

RESOLUTIONS FOR NOVEMBER 2023

- RESOLUTION 11-2023-#1-** Shared Service Agreement with Town of Marbletown for shared equipment and personnel
- RESOLUTION 11-2023-#2 -** High Falls Water District Meters BOND \$50,000.00
- RESOLUTION 11-2023-#3 -** Contract with Ulster County for ARPA Funds for Parks and Recreation
- RESOLUTION 11-2023-#4 -** Exceeding the NYS Mandated 2% Tax Cap for 2023
- RESOLUTION 11-2023-#5 -** Adoption of 2024 High Falls Water District Budget
- RESOLUTION 11-2023-#6 -** Adoption of the 2024 budget
- RESOLUTION 11-2023-#7 -** Delinquent Water and Sewer Levies
- RESOLUTION 11-2023-#8 -** To Authorize the Supervisor for the Town of Rosendale to enter into a memorandum of understand with the Ulster county sheriff's Office pertaining to the Transfer of custody of arrestees for arraignment before the Ulster county Centralized Arraignment part located at the Ulster county Law enforcement Center.

At a special 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 December 6, 2023, at 7:00 o'clock P.M., Prevailing Time.

PRESENT:

Janne L Walsh
Supervisor

Joseph Havranek
Councilman

Molly Muller
Councilmember

Ashley Sweeney
Councilmember

In the Matter of The Increase and Improvement of Facilities of High Falls Water District in the Town of Rosendale, Ulster County, New York	PUBLIC INTEREST ORDER
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WHEREAS, the Town Board of the Town of Rosendale, Ulster County, New York, has duly 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 proposed increase and improvement of the facilities of High Falls Water District, in the Town of Rosendale, Ulster County, New York, consisting of replacement of water meters, including incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$50,000; and

WHEREAS, at a meeting of said Town Board duly called and held on November 1, 2023, an Order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of facilities of High Falls Water District in said Town at a maximum estimated cost of \$50,000, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Cottekill, New York, in said Town, on December 6, 2023, at 7:00 o'clock P.M., Prevailing Time; and

WHEREAS, said Order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the increase and improvement of the facilities of High Falls Water District, in the Town of Rosendale, Ulster County, New York, consisting of the replacement of water meters, including incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$50,000.

Section 2. This Order shall take effect immediately.

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

Supervisor Walsh VOTING YES

Councilman Havranek VOTING YES

Councilmember Muller VOTING YES

Councilmember Sweeney VOTING YES

The Order was thereupon declared duly adopted.

* * * * *

CERTIFICATION

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 6th day of December, 2023.
- 2. That such meeting was a **regular** 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)

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this 8th day of December, 2023.

Mandy Anad

Town Clerk



BOND RESOLUTION

At a special 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 6th day of December, 2023, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Walsh, and upon roll being called, the following were

PRESENT:

Supervisor Jeanne L Walsh
Councilman Joseph Havranek
Councilmember Molly Muller
Councilmember Ashley Sweeney

ABSENT:

Councilmember Carrie Wykoff

The following resolution was offered by Supervisor Walsh who moved its adoption, seconded by Councilman Havranek to-wit:

BOND RESOLUTION DATED DECEMBER 6, 2023.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$50,000 BONDS OF THE TOWN OF ROSENDALE, ULSTER COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE HIGH FALLS WATER DISTRICT, IN THE TOWN OF ROSENDALE, ULSTER COUNTY, NEW YORK.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an Order dated the date hereof, said Town Board has determined it to be in the public interest to improve the facilities of High Falls Water District, in the Town of Rosendale, Ulster County, New York, at a maximum estimated cost of \$50,000; and

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have any significant adverse impact on the environment; and

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

Section 1. For the specific object of purpose of paying the cost of the increase and improvement of the facilities of the High Falls Water District, in the Town of Rosendale, Ulster County, New York, consisting of the replacement of water meters, including incidental improvements and expenses in connection therewith, there are hereby authorized to be issued \$50,000 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object of purpose is \$50,000, which specific object of purpose is hereby authorized at said maximum estimated cost, and that the plan for the financing thereof is by the issuance of the \$50,000 bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object of purpose is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Rosendale, Ulster County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from monies raised from said High Falls Water District as applicable in the manner provided by law, there shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 8. The Supervisor is hereby further authorized, at the Supervisor's sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Health and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific

object of purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution 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

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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

Supervisor Walsh	VOTING YES
Councilman Havranek	VOTING YES
Councilmember Muller	VOTING YES
Councilmember Sweeney	VOTING YES

The resolution was thereupon declared duly adopted.

