

At a special meeting of the Town Board of the Town of Dresden, Washington County, New York, held at the Town Hall, 102 Clemons Road, in said Town, New York in said Town, on March 25, 2024, at 7:00 o'clock P.M., Prevailing Time.

PRESENT:

Supervisor

Councilman

Councilman

Councilman

Councilman

In the Matter of The Increase and Improvement of the Facilities of Hulett's Landing Sewer District #1 in the Town of Dresden, Washington County, New York (Additional Costs)	PUBLIC INTEREST ORDER
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WHEREAS, the Town Board of the Town of Dresden, Washington County, New York, has had under consideration the joint increase and improvement of the facilities of the Hulett's Landing Sewer District #1 in said Town (the "District"), consisting of reconstruction and relocation of a force sewer main currently over Foster Brook including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith; and

WHEREAS, by Order dated February 12, 2024, said Town Board called a joint public hearing on the question of the increase in the aggregate maximum estimated cost of said project of \$200,000.00; and

WHEREAS, notice of said public hearing was duly published and posted in the manner and within the time provided by law and such public hearing was duly held at the time and place specified in said notice at which all persons interested in the subject matter thereof were duly heard; and

WHEREAS, said Town Board has duly considered the evidence given at said public hearing;

NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Dresden, Washington 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 necessary and in the public interest to increase and improve the facilities the District in said Town, being Hulett's Landing Sewer District #1, in the manner described in the preambles hereof, at a maximum estimated cost of \$200,000.00 to said District, and said amount and improvements is hereby authorized and approved.

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:

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The Order was thereupon declared duly adopted.

* * * * *

CERTIFICATION

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

I, the undersigned Clerk of the Town of Dresden, Washington County, New York (the “Issuer”), DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the 25th day of March 2024.
2. That such meeting was a special 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 was sent to the press via email facsimile (circle as applicable), and posting on the Town Clerk’s signboard.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this _____ day of March 2024.

Town Clerk

(CORPORATE SEAL)

BOND RESOLUTION
(Additional Money)

At a special meeting of the Town Board of the Town of Dresden, Washington County, New York, held at the Town Hall, at 102 Clemons Road, Dresden, New York, in said Town, on the 25th day of March 2024 at 7:00 o'clock P.M., Prevailing Time.

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

PRESENT:

ABSENT:

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

BOND RESOLUTION DATED MARCH 25, 2024.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$200,000.00 BONDS OF THE TOWN OF DRESDEN, WASHINGTON COUNTY, NEW YORK, TO PAY PART OF THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF HULETT'S LANDING SEWER DISTRICT #1 IN THE TOWN OF DRESDEN, WASHINGTON COUNTY, NEW YORK.

WHEREAS, the Town Board of the Town of Dresden, Washington County, New York, on March 25, 2024, has under consideration of a capital project to increase and improve the facilities of the Hulett's Landing Sewer District #1 in said Town (the "District"), consisting of reconstruction and relocation of a force sewer mains currently over Foster Brook including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses, in the aggregate amount of \$200,000; and

WHEREAS, said capital project has been determined to be an Unlisted Action, with a Negative Declaration pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), the implementation of which as proposed, as such it is determined will not result in any significant environmental adverse effect; and

WHEREAS, it has been determined that the maximum estimated cost of said specific object or purpose is \$200,000.00; and

WHEREAS, it is now desired to authorize the issuance of \$200,000.00 bonds of said Town for such specific object or purpose to pay a portion of the cost thereof;

NOW, THEREFORE, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Dresden, Washington County, New York, as follows BE IT:

RESOLVED, the capital project hereinafter described, as proposed, has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which, it has been determined after review of the environmental assessment form and taking a hard look at the potential impacts, the implementation of such capital project, as proposed, will not result in a significant environmental effect; and be it further

RESOLVED, 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 District in the Town of Dresden, Washington County, New York, at a maximum estimated cost of \$200,000.00; and be it further

RESOLVED, by the Town Board of the Town of Dresden, Washington County, New York, as follows:

Section 1. The increase and improvement of the Hulett's Landing Sewer District #1, in the Town of Dresden, Washington County, New York, consisting of reconstruction and relocation of a force sewer mains currently over Foster Brook including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$200,000.00, said cost to be allocated amongst said District as described in the Public Interest Order of even date herewith.

Section 2. It is hereby determined that the plan for the financing of such specific object or purpose is by the issuance of \$200,000.00 serial bonds hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; provided, however that the amount

of serial bonds to be issued therefor shall be reduced dollar for dollar by any grant monies received therefor, if any.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is thirty years pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law, calculated from the date of the first bond anticipation note issued therefor. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. 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 5. The faith and credit of said Town of Dresden, Washington County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations 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 obligations becoming due and payable in such year. To the extent not paid from monies raised from said Hulett's Landing Sewer District #1 by assessments upon the properties therein benefitted thereby and as otherwise 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 6. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Dresden, Washington County, New York, by the manual or facsimile signature of the Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and may be attested by the manual or facsimile signature of the Town Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, or the private sale or issuance of such bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, award the bonds, or otherwise sell the bonds, in such manner as he shall deem best for the interests of said Town; 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 Town 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 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Supervisor, providing for the manual countersignature of a fiscal agent or of a designated official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Supervisor.

Section 9. 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 10. 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 11. This resolution, which takes effect immediately, shall be published in full or summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81 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:

_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____
_____ VOTING _____

The resolution was thereupon declared duly adopted.

* * * *

CERTIFICATION

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

I, the undersigned Clerk of the Town Board of the Town of Dresden, Washington County, New York (the “Issuer”), DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the 25th day of March 2024.
2. That such meeting was a special 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 was sent to the press via email facsimile (circle as applicable), and posting on the Town Clerk’s signboard.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this _____ day of March 2024.

Town Clerk

(CORPORATE SEAL)

LEGAL NOTICE OF ESTOPPEL

The bond resolution, a summary of which is published herewith, has been adopted on March 25, 2024, 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 Dresden, Washington 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: Dresden, New York,
March 25, 2024.

/s/ Marci Wilbur
Town Clerk

BOND RESOLUTION DATED MARCH 25, 2024

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$200,000.00 BONDS OF THE TOWN OF DRESDEN, WASHINGTON COUNTY, NEW YORK, TO PAY PART OF THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF HULETT’S LANDING SEWER DISTRICT #1 IN THE TOWN OF DRESDEN, WASHINGTON COUNTY, NEW YORK.

Specific object or purpose:

Joint increase and improvement of Hulett’s Landing Sewer District #1 (reconstruction and relocation of a force sewer mains currently over Foster Brook including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith).

Period of probable usefulness:

30 years

New maximum estimated cost:

\$200,000.00

Obligations previously authorized:

\$200,000.00 bonds, to be reduced by any grants-in-aid received.

SEQRA status:

Unlisted Action. Negative Declaration. Determination documentation on file in the office of the Town Clerk where it may be inspected during regular hours, by appointment.