

The minutes of the Regular Meeting of the Village of Haverstraw Board of Trustees on Monday, March 19<sup>th</sup>, 2012, 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 the first Public Participation inviting the public to ask questions or make comments.

Noel Rappaport, 31 New Main Street: Mr. Rappaport informed the Board of several streetlights that are not working throughout the Village.

Mayor Kohut: The Mayor responded that he sent a list of unlit poles to Orange & Rockland (O&R) several weeks back, which included those mentioned by Mr. Rappaport, stating also that he has seen O&R trucks out fixing the problems.

Noel Rappaport: Mr. Rappaport inquired as to why there is no sign in English leading to the Courtroom.

Mayor Kohut: The Mayor responded that someone actually found that sign and brought it to the Village Hall. He also mentioned that additional signage is on order, which will be printed in both languages.

Larry Levine, 1414 Round Pointe Drive: Mr. Levine feels there has to be a better way to make the public aware of the progress and happenings taking place in our Village, mentioning a program on the History Channel featuring the Haverstraw Brick Museum, which was not even mentioned in the local papers.

Emily Dominguez: Trustee Dominguez responded that the Village recently started a Marketing Committee for just that purpose. She mentioned that approximately 20 people make up this committee and that they have been meeting every two weeks and are starting to split into sub-committees to promote events, public relations, advertising, etc.

Mayor Kohut: With no further comments from the public, the Mayor announced the first Public Hearing concerning a "Proposed Rental Law for Illegal Apartments", requesting Village Attorney, Jay Hood, Jr., Esq. to explain the proposal to the public.

Jay Hood, Jr., Esq: Counselor Hood reported that the proposed "Rental Law" will prohibit the collection of rent for any illegal apartments throughout the Village. He further explained that if the Building Department discovers, or is informed, of any illegal apartments, the landlord will be notified that the tenant would have to be evicted and he/she could not collect rent from that tenant. The current New York State law allows the landlord to collect rent on an illegal apartment. The new Local Law would mandate that no rent would be collectable from a tenant occupying an illegal apartment in any building within the Village. If a landlord is caught renting an illegal

apartment, besides not being allowed to collect rent, he would be liable to payment of whatever fines or fees are assessed by the Village. It would be an incentive for these landlords to stop constructing illegal apartments in their buildings. The Board is hopeful that with this Local Law in effect, this type of activity would be halted in the Village. The new law will also establish what would be evidence of an illegal apartment, which will help the Building Department prosecute these matters going forward. He mentioned that this change to the law has already been approved in other towns and villages throughout the County and it would supersede the state law.

Mayor Kohut: The Mayor also informed the public that the fines would be from \$2,000.00 to \$10,000.00 or more depending on the findings.

Mayor Kohut entertained a motion to open the Public Hearing.

RESOLUTION #64-2012

Motion by: Emily Dominguez  
Seconded by: Terence Watson, Jr.  
Motion Carries: All

Mayor Kohut: The Mayor explained that this change to the law was recommended by Town Court Judge Branti, who has faced this type of situation in his court over and over again. He felt this was not good for our communities and recommended that the Town and the Villages of Haverstraw and West Haverstraw create a new Local Law that would be advantageous to our community. This law will be beneficial to good landlords and a deterrent to bad landlords.

With no further input from the public, Mayor Kohut entertained a motion to close the Public Hearing.

RESOLUTION #65-2012

Motion by: Terence Watson, Jr.  
Seconded by: Emily Dominguez  
Motion Carries: All

Mayor Kohut then entertained a motion to approve the proposed Local Law Chapter #171 with regard to illegal rental properties.

RESOLUTION #66-2012

Motion by: Emily Dominguez  
Seconded by: Terence Watson, Jr.  
Motion Carries: All

Jay Hood, Jr., Esq.: Counselor Hood explained the next proposed Local Law with regard to the display and sale of tobacco products in the Village. He has met with the American Heart Association and the Rockland County Health Department who are pushing for passage of this law in all jurisdictions. He explained that the colorful and attractive displays of tobacco products plays a crucial role in the decision of individuals, particularly young people, to begin using these products and that an overwhelming number of adolescents who use these products become addicted. He has developed a law, which would restrict the advertising of tobacco products in the Village and presented the law to the Board for their approval.

Mayor Kohut entertained a motion to open the Public Hearing on restricting the display and sale of tobacco to minors.

