

The **Minutes** of the **Regular Board Meeting** held February 1, 2010 by the Mayor and the Board of Trustees.

#### PLEDGE OF ALLEGIANCE

ROLL CALL      Trustee Batista – Present  
                    Trustee Bueno – Present  
                    Trustee Dominguez – Present  
                    Trustee Watson – Absent  
                    Mayor Kohut – Present

Mayor Kohut: First, is public participation.

Noel Rappaport, 31 New Main St.- He asked about the streetscape matter.

Mayor Kohut: We were moving along, but delayed by a little bit. We were not quite ready to go out to bid. Then we found out that the state had pushed our money back until 2012 or 2013. The way it works is this money comes down from the federal D.O.T. (highway) and then the New York State D.O.T. administers it. Our region has \$40 million a year to deal with. The New York Metropolitan Transportation Counsel decides how the money is spent. They decided with D.O.T., and I don't completely understand it, that they are taking this year's \$40 million and spending it all on one project. I want to say it's the Bronx River project or something like that. It's something over in Westchester. Unless we can persuade them to move the money back to us or unless some other project can't go forward, like the big \$40 million project isn't going to happen, we have to wait. We will be ready to go. We have to get the plans set and finalized and then wait for the money to appear.

Mayor Kohut:  
Village Attorney- Not present.

Village Treasurer- No report.

Mayor's report- I have a few things. First item is in reference to our LOSAP Program, which has to do with the firefighters. We are looking at changing our vendor for servicing the contract as well as possibly our vendor for investing the monies that are in the program. PenFlex is the organization that we looked at for servicing our program. If I can have a motion to hire PenFlex, Inc. at the sum of \$5,540.00 per year, and then depending on what Joe Moddaferi says, whether we will go with the audit packet for an additional \$495.00.

#### **RESOLUTION #27-2010**

Motion by: Trustee Batista  
Seconded by: Trustee Bueno  
Motion carried: All

Mayor Kohut: We have a request from Lisa Pagan for a tuition reimbursement for the 2009 fall semester. Attached is a copy of the tuition bill. This is as per the union contract for reimbursement up to \$600.00 for classes that benefit village work.

Village Treasurer: Her bill for this past semester was \$1,688.00.

**RESOLUTION #28-2010**

Motion by: Trustee Batista

Seconded by: Trustee Dominguez

Motion carried: All

Mayor Kohut: As you know, we have the upcoming cost of a new hook & ladder truck, as well as repairs/renovations either to the existing firehouse or to the construction of a new bay for the fire truck due to its excessive weight. We need a resolution authorizing issuance of a \$900,000 bond to pay the cost of the acquisition of a firefighting vehicle for use by the Village Fire Dept. Could I have a motion to authorize \$900,000 in bond?

The following resolution was offered by Trustee Bueno, who moved its adoption, seconded by Trustee Dominguez, to-wit:

**BOND RESOLUTION DATED FEBRUARY 1, 2010.**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF \$900,000 BONDS OF THE VILLAGE OF HAVERSTRAW, ROCKLAND COUNTY, NEW YORK, TO PAY THE COST OF THE ACQUISITION OF A FIRE FIGHTING VEHICLE FOR USE BY THE VILLAGE FIRE DEPARTMENT, IN AND FOR SAID VILLAGE.**

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

RESOLVED, by the Board of Trustees of the Village of Haverstraw, Rockland County, New York, as follows:

Section 1. For paying the cost of the acquisition of a fire fighting vehicle for use by the Village Fire Department, in and for the Village of Haverstraw, Rockland County, New York, including incidental expenses in connection therewith, a specific object or purpose, there are hereby authorized to be issued \$900,000 bonds of said Village pursuant to the provisions of the Local Finance Law.

Section 2. The estimated maximum cost of the aforesaid specific object or purpose is hereby determined to be \$900,000, and the plan for the financing

thereof is by the issuance of the \$900,000 bonds of said Village authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivision 27 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined, however, that the maximum maturity of the bonds authorized will not 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 bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, 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 Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Village of Haverstraw, Rockland County, 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.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Village of Haverstraw, Rockland County, New York, by the manual or facsimile signature of the Village Treasurer 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 Village Clerk.

Section 7. 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 advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Village Treasurer shall deem best for the interests of said Village, provided, however, that in the exercise of these delegated powers, the Village Treasurer 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 Village Treasurer 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 annual 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 Village by the facsimile signature of the Village Treasurer, providing for the manual countersignature of a fiscal agent or of a designated official of the Village), 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 Village Treasurer. It is hereby determined that it is to the financial advantage of the Village not to impose

and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. 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 52.00 of the Local Finance Law, as the Village Treasurer shall determine.

Section 9. 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 10. 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 Village 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 11. This resolution, which takes effect immediately, shall be published in summary form in *Rockland Journal News*, the official newspaper, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 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:

Trustee Batista	VOTING	Yes
Trustee Bueno	VOTING	Yes
Trustee Dominguez	VOTING	Yes
Trustee Watson	VOTING	Absent
Mayor Kohut	VOTING	Yes

Four (4) Yes, One (1) Absent

The resolution was thereupon declared duly adopted.

