whose name is subscribed to this instrument, and acknowledged that they executed the same for the purposes therein contained.

AFFIX NOTARY SEAL:

NOTARY PUBLIC SIGNATURE: _____

MY COMMISSION EXPIRES: _____

Washington Ave Road Work Opened 08/23/2022 at 2:30 pm

Opened 08/23/2022 at 2:30 pm

[illegible]

Race Septic Inc. d/b/a Race Excavation
PO Box 1367
Millbrook, NY 12545
(845) 656-5572
tim@raceexcavation.com



Estimate

ADDRESS

Village of Millbrook
PO Box 349
Millbrook
NY
12545

SHIP TO

Village of Millbrook
PO Box 349
Millbrook
NY
12545

ESTIMATE # 1240

DATE 08/15/2024

EXPIRATION DATE 09/15/2024

ACTIVITY	QTY	RATE	AMOUNT
Excavation work		90,000.00	90,000.00
1) Starting with the catch basin at the intersection of Church St and Washington Ave, replace the current storm drain along Washington Ave with ~400' of a 15" ID black corrugated pipe N12 to current depth, connecting the 1st through 5th catch basins.			
2) Replace all 6 30x48" knockout catch basins along Washington Ave with cast iron frame and grates. Move the location of the 5th basin away from the walkway at the Firehouse. Tie in the inlet & outlet pipe of the new 6th basin (at the intersection of Washington Ave & Front St).			
3) Use concrete to seal around all inlets and outlets in basins.			
4) Wrap corrugated pipe in Quarry item 4 stone, 6" below and on each side, 12" on top.			
5) Backfill and compact with bank run gravel.			
6) Add 5" of blacktop binder up to road grade (entire road will be milled and paved in 2025).			
7) Remove concrete pads (2) at top (east-end) of excavation location.			

Prices are subject to change at anytime

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ACTIVITY	QTY	RATE	AMOUNT
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8) Contractor is responsible to remove all excess material & must repair anything broken during construction.

Pavement will be sawcut 36" wide along route.

Price does not include rock removal.

Utility markout will be needed.

Assuming this will need to be prevailing Wage job.

Price does not include traffic control.

Thank you for your business.	SUBTOTAL	90,000.00
	TAX	0.00
	TOTAL	\$90,000.00

Accepted By

Accepted Date



51 POWDER MILL BRIDGE RD. KINGSTON, NY 12401
(845) 336-8753 PHONE (845) 336-8245 FAX
www.aroldconstruction.com

CONSTRUCTION COMPANY, INC.

A CERTIFIED WBE & DBE CONTRACTOR



PROPOSAL

For: Village of Millbrook

Att: Tim Collopy

Date: 8/20/2024

Project: Washington Ave Storm Drain Replacement

Location: Washington Ave, Millbrook

Owner: Village of Millbrook

Arch. / Engineer: NA

Subject to prompt acceptance, within 30 days and to all conditions stipulated, we propose to furnish the following:

- Remove existing pipe and replace with 400 feet of 15" HDPE storm pipe
- Remove 6 existing catch basins and replace with new basins and frame and covers
- Seal inlets and outlets with cement
- Select backfill of pipe with item 4
- Backfill and compact trench
- Remove concrete pads, 2 at top of excavation location
- Install 5" of blacktop binder up to road grade in trench
- Remove excess materials and debris from the site

TOTAL LUMP SUM: \$ 119,868.00

Price is based on mobilizations as required and payment of all invoices within 30 days with 5% retainage held for no more than 90 days after acceptance of Arold's work by owner.

Thank you for the opportunity to quote this project.

Regards,

Rian Baker
Project Manager

PROPOSAL



Birdsall Excavation and Construction LLC

518-269-0690

Jwbirdsall.com

Email: jeff@jwbirdsall.com

DATE 8/23/2024

TO:

Village of Millbrook

PROJECT

Washington Ave Road Work

DESCRIPTION

TOTAL

-Remove and Replace 320' of Storm
Drainpipe

-Replace 4 Catch Basins with frame
and grate, cementing around the
new pipe.

\$145,850

-Backfill with item #4

-Replace Blacktop pavement

SUBTOTAL

145,850

SALES TAX

0

TOTAL

\$145,850

Thank you for your business!

Payment to be made as follows: 1/2 of payment required at start of project, the remaining balance is to be made upon job completion.

