

Minutes
Special Meeting of the Village Board of Trustees
May 25, 2016

Present: Mayor Dunham

Trustees: Richard Phillips
Dale Leiser
Robert Puckett
Robert Baumeister

Mayor Dunham opened the special meeting at 7:31 pm.

Plans and specs for the 1st floor bathrooms-Wallace Architecture completed the plans for the 1st floor bathrooms. Trustee Puckett will contact Mr. Wallace inquiring if a urinal may be installed and if an outlet for a TV can be hung on the meeting room wall for presentations to the public during meetings. Trustee Puckett stated three written quotes were needed per the village's procurement policy. A motion made by Trustee Phillips to acquire written quotes; seconded by Trustee Leiser. All voted "aye.

Bond Resolution Scott Air Paks-

Trustee Phillips feels the village should take a 5 year bond for the air paks to keep in the same payment range as the fire truck payment.

**BOND RESOLUTION OF THE VILLAGE OF KINDERHOOK,
NEW YORK (THE "VILLAGE"), DATED MAY 25, 2016,
AUTHORIZING THE ACQUISITION OF CERTAIN
EQUIPMENT FOR THE VILLAGE FIRE DEPARTMENT,
ESTIMATING THE AGGREGATE COST THEREOF TO BE
APPROXIMATELY \$102,200.00; APPROPRIATING SAID
AMOUNT THEREFOR AND AUTHORIZING THE ISSUANCE
OF \$102,200.00 BONDS TO FINANCE SAID COST**

Resolution by Mayor James Dunham Seconded by Trustee Robert Baumeister

WHEREAS, the Board of Trustees of the Village, has determined to acquire certain equipment for the Village Fire Department (the "Fire Department") at a cost of approximately \$102,200.00; and

WHEREAS, the Board of Trustees has adopted a resolution to acquire Scott Air Paks (the "Equipment") at an approximate cost of \$102,200.00; and

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the members of the Board of Trustees of the Village of Kinderhook, 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 33A of the Consolidated Laws of the State of New York (the "Law"), the Village hereby reaffirms

its authorization of the acquisition of the Equipment, the maximum cost thereof being hereby estimated to be \$102,200.00, appropriating said amount therefor and authorizing the issuance of

up to \$102,200.00 serial bonds or a statutory installment bond to finance such cost.

SECTION 2

It is determined that the period of probable usefulness of the aforesaid Equipment is twenty (20) years pursuant to Section 11.00(a)(27) of the Law;

SECTION 3

The plan of financing includes the issuance of serial bonds or a statutory installment bond in the amount of up to \$102,200.00 (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 object or purpose 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 bonds issued to finance the cost of the 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 6

The Village hereby covenants and agrees with the holders from time to time of the Indebtedness of the Village issued pursuant to this resolution, and any bond anticipation notes of the Town issued in anticipation of the sale of said bonds, 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 7

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 8

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, Section 60.00 and Section 62.10 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 and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, 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 9

All costs and expenses in connection with the acquisition and development of the object and purpose 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, underwriters feasibility consultants, counsel for the Village, engineers and other professionals, shall be paid to the extent permitted by law from the proceeds of the Indebtedness.

SECTION 10

The validity of the 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 11

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 12

This resolution shall take effect immediately.

Ayes: Mayor James Dunham; Trustees: Richard Phillips; Dale Leiser; Robert Puckett; and Robert Baumeister

Noes:

Absent:

Abstentions:

Motion Carried

Approval of alcohol beverages at Food Truck events

A motion made by Trustee Baumeister to allow vendors with the required paperwork to sell alcohol at the Food truck events in the village square; seconded by Trustee Phillips. All voted “aye”.

Kinderhook/Valatie Sewer Meter

The village Board agreed to with the recommendation from Doug Clark’s to install an Accron Cartridge meter with the trapezoidal flume, ultrasonic level sensor and meter unit at the pump station. Mayor Dunham will inform Village of Valatie Mayor Argle of the village board’s decision.

Mayor Dunham discussed with the village board the need to increase the sewer maintenance cost from \$20 to \$40 a year. The service maintenance cost for the Emmons meter at the pump station will be \$756.00. The village’s sewer budget for the 2016/2017 fiscal year will need to be modified.

DPW Highway Garage

Ray Jurkowski received the bonding and insurance paperwork required to move forward with the Highway garage project. Ray will contact Mayor Dunham next week to schedule a pre-construction meeting and signing of contract with Oneway Construction.

Application Church Street Pre School

A motion made by Trustee Phillips to allow Church Street Preschool from Valatie to use the playground pavilion with the below insurance limits suggested by the village insurance carrier Metzwood; seconded by Trustee Puckett. All voted: Trustee Phillips; Trustee Puckett, Trustee Leiser “aye”; Mayor Dunham, Trustee Baumeister “nay”.

Respectfully submitted,

Nicole H. Heeder
Village Clerk