* * * * *

CERTIFICATION

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 6th day of December, 2023.
- 2. That such meeting was a **regular 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)

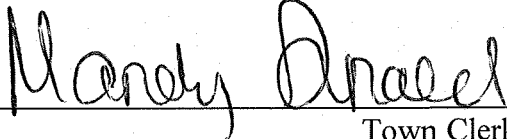
Daily Freeman

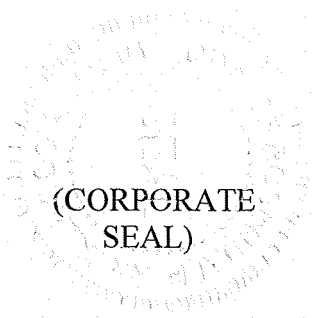
POSTING (here insert place(s) and date(s) of posting)

Townofrosendale.com 12/28/2023

Town Clerk’s Sign board 12/8/2023

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this 8th day of December, 2023.


Town Clerk



LEGAL NOTICE OF ESTOPPEL

The bond resolution, a summary of which is published herewith, has been adopted on December 6, 2023, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Rosendale, Ulster County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the Town Clerk for a period of twenty days from the date of publication of this Notice.

Dated: Cottekill, New York,
December 6, 2023.

/s/Mandy Donald
Town Clerk

BOND RESOLUTION DATED DECEMBER 6, 2023.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$50,000 BONDS OF THE TOWN OF ROSENDALE, ULSTER COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE HIGH FALLS WATER DISTRICT, IN THE TOWN OF ROSENDALE, ULSTER COUNTY, NEW YORK.

Specific object of purpose:	High Falls Water District improvements, being the replacement of water meters
Maximum estimated cost:	\$50,000
Amount of obligations to be issued:	\$50,000 bonds
SEQRA status:	Type II Action. SEQRA compliance materials on file in the office of the Town Clerk where they may be inspected during normal office hours by appointment.

THANK YOU for your ad submission!

Your ad has been submitted for publication. Below is a confirmation of your ad placement. You will also receive an email confirmation.

ORDER DETAILS

Order Number:
NY0100010
External Order #:
2547178
Order Status:
Submitted
Classification:
General Legal Notices & Bids
Package:
Legals NY -IUO Internal Use Only
Final Cost:
42.79
Payment Type:
Account Billed
User ID:
W0013537
Username:
52101

PREVIEW FOR AD NUMBER NY01000100

ACCOUNT INFORMATION

TOWN OF ROSENDALE Legal NY
1915 Lucas Avenue
Cottekill, NY 12419
845-658-3159
noemail@email.com
TOWN OF ROSENDALE

TRANSACTION REPORT

Date
December 7, 2023 2:07:32 PM EST
Amount:
30.15
Date
December 8, 2023 11:34:43 AM EST
Amount:
12.64

ADDITIONAL OPTIONS

1 Affidavit*

SCHEDULE FOR AD NUMBER NY01000100

December 9, 2023
Daily Freeman Legals

LEGAL NOTICE**LEGAL NOTICE OF ESTOPPEL**

The bond resolution, a summary of which is published herewith, has been adopted on December 6, 2023, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Rosendale, Ulster County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution. A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the Town Clerk for a period of twenty days from the date of publication of this Notice.

Dated: Cottekill, New York, December 6, 2023.
/s/Mandy Donald Town Clerk

BOND RESOLUTION DATED December 6, 2023. A RESOLUTION AUTHORIZING THE ISSUANCE OF \$50,000 BONDS OF THE TOWN OF ROSENDALE, Ulster County, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE High Falls Water District IN THE TOWN

DISTRICT, IN THE TOWN
OF ROSENDALE, Ulster
County, NEW YORK.
Specific object of pur-
pose: High Falls Water
District improvements,
being the replacement
of water meters Maxi-
mum estimated cost:
\$50,000 Amount of ob-
ligations to be issued:
\$50,000 bonds SEQRA
status: Type II Action.
SEQRA compliance ma-
terials on file in the of-
fice of the Town Clerk
where they may be in-
spected during normal
office hours by appoint-
ment.

