

The minutes of the Regular Meeting of the Village of Haverstraw Board of Trustees on Monday, February 7th, 2011, beginning at 8:00 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL	Trustee Batista	- Present
	Trustee Bueno	- Present
	Trustee Watson	- Present
	Trustee Dominguez	- Present
	Mayor Kohut	- Present

Mayor Kohut: The Mayor opened the meeting with a presentation by United Water with regard to the proposed Desalinization Plant. Following their presentation, the Mayor announced the first Public Participation. With no questions or comments from the public, the Mayor opened the Public Hearing regarding a local law for telecommunication/cell towers.

Jay Hood, Jr., Esq., Village Attorney: Counselor Hood stated that this Public Hearing had been scheduled to pass a Telecommunications Facilities Law, however, further work is needed to complete the law and the start of the SEQRA process, therefore, the Public Hearing was changed to a Public Information Session. In order to proceed with the process, Counselor Hood requested board approval on the following items:

- 1) A motion to declare the Village Board as Lead Agency.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #35-2011

Motion by: Emily Dominguez
Seconded by: Rafael Bueno
Motion carries: All

- 2) A motion to classify the action as Type 1 under SEQRA.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #36-2011

Motion by: Terrence Watson
Seconded by: Emily Dominguez
Motion carries: All

Jay Hood, Jr., Esq.: Counselor Hood asked Max Stach to discuss Part 1 as prepared by the Turner Miller Group.

Max Stach: Mr. Stach explained that Part 1 establishes the parameters of what the telecommunications law will entail, stating that since this is a law the parameters are generic but procedurally required. He also believes before a Public Hearing is scheduled, that they should continue to work on the law itself and create a priority list with the entire board at a workshop. Once the law has been completed, Part II would be to schedule a Public Hearing.

Mayor Kohut entertained a motion to adopt the Part 1 Full Environmental Assessment Form

RESOLUTION #37-2011

Motion by: Francisco Batista
Seconded by: Emily Dominguez
Motion carries: All

Jay Hood, Jr., Esq.: Counselor Hood also stated that the law would have to be sent to the Rockland County Planning Department. He will get together with Max Stach to create a document for discussion purposes at a workshop.

Mayor Kohut: The Mayor scheduled a workshop for Monday, March 14th at 5:30 to discuss this matter.

Mayor Kohut entertained a motion to close the Public Information Meeting.

RESOLUTION #38-2011

Motion by: Emily Dominguez
Seconded by: Rafael Bueno
Motion Carries: All

Mayor Kohut:

REPORTS OF VILLAGE OFFICIALS

VILLAGE ATTORNEY, Jay Hood, Jr.: Counselor Hood asked for a motion allowing the Mayor to sign the Retainer Agreement with Dan Duthie, attorney from Bellville, New York, to represent the Village in the proposed Orange & Rockland rate increase case. As discussed, the village will cap their liability at \$1,500.00 total for any work done by Counselor Duthie.

Emily Dominguez: Trustee Dominguez asked if Counselor Duthie has gone to any other municipalities.

Mayor Kohut: The Mayor responded that he has gone to several in Orange County and he is trying to recruit more from our area.

Mayor Kohut entertained a motion to hire Counselor Duthie to handle matters involving the Orange & Rockland rate increase.

RESOLUTION #39-2011

Motion by: Emily Dominguez
Seconded by: Terrence Watson
Motion Carries: All

Jay Hood, Jr., Esq.: Counselor Hood then requested approval of the following resolution he prepared, which was reviewed at workshop and would allow the village to merge the lots at the ball field to create one lot, with an easement required by DEC. The resolution reads as follows:

WHEREAS, the Village of Haverstraw is under the obligation to place an environmental easement on the property that now makes up the Warren Court Fields; and

WHEREAS, in the furtherance of that objective, the Village desires to merge tax lots 27.37, Block 1, Lots 14 through 34; and

WHEREAS, as part of that merger, the Village is hereby abandoning portions of the rights of way known as Anthony J. Morina Drive and John P. Sullivan Court as indicated on said map,

NOW, THEREFORE, be it resolved, that the Village of Haverstraw Village Board hereby abandons portions of the rights of way known as Anthony J. Morina Drive and John P. Sullivan Court as indicated on the Warren Court Fields map, dated January 3, 2011 and approved by the Village of Haverstraw Planning Board on February 3, 2011.

Mayor Kohut entertained a motion to approve the above stated resolution.

