

The minutes of the Regular Meeting of the Village of Haverstraw Board of Trustees on Monday, January 4, 2016, beginning at 7:00 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.

Larry Levine, 1414 Round Pointe Drive: Mr. Levine feels that several streets in the Village are in dire need of having the lines redrawn. He is aware that the Village has to wait on the County to do these things, but he was hopeful that if the Village puts in this request at the beginning of the year perhaps the County will get to us by the summer.

Amanda Lewis, 9 Broadway: Ms. Lewis had a complaint about the loud noise coming from MiTierra Restaurant throughout the night and until they close at 4:00 AM and she does not believe this is strictly a restaurant that is open until all hours of the morning. The music coming from this establishment is blasting so loud she can feel the vibrations in her apartment and this goes on every day of the week. She calls the police, who come and do whatever it is they do and then when they leave the music and noise levels goes right back to what it was. Ms. Lewis also noted that the patrons of MiTierra are not your typical restaurant goers, because they have urinated in her hallway, thrown up in her hallway and have even had sex in her hallway. She does not know when this all started because she just moved to the Village in February, 2015. But it has been happening since that time and has just gotten worse over the year. She almost had to break up a fight one night when she was putting out her garbage because a man was beating up his girlfriend. She has also been in touch with Supervisor Phillips and Ex-Mayor Ramundo, who informed her about which codes she should be looking into.

Mayor Kohut: The Mayor responded that the Village does have codes relating to these activities, however, they can only be enforced by the Police, so he was pleased to hear that she contacted Supervisor Phillips about this matter. The Mayor suggested she also attend the Town Board Meeting and state her complaints to the Town Board to see if she can get positive action on these problems, since they control the Police Department. He also mentioned that he has talked to Lt. Lund of the Town Police Department recently about the disturbances in the Village.

Amanda Lewis: Ms. Lewis also mentioned that most people in the area have to get up early to go to work so this is a real problem for everyone.

Mayor Kohut: The Mayor suggested to Ms. Lewis that she continue to call the police throughout the night and not just one time, so they are aware that the disturbance continues after they leave. The Mayor also explained that at some point, if a business becomes a nuisance to the surrounding community the Police can report it to the State Liquor Authority. He also suggested that she keep a record of the calls she makes to the Police Department.

Maureen Plainfield, 1 Broadway: Ms. Plainfield mentioned that she recently moved into her apartment at 1 Broadway and before signing her lease visited the area many times during the daytime and evening hours to see friends, have

dinner, etc. She then proceeded to read a letter to the Board, which in brief, stated that it was not until after moving in that she learned about MiTierra Restaurant which she feels is actually an "afterhours social club" that blasts music until 4:00 in the morning, every morning, therefore, getting a full night's sleep does not happen for the people in this neighborhood. She has called the Police and filed numerous complaints at the Police Station, all to no avail; absolutely nothing is being done about this problem and she cannot believe that this has been allowed to continue for this long. She has also written several letters or sent e-mails to the Mayor, copying the Town Supervisor, Chief of Police and several other people she thought might be able to help. At this point, she requested that the Board take some kind of action to combat this nightmare. She also mentioned that she has heard girls from the City are being brought in for entertainment and also that people have been stabbed and robbed in front of the establishment, which is 2 doors down from her front door. She is extremely concerned about her safety and well being, as well as that of her neighbors. She then mentioned the revitalization project and cannot imagine that there is any room in the plan for places like this. She is anxious to hear what actions can and will be taken to clean up the Village.

Mayor Kohut: The Mayor mentioned again that he has spoken to Lt. Lund of the Town Police recently about these disturbances in the Village and also forwarded her e-mails to him as well. Since the disturbances do not take place during day time hours, the Building Inspector would not be around at night to hear the noise and do something about it. The Police, however, are on duty 24-7, so he suggested that the people in the neighborhood continue to constantly make complaints to the Police Department and at Town Board meetings with the hope that continuous calls will get the Police to respond to the matter, report the issues to the Building Department, who may be able to get an injunction against MiTierra, but it is going to take building a solid case against them to get anything done. The Mayor will continue to be in contact with the Police Chief and the Village Building Inspector to see if there are any other violations going on inside the building in an effort to bring an end to this problem.