12/9/23

#NY0100010

Shared Services Agreement

THIS AGREEMENT, is entered into by and between the TOWN OF ROSENDALE, having its principal place of business at 1915 Lucas Avenue, Cottekill, New York 12419 and the Town of Marletown having its principal place of business at 1925 Lucas Avenue Cottekill, NY 12419 (hereinafter referred to as the "Party" or "Parties"). It is understood that any specific time, one party maybe the "Lender" and the other party maybe the "Borrower" as the case may be.

WHEREAS, this Agreement is made pursuant to Article 5-G of New York General Municipal Law, and Sections 102, 133-a, and 135, of New York Highway Law; and

WHEREAS, the Parties agree that a cooperative arrangement such as is established hereby is in the best interests of the citizens of the respective municipalities; and

WHEREAS, each Party hereto has certain highway, non-highway, specialty equipment and/or skilled personnel (including equipment operators) that may be available from time to time; and

WHEREAS, it is possible to make such equipment and/or personnel available for use by others when it is in the public interest; and

WHEREAS, such cooperative efforts may be for a scheduled short duration of time, an unanticipated event, and/or an emergency; and

WHEREAS, each Party has authorized their respective highway superintendent or other appropriate department heads to act using their discretion pursuant to this Agreement.

NOW THEREFORE, it is mutually agreed between the Parties as follows:

1. SERVICES: The Parties may loan certain highway, non-highway, specialty equipment and/or skilled personnel (including equipment operators) materials and/or supplies that may be available from time-to-time to the other Party. All such items shall be loaned at the discretion of the respective highway superintendent and/or other appropriate department head.

2. TERM OF AGREEMENT: This Agreement shall take effect on 11/1/2023 and shall continue in full force and effect for five (5) years from the effective date identified above.

3. EMPLOYEES: Each Party shall remain fully responsible for its own employees, including salary, benefits and workmen's compensation insurance. From time to time, machinery and equipment may be loaned under this agreement with an operator. The operator shall be subject to the direction and control of the Highway Superintendent of the Borrower in relationship to the manner in which the work is to be completed. However, the method by which the machine is to be operated shall be determined by the operator. All employees of the Parties are to be treated in accordance with their respective collective bargaining agreements, if any.

4. MAINTENANCE AND REPAIR: The Lender shall be responsible for all maintenance and repairs to the machinery and equipment when an operator is provided with the equipment.

If the Lender does not provide an operator with its equipment, the Borrower shall be responsible for maintenance and repairs due to normal wear and tear during the loan period. The Borrower shall be responsible for the repair and/or replacement of the machinery and equipment due a causality loss or negligence by the borrower during the loan period.

5. RECORDS AND REPORTS: The Parties shall maintain full and accurate records of the employees, machinery, equipment and /or materials loaned.

In the case of an accident involving items covered under this Agreement, the appropriate accident reports and claims shall be filed promptly with the Town Clerk's Office and/or the Workmen's Compensation coordinator of each Party.

6. INDEMNIFICATION: Each Party agrees to defend, indemnify and hold harmless the other Party, including its officials, employees and agents, against all claims, losses, damages, liabilities, costs or expenses (including without limitation, reasonable attorney fees and costs of litigation and/or settlement), whether incurred as a result of a claim by a third party or any other person or entity, arising out of its performance pursuant to this Agreement, which either Party, or its officials, employees or agents, may suffer by reason of any negligence, fault, act or omission of the other Party, its employees, representatives, subcontractors, assignees, or agents. Notwithstanding the foregoing, each Party's obligation to defend, indemnify and hold harmless the other Party shall have no applicability to the extent that such other Party, its officers, agents, servants, employees, contractors or subcontractors contributed to the claims, losses, damages, costs or expenses.