RESOLUTION #40-2011

Motion by: Rafael Bueno

Seconded by: Emily Dominguez

Motion Carries: All

Jay Hood, Jr., Esq.: Counselor Hood mentioned that the village has to respond to a \$2,000.00 offer made by Cablevision. They actually owe the Village \$18,000.00 in franchise fees.

Mayor Kohut explained that the village had an audit done regarding the fees and Troy & Banks, the firm hired to do the audit, stated that Cablevision had shortchanged the Village by approximately \$18,900.00. Troy & Banks sent a letter to Cablevision to that effect, however, Cablevision denied they owed anything, but are willing to settle for \$2,000.00 in franchise fees. The Mayor feels this is too low and the board agreed.

Jay Hood, Jr., Esq.: Counselor Hood also agreed the amount was too low and will continue the negotiations with Cablevision.

Counselor Hood then mentioned two easements he is reviewing, the first for Cyril Kerr, 52 Broadway with regard to parking and the second with Angelo Cintron for access to a catch basin behind Broadway. Mr. Cintron has agreed to the easement, therefore, Counselor Hood will be sending him the documents to be signed.

At the request of Trustee Watson, Counselor Hood did some research on the old Hook & Ladder, which is now out of service, finding that the village has to make an effort to get full value for the truck by advertising it for sale. The village cannot give the equipment to a private entity, however, if the Zeh family or anyone else makes a fair offer, they can purchase the truck.

Counselor Hood had nothing further to report.

VILLAGE TREASURER, Judith Curcio: Ms. Curcio had nothing to report.

MAYOR'S REPORT, Mayor Kohut: The Mayor stated that the board has done extensive interviewing for the positions of Village Attorney and Deputy Village Attorney. At a previous meeting, the decision was made to appoint Jay Hood, Jr. Esq., to the position of Village Attorney. The board has now come to an

agreement on the position of Deputy Village Attorney, who will be representing the Village on all Village Ordinances and Village Zoning and Planning Board matters. Local attorney Robert Laureano has agreed to represent the village, at an agreed upon compensation package of \$22,500.00.

Mayor Kohut entertained a motion to retain Robert Laureano, Esq. as Deputy Village Attorney for the village year.

RESOLUTION #41-2011

Motion by: Francisco Batista
Seconded by: Emily Dominguez
Motion Carries: All

The Mayor then set the following dates for "Dancing Under the Stars":
Friday - June 17th
Friday - August 19th

Mayor Kohut entertained a motion to approve the dates.

RESOLUTION #42-2011

Motion by: Emily Dominguez
Seconded by: Francisco Batista
Motion Carries: All

As a part of reorganization, the Mayor spoke of establishing a Petty Cash Fund for use by the Department of Youth & Family Services, in the amount of \$300.00.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #43-2011

Motion by: Emily Dominguez
Seconded by: Francisco Batista
Motion Carries: All

The Mayor then asked for a motion to retain the firm of Huff & Wilkes, a law firm specializing in tax certiorari proceedings, to defend the Village in proceedings involving Ginsburg Development, at a cost not to exceed \$200.00 per hour and not to exceed approximately 10 hours.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #44-2011

Motion by: Emily Dominguez
Seconded by: Terrence Watson
Motion Carries: All

The Mayor received a request from the North Rockland Midget Football Association to hang banners advertising registration for the 2011 season, on both New Main Street and Samsondale Avenue for approximately three weeks in March.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #45-2011

Motion by: Francisco Batista

Seconded by: Emily Dominguez
Motion Carries: All

The Mayor stated that the board has decided to consider various prospects for consolidation of services with both the Village of West Haverstraw and the Town of Haverstraw.

Mayor Kohut entertained a motion to contact the Town of Haverstraw and the Village of West Haverstraw to begin discussions about merging some services.

RESOLUTION #46-2011

Motion by: Francisco Batista
Seconded by: Emily Dominguez
Motion Carries: All

The Mayor then presented the following budget amendments for approval:

To provide funding for the purchase of our current cameras

Increase Acct. A3120.2 Police Equipment	\$ 15,800.00
Decrease Acct. A3120.4 Police Contractual	12,000.00
Decrease Acct. A1990.4 Contingent	3,800.00

Mayor Kohut entertained a motion to that effect.

RESOLUTION #47-2011

Motion by: Emily Dominguez
Seconded by: Terrence Watson
Motion Carries: All

To correct Resolution #145-2010 to read as follows:

Decrease Acct. A1990.4 Contingent	\$ 44,600.00
Increase Acct. A8120.4 Sanitary Sewer	44,600.00

Mayor Kohut entertained a motion to that effect.