Emily Dominguez: Trustee Dominguez also mentioned that the Board has been talking about increasing the fees involved in this type of violation and hopefully with both the Police and the Building Inspector issuing tickets the problem will resolve itself. She stated that a Public Hearing is going to be scheduled at that night's meeting to start that process to increase the amount of the fines.

Mayor Kohut: The Mayor reported that currently the fine stands at \$250.00 per violation, which they intend to increase to \$1,000.00 per violation, which the Board feels will help put a stop to this problem.

Maureen Plainfield: Ms. Plainfield wondered why the Police have not already issued tickets in this matter.

Mayor Kohut: The Mayor reiterated that when the Police are called and respond to the scene to correct the matter, the music is turned down for a short period of time, but then goes right back to where it was before the Police were called in. The Mayor also mentioned that the Village has called the Police constantly, not just for MiTierra, but for other places throughout the Village, but the Police give warnings instead of issuing a "ticket" immediately for the violation. He explained that tickets are given at the discretion of the Police Officer on the scene depending on what is happening. Since the Town Police are under the control of the Town Board, the Mayor cannot tell the Police Chief to have the Officers issue tickets, all he can do is ask them to issue tickets instead of giving warnings. He mentioned again that constant complaints from the Village residents and also the residents attending the Town Board meetings to complain, will go a long way to resolving the problem.

Maureen Plainfield: Ms. Plainfield also informed the Board that there is a shower in MiTierra, explaining that her boyfriend is a plumber and has seen them installing a shower at the site when one of the windows was uncovered.

Mayor Kohut: The Mayor was shocked and surprised to hear about a shower in the restaurant. He will inform the Building Inspector because that would give the Village a reason to go inside and inspect the premises.

Jay Hood, Jr., Esq., Village Attorney: Counselor Hood pointed out that there are 2 types of nuisances in the Village Law; private nuisances and public nuisances. He explained that public nuisance lawsuits can be brought by any municipality for anything that affects the greater good of the whole community. A private nuisance lawsuit can be brought by a private individual or a group of individuals with a problem that is affecting just those individuals. He suggested maybe having the owners of the building bring a public nuisance lawsuit against this establishment, but they would have to be willing to spend the money involved with a lawsuit.

Emily Dominguez: Trustee Dominguez stated that originally MiTierra was only open on weekends, but with the new owners they are open 7 days a week.

Mayor Kohut: The Mayor stated that the Board will do everything possible to try and remedy the situation; however, he also suggested again that those residents living in the surrounding area continue to complain to the Police and attend the Town Board meetings to voice their concerns.

Michael Zuzolo, 1 Broadway: Mr. Zuzolo is also new to the neighborhood, but is a lifelong Rockland resident. He stated that he and Maureen went to the Police Department to file a complaint and an officer explained how a noise complaint works. He explained that the people living in the building are separated from MiTierra by a stairwell, which acts like a megaphone, making it much louder in the apartments than outside in the street where the Police usually stand. He alluded to the fact that some night when he calls the Police, he is going to have to invite them in to his home to listen to what his family hears and feels continuously throughout the night.

Emily Dominguez: Trustee Dominguez also suggested that when they call to make a complaint that they do it from the hallway so the Police can hear the noise.

Mayor Kohut: The Mayor pointed out that there is another paragraph in the Village Ordinance that the Police may not be aware of, about disturbances in adjoining buildings.

Michael Zuzolo: Mr. Zuzolo's biggest issue is that when MiTierra finally closes at 4:00 AM the noise spills out onto the streets, sometimes with violence attached to the noise issue. He mentioned a violent altercation that occurred recently where the Police were called, but then that adds even more time to an already restless night. He is not sure if an arrest was made at that time, but when leaving the bar on any night the patrons linger outside and are always very loud, and at that time they are directly under the tenant's windows. They have been quiet about this because being the new people in the neighborhood they did not want to create problems but it just continued to escalate to the point that he decided something had to be done, when the same exact thing occurred on Christmas night. He feels the very fact that they are continuously calling to complain all hours of the night should send a message in itself.

Jay Hood, Jr., Esq.: Counselor Hood also pointed out that the Village Ordinance states that there will be no loud noises or sounds to disturb the peace, tranquility and comfort of neighboring inhabitants within a 50 foot distance.