(OVERDUE INVOICES ARE SUBJECT TO FINANCE CHARGES OF 1.5% AND/OR ANY COLLECTION FEES.)

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owners to carry fire, tornado and other necessary insurance.

Authorized Signature: JEFFREY W. BIRDSALL

Note: This proposal may be withdrawn by us if not accepted within 30 days.

1

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

DATE OF ACCEPTANCE

SIGNATURE

T & A CONSTRUCTION INC

910 WEST DOVER RD.

PAWLING, NEW YORK 12564

845-803-9550

tnautilities@gmail.com

August 23 , 2024

To: Village of Millbrook

Att: Bid Opening

Re: Washington Ave Road Work

This proposal is based on the replacement of 6 new, 30"x48" knockout catch basins, and 400 LF of 15" black corrugated N12 pipe, and all remediation including 5" of blacktop binder.

Unit price of \$153.00 per LF if additional trenching is required.

LUMP SUM BID PRICE: \$80,090.00

Gary L. Tiso

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August 23, 2024

Village of Millbrook
35 Merritt Avenue
Millbrook, NY 12545

Ph: (845)677-3939 Ext. 5
Email: villageofmillbrookmayor@gmail.com

Re: **Washington Ave. Storm Drainage**
Village of Millbrook, NY
Storm Drainage Replacement

Attn: Tim Collopy, Mayor,

Dear Mr. Collopy:

We are pleased to provide you with our proposal for the *Washington Avenue Storm Drainage Replacement* project. Our proposal is based upon the pre-bid meeting on August 1, 2024, and the information provided via email from Tim Collopy, Village of Millbrook Mayor, dated August 5, 2024.

Our specific scope of work is as follows:

SCOPE OF WORK

- 1) **Demolition**
 - a) Remove and dispose of (6) existing catch basins and associated corrugated metal storm drainage pipe.
 - b) Remove and dispose of (2) concrete slabs at the upstream end of the drainage run.
- 2) **Storm Drainage**
 - a) Trenches backfilled with $\frac{3}{4}$ " crushed stone 6" below and on each side of storm drainage and to 12" above pipe. Balance of trench backfilled with item 4 subbase to subgrade for asphalt.
 - b) Catch basins to be knock-out style 30" x 48" x 48" deep with flat top cast iron frames and grates.
 - c) Excavated material (asphalt and dirt) disposed of offsite.
 - d) Trench restoration in lawn areas includes topsoil, seed, and mulch only.
- 3) **Asphalt Pavement Trench Patches**
 - a) Type 3 Binder placed 5" thick in trench line, flush with existing roadway.
 - b) Tack-coat applied along edge of trench line.

EXCLUSIONS:

- 1) Erosion controls.
- 2) Curb replacements.
- 3) Monitoring for detection of, handling and/or disposal of contaminated materials.
- 4) Rock removal.
- 5) Winter conditions + protection.
- 6) Survey/As-built drawings/Red line drawings.
- 7) Ground Penetrating Radar Services to mark out existing utilities.

151 DALEY ROAD • POUGHKEEPSIE, NEW YORK 12603
(845) 462-2800 • FAX (845) 462-0358
www.benciccone.com
An Equal Opportunity Employer

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- 8) Utility relocations.
- 9) Bonding
- 10) Sales Tax.
- 11) Street sweeping.
- 12) Underpinning/support of existing structures.
- 13) Permits, inspections, fees, and testing.
- 14) Premium Time/Over Time.
- 15) COVID or similar related delays and/or additional costs.

GENERAL QUALIFICATIONS

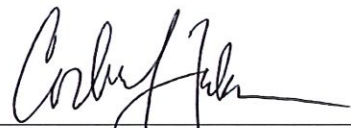
- 1) Proposal is valid for 30 days. All work to take place this year.
- 2) Village of Millbrook to provide a location for granular materials to be stockpiled and roll-offs to be staged to during construction.
- 3) Road to be closed during construction. Closures to be completed by the Village of Millbrook per the pre-bid meeting.
- 4) Our standard insurance is 2 million/4 million General Liability, 1 million Auto, Statutory Workers Compensation, 10 million Umbrella and 1M/2M Pollution Liability Insurance. If other limits are required, please contact us for additional fees.
- 5) Ben Ciccone, Inc. shall be named an additional insurer on your Pollution Liability Policy if such a policy is required on this project.
- 6) A maximum of 5% retainage may be held from monthly payment applications.
- 7) Schedule to be mutually agreed upon.
- 8) This proposal is limited to the work specifically noted as included within this scope of work.