7. INSURANCE: The Borrower shall maintain or cause to be maintained, in full force and effect during the term of this Agreement, at its expense, insurance with stated minimum coverages. Such policies are to be in the broadest form available on usual commercial terms and shall be written by insurers of recognized financial standing who have been fully informed as to the nature of the use of the equipment. The Borrower shall provide the Lender at the inception of this Agreement, a Certificate of Insurance evidencing the required General Liability Insurance, Property and Causality Insurance, Automobile Liability Insurance, Workmen's Compensation Insurance, and Disability Coverage. The Lending Party shall be an additional insured on all policies with the understanding that any obligations imposed upon the insured (including without limitation, the liability to pay premiums) shall be the sole obligation of Borrower. The Borrower shall provide the Lender with a new certificate of insurance 30 days prior to the expiration of the original certificate.

8. EFFECTIVENESS: This Agreement shall not be effective until approved by a majority vote, as required by section 119-o of the General Municipal Law, of the Town Board of each Party.

9. TERMINATION: Either Party may, by written notice to the other Party effective thirty (30) days from mailing, terminate this Agreement in whole or in part at any time.

10. FILING: This Agreement shall be filed with the Town Clerk and the Highway Superintendent of each of the Parties and the Ulster County Highway Department.

11. SAFETY PRECAUTIONS: The Parties shall provide and employ all safety measures, safety equipment, and safety devices appropriate and necessary when operating the equipment. The Parties shall comply with all safety standards, codes, regulations, and laws applicable to their activities under this Agreement.

12. MODIFICATIONS: No changes, amendments, or modifications of any of the terms and/or conditions of this Agreement shall be valid unless reduced to writing and signed by the parties to this Agreement.

13. ENTIRE AGREEMENT: The rights and obligations of the Parties and their respective agents, successors and assignees shall be subject to and governed by this Agreement, which supersedes any other understandings or writings between or among the Parties to this Agreement. Agreements between the parties for the joint purchasing and maintenance of specific pieces of equipment are not modified by this agreement.

RESOLUTION – CONTRACT WITH ULSTER COUNTY FOR ARPA FUNDS FOR PARKS AND RECREATION

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 Parks and Recreation projects; and

WHEREAS, the Town of Rosendale’s Recreation Center needs to replace their aging infrastructure; and

WHEREAS, Ulster County has agreed to engage the Town of Rosendale as a subrecipient for funds to assist in the replacement of the aging infrastructure at the Rosendale Recreation Center.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rosendale approve the contract and authorize the supervisor to sign the Municipal Parks and Recreation Subaward Agreement.

Motion made at a regular meeting of the Town Board of the Town of Rosendale, November 1, 2023, by Supervisor Walsh and seconded by Councilm ember Sweeney.

VOTING MEMBERS:

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

RESOLUTION – EXCEEDING THE NYS MANDATED 2% TAX CAP FOR 2024

WHEREAS, the Town of Rosendale must fund the costs of increase in healthcare, bond payments, improving facilities, state mandated salary increases, decrease in mortgage tax, it is necessary to have a Local Law in effect in order to override a New York State mandated “Tax Cap”; and

WHEREAS, the Town Board of the Town of Rosendale is concerned that meeting the Tax Cap would put fiscal stress on the Town; and

WHEREAS, this resolution is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a resolution approved by vote of sixty percent (60%) of the Town Board.

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rosendale, County of Ulster, is hereby authorized to adopt a budget for the fiscal year 2024 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law, §3-c.

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

VOTING MEMBERS:

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

RESOLUTION – ADOPTION OF 2024 HIGH FALLS WATER DISTRICT BUDGET

WHEREAS, a duly publicized public hearing regarding the Town of Rosendale 2024 High Falls Water District Budget was held on November 1, 2023.

NOW, THEREFORE, BE IT RESOLVED, that said budget, after such public hearing, a copy of which is attached hereto and made a part hereof, is adopted by the Town Board of the Town of Rosendale as the official 2024 Budget for the High Falls Water District; and

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

Motion made at a meeting of the Town Board of the Town of Rosendale, November 8, 2023, by Supervisor Walsh and seconded by Councilm ember an Hawank

VOTING MEMBERS:

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

RESOLUTION – ADOPTION OF THE 2024 BUDGET

WHEREAS, a duly publicized public hearing regarding the Town of Rosendale 2024 Preliminary Budget was held on November 1, 2023, and

WHEREAS, the Governor of the State of New York has requested that towns keep their budget under 2%, or the cost of living; and

WHEREAS, the Supervisor has presented under the 2% cap budget to the Town Board; and

WHEREAS, the Town Board reviewed and amended the 2024 Preliminary Budget as needed.

