RESOLUTION NO. 2025066

BOND RESOLUTION DATED MAY 12, 2025.

A RESOLUTION AUTHORIZING PRELIMINARY PLANNING EXPENSES FOR THE SLOPE STABILIZATION PROJECT ON SOUTH MILL ROAD IN THE TOWN OF RHINEBECK, IN AND FOR THE COUNTY OF DUTCHESS, NEW YORK, AT A MAXIMUM ESTIMATED COST OF $378,750, AND AUTHORIZING THE ISSUANCE OF $378,750 BONDS OF SAID COUNTY TO PAY THE COST THEREOF

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 a significant impact on the environment; and

WHEREAS, it is now desired to authorize the financing of such capital project, NOW, THEREFORE,

BE IT RESOLVED, by the County Legislature of the County of Dutchess, New York, as follows:

Section 1. Preliminary planning expenses for the slope stabilization project on South Mill Road in the Town of Rhinebeck, in and for said County, including incidental expenses in connection therewith, are hereby authorized at a maximum estimated cost of $378,750.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of $378,750 bonds of the County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is five years, pursuant to subdivision 62 (2^{nd}) of paragraph (a) of Section 11.00 of the Local Finance Law.

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 bonds herein authorized, including renewals of such notes, is hereby delegated to the Commissioner of Finance, 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 Commissioner of Finance, consistent with the provisions of the Local Finance Law.

Section 5. 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 Commissioner of Finance, the chief fiscal officer of such County. 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 Commissioner of Finance shall determine consistent with the provisions of the Local Finance Law.

Section 6. The faith and credit of said County of Dutchess, 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. There shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 7. 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 County 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 8. 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 9. This resolution, which takes effect immediately, shall be published in summary form in *The Poughkeepsie Journal* and the *Southern Dutchess News*, the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

CA-044-25
G-0145-B
CEB/rjw
04/14/2025
Fiscal Impact: See Attached.

CERTIFICATION FORM

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

I, the undersigned Clerk of the County Legislature of the County of Dutchess, New York (the "Issuer"), DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the County Legislature of said County, including the resolution contained therein, held on May 12, 2025, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that said County Legislature consists of 25 members; that the vote on the foregoing resolution was 25 ayes and 0 noes, with 0 members being absent or abstaining from voting.

I FURTHER CERTIFY that the foregoing resolution as adopted by said County Legislature was duly approved by the County Executive of said County on May 15, 2025, in accordance with the provisions of Section 3.02 of the Dutchess County Charter.

I FURTHER certify that all members of said Legislature had due notice of said meeting, and that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or other news media	Date given
Southern Dutchess News	May 9, 2025
Poughkeepsie Journal	May 9, 2025

and that I further duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s) of posted notice	Date of Posting
22 Market Street, 6th Floor, County Office Building Poughkeepsie, NY 12601	May 9, 2025

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 13 day of May, 2025.



LEIGH WAGER
Clerk, County Legislature

APPROVED
SUSAN J. SERINO
COUNTY EXECUTIVE
Date 5/15/2025

2025 CR 85 Planning for repair/reconstruction

Year	PRIN O/S	PRIN PAYMENT	INTEREST	TOTAL
1	$378,750	$75,750	$14,620	$90,370
2	303,000	75,750	11,696	87,446
3	227,250	75,750	8,772	84,522
4	151,500	75,750	5,848	81,598
5	75,750	75,750	2,924	78,674
TOTAL		$378,750	$43,859	$422,609
AVG. PER YEAR		$75,750	$8,772	$84,522

FISCAL IMPACT STATEMENT

TOTAL PRINCIPAL		$378,750	
ANTICIPATED INTEREST RATE [1]			3.86%
TERM	5 YEARS	ANTICIPATED FEES:	$3,750
ANTICIPATED ANNUAL COST (PRIN + INT):			$84,522
TOTAL PAYBACK (ANNUAL COST x TERMS):			$422,609

PREPARED BY HEIDI SEELBACH

[1] Rate is subject to change based upon a) maket conditions at time of debt issuance and b) term of financing which is dependent upon the structuring of all debt issued when this project is ultimately financed.