Lump sum cost for the above scope:

\$ 134,500.⁰⁰

We appreciate the opportunity to provide this proposal and look forward to working with you on this project. If you have any questions or require further information, please feel free to contact me or Brandon Ciccone bciccone@benciccone.com at the office listed above.

Sincerely,



Corbin Falcon
Superintendent/Estimator

cc: File

Village of Millbrook Washington Ave



Blacktop Maintenance Corp

27 Commerce Street

Poughkeepsie, NY 12603

Contact: Craig W. Burke

Phone: 845-471-8700

Email: cwburke@btm.construction

Quote To:

Village of Millbrook

35 Merritt Ave

Millbrook, NY 12545

Phone:

845-677-3939

Email:

villageofmillbrookmayor@gmail.com

Date:

08.23.2024

Contact:

Tim Collopy

Job Name:

Drainage replacement

Date of Plans:

No Plans

Email dated 08.05.24

Revision Date:

ITEM	DESCRIPTION	QUANTITY	UNIT		AMOUNT
100	General Conditions	1.00	LS		
110	MPT cones and barrels	1.00	LS		
120	Sawcut blacktop	300.00	LF		
130	Remove blacktop	2,000.00	SF		
140	Remove concrete pads	2.00	CNT		
150	Remove catch basins 1-5	5.00	CNT		
160	Remove catch basin 6	1.00	CNT		
170	Remove concrete curb	106.00	LF		
180	Remove concrete sidewalk	148.00	SF		
190	Remove existing pipe between cb 1-5	368.00	LF		
200	Install new CB 6	1.00	CNT		
210	Install new CB 1-5	5.00	CNT		
220	Install new 15" pipe between cb 1-5	368.00	LF		
230	Connect to existing drainage cb1,5,6.	3.00	CNT		
240	Item and prep for blacktop	2,000.00	SF		
250	Install 5" type 3 binder blacktop	2,000.00	SF		
260	Install new concrete curb	106.00	LF		
270	Prep to reinstall sidewalks	148.00	SF		
280	Install new 4" concrete sidewalks	148.00	SF		
290	Restoration of lawn	660.00	SF		

EXTRACT OF MINUTES

Meeting of the Board of Trustees of the

Village of Millbrook, in the

County of Dutchess, New York

August 28, 2024

* * *

A meeting of the Board of Trustees of the Village of Millbrook, in the County of Dutchess, New York, was held at the Village Hall, 35 Merritt Avenue, Millbrook, New York, on August 28, 2024.

There were present: Tim Collopy, Mayor; and

Trustees: Patrick Murphy
Vicky Contino
Peter Doro
Mike Herzog

There were absent:

Also present: Sarah J. Witt, Village Clerk

* * *

Trustee Doro offered the following resolution and moved its adoption, seconded by Trustee Herzog:

RESOLUTION OF THE VILLAGE OF MILLBROOK, NEW
YORK, ADOPTED AUGUST 28, 2024, AMENDING THE
BOND RESOLUTION ADOPTED ON JULY 27, 2022,
RELATING TO THE CONSTRUCTION OF
IMPROVEMENTS TO THE VILLAGE WASTEWATER
TREATMENT PLANT

Recitals

WHEREAS, the Board of Trustees of the Village of Millbrook, in the County of Dutchess, New York, has heretofore duly authorized the construction of certain Wastewater Treatment Plant upgrades and improvements including the installation of a new influent flow meter, new fine screen, new flow splitter, new EQ and primary treatment, chemical feed upgrades, aeration piping upgrades, new secondary clarifier, new shallow bed upflow sand filter, new sludge holding tank blowers, new filtrate pump station, new sludge dewatering building, new odor control system for sludge building, modifying existing sand filters for storage, and elimination of storage and overflow tank, at the estimated maximum cost of \$7,000,000 pursuant to the bond resolution adopted by the Board of Trustees on July 27, 2022; and

WHEREAS, the estimated cost of said project has now been determined to be \$10,000,000, and it is necessary and in the public interest to increase the amount appropriated for said project by \$3,000,000 and to amend said bond resolution to increase the principal amount of bonds authorized from \$7,000,000 to \$10,000,000;

Now, therefore, be it

RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF MILLBROOK, IN THE COUNTY OF DUTCHESS, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Board of Trustees) AS FOLLOWS:

