

RESOLUTIONS FOR MARCH 2023

- RESOLUTION 3-2023-#1-** AMENDMENT TO CONTRACT WITH ULSTER COUNTY FOR ARPA FUNDS TO THE WATER DISTRICT FOR THE CONSTRUCTION OF A NEW WATER TOWER.
- RESOLUTION 3-2023-#2 -** MAINTENANCE AGREEMENT FOR HEATING & AIR CONDITIONING UNITS AT THE RONDOUTH MUNICIPAL CENTER.
- RESOLUTION 3-2023-#3 -** SHARED SERVICES AGREEMENT BETWEEN THE TOWN OF ROSENDALE AND NEW YORK STATE DEPARTMENT OF TRANSPORTATION.
- RESOLUTION 3-2023-#4 -** CONTRACT WITH ULSTER COUNTY FOR ARPA FUNDS TO THE WATER DISTRICT FOR THE CONSTRUCTION OF A NEW WATER TOWER.
- RESOLUTION 3-2023-#5 -** FINAL 2022 BUDGET TRANSFERS
- RESOLUTION 3-2023-#6 -** BROADBAND FUNDING AND DEVELOPMENT
- RESOLUTION 3-2023-#7 -** AGREEMENT BETWEEN THE TOWN OF ROSENDALE AND EMPLOYEE ASSISTANCE PROGRAM SERVICES OF THE MID-HUDSON VALLEY

RESOLUTION – AMENDMENT TO CONTRACT WITH ULSTER COUNTY FOR ARPA FUNDS TO THE WATER DISTRICT FOR THE CONSTRUCTION OF A NEW WATER TOWER

WHEREAS, the Town of Rosendale passed Resolution 02-2023-05 on February 8, 2023; and

WHEREAS, additional language was added to the contract, and

WHEREAS, the American Rescue Plan Act (ARPA) was signed into law in March of 2021 to help support local governments with the financial impact of the pandemic; and

WHEREAS, Ulster County as a recipient of these funds is authorized to issue subawards to local governments for Water and Sewer capital projects; and

WHEREAS, the town of Rosendale’s Water District is in need of replacing their aging and leaking Water Tower; and

WHEREAS, Ulster County has agreed engage the Town of Rosendale as a subrecipient for funds to assist in the replacement of the water tower storage tank in the Rosendale Water District near Sand Hill.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rosendale approve the contract and authorize the supervisor to sign the Sewer and Water subaward agreement attached contingent upon the following amendments being made:

Page 19 add under 7.08 Mailing Address
Town of Rosendale
Attention: Town Attorney
1915 Lucas Avenue
Cottkill, NY 12419

Page 21 Sec 7.18 add

Any and all disputes involving this agreement, including the breach or alleged breach thereof, may not be submitted to arbitration unless specifically agreed to in writing by the parties and their respective attorneys,

Motion made at a meeting of the Town Board of the Town of Rosendale, March **1, 2023** by Supervisor Walsh and seconded by Councilm Havranek.

VOTING MEMBERS:

Councilman Havranek	✓
Councilmember Muller	✓
Councilmember Sweeney	✓
Councilmember Wykoff	✓
Supervisor Walsh	✓

**RESOLUTION – MAINTENANCE AGREEMENT FOR HEATING & AIR
CONDITIONING UNITS AT THE RONDOUT MUNICIPAL CENTER**

WHEREAS, Lowe Plumbing, Heating & Air Conditioning, Inc installed split heat & air conditioning units at the Rondout Municipal Center in 2016; and

WHEREAS, these units require maintenance; and

WHEREAS, the Town has received a quote for maintenance of these units from Lowe Plumbing, Heating & Air Conditioning which has been attached; and

WHEREAS, RMC Building Joe La Fera has recommended that said quote from Lowe Plumbing, Heating & Air Conditioning be accepted.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Rosendale hereby authorizes the Supervisor to sign a one year agreement with Lowe Plumbing, Heating & Air Conditioning, Inc. which has been attached and made a part hereof for maintenance of these units; and

BE IT FURTHER RESOLVED, that this resolution shall become effective upon its passage by both the Town Board of Rosendale and the Town Board of Marbletown.

Motion made at a meeting of the Town Board of the Town of Rosendale, March 1, 2023, by Supervisor Walsh and seconded by Councilmember ember Muller.

VOTING MEMBERS:

Councilman Havranek	✓
Councilmember Muller	✓
Councilmember Sweeney	✓
Councilmember Wykoff	✓
Supervisor Walsh	✓

RESOLUTION – SHARED SERVICES AGREEMENT BETWEEN THE TOWN OF ROSENDALE AND NEW YORK STATE DEPARTMENT OF TRANSPORTATION

WHEREAS, 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 effective utilization of both parties' resources; and

WHEREAS, the Town Board and the Highway Superintendent would prefer a four (4) year agreement.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Rosendale authorizes the Supervisor and Highway Superintendent to sign said agreement on behalf of the Town of Rosendale which has been attached and made a part hereof.