RESOLUTION #48-2011

Motion by: Emily Dominguez
Seconded by: Terrence Watson
Motion Carries: All

To amend the 2010-2011 budget to reflect receipt of a state grant

Increase Acct. A3089 Grant Public Safety NYS	\$125,000.00
Increase Acct. A3120.2 Police Equipment	125,000.00

Mayor Kohut entertained a motion to that effect.

RESOLUTION #49-2011

Motion by: Emily Dominguez
Seconded by: Terrence Watson
Motion Carries: All

Mayor Kohut had nothing further to report.

Mayor Kohut:
REPORTS OF STANDING COMMITTEES

FIRE & ORDINANCES – **Trustee Rafael Bueno**: Trustee Bueno reported that 2 members from each fire company removed the snow surrounding all fire hydrants in the Village and commended them on a job well done. He had nothing further to report.

PUBLIC WORKS, BUILDINGS & GROUNDS – **Trustee Terence Watson**: Trustee Watson read the following report submitted by George White, Superintendent of Public Works:

1) January 18th while plowing snow on Hudson Avenue, Greg Taylor, driver of DPW Truck #15, sideswiped a 1997 Acura Integra leaving a scratch on the driver's side rear panel. We have received three bids to fix the scratch with the lowest bid being \$930.82 from Rick's Auto Body.

Mayor Kohut entertained a motion to have Rick's Auto Body repair the scratch on the 1997 Acura Integra.

RESOLUTION #50-2011

Motion by: Terrence Watson
Seconded by: Emily Dominguez
Motion Carries: All

- 2) Continued maintenance on snow equipment.
- 3) Worked on plowing and removing snow from January storms.
- 4) Opened up catch basins throughout the village.
- 5) To date, DPW has removed over 1,000 tons of snow.
- 6) DPW has removed snow from the Village of Haverstraw lots, properties, places of worship and various narrow streets.
- 7) Asked that any calls or concerns directed to Village Hall concerning DPW be forwarded to the DPW.

Trustee Watson had nothing further to report.

YOUTH & FAMILY SERVICES - **Trustee Emily Dominguez**: Trustee Dominguez mentioned that they are involved in planning for "Unity in the Community", which the center has been involved with over the past several years. The event is scheduled for February 22nd through February 25th, during the mid-winter recess. The program offers the community children an opportunity to attend educational workshops, with over 100 workshops scheduled and to take part in recreational activities. The children will also receive lunch and snacks. Trustee Dominguez had nothing further to report.

BUILDINGS & CODE ENFORCEMENT - Trustee Francisco Batista: Trustee Batista read the following report submitted by Building Inspector, Ruben Berrios for the period of January 17th through February 4th :

Rental property inspections	-	25
Municipal searches	-	0
Miscellaneous inspections	-	158
Construction inspections	-	20
Complaints	-	9
Violations & tickets	-	66
Permits	-	1

Trustee Batista had a request from the Building Inspector for himself, Rafael Bueno, Jr., Assistant Building Inspector and Patrick McNamee, Fire Inspector, to attend a Fire Training Course at the Fire Training Center to complete the required 21 hour credit. The session will run from May 3rd through May 5th, at a total cost of \$825.00 for the three attendees.

Mayor Kohut entertained a motion to approve attendance at a Fire Training Course for three members of the Building Department Staff.

RESOLUTION #51-2011

Motion by: Francisco Batista
Seconded by: Emily Dominguez
Motion Carries: All

Trustee Batista had nothing further to report.

MINUTES

Mayor Kohut requested approval of the minutes from November 15th, December 6th and December 20th, which have been reviewed and necessary changes made.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #52-2011

Motion by: Emily Dominguez
Seconded by: Francisco Batista
Motion Carries: All

Mayor Kohut:

OLD BUSINESS

None.

Mayor Kohut:

NEW BUSINESS

None.

Mayor Kohut:

2nd PUBLIC PARTICIPATION

None.

Mayor Kohut: The Mayor reminded everyone that the next meeting of the board would take place on the following Tuesday, February 15th starting at 8:00 PM, with Tax Grievance from 5:00 PM to 9:00 PM.

With no further business to be conducted by the Board, the Mayor entertained a motion to adjourn the meeting.

RESOLUTION #53-2011

Motion by: Emily Dominguez

Seconded by: Terrence Watson

Motion Carries: All

Respectfully submitted by,

Beverly A. Swift
Senior Steno Clerk
February 9, 2011