RESOLUTION # 10-2023

OF THE BOARD OF TRUSTEES OF THE

VILLAGE OF MIDDLEBURGH, NY

IN RELATION TO ENTERING INTO A CONTRACT WITH THE

DORMITORY AUTHORITY OF THE STATE OF NEW YORK TO RECEIVE A GRANT TO COVER

CERTAIN EXPENSES INCURRED IN A WATER AND SEWER EXTENSION PROJECT

On December 27, 2023, on motion made by Trustee \_\_\_\_\_\_\_\_\_ and seconded by Trustee \_\_\_\_\_\_\_\_\_\_, the Board of Trustees (the “Board”) unanimously adopted the following resolution:

WHEREAS in 2015 the development company Middleburgh Meadows, LLC (the “Developer”) began plans to develop residential and retail space known as “Middleburgh Meadows” in the northeast corner of the Village of Middleburgh;

WHEREAS in 2016 the developer obtained approval from the Village Planning Board, the Village Building Department, and other government agencies of the County and State to begin construction of Middleburgh Meadows;

WHEREAS, in order to support these development plans, the Board approved a proposal to construct an extension of its existing water and sewer systems to the proposed development site (the “Water and Sewer Extension”), provided that the Developer itself fund or find funding for 100% of the Water and Sewer Extension;

WHEREAS in 2017 the Village of Middleburgh applied to DASNY under its State and Municipal Facilities Capital Program for a grant of $250,000 which would reimburse the Developer for a portion of the cost of the Water and Sewer Extension (the “Grant Funding”);

WHEREAS the Water and Sewer Extension project was completed in 2018;

WHEREAS DASNY has now approved the Grant Funding and is now in a position to make the Grant Funding available, provided that the Village apply such Grant Funding solely for the purpose of reimbursing costs expended for the Water and Sewer Expansion;

WHEREAS, on or about October 20, 2023, DASNY presented the Board with a draft of a Grant Disbursement Agreement between the Village and DASNY, a copy of which is attached as Exhibit A hereto, pursuant to which DASNY would pay to the Village the cost of certain expenses related to the Water and Sewer Extension, subject to certain conditions (the “Agreement”);

WHEREAS the Board desires to accept the grant relating to Water and Sewer Extension costs on the terms set forth in the Agreement, finding that such terms to be in the best interests of the Village of Middleburgh and its residents;

NOW, THEREFORE, THE BOARD HEREBY RESOLVES THAT:

1. The Village of Middleburgh shall enter into the Agreement in order to accept the Grant Funding from DASNY to reimburse the Village and other parties for some of the costs related to the Water and Sewer Extension; and
2. Mayor Timothy Knight and Village Clerk Melanie Laraway be and hereby are authorized to affix their signatures to the Agreement in order to evidence that the Village be bound to the same.
3. Resolutions of this Board on the subject of the Grant Funding which were adopted prior to the present resolution remain in full force and effect, except to the extent, and only to the extent, that such prior resolutions are inconsistent with the present resolution.

VOTING IN FAVOR:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mayor: Timothy Knight

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Trustee: Sheryl Adams

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Trustee: Robert Tinker

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Trustee: Amanda Fernandez

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Trustee: Kevin Young

I hereby certify that the above resolution was duly adopted at a meeting, properly noticed, of the Board of Trustees of the Village of Middleburgh on December 27, 2023, and that at such meeting a quorum of the Village Trustees was present.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Village Clerk: Melanie Laraway