

The minutes of the Regular Meeting of the Village of Haverstraw Board of Trustees on Monday, April 18, 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.

Mel Post, 1422 Round Pointe Drive: Mr. Post inquired about Suez Water, alias United Water, situation and how it has affected the Harbors.

Mayor Kohut: The Mayor responded that it has affected not just Harbors, but the entire village because the water is all delivered through 1 feed and is disbursed throughout the whole village.

Jay Hood, Jr., Esq., Village Attorney: Counselor Hood reported that the water situation is going to be handled on a county level, explaining that he has already called for a county meeting to be scheduled, with Suez Water to be an attendee, along with experts in the field and the Health Department. The County also wanting to learn exactly what happened.

Mel Post: Mr. Post informed the Board that 1 morning he filled up his sink with water and it was totally brown so he called Suez Water who came to his house and took a sample. He requested the representative to send him a copy of the analysis upon completion and when he did not receive anything from them several weeks later, he called Suez Water and was told it never came back from the lab. When he finally received the report it indicated that there was a big difference from NYS and Federal standards. Reading the report further, he discovered the analysis was actually prepared the day after Suez came to his home, meaning it was in the Suez Water office the whole time and they evidently did not want to send it to him. He then spoke to the person who sent him the letter, who apologized and indicated that he did not know why the hydrants were not flushed and the public was not notified.

Mayor Kohut: The Mayor explained that the brown water is a separate issue because with brown water something evidently happened in the Harbors vicinity, but the TMH was system wide coming out of Lake DeForest.

Mel Post: Mr. Post was upset by the whole incident because they did nothing about it for over a month, taking about 3 weeks to get the report from them and then another 2 weeks later he called and spoke to them again and was again told they never flushed the system.

Emily Dominguez: Trustee Dominguez inquired if anyone else from Harbors had the same thing happening with their water.

Mel Post: Mr. Post responded that it might have been hard to notice because everyone does not have white sinks. His was very noticeable.

Mayor Kohut: The Mayor just wanted to be sure that Mr. Post was aware that the County is looking into the whole situation with Suez Water. With no further input