Motion made at a meeting of the Town Board of the Town of Rosendale, March 8, 2023 by Supervisor Walsh and seconded by Councilm ember Wykoff.

VOTING MEMBERS:

Councilman Havranek	<u>Reuse</u>
Councilmember Muller	<u>✓</u>
Councilmember Sweeney	<u>✓</u>
Councilmember Wykoff	<u>✓</u>
Supervisor Walsh	<u>✓</u>

At a meeting of the Town Board of the Town of Rosendale, Ulster County, New York, held at the Town Hall, in Cottekill, New York in said Town, on the 8 day of March, 2023, at 7 o'clock P.M., Prevailing Time.

PRESENT:

Jeanne L Walsh
Supervisor

Carrie Wykoff
Councilmember

Ashley Sweeney
Councilmember

Joseph Havranek
Councilman

Molly Muller
Councilmember

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In the Matter
of
The Increase and Improvement of
Facilities of the Sewer District in
the Town of Rosendale, Ulster County,
New York

ORDER
CALLING
PUBLIC
HEARING

WHEREAS, the Town Board of the Town of Rosendale, Ulster County, New York, has caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Sewer District in the Town of Rosendale, Ulster County, New York, consisting of Wastewater Treatment Plant improvements and other related improvements, at a maximum estimated cost of \$5,300,000; and

WHEREAS, the Town Board has previously conducted public hearings in connection with such project and approved the project and financing thereof all pursuant to Article 12-C of the Town Law:

WHEREAS, at the time the Village of Rosendale was dissolved a sewer district was formed and the Town took over responsibilities with respect thereto;

WHEREAS, it is now the intention to pursue approval of this project on behalf of the Sewer District in lieu of prior proceedings undertaken as a sewer improvement under Article 12-C; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of the Sewer District, in the matter described above, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

ORDERED, by the Town Board of the Town of Rosendale, Ulster County, New York, as follows:

Section 1. A public hearing will be held at the Rosendale Town Hall, in Cottekill, New York, in said Town, on March 20, 2023 at 5 o'clock P.M., Prevailing Time, on the question of the increase and improvement of the facilities of the Sewer District in the Town of Rosendale, Ulster County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspaper of the Town, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

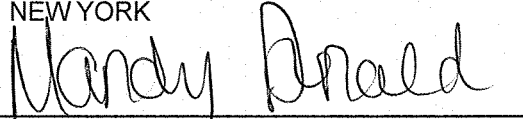
NOTICE IS HEREBY GIVEN that the Town Board of the Town of Rosendale, Ulster County, New York, will meet at the Town Hall, in Cottekill, New York, in said Town, on March 20 2023, at 5 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing in relation to the increase and improvement of the facilities of the Sewer District consisting of Wastewater Treatment Plant improvements and other related improvements, in said Town, at a maximum estimated cost of \$5,300,000.

Such project has previously been approved as a sewer improvement under Article 12-C of the Town Law. It is now desired to correct the record to reflect this project is on behalf of the existing sewer district.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Cottekill, New York,
March 9, 2023.

BY ORDER OF THE TOWN BOARD OF THE
TOWN OF ROSENDALE, ULSTER COUNTY,
NEW YORK



Town Clerk

Section 4. This Order shall take effect immediately. The question of the adoption of the foregoing Order was duly put to a vote on roll call, which resulted as follows:

Supervisor Jeanne L Walsh	VOTING	Yes
Councilmember Carrie Wykoff	VOTING	Yes
Councilmember Ashley Sweeney	VOTING	Yes
Councilman Joseph Havranek	VOTING	Yes
Councilmember Molly Muller	VOTING	Yes

The order was thereupon declared duly adopted.

* * * * *

STATE OF NEW YORK)
) ss.:
COUNTY OF ULSTER)

I, the undersigned Clerk of the Town of Rosendale, Ulster County, New York (the "Issuer"), DO
HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the 8 day of March, 2023.
2. That such meeting was a **special** regular (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (the meeting at which the proceeding was adopted) was given PRIOR THERETO in the following manner:

PUBLICATION (here insert newspaper(s) and date(s) of publication)

Daily Freeman

POSTING (here insert place(s) and date(s) of posting)

Town of Rosendale Com - 3/9/2023

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this 9th
day of March, 2023.