Mayor Kohut: The Mayor thanked everyone for bringing the entire matter to the attention of the Board and he will be in continuous contact with the Police Chief about this problem.

Regina Mayer, 71 New Main Street: Ms. Mayer questioned whether or not the Board has been in touch with Supervisor Phillips about increasing police presence in the Village. She feels this is a real issue that has to be brought to Supervisor Phillips attention.

Mayor Kohut: The Mayor stated that he himself and members of the Board have spoken with Supervisor Phillips on numerous occasions requesting more police presence in the Village.

Emily Dominguez: Trustee Dominguez also affirmed that she has contacted Supervisor Phillips and the Police Department on many occasions to have the Police in the Village in the early morning hours when the bars close to disburse the crowds, etc.

Regina Mayer: Ms. Mayer asked if the Mounted Police still patrol the Village.

Mayor Kohut: The Mayor responded that they are on a 3 week rotation schedule in the Village during the warmer weather.

With no further input from the public, the Mayor continued with the agenda for that nights meeting, with a Public Hearing regarding the Community Development Block Grant (CDBG) applications.

The Mayor explained that any municipality applying for the CDBG grant is required by the federal government to hold a Public Hearing to allow the public to ask questions or express their feelings about the grant. He advised the public that this year the Rockland County Consortium, of which almost all municipalities are participants, received approximately \$2.1M to distribute amongst the municipalities and non-profits. He advised the public that non-profits are limited to receiving up to \$25,000.00 which can only be used for programming purposes, while municipalities can request funding up to \$200,000.00 for capital projects such as streets and sidewalks. CDBG funds cannot be used for the general conduct of government business, unless the funds are used toward making a government facility handicapped accessible, or for other projects such as parks.

Mayor Kohut entertained a motion to open the Public Hearing on the CDBG grant funding.

**RESOLUTION #1-2016**

Motion by: Emily Dominguez

Seconded by: Terrence Watson, Jr.

Motion Carries: All

Mel Post: Mr. Post inquired how the Village can acquire some of that funding.

Mayor Kohut: The Mayor responded that the Village applies for and receives funding on an annual basis. He pointed out that in past years this funding has been used for repaving streets and sidewalk work. He also mentioned that during his tenor as Mayor, CDBG funding has allowed the Village to pave 20 village streets and repair or install sidewalks on 12 village streets. The Mayor informed the public that the previous year's funding was used towards the

Streetscape Project, and the year before that the funding was used to create the African American Park located in the area of Clinton Street, along with an additional \$100,000.00 for streets and sidewalks.

Larry Levine: Mr. Levine inquired if the Village has to be specific in the amount and reason for the request.

Mayor Kohut: The Mayor explained that it is like any other grant and the application has to be specific as to the amount and the project the funds will be used for. He writes up the CDBG grants annually and usually does request up to \$200,000.00 for village streets, etc. He stated that the more impoverished the community is the more funding they will receive. He reported that the Village has probably received approximately \$2.5M in CDBG funds during the terms that both he and Bud Wassmer served as Mayor.

Mel Post: Mr. Post asked who is actually in charge of funding the grant.

Mayor Kohut: The Mayor responded that the office is now run by Ram Nagabundi, a county employee who is paid through the Federal Community Development offices. In other words, it is a county office, funded by CDBG dollars that is allowed to use up to 20% of the dollars taken in for overhead, such as employees to cover the County office.

Larry Levine: Mr. Levine inquired if every municipality can apply for this funding.

Mayor Kohut: The Mayor informed Mr. Levine that any municipality belonging to the Consortium can apply for CDBG funding which will then be distributed amongst the applicants.

Mel Post: Mr. Post inquired about the percentage of county municipalities that apply for this funding.

Mayor Kohut: The Mayor stated that some municipalities have no eligible census tracts, explaining that to be eligible, census tracts have to have 42% or more of residents in the low to moderate income bracket. There are some municipalities that do not qualify so the only thing they could use the funding for is to install handicapped access in their government buildings. He then informed the public that the Selection Committee consist of the Director of the Program with 1 Supervisor and 1 Mayor elected from the Consortium.

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

#### RESOLUTION #2-2016

Motion by: Terrence Watson, Jr.