Section (A) The bond resolution of the Village of Millbrook duly adopted by the Board of Trustees on July 27, 2022, entitled:

“Bond Resolution No. 008 of 2022, dated July 22, 2022, authorizing the issuance of serial bonds of the Village of Millbrook, Dutchess County, New York in an aggregate principal amount not to exceed \$7,000,000 pursuant to the local finance law to finance Wastewater Treatment Plant upgrades and improvements in the Village of Millbrook, New York, providing that this resolution shall be subject to permissive referendum, and delegation certain powers in connection therewith to the Village Treasurer,”

is hereby amended to read as follows:

BOND RESOLUTION OF THE VILLAGE OF MILLBROOK,
NEW YORK, ADOPTED JULY 27, 2022 AND AMENDED
AUGUST 28, 2024, AUTHORIZING THE CONSTRUCTION OF
UPGRADES AND IMPROVEMENTS TO THE VILLAGE
WASTEWATER TREATMENT PLANT, STATING THE
ESTIMATED MAXIMUM COST THEREOF IS \$10,000,000,
APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE,
AND AUTHORIZING THE ISSUANCE OF BONDS IN THE
PRINCIPAL AMOUNT OF \$10,000,000 TO FINANCE SAID
APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF MILLBROOK, IN THE
COUNTY OF DUTCHESS, NEW YORK, HEREBY RESOLVES (by the favorable vote of not
less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Millbrook, in the County of Dutchess, New York (herein
called the "Village"), is hereby authorized to construct certain Wastewater Treatment Plant
upgrades and improvements including the installation of a new influent flow meter, new fine
screen, new flow splitter, new EQ and primary treatment, chemical feed upgrades, aeration piping
upgrades, new secondary clarifier, new shallow bed upflow sand filter, new sludge holding tank
blowers, new filtrate pump station, new sludge dewatering building, new odor control system for
sludge building, modifying existing sand filters for storage, and elimination of storage and
overflow tank and other ancillary or related work in connection therewith. The estimated
maximum cost thereof, including preliminary costs and costs incidental thereto and the financing
thereof, is \$10,000,000 and said amount is hereby appropriated for such purpose. The plan of

financing includes the issuance of not to exceed \$10,000,000 bonds of the Village to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable; provided, however, that any funds received from grants and/or other sources are hereby authorized to be applied toward the cost of said project or redemption of the Village's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes. The Village Treasurer is authorized, as chief fiscal officer of the Village, to execute a project financing agreement, or other agreements, with the New York State Environmental Facilities Corporation and/or other New York State agencies or departments and/or the U.S. Department of Agriculture Rural Development, or other entities, and to take other actions and execute documents, as appropriate, to arrange for and provide financing or refinancing of the project described herein, or any portion thereof, by the issuance and sale of bonds or notes of the Village to the New York State Environmental Facilities Corporation through the New York State Revolving Fund and/or the U.S. Department of Agriculture Rural Development programs, or any other form of financing or grant funding.

Section 2. Bonds of the Village in the principal amount of \$10,000,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of

the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village. The Village Treasurer is hereby further authorized to sign any bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation of said bonds, and the Village Clerk is hereby authorized to affix the seal of the Village to any of said bonds and any bond anticipation notes issued in anticipation of said bonds, and to attest such seal. The Village Treasurer is authorized, under appropriate facts and circumstances, to take any action and execute any documents as may be necessary or appropriate to establish that the interest on any bonds or notes issued pursuant to this resolution shall be and remain excluded from income taxation pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and, if applicable, to designate said bonds or notes as "qualified tax-exempt bonds" for purposes of Section 265(b)(3) of the Code.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to publish or cause to be published, in full, in the official newspaper of the Village, having a general circulation within said Village, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the form appearing in Exhibit A hereto.

Section 8. The Village Clerk is hereby authorized and directed, after said bond resolution shall take effect, to cause said bond resolution to be published, in summary, in the official newspaper of the Village, having a general circulation within said Village, together with a Notice in substantially the form as provided by Section 81.00 of the Law.

* * *

Section (B) The amendment of the bond resolution as set forth in Section (A) of this resolution shall in no way affect the validity of any liabilities incurred, obligations issued, or action taken pursuant to said bond resolution prior to amendment, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as amended.

Section (C) Said bond resolution, as amended, is subject to a permissive referendum as therein provided. In the event that a valid petition protesting against said bond resolution and requesting that it be submitted to the electors of said Village for their approval or disapproval is filed and the Proposition submitted therefor is defeated, the validity of the bond resolution adopted on July 27, 2022, shall not be in any way affected and shall remain in full force and effect.