#### **RESOLUTION #29-2010**

Motion by: Trustee Bueno

Seconded by: Trustee Dominguez

Mayor Kohut: As I discussed, there is a need to either retrofit the existing building to hold the weight of the new truck at a preliminarily estimated cost of \$120,000 or an estimated cost to build a new bay addition in the back of the building at an initial price of \$180,000. As with any construction, as always, there are some things that crop up one way or another, I am asking for a resolution authorizing the issuance of a \$250,000 bond for the Village of Haverstraw to pay the cost of partially reconstruction of the village firehouse at 25 Fairmount Avenue. Again, the bond resolution will be available at the Village Clerk's office.

**BOND RESOLUTION DATED FEBRUARY 1, 2010.**

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$250,000 BONDS OF THE VILLAGE OF HAVERSTRAW, ROCKLAND COUNTY, NEW YORK, TO PAY THE COST OF THE PARTIAL RECONSTRUCTION OF THE VILLAGE FIRE HOUSE AT 25 FAIRMONT AVENUE, IN AND FOR SAID VILLAGE.

**WHEREAS**, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

**RESOLVED**, by the Board of Trustees of the Village of Haverstraw, Rockland County, New York, as follows:

Section 1. For paying the cost of the partial reconstruction of the Village Fire House at 25 Fairmont Avenue, in and for the Village of Haverstraw, Rockland County, New York, including incidental expenses in connection therewith, a specific object or purpose, there are hereby authorized to be issued \$250,000 bonds of said Village pursuant to the provisions of the Local Finance Law.

Section 2. The estimated maximum cost of the aforesaid specific object or purpose is hereby determined to be \$250,000, and the plan for the financing thereof is by the issuance of the \$250,000 bonds of said Village authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty-five years, pursuant to subdivision 12 of paragraph a of Section 11.00 of the Local Finance Law, as said Fire House is a class "A" building within the meaning of subdivision 11 of said paragraph a. It is hereby further determined, however, that the maximum maturity of the bonds authorized will not 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 bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, 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 Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Village of Haverstraw, Rockland County, 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.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the Village of Haverstraw, Rockland County, New York, by the manual or facsimile signature of the Village Treasurer 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 Village Clerk.

Section 7. 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 advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Village Treasurer shall deem best for the interests of said Village, provided, however, that in the exercise of these delegated powers, the Village Treasurer 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 Village Treasurer 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 annual 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 Village by the facsimile signature of the Village Treasurer, providing for the manual countersignature of a fiscal agent or of a designated official of the Village), 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 Village Treasurer. It is hereby determined that it is to the financial advantage of the Village not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. 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 52.00 of the Local Finance Law, as the Village Treasurer shall determine.

Section 9. 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 10. 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 Village 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 11. This resolution, which takes effect immediately, shall be published in summary form in *Rockland Journal News*, the official newspaper, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 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:

Trustee Batista	VOTING	Yes
Trustee Bueno	VOTING	Yes
Trustee Dominguez	VOTING	Yes
Trustee Watson	VOTING	Absent
Mayor Kohut	VOTING	Yes

Four (4) Yes, One (1) Absent

The resolution was thereupon declared duly adopted.

#### **RESOLUTION #30-2010**

Motion by: Trustee Bueno

Seconded by: Trustee Dominguez

Mayor Kohut: We have an appointment that we had held over in the Planning Board. We have interviewed some people and at this point we would like to make an appointment to the position on the Planning Board.

Trustee Bueno makes a motion that the board appoints Diogenes Dominguez.

#### **RESOLUTION #31-2010**

Motion by: Trustee Bueno

Seconded by: Trustee Dominguez

Motion carried: All

Mayor Kohut:

**Reports of Standing Committees:**

Fire and Ordinances, Trustee Bueno – No report.

Public Works, Buildings and Grounds, Trustee Watson- Not present

Youth and Family Services, Trustee Dominguez – Our department of Youth and Family Services have been working along with our Mayor on the Census for 2010. As part of that program, on February 19<sup>th</sup>, the Quisqueya Club will be opened the entire day from 8:00 am to 5:00 pm. to answer questions and provide information to anyone interested.

Buildings and Code Enforcements, Trustee Batista- We continue to enforce our parking rules. Parking Enforcers issuing approximately 230 tickets while working nights in January.

Building Department-

Rental Property Inspections - 33

Municipal Searches – 2

Misc. Inspections – 17

Complaints – 2

Violations and Tickets – 7

Misc. – 4

Mayor Kohut: Approval of the minutes of December 21<sup>st</sup> and January 4<sup>th</sup> meetings.

Trustee Dominguez: I read them and I make a motion to approve them.

**RESOLUTION #32-2010**

Motion by: Trustee Dominguez

Seconded by: Trustee Batista

Motion carried: All

Old Business:

Trustee Bueno- A while ago, I told you about the pay phone on the corner of Melissa's Restaurant.

New Business: None

Public participation-

Trustee Dominguez spoke about a letter submitted by the Middle School.

Noel Rappaport, 31 New Main St.- He asked about the stone building.

Mayor Kohut: Ginsburg is supposed to make up an agreement with Rockland County and Hudson River Healthcare to take 1 or 1 ½ floors of the space.

Mayor Kohut: Can I have a motion to adjourn the meeting?

**RESOLUTION #33-2010**

Motion by: Trustee Bueno

Seconded by: Trustee Dominguez

Motion carried: All

Respectfully submitted,

Sandra Castro  
Clerk/Typist