Seconded by: Francisco Batista

Motion Carries: All

The Mayor then informed the public that the Citizen's Committee has met and reviewed the applications which have to be submitted by the last Friday of January. The list of applicants that will be submitted for 2016 CDBG funding is as follows:

- 1) Village of Haverstraw - \$25,000.00 for the signage program to help standardize and modernize the signage in the downtown area.
- 2) Village of Haverstraw - \$150,000.00 for street and sidewalk repairs on Maple Avenue between West Broad and Lincoln Streets.
- 3) Headstart: \$100,000.00 to install an elevator in their building.

Mayor Kohut entertained a motion to authorize the Mayor to sign and forward the above stated applications to CDBG.

**RESOLUTION #3-2016**

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

Mayor Kohut:

**REPORTS OF VILLAGE OFFICIALS**

**VILLAGE ATTORNEY, Jay Hood, Jr.:** Counselor Hood requested the Board to schedule a Public Hearing to increase the fine involved with the Village Noise Ordinance, Section 157, from \$250.00 to \$1,000.00 and up to \$2,000.00 at the discretion of the Judge.

Mayor Kohut entertained a motion to schedule a Public Hearing for February 1<sup>st</sup> at 7:10 PM with regard to the Village Noise Ordinance as stated above.

**RESOLUTION #4-2016**

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

Counselor Hood then requested the Board to accept the application of Open Arms, Inc. for a supportive living residence at 28 Clinton Street and to set a Public Hearing for a Special Permit for the facility.

Mayor Kohut entertained a motion to accept the application of Open Arms, Inc. and to schedule a Public Hearing for February 1<sup>st</sup> at 7:05 PM as stated above.

**RESOLUTION #5-2016**

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

Counselor Hood had nothing further to report.

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

**MAYOR'S REPORT, Mayor Kohut:** The Mayor reported that due to attempted break-ins at the Concession Stand in the Manny Lopez Ball Field the Village needs to install several alarms at the field. He pointed out that the Board had planned for the installation of burglar & fire alarms along with surveillance cameras at the field but have yet to take on these obligations. Therefore, due to the recent burglary attempts the Village has decided to rectify the matter and install the necessary equipment to protect this village property. The Mayor has received a proposal from Rappaport Alarms, Inc. in the amount of \$7,024.91 to install a Fire/Burglar Alarm system at the Concession Stand, Burglar Alarm equipment to protect both the perimeter and interior of the facility along with the installation of cameras and a digital video recorder to record exterior perimeters as well as a couple of cameras inside with radio communication monitoring for both fire and security.

Mayor Kohut entertained a motion to approve the installation of fire and security equipment at the Manny Lopez Ball Field by Rappaport Alarms, Inc. at a cost of \$7,024.91.

RESOLUTION #6-2016

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

The Mayor received a request from Gran Fondo, New York for permission to have this year's bicycle race travel through the Village on Sunday, May 15<sup>th</sup>, 2016, between the hours of 8:00 and 10:30 AM. They will provide the necessary insurance documents in February.

Mayor Kohut entertained a motion to approve the Gran Fondo Race as stated above.

RESOLUTION #7-2016

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

The Mayor received a request from the Village Clerk, Judy Curcio, to increase the salary of the Village Hall part-time Clerk to \$9.75 per hour, based upon the most recent minimum wage increase from the State.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #8-2016

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

The Mayor received a request from Father Madden of St. Peter & St. Mary Parish to hold a religious procession on Saturday, January 9<sup>th</sup>, starting at 6:15 PM from the intersection of Main and Third Streets proceeding down Main to Broadway and along Broadway to the church.

Mayor Kohut entertained a motion to approve a procession by the Church as stated above.

RESOLUTION #9-2016

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

The Mayor presented the following budget adjustments for approval by the Board:

<u>ACCT. #</u>	<u>ACCT. NAME</u>	<u>INCREASE</u> <u>APPROPRIATIONS</u>	<u>DECREASE</u> <u>REVENUE</u>
A7110.0410	Dock Repair	\$ 2,500.00	
A1990.0400	Contingent		\$ 2,500.00
A7310.0410	Contractual Summer Camp	3,000.00	
A1990.0400	Contingent		3,000.00
A7110.0430	Utilities Ball Park	7,500.00	
A1990.0400	Contingent		7,500.00

A7310.0410	Contractual Summer Camp	9,000.00	
A7310.0412	Contractual Summer Camp		9,000.00
	To correct an account from 10/2015 Budget Adjustment		

Mayor Kohut entertained a motion to approve the above stated budget adjustments as submitted by Joseph Modafferi, Village Accountant.