Nancy Arnold
Town Clerk

(CORPORATE
SEAL)

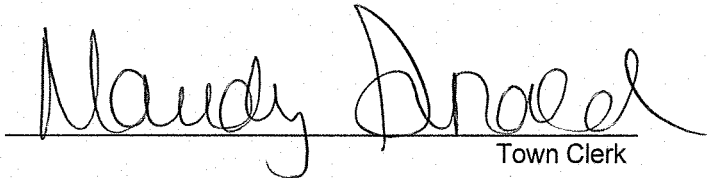
AFFIDAVIT OF POSTING

STATE OF NEW YORK)
) ss.:
COUNTY OF ULSTER)

I, the undersigned Clerk of the Town of Rosendale, Ulster County, New York, DEPOSE AND SAY:

That on the 9 day of March, 2023, I caused to be posted on the official signboard maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of Public Hearing, which Notice is part of an order duly adopted by the Town Board on the 8 day of March, 2023.

A true and correct copy of such Notice is attached hereto and made a part hereof.



Town Clerk

Subscribed and sworn to before me
this 9th day of March, 2023.



Notary Public

Debra Tierney
Notary Public, New York State
No. 01716200116
Qualified in Ulster County
Commission Expires Jan. 26, 2025

RESOLUTION – FINAL 2022 BUDGET TRANSFERS

BE IT RESOLVED that the Town Board of the Town of Rosendale hereby authorize the following budgetary transfers:

GENERAL FUND – Transfer the sum of:

Decrease		Increase		Amount
A1410.2	Town Clerk Eq.	A1410.4	Town Clerk C.E.	\$66.27
A3120.1	Police P.S.	A3120.2	Police Eq.	\$548.00

HIGHWAY FUND – Transfer the sum of:

Decrease		Increase		Amount
D5130.1	Machinery P.S.	D5142.4	Snow Removal C.E.	\$7,112.36

SEWER FUND – Transfer the sum of:

Decrease		Increase		Amount
SS8120.4	Collection C.E.	SS8120.2	Collection Eq.	\$546.84

WATER FUND – Transfer the sum of:

Decrease		Increase		Amount
SW8310.2	Administration Eq.	SW8310.4	Administration C.E.	\$129.70
SW8330.2	Purification Eq.	SW8340.4	Trans/Distr C.E.	\$172.96

Motion made at a meeting of the Town Board of the Town of Rosendale, March 8, 2023 by Supervisor Walsh and seconded by Councilman ~~an Havranek~~ Muller.

ember

VOTING MEMBERS:

- Councilman Havranek
- Councilmember ~~Klepis~~ ^{Sweeney}
- Councilmember Muller
- Councilmember Wykoff
- Supervisor Walsh

RESOLUTION –BROADBAND FUNDING AND DEVELOPMENT

WHEREAS, the Town of Rosendale seeks to provide broadband internet service to the Town and all the unserved/underserved residents and businesses in the Town (“Project”); and,

WHEREAS, Archtop and the Town agree on the objectives of the Project and desire to further make available broadband service (“Service”) to the unserved/underserved areas within the Town via the System (defined below); and,

WHEREAS, there are multiple, overlapping programs at the Federal and State level that support broadband access as their main purpose, including Federal Communications Commission, Rural Utility Services, US Department of Commerce and National Telecommunications and Information Administration programs, creating difficulty in determining the most effective approach to securing public funding for the Project; and

WHEREAS, Archtop is willing to assist the Town’s efforts to secure public funding from all available sources for the Project if all funding which the Town derives from this joint effort is dedicated to the maximum extent legally permissible to support infrastructure within portions of the Town for Archtop to provide broadband internet service (“System”), and if applicable permit and inspection fees on Town property and rights-of-ways required for the construction of the System are waived; and

WHEREAS, the Town of Rosendale is willing to assist in such efforts as part of the Project, under the terms of this Broadband Agreement.

NOW THEREFORE BE IT RESOLVED, for value received and in consideration of the covenants and conditions set forth below, the Parties agree to the attached agreement:

Motion made at a meeting of the Town Board of the Town of Rosendale, March 8, 2023 by Supervisor Walsh and seconded by Councilmember Wykoff.

VOTING MEMBERS:

- Councilman Havranek ✓
- Councilmember Muller ✓
- Councilmember Sweeney ✓
- Councilmember Wykoff ✓
- Supervisor Walsh ✓

RESOLUTION – AGREEMENT BETWEEN THE TOWN OF ROSENDALE AND EMPLOYEE ASSISTANCE PROGRAM SERVICES OF THE MID-HUDSON VALLEY

WHEREAS, EAP Services is a Division of HealthAlliance, specializing in the development and maintenance of Employee Assistance Programs for business and industry; and

WHEREAS, Town of Rosendale is desirous of renewing their agreement with EAP Services to provide an Employee Assistance Program, for employees of Town of Rosendale.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Rosendale hereby authorizes the Supervisor to sign the Agreement which has been attached and made a part hereof.

Motion made at a meeting of the Town Board of the Town of Rosendale, March 8, 2023, by Supervisor Walsh and seconded by Councilmember Muller.

VOTING MEMBERS:

- Councilman Havranek ✓
- Councilmember Muller ✓
- Councilmember Sweeney ✓
- Councilmember Wykoff ✓
- Supervisor Walsh ✓