RESOLUTION #67-2012

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

Noel Rappaport: Mr. Rappaport inquired if this would affect the Hookah Store in the Village.

Mayor Kohut: The Mayor responded that this new law would have nothing to do with that store, but was strictly to be used for businesses with "Power Walls" that advertise tobacco for sale. Exceptions to the law would be an adult establishment that prohibits anyone under the age of 18 from entering. He used the example of a cigar store where children under the age of 18 are not permitted.

Jay Hood, Jr., Esq.: Counselor Hood mentioned that they have visited eleven (11) establishments in the Village that sell tobacco products and only two (2) had "Power Walls".

Denise Hogan, Representative for POW'R Against Tobacco: Ms. Hogan stated that the recent Surgeon General's Report confirmed their findings that "Power Wall" advertising promotes smoking in young people. She explained that they are not trying to stop the sale of tobacco products to the adult community, however, any establishments involved in the sale of tobacco would have to place the products where they could not be seen by the public; perhaps under the counter or in a secured area.

Mayor Kohut: The Mayor felt the Board needed to rework the law and requested the Public Hearing be continued at the next meeting scheduled for April 2<sup>nd</sup>.

Mayor Kohut entertained a motion to continue the Public Hearing on Power Walls and the sale of tobacco products to minors on Monday, April 2<sup>nd</sup> at 8:05 PM.

RESOLUTION #68-2012

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

Mayor Kohut:

**REPORTS OF VILLAGE OFFICIALS**

**VILLAGE ATTORNEY, Jay Hood, Jr.:** Counselor Hood requested authorization from the Board to settle a tax certiorari for Rockland County Body, who owns six (6) parcels on Route 9W. Village Assessor, Edey McCarthy, recommended an assessment reduction of \$36,100.00 based on the fact that the Village would not do any better if they went to Court.

Mayor Kohut: The Mayor asked if the \$36,100.00 was spread over all six properties. The response from Counselor Hood was yes.

Mayor Kohut entertained a motion to authorize Counselor Hood to settle the tax certiorari for Rockland County Body.

RESOLUTION #69-2012

Motion by: Emily Dominguez  
Seconded by: Terence Watson, Jr.  
Motion Carries: All

Jay Hood, Jr., Esq: Counselor Hood will be sending out Fire District Maps as instructed by Pablo Ramos. The waiting period for responses from the four departments that border the Village would be 45 days from the mailing date, whether or not they have any discrepancies with the maps. If nothing is received in that timeframe, the Village can present the maps to the Town for approval. Counselor Hood had nothing further to report.

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

**MAYOR'S REPORT, Mayor Kohut:** The Mayor had a request from the Dominican Revolutionary Party of Haverstraw to use the parking lot on the corner of Broadway and Broad Street on Sunday, May 13<sup>th</sup> from 10:00 AM to 7:00 PM. They will be campaigning for their candidate for President of the Dominican Republic. The Board discussed this matter and it was decided to reduce the hours to 1:00 PM through 5:00 PM, as well as having to provide the Village Clerk with the necessary insurance documents.

Mayor Kohut entertained a motion to approve the above request with the time changed to 1:00 PM to 5:00 PM and receipt of the proper insurance documents.

RESOLUTION #70-2012

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

The Mayor reported that he was asked by the Village Engineers to have a "Traffic Study" prepared for the intersection of Westside Avenue, Broadway and Samsondale Avenue. He stated that over the years it has become increasingly problematic, especially to vehicles approaching the intersection from Samsondale Avenue. The engineers have requested the Board to engage Frederick P. Clark, Associates, a traffic engineering firm, to prepare the survey and make recommendations, the cost of which is not to exceed \$2,100.00, plus any out of pocket expenses for the study.

Mayor Kohut entertained a motion to engage Frederick P. Clark, Assoc. to prepare a survey as stated above.

RESOLUTION #71-2012

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

The Mayor reported that the Village has finally received a response from DOT with regard to the Streetscape Project. DOT listed some minor issues

and made comments, which the Village has to address in order to move on with the project and receive funding by later this year. The Board is hopeful that this will allow them to start the bidding process soon in order for construction to begin in 2013.

The Mayor announced that the Village is in the midst of their budgetary process for the 2012-2013 fiscal year. He requested a Public Hearing be set for Monday, April 9<sup>th</sup>, 7:00 PM at Village Hall.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #72-2012

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

The Mayor received a proposal for the continuation of the contract with Marion Breland Oswald, which the Board decided to table for further review.