**RESOLUTION #10-2016**

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

The Mayor had nothing further to report.

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

**FIRE & ORDINANCES** – **Trustee Rafael Bueno:** Trustee Bueno read the following report of fire activity for the month of December, 2015, submitted by Fire Chief Robert Drexler, Jr.:

Total Alarms	-	14
General Alarms	-	8
Special Calls	-	2
Mutual Aid Calls	-	4
Structure Fires	-	1
Brush Fire	-	1
Vehicle Fire	-	1
Water Leaks	-	1
CO calls	-	1
Good Intent/Misc.	-	5
False Alarms	-	0

Total Manpower Responding - 253 members

Trustee Bueno 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, as of January 4<sup>th</sup>, 2016:

- 1) Replaced door at Lady Warren Co. #5 firehouse.
- 2) Started removing Christmas decorations.
- 3) Called out on Monday, due to ice storm.
- 4) Patched up roads throughout the Village.
- 5) Erased all the handicapped signs in Parking Lot #18.
- 6) Dropped off approximately 70 televisions at the Fire Training Center.

Mayor Kohut: The Mayor mentioned that in the future, the Village will be taking all televisions picked up by the Village to ARC. ARC clients take them apart and process the metals, which is a good thing for everyone.

Trustee Watson had nothing further to report.

**YOUTH & FAMILY SERVICES - Trustee Francisco Batista:** Trustee Batista had no report to give, but did want to mention that due to an increase in the cost of living Reach Out has received an increase to the OASAS grant in the amount of \$3,876.00.

Mayor Kohut entertained a motion to accept the OASAS grant for the Reachout Program as stated above.

**RESOLUTION #11-2016**

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

Trustee Batista had nothing further to report.

**BUILDINGS & CODE ENFORCEMENT - Trustee Emily Dominguez:** Trustee Dominguez read the following report submitted by the Building Inspector, Ruben Berrios, for the period of December 21<sup>st</sup>, 2015 through January 1<sup>st</sup>, 2016:

Rental registrations	-	3
Miscellaneous inspections	-	30
Complaints	-	4
Construction inspections	-	1
Building Permits & C.O.'s	-	8
Violations	-	4

Trustee Dominguez then requested approval of the Board for Ruben Berrios, Rafael Bueno and Patrick McNamee to attend the NYS Building Officials Conference from Tuesday, April 19<sup>th</sup> thru Thursday, April 21<sup>st</sup>, 2016 at a cost of \$275.00 per person for a total of \$825.00.

Mayor Kohut entertained a motion to approve attendance at the NYS Building Officials Conference for Building Department staff as stated above.

**RESOLUTION #12-2016**

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

Trustee Dominguez had nothing further to report.

Mayor Kohut:

**OLD BUSINESS**

None.

Mayor Kohut:

**NEW BUSINESS**

None.

**Mayor Kohut:**

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

Mel Post: Mr. Post wished the Board a Happy New Year. He then spoke about the property located at 56 New Main Street, which he considers to be an eyesore to the Village and is in dire need of repair. He wanted to know if there is anything the Village can do to have this taken care of.

Mayor Kohut: The Mayor responded to Mr. Post that some work has been done on the building, and the Building Inspector is keeping tabs on this property to be sure they continue with making the necessary repairs. He also added that there are currently violations against this property.

Mel Post: Mr. Post requested an update on the GDC issue.

Mayor Kohut: The Mayor responded there is nothing new to report on that matter.

Mel Post: Mr. Post then inquired if there is anything in the Interim Agreement that forces GDC to touch base with the Village once a month.

Mayor Kohut: The Mayor responded that they are supposed to meet once a month or thereabout. The Mayor stated that the Village has reached out and made the effort to get the Ginsburg people to the table for discussions but have heard nothing back from them. The Board would like to meet more often with the Ginsburg representatives to discuss smaller topics rather than the whole universal issue, but again have not had a response from GDC.