H0646 - CR-85 Slope Improvements

APPROPRIATIONS

Increase

H0646.5110.4401.105	Professional Services consultants	$375,000
H0646.5110.3900	Bond Issuing Costs	$3,750
		$378,750

REVENUES

Increase

H0646.5110.57100	Serial Bonds	$378,750
		$378,750

SUE SERINO
COUNTY EXECUTIVE

ROBERT H. BALKIND, P.E.
COMMISSIONER

DAVID C. WHALEN
DEPUTY COMMISSIONER

DUTCHESS COUNTY GOVERNMENT
DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

TO: **Rachel Kashimer, Deputy County Executive**

FROM: **Robert H. Balkind, P.E., Commissioner**

DATE: **April 7, 2025**

RE: **RESOLUTION REQUEST – BUDGET AMENDMENT TO CAPITAL PROJECT H0646, PROJECT FUNDING FOR PROFESSIONAL SERVICES FOR DETAILED DESIGN AND BID DOCUMENT PREPARATION, CR 85 (SOUTH MILL ROAD) SLOPE FAILURE, TOWN OF RHINEBECK, NY**

In July of 2024 County Route 85 (South Mill Road) in the Town of Rhinebeck was closed to all traffic due to a significant settlement of the road embankment. In November 2024, the Legislature authorized $100,000 for an engineering analysis of the slope and roadbed and included preliminary design of slope stabilization concepts to address a deep slope failure under the road embankment which caused this condition. This funding created Capital Project H0646.

DPW's Engineering Division solicited for proposals for the engineering analysis and hired Tectonic Engineers to perform a slope stability analysis and provide recommendations for repair alternatives for the slope failure and road reconstruction. This work has been completed, and the Department now has a concept for the needed repairs, and an approximate cost for construction phase services. There is approximately $15,000 of authorized funding within Project H0646 that has not been spent on the engineering analysis, and therefore the Department is seeking to utilize this surplus funding towards future project costs, including detailed design and/or construction phase activities.

The next step is to amend Capital Project H0646 by adding additional funding to employ Tectonic Engineers to develop detailed designs, prepare bid documents (plans and specifications) and provide an estimate of construction costs. These professional services will cost approximately $350,000 based on a fee proposal from Tectonic Engineers. The Department is seeking $375,000 which includes a $25,000 (7%) design contingency.

If funding is authorized, the Department expects to issue a solicitation for construction services in late 2025. The Department will submit a request for construction phase costs in August 2025.

Public Works and Capital Projects Roll Call

District	*Name*	*Yes*	*No*
District 7 - Hyde Park and Pleasant Valley	Truitt*	✓	
District 25 - Amenia, Washington, Pleasant Valley & Millbrook	Houston*		
District 3 - LaGrange	Polasek*		
District 16 - Fishkill and Beacon	Valdés Smith*		
District 9 - City of Poughkeepsie	Atkins*		
District 1 - Town of Poughkeepsie	Gorman		
District 10 - City of Poughkeepsie	Johnson (VC)	Absent	
District 12 - East Fishkill	Metzger (C)		
District 13 - East Fishkill and Wappinger	Paoloni		
District 15 - Wappinger	Faust		
District 20 - Red Hook, Tivoli, and Rhinebeck	Munn		
District 23 - Pawling, Beekman and East Fishkill	Rolison		

Present: 11 Resolution: ✓ Total : 11 0

Absent: 1 Motion: ____ Yes No

Vacant: 0 Abstentions: 0

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MAY 8, 2025

Roll Call Sheets

District	Last Name	YES	NO
District 7 - Hyde Park and Pleasant Valley	Truitt	✓	
District 25 - Amenia, Washington, Pleasant Valley & Millbrook	Houston		
District 3 - LaGrange	Polasek		
District 16 - Fishkill and Beacon	Valdés Smith		
District 9 - City of Poughkeepsie	Atkins		
District 1 - Town of Poughkeepsie	Gorman		
District 2 - LaGrange, Pleasant Valley & Town of Poughkeepsie	Travelpiece		
District 4 - Hyde Park and Town of Poughkeepsie	Lawler		
District 5 - Town of Poughkeepsie	D'Aquanni		
District 6 - Town of Poughkeepsie	Kaul		
District 8 - City and Town of Poughkeepsie	Brendli		
District 10 - City of Poughkeepsie	Johnson		
District 11 - Clinton, Pleasant Valley, and Rhinebeck	Kearney		
District 12 - East Fishkill	Metzger		
District 13 - East Fishkill and Wappinger	Paoloni		
District 14 - Wappinger and Town of Poughkeepsie	Versaci		
District 15 - Wappinger	Faust		
District 17 - Town and Village of Fishkill	McHoul		
District 18 - City of Beacon and Fishkill	Page		
District 19 - North East, Stanford, Pine Plains, Milan & Red Hook	Drago		
District 20 - Red Hook, Tivoli, and Rhinebeck	Munn		
District 21 - East Fishkill	Caswell		
District 22 - Beekman and Union Vale	Garito		
District 23 - Pawling, Beekman and East Fishkill	Rolison		
District 24 - Dover and Pawling	House		

Present:	25	**Resolution:**	✓	**Total :**	25	0
Absent:	0	**Motion:**			**Yes**	**No**
Vacant:	0			**Abstentions:**	0	

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MAY 12, 2025