

2017-003

RESOLUTION

Trustee Pochfort introduced the following resolution, which was seconded by Trustee Hicks, reading as follows:

WHEREAS, Green Briar Real Estate LLC is the owner of certain real property located at 26 Old Route 82, Millbrook, New York 12545, consisting of +/- 4 acres and known by tax grid number 135889-6764-01-283600 (hereinafter the "Property"); and

WHEREAS, as a result of a health emergency created by the unexpected failure of Green Briar's current septic system, and due to the fact that Green Briar contracted with the Village for utilization of the Village's sanitary sewer system and water system prior to the issuance of the Moratorium of July 17, 2007; and

WHEREAS, the execution of this Agreement shall have no effect on the continuance of the July 17, 2007 Moratorium in all other respects; and

WHEREAS, except and as otherwise provided herein, Green Briar desires to continue to utilize the Village's sanitary sewer system and Wastewater Treatment Plant; and

WHEREAS, the Village Treatment Plant has the capacity to continue to treat wastewater from Green Briar based upon its current usage; and

WHEREAS, the Village Code §180-53 requires that any users of the Village's Wastewater Treatment Plant that are located outside of the Village shall enter into a contract with the Village; and

WHEREAS, the Village agrees to accept and treat Green Briar's sanitary sewage upon the terms and conditions set forth herein; and

WHEREAS, Green Briar also desires to continue to utilize the Village's water system; and

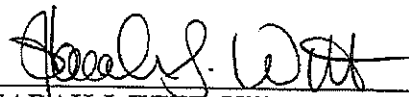
WHEREAS, the proposed Contract is annexed hereto as **Exhibit A**; and

NOW, IT IS HEREBY RESOLVED that the Village Board of Trustees hereby authorizes the Mayor or Deputy Mayor to execute the proposed Contract annexed hereto as **Exhibit A** or any other agreement having substantially the same or similar provisions.

The foregoing resolution was duly put to a vote which resulted as follows:

Mayor Brown	<u>aye</u>
Trustee Rochfort	<u>aye</u>
Trustee Herzog	<u>Absent</u>
Trustee Hicks	<u>aye</u>

DATED: Millbrook, New York  
February 14, 2017  
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SARAH J. WITT, Village Clerk  
Village of Millbrook