Mel Post: Mr. Post then inquired if Mr. Ginsburg has approached the Village about more construction on the Harbors property explaining that he is not being openhanded with the residents and probably won't be until the issue with the Village is settled. At this point no-one knows where anything stands with him, which is not a good thing.

Mayor Kohut: The Mayor informed Mr. Post that Mr. Ginsburg has not approached any of the Boards about additional building on Harbors property. The Mayor explained that Mr. Ginsburg can put together plans, but unless he brings an application before the Board he cannot move ahead with anything without a Building Permit. To date he has presented nothing.

Larry Levine: Mr. Levine thought it was the property next to the Harbors that was being looked into; Maple Terrace.

Mayor Kohut: The Mayor has had some brief discussions with the land surveyors and their on-site operator to talk about continuing the zoning process because whatever they are planning would require a zoning amendment from the Board. What they have told the Mayor is that they are at a standstill with ConEd over money owed to them once they take the buildings down and that they believe ConEd should be contributing to the cost of rebuilding the property. Since it may take a few years to resolve this issue, the owners want to continue the zoning process with the least amount of money expended by them, therefore, there has been no progress on anything for this site.

Mel Post: Mr. Post inquired if they can proceed with zoning changes without any property plans.

Mayor Kohut: The Mayor responded that they can because the zoning does not control the site plans and they could get the zone change to clear blighted properties, which would be the basis for the Board deciding to change the zone.

Stuart Suchotliff, 1313 Round Pointe Drive: Mr. Suchotliff inquired if the "Interim Agreement" is a legally binding document between the Village and GDC.

Mayor Kohut: The Mayor responded yes.

Stuart Suchotliff: Mr. Sushotliff feels if it is a legally binding agreement and GDC is not living up to the meeting portion something should be able to be done.

Jay Hood, Jr., Esq.: Counselor Hood responded that it is a very inconsequential paragraph in the Agreement and the reason the Village has been reaching out to GDC, is to have on record that they have been willing to meet and discuss the issues at hand.

Mayor Kohut: The Mayor affirmed the fact that the Village does have a paper trail with regard to trying to schedule meetings with GDC and the Board is trying to establish the fact that the Village is not the “hold up” in bringing this issue to fruition.

Stuart Suchotliff: Mr. Suchotliff inquired about the cost of living increase for OASAS and what that stands for.

Mayor Kohut: The Mayor responded that the Village receives approximately \$210,000.00 per year from the State of New York for its Reachout Program (the alcohol and substance abuse counseling program) with the Village funding the remainder of the cost.

Stuart Suchotliff: Mr. Suchotliff then inquired if ConEd is holding off on the Townhouse project because of the remediation of the soil required in that whole area.

Mayor Kohut: The Mayor responded that O&R has known that all the parcels in that area have to be cleaned up. He mentioned that Trustee Watson’s property had to be cleaned up due to contaminated soil several years back. So yes, O&R is aware that the whole area has to be taken care of before any new construction takes place.

Terence Watson, Jr.: Trustee Watson believes O&R will be starting the clean-up in the wooded area by Headstart as they have already done soil testing in that area.

Mel Post: Mr. Post asked if the contract is considered invalid if GDC is not complying with the clauses in the Interim Agreement.

Jay Hood, Jr., Esq.: Counselor Hood explained that it is such an insignificant paragraph and does not change the agreement at all. The reason the Village has been reaching out to GDC, is to have a record of the attempts the Village has made to meet with GDC. If nothing comes to fruition soon, the whole matter may end up in court.

Mayor Kohut: The Mayor informed Mr. Post that the Interim Agreement runs through April of this year, at which point they will either come to a final agreement or the Village can sue GDC for nonpayment.

Judith Curcio: Ms Curcio stated that Mr. Ginsburg has paid \$400,000.00 towards the 1<sup>st</sup> principle payment and \$71,000.00 towards the 1<sup>st</sup> interest payment due on the bond. She explained that the 2<sup>nd</sup> \$400,000.00 payment would be sufficient to pay the 2<sup>nd</sup> bond payment and he is also obligated under the Interim Agreement to pay further interest payments.

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

**RESOLUTION #13-2016**

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

Respectfully submitted by,

Beverly A. Swift, Senior Steno Clerk