* * *

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Mayor Collopy	Aye
Deputy Mayor Murphy	Aye
Trustee Herzog	Aye
Trustee Contino	Aye
Trustee Doro	Aye

AYES: 5

NOES: 0

The resolution was declared adopted.

EXHIBIT A
(Below is the Notice for Publication and Posting)

VILLAGE OF MILLBROOK, NEW YORK

PLEASE TAKE NOTICE that on August 28, 2024, the Board of Trustees of the Village of Millbrook, in the County of Dutchess, New York, adopted a resolution amending the bond resolution adopted by said Board of Trustees on July 27, 2022, which bond resolution, as amended, is entitled

“Bond Resolution of the Village of Millbrook, New York, adopted July 27, 2022 and amended August 28, 2024, authorizing the construction of upgrades and improvements to the Village wastewater treatment plant, stating the estimated maximum cost thereof is \$10,000,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$10,000,000 to finance said appropriation,”

an abstract of such bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to construct certain Wastewater Treatment Plant upgrades and improvements including the installation of a new influent flow meter, new fine screen, new flow splitter, new EQ and primary treatment, chemical feed upgrades, aeration piping upgrades, new secondary clarifier, new shallow bed upflow sand filter, new sludge holding tank blowers, new filtrate pump station, new sludge dewatering building, new odor control system for sludge building, modifying existing sand filters for storage, and elimination of storage and overflow tank and other ancillary or related work in connection therewith; STATING that the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$10,000,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds in the principal amount of not to exceed \$10,000,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon; STATING that any funds received from grants and/or other sources are authorized to be applied toward the cost of said project or redemption of the Village's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes; and AUTHORIZING the Village Treasurer and the Village Clerk to take certain actions and execute certain documents in connection with the financing of the project described in the resolution;

SECOND: AUTHORIZING the issuance of \$10,000,000 bonds of the Village pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is forty (40) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Village for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds, and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof, and as to executing documents regarding the tax-exempt status of bonds or notes issued pursuant to the resolution;

SIXTH: STATING the conditions under which the validity of the bonds and any notes issued in anticipation thereof may be contested; and

SEVENTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: August 28, 2024

Sarah J. Witt
Village Clerk

CERTIFICATE

I, Sarah J. Witt, Village Clerk of the Village of Millbrook, in the County of Dutchess, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Board of Trustees of said Village of Millbrook duly called and held on August 28, 2024, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Board of Trustees and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Village of Millbrook this 28th day of August, 2024.

(SEAL)



Village Clerk

AFFIDAVIT OF POSTING

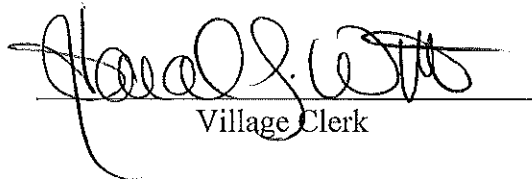
STATE OF NEW YORK)
 :ss:
COUNTY OF DUTCHESS)

Sarah J. Witt, being duly sworn, deposes and says:

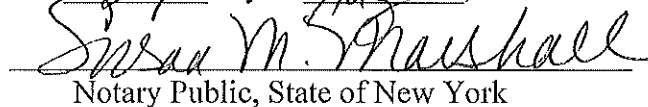
That she is and at all times hereinafter mentioned she was the duly qualified and acting Village Clerk of the Village of Millbrook, in the County of Dutchess, State of New York;

That on August 29, 2024, she has caused to be conspicuously posted and fastened up in the following places a Notice setting forth an abstract of the bond resolution duly adopted by the Board of Trustees on August 28, 2024, a copy of which is annexed hereto and made a part hereof, said places constituting at least six (6) of the most conspicuous public places in said Village, and at least one copy in each polling place in said Village:

1. Millbrook Public Library
2. Town of Washington Town Hall
3. Village of Millbrook Town Hall
4. Millbrook Post Office
5. Millbrook Firehouse (polling place)
6. Stewart's Community Board


Village Clerk

Subscribed and sworn to before me
this 29 day of AUG, 2024.


Notary Public, State of New York

SUSAN M. MARSHALL
Notary Public, State of New York
Reg. No. 01MA6197676
Qualified in Dutchess County
My Commission Expires 12/01/2024