

MINUTES OF THE VILLAGE OF CATSKILL BOARD OF TRUSTEES
May 22, 2013

PRESENT: President Vincent Seeley
Vice-President Patrick McCulloch
Trustee Stan Dushane
Trustee Joseph Kozloski
ABSENT: Trustee James Chewens

AGENDA:

Motion made by Trustee McCulloch, seconded by Dushane, to approve payment of audited bills.
AYES: All Trustees present. Motion carried.

Motion made by Dushane, seconded by Kozloski, to approve Department reports. AYES: All Trustees present. Motion carried.

Motion made by Dushane, seconded by Kozloski, to approve Resolution No.: 5 of 2013 which allows the Village to purchase 2 dump trucks; install new roof on Village Garage and Village Hall; and renovate and improve the Police Department offices, at the cost of \$250,000. Said \$250,000 is to be borrowed as a serial bond. Said Resolution No. 5/2013 is attached hereto.

Mr. Patrick Milhourn addressed the Board with the problem of dog poop on the sidewalks on Main Street. It has gotten to the point that people are stepping in said poop and bringing it into Mr. Milhourn's gallery. This has happened on more than one occasion. The Board was asked what can be done in this regard. Mr. Milhourn asked for the possibility of raising the fine from a minimum of \$25 to a minimum of \$75. The Board was also asked for the possibility of giving notices to each dog walker and putting notices on storefront windows to get this information to the public.

Input from Mr. Hoven and Mr. Prest about putting signs in all the pocket parks and strictly enforce the law.

President Seeley asked the Board for input and Trustee Dushane said that everyone must help out; if you see a violation, tell the police; make sure all dogs are on leashes. Trustee McCulloch agreed with Trustee Dushane and that the fine needs to be at \$100 minimum and have the police officers hand out notices to dog walkers. Trustee Kozloski and Seeley also agreed on this point; up the fine to \$100, put up sign and communicate to the dog walkers. The idea of 'sandwich board signs' with the fining information strategically placed on Main Street may also help. Also need to put 'barriers' around the base of the trees to prevent dogs from getting too close to the trees.

Mr. Bruce Rappleyea asked the Board; again, what the status is regarding the weight limit on Village streets. Now there is an issue with tractor trailers parking in the parking lot at St. Pat's school. Lew O'Connor and Dave Darling with work together to put up signs. The public was asked to call the Police Department if there are any tractor trailers parked at St. Pat's school.

President Seeley said that he will speak with Mr. Michael Flynn regarding road tests on Cedar Street and Woodland Avenue; there have been a lot more of this going on.

Mr. Prest also asked the Board whether or not St. Patrick's School was on the tax roll or not. After further investigation, it was found that the school is in fact on the tax roll. Mr. Prest also asked whether or not the siren (air horn) at the Village still works? Yes, it works and will be used for notification to Villagers in case of an eminent emergency.

President Seeley mentioned that the cats and dogs are going up in the area; 17 trees are being planted from donations for Cultivate Catskill; and that the Mott Street Slide is almost complete from the outpouring of donations. Lew O'Connor and the DPW staff prepped the Mott Street Slide area to be refurbished; and volunteers planted everything so far. This slide is almost complete and will be doing Howard Street Slide next.

President Seeley asked to waive the Village vendor's fees for Jennifer Cira's events at Dutchman's Landing this summer. Motion made by McCulloch, seconded by Kozloski, to waive vendor's fees for Jennifer Cira at Dutchman's Landing for two (2) months. AYES: All Trustees present. Motion carried.

OPEN:

Trustee McCulloch reminded all that the Memorial Day Parade is on Monday, Memorial Day at 4:00 PM. Mavis is coming along slowly. Also, please inform Lew O'Connor or the Police Department if you see any lawns getting too long.

Trustee Dushane said to let him know also, since Code Enforcement is his department.

Motion made by McCulloch, seconded by Kozloski, to adjourn the meeting and go into executive session regarding a personnel issue.