With Easter quickly approaching, the Mayor entertained a motion to close the Village Hall at 2:00 PM on Good Friday, for those wanting to attend church services, with the DPW closing earlier that day.

RESOLUTION #73-2012

Motion by: Rafael Bueno  
Seconded by: Terence Watson, Jr.  
Motion Carries: All

The Mayor received a letter from the Haverstraw Fire Department Ass't. Chief Tom Price, requesting permission to hold their Bi-Annual Inspection Parade on Saturday, May 19<sup>th</sup> with lineup at 2:00 PM, at the corner of Fairmount & Maple Avenues, and step-off at 3:00 PM. The parade route would move through the Village and end at Dr. Girling Drive, with festivities to follow at the Ferry Landing. In addition, all quarters will be inspected the morning of May 19<sup>th</sup>.

Mayor Kohut entertained a motion to approve the parade request.

RESOLUTION #74-2012

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

The Mayor received a request from Quanta Central Electoral, the Dominican Elections Bureau. The Dominican Republic holds Presidential elections every four years and because many of our village residents are Dominican and able to vote in this election, they are requesting use of the Community Center on Sunday, May 20<sup>th</sup> for voting purposes and possibly June 24<sup>th</sup> if there is a runoff election.

Mayor Kohut entertained a motion to approve the use of the Community Center for a polling place on May 20<sup>th</sup> and June 24<sup>th</sup> (if necessary) with the necessary insurance documentation to be submitted to the Village Clerk prior to that date.

RESOLUTION #75-2012

Motion by: Rafael Bueno

Seconded by: Francisco Batista

Motion carries: All

The Mayor received a request from the Seventh Day Adventist Church to use the parking lot adjacent to the Knights of Columbus from June 10<sup>th</sup> through June 16<sup>th</sup> for church related community campaigns, including health awareness, educational workshops, music workshops, etc. A sound system will be set up for guest speakers and music performances. They will cleanup after each use and will submit the necessary insurance forms. The Board discussed this matter, but felt that because so many other activities take place in that parking lot, a decision was made to allow the Church to use the lot on Tuesday evening, June 12<sup>th</sup> through Thursday evening, June 14<sup>th</sup>.

Mayor Kohut entertained a motion to allow use of the parking lot adjacent to the Knights of Columbus as stated above.

RESOLUTION #76-2012

Motion by: Rafael Bueno

Seconded by: Emily Dominguez

Motion carries: All

Mayor Kohut then reported that there is a problem with the heating/hot water system in the bathroom at the DPW. Three (3) proposals were received from Raffa, R&H Plumbing and CB Plumbing. The low bidder was Raffa in the amount of \$2,450.00.

Mayor Kohut entertained a motion to hire Raffa to repair the problem at the DPW at the cost of \$2,450.00.

RESOLUTION #77-2012

Motion by: Emily Dominguez

Seconded by: Terence Watson, Jr.

Motion Carries: All

The Mayor made the following announcements:

- 1) The Bricktown Gospel Fellowship will be celebrating their 10<sup>th</sup> Anniversary on Sunday, April 1<sup>st</sup> at 6:00 PM. Reverend Tyree will be leaving the end of this year to do mission work in Ecuador. The Mayor mentioned that he has been a good friend to the Village during his years in Haverstraw and invited everyone to attend the anniversary celebration.
- 2) The Community Center is hosting the "Keep Rockland Beautiful" cleanup on April 30<sup>th</sup>.
- 3) The Haverstraw Fire Department will be holding a "Fish Fry" fundraiser on Friday evening, March 23<sup>rd</sup> at the Elks Club from 5:00 to 9:00 PM. The cost is \$15.00 for adults, \$12.00 for seniors and \$10.00 for children. Dinner includes "fish & chips" or Linguine with Clam Sauce, beer, wine and soda.

The Mayor had nothing further to report.

**Mayor Kohut:**  
**REPORTS OF STANDING COMMITTEES**

**FIRE & ORDINANCES** – Trustee Rafael Bueno: Trustee Bueno had nothing to report.

**PUBLIC WORKS, BUILDINGS & GROUNDS** – Trustee Terence Watson: Trustee Watson read the following report submitted by George White Superintendent of Public Works as of March 19<sup>th</sup>, 2012:

- 1) Major sewer blockage at 41 Broadway. Fred Cook cleaned up this sewer line, as well as sewer lines on Hudson and Fairmount Avenues.
- 2) Major sewer problem at the corner of Hudson & Fairmount Avenue.
- 3) One of the DPW workers serviced 15 DPW vehicles (oil change, fluids, etc.).
- 4) Started to de-winterize the snow plows.
- 5) Repaired fences at Lot #9, Emeline Park and the 9-11 Park.
- 6) Posted “No Loitering” signs at the Community Center.
- 7) Repaired the guardrails at the basketball court on West Broad Street.