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Rosendale, County of Ulster, is hereby authorized to adopt the Final Budget for the fiscal year 2024, and

BE IT FURTHER RESOLVED, that said budget, as amended after such public hearing, a copy of which is attached hereto and made a part hereof, is adopted by the Town Board of the Town of Rosendale as the official 2024 Budget of the Town of Rosendale.

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

VOTING MEMBERS:

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

RESOLUTION – DELINQUENT WATER AND SEWER LEVIES

BE IT RESOLVED that the Town Board of the Town of Rosendale hereby authorize that the 2023 delinquent payment list for all Rosendale Water and Sewer Districts and the High Falls Water District Residents in the Town of Rosendale shall be submitted to the County of Ulster for inclusion on the 2024 Tax Levy; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Rosendale authorizes the Water & Sewer Clerk to accept any payments received up till November 3, 2023 and those accounts will be removed from the attached list.

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

VOTING MEMBERS:

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

RESOLUTION - TO AUTHORIZE THE SUPERVISOR FOR THE TOWN OF ROSENDALE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE ULSTER COUNTY SHERIFF'S OFFICE PERTAINING TO THE TRANSFER OF CUSTODY OF ARRESTEES FOR ARRAIGNMENT BEFORE THE ULSTER COUNTY CENTRALIZED ARRAIGNMENT PART LOCATED AT THE ULSTER COUNTY LAW ENFORCEMENT CENTER

WHEREAS, New York State law allows counties to create off-hours, centralized arraignment parts ("CAP courts") to facilitate timely court processing and an individual's right to counsel at first appearance after arrest; and

WHEREAS, CAP courts aim to foster efficiency and ease logistical and administrative burdens by assigning off-hours arraignments to local criminal court judges according to a rotating, predetermined schedule; and

WHEREAS, CAP courts ensures that a judge within the county is always available to handle an arraignment; and

WHEREAS, the Ulster County Magistrate's Association ("UCMA") has approved the creation of a CAP court in Ulster County ("Ulster CAP court") and submitted a proposal to the Hon. Gerald W. Connolly, Administrative Judge New York State Third Judicial District for approval; and

WHEREAS, the Third Judicial District is in the process of approving both the plans and the protocol for the Ulster CAP court to be located at the Ulster County Law Enforcement Center ("UCLEC"); and

WHEREAS, the Ulster County Legislature has approved the funding for the assignment of court clerks and a public defender to be available for the Ulster CAP court; and

WHEREAS, a Memorandum of Understanding, ("MOU"), attached as Exhibit A, is now required to be executed between each municipality with a police agency located in Ulster County ("police agency") and the Ulster County Sheriff's Office ("UCSO"); and

WHEREAS, the MOU has been reviewed and approved by the Ulster County Attorney's Office and will be presented to the Ulster County Legislature for formal approval; and

WHEREAS, the MOU will permit the UCSO to take custody of the arrestees of a police agency and temporarily house the arrestee within the UCLEC; and

WHEREAS, the USCO agrees to safely, and securely, maintain custody of these individuals under the terms and conditions of MOU; and

WHEREAS, the Ulster County CAP court shall assure consistency in representation as well as the afterhours schedules of the City, Town, and Village justices; and

WHEREAS, the Ulster County CAP court will result in a more efficient and effective police agency by removing the burdensome and time-consuming task of attempting to recruit a local judge and public defender to perform an afterhours arraignment; and

WHEREAS, the Ulster County CAP court will allow the members of a police agency to more quickly return to other duties once the arrestee has been processed and transferred to the USCO.

NOW THEREFORE, BE IT RESOLVED, that the Town of Rosendale hereby authorizes the Supervisor to execute the MOU upon approval of the plans and protocol for Ulster County CAP Court by Honorable Gerald W. Connolly Administrative Judge NYS 3rd Judicial District; and

BE IT FURTHER RESOLVED, that this is contingent upon review & approval by the attorney for the Town.

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

VOTING MEMBERS:

Councilman Havranek ✓

Councilmember Muller ✓

Councilmember Sweeney ✓

Councilmember Wykoff ✓

Supervisor Walsh ✓