Respectfully submitted,
BETSY COTHREN

RESOLUTION NO. 5 OF 2013

Dated: Village of Catskill, New York, May 22, 2013

RESOLUTION OF THE VILLAGE OF CATSKILL, NEW YORK (THE "VILLAGE"), DATED MAY 22, 2013, AUTHORIZING THE PURCHASE OF TWO (2) DUMP TRUCKS, THE INSTALLATION OF A NEW ROOF ON A VILLAGE GARAGE, THE COMPLETION OF ROOF REPAIRS TO THE VILLAGE OFFICES AND RENOVATIONS AND IMPROVEMENTS TO THE VILLAGE'S POLICE DEPARTMENT OFFICES, ESTIMATING THE AGGREGATE COST THEREOF TO BE \$250,000.00; APPROPRIATING UP TO \$250,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF INDEBTEDNESS IN THE AGGREGATE PRINCIPAL AMOUNT OF \$250,000.00 TO FINANCE SAID COST

WHEREAS, the Board of Trustees desires to acquire certain vehicles and equipment and undertake the completion of certain renovations and repairs to Village buildings;

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the members of the Board of Trustees of the Village of Catskill, New York (by a favorable vote of not less than two-thirds of all of its members) as follows:

SECTION 1

Pursuant to Sections 31.00 and 32.00 of the Local Finance Law, constituting Chapter 33-A of the Consolidated Laws of the State of New York (the "Law"), the Village authorizes the following acquisitions and capital improvements (the "Projects"):

- (A) the acquisition of two (2) new medium duty dump trucks for the Village's Department of Public Works ("DPW")(the "Truck Purchase") at an estimated cost of \$130,000.00;
- (B) the installation of a new roof on the Village's DPW garage (the "Garage Roof") at an estimated cost of \$30,000.00;
- (C) the completion of repairs to the roof on the Village's office building (the "Village Office Roof Repairs") at an estimated cost of \$26,000.00;
- (D) the renovation and reconfiguration of walls and rooms, and the installation of a new electrical system, a new telephone system and a new heating/cooling system in the Village's police department (the "Police Department Renovations"), at an estimated cost of \$50,000.00;

SECTION 2

It is determined that the period of probable usefulness of the aforesaid Projects is:

- (A) For the Truck Purchase, five (5) years pursuant to Section 11.00(a)(29) of the Law;
- (B) For the Garage Roof, fifteen (15) years pursuant to Section 11.00(a)(12) of the Law.
- (C) For the Village Office Roof Repairs, fifteen (15) years pursuant to Section 11.00(a)(12) of the Law;
- (D) For the Police Department Renovations, ten (10) years pursuant to Section 11.00(a)(13) and (25) of the Law.

SECTION 3

The plan of financing includes the issuance of \$250,000.00 serial or statutory installment bonds (the "Indebtedness") and the levy of a tax upon all of the real property in the Village to pay the principal of and interest on said bonds as the same shall become due and owing.

SECTION 4

The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized to be expended pursuant to Section 165.10 of the Local Finance Law for the specific objects or purposes described in Section 1 of this resolution. If such temporary funds are used for any expenditure authorized in this resolution, the Village intends to reimburse such funds with the proceeds of the Indebtedness authorized and identified pursuant to Section 1 above.

SECTION 5

The proposed average maturity date of any bonds authorized pursuant to this resolution is expected to exceed five (5) years.

SECTION 6

Any bonds issued to finance the cost of each object or purpose described in Section 1 above shall mature no later than the date of the expiration of the period of probable usefulness for each such object or purpose.

SECTION 7

The Village hereby covenants and agrees with the holders from time to time of the Indebtedness of the Village issued pursuant to this resolution, that the Village will duly and

faithfully observe and comply with all provisions of the United States Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations of the Internal Revenue Service issued pursuant thereto (the "Regulations") unless, in the opinion of Bond Counsel to the Village, such compliance is not required by the Code and Regulations to maintain the exemption of interest on said Indebtedness from Federal income taxation.