Trustee Watson had nothing further to report.

Mayor Kohut: With regard to the sewer problem at the corner of Hudson & Fairmount Avenue, the Mayor stated that he declared an emergency on Friday, March 9<sup>th</sup> because there was a problem with the sanitary sewer lines, which required immediate repair. King & Sons Excavation was called in to take care of the problem.

**YOUTH & FAMILY SERVICES** - Trustee Emily Dominguez: Trustee Dominguez reported on the following activities at the Community Center from March 2<sup>nd</sup> to the 14<sup>th</sup>:

**Reachout Counseling Services** – The staff held counseling sessions for 22 individuals and their family members for group and family canceling.

**Homework Help** – The staff continues to provide homework help to approximately 75 young people from 2<sup>nd</sup> grade through 8<sup>th</sup> grade who attend daily.

Friday nights the center will remain open until 9:00 PM for the youth of the Village to participate in recreational activities.

The Center has submitted two grants totaling \$45,000.00. The first grant, in the amount of \$20,000.00, will be utilized for the development of a comprehensive youth employment education career monitoring program. The second grant, in the amount of \$25,000.00, will be used in conjunction

with the Town of Haverstraw Justice Court and the Rockland County District Attorney's Office for developing and providing a gang prevention program.

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 March 5<sup>th</sup> through March 16<sup>th</sup>:

Rental property inspections	-	0
Municipal searches	-	6
Miscellaneous inspections	-	58
Construction inspections	-	8
Complaints	-	4
Violations & tickets	-	5
Permits	-	3
Parking Violations	-	247
Overnight parking continues through March 31 <sup>st</sup> .		

Trustee Batista had nothing further to report.

Mayor Kohut:

**OLD BUSINESS**

None.

Mayor Kohut:

**NEW BUSINESS**

Emily Dominguez: Trustee Dominguez reported that the Village is in its second season utilizing the Cpl. Manny Lopez ball field and groundbreaking for the concession stand to be constructed at the field will be held on April 21<sup>st</sup>. Anyone wishing to volunteer their services is welcome, as well as any monetary donations. She announced that it will take approximately four (4) weeks to construct the building. Trustee Dominguez also mentioned that the Village is selling "signage" for the boards surrounding the ball field, which would be great advertisement for any business.

Mayor Kohut:

**2<sup>nd</sup> PUBLIC PARTICIPATION**

Noel Rappaport: Mr. Rappaport informed the Board that he has seen cars speeding up and down New Main Street screeching wheels, loud mufflers, etc. that needs to be addressed. He also heard that the Haverstraw Branch of Provident Bank will be closing on Saturdays. Most people do their banking on Saturday's and then might stroll through the Village to shop or dine. He feels this will have a huge negative impact on the businesses and restaurants.

Mayor Kohut: The Mayor inquired who or where he heard this information.

Terence Watson, Jr.: Trustee Watson also heard that Provident was closing on Saturday's and extending the hours on another day.

Judy Curcio: Ms. Curcio mentioned that Provident is closing all their offices on Sunday's, as well.

Noel Rappaport: Mr. Rappaport felt, since this is the only bank left in the Village, that it would be a huge inconvenience to customers and would be terrible for the Village. He feels the Village needs to actively protest this action and do whatever it can to keep this from happening. Because most people work during the week, they come into the Village on Saturday's to do their banking and many shop and dine while here. If they have to go elsewhere to do their banking, than that will also be where they shop and dine.

Ramon Liz: The gentleman wanted to thank the Board in advance for allowing the Dominican Elections to take place at the Community Center.

Terence Watson, Jr.: Trustee Watson inquired if there was ever a time that the elections were going to take place at the Haverstraw Middle School.

Ramon Liz: He mentioned that the last election was held at the Quisqueya Sports Club, but due to the problem with parking, it was suggested they inquire about using the Community Center.

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

Mayor Kohut entertained a motion to that effect.

RESOLUTION #78-2012

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

Respectfully submitted by,

Beverly A. Swift  
Senior Steno Clerk  
April 4, 2012