SECTION 8

Pursuant to Section 617.5(a) of the regulations of the New York State Department of Environmental Conservation, in the event that certain components of the Projects set forth in Section 1 of this resolution are subject to the procedures required by the State Environmental Quality Review Act ("SEQRA"), no "action", as the same is referred to in Article 9 of SEQRA and SEQRA regulations, shall be taken and no Indebtedness shall be issued until all of the procedures and requirements set forth therein have been completed with respect to the Projects. Similarly, no Indebtedness shall be issued until all of the applicable procedures and requirements under the National Environmental Policy Act have been completed with respect to the Projects.

SECTION 9

Any serial bonds or statutory installment bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the Village, payable as to both principal and interest by a general tax upon all the real property within the Village without legal or constitutional limitation as to rate or amount. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said serial bonds and any bond anticipation notes issued in anticipation of said bonds and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

SECTION 10

Subject to the provisions of this Resolution and the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes, or the renewals of said obligations and of Section 50.00 and Section 60.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing Indebtedness hereunder and prescribing the terms, form and content as to sale and issuance of said Indebtedness herein authorized, are hereby delegated to the Treasurer of the Village, the Chief Fiscal Officer of the Village. Pursuant to the provisions of paragraph a of Section 56.00 of the Local Finance Law, the power to determine whether to issue bonds and bond anticipation notes having substantially level or declining annual debt service, as provided in paragraph d of Section 21.00 of the Local Finance Law, is hereby delegated to the Treasurer of the Village, the Chief Fiscal Officer of said Village. In addition to the delegation of powers described above, the powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village Treasurer, who shall privately negotiate or advertise such bonds for sale,

conduct the sale and award the bonds in such manner as she shall deem best for the interests of the Village; provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any other order or rule of the State Comptroller applicable to the sale of municipal bonds.

SECTION 11

All costs and expenses in connection with the acquisition and development of the objects and purposes set forth in Section 1 above, and the financing thereof by the sale of bonds, including but not limited to, the fees and expenses of bond counsel, financial advisors, counsel for the Village, engineers and other professionals, shall be paid to the extent permitted by law from the proceeds of the Indebtedness.

SECTION 12

The validity of any bonds authorized by this resolution and of any notes issued in anticipation of said bonds may be contested only if:

- (a) Such obligations are authorized for any object or purpose for which the Village is not authorized to expend money; or
- (b) The provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) Such obligations are authorized in violation of the provisions of the constitution.

SECTION 13

This Resolution shall constitute the declaration of the Town's "official intent" to reimburse expenditures related to the additional costs of the Improvements authorized by Section 1 with proceeds of the Bonds and notes, as required by United States Treasury Regulation Section 1.150-2.

SECTION 14

This resolution shall be published in full in the designated official newspapers of the Village for such purpose, together with a notice of the Clerk of the Board of Trustees in substantially the form provided in Section 81.00 of the Law.

SECTION 15

This resolution shall take effect immediately.

**A LOCAL LAW TO PROVIDE FOR
DISPOSAL OF CANINE WASTE**

SECTION 1. FINDINGS The Board of Trustees finds that the uncontrolled production of canine waste is unsightly and capable of producing a threat to public health, safety and welfare.

SECTION 2. REMOVAL OF FECES REQUIRED Any person owning or in charge of any dog which defecates on any common thoroughfare, sidewalk, passageway, play area, park or any place where people congregate or walk or upon any private property, without the permission of the owner of said property, shall immediately remove all feces deposited by any such dog in a sanitary manner and shall dispose of same in a safe and sanitary manner.

SECTION 3. EXCEPTION FOR GUIDE DOGS The provisions of this local law shall not apply to blind persons who use dogs as guides.

SECTION 4. ENFORCEMENT For purposes of enforcing the provisions of this local law, appearance tickets may be issued by the appropriate dog control officer and/or by police officers.

SECTION 5. VIOLATIONS AND PENALTIES Any person who violates or neglects to comply with any provision of this local law shall, upon conviction thereof, be guilty of a violation punishable by a fine of not less than Twenty-five and 00/100 Dollars (~~\$25.00~~) nor more than Two Hundred Fifty and 00/100 Dollars (\$250.00). 580 8/10/06

SECTION 6. EFFECTIVE DATE This local law shall take effect immediately upon filing in the Office of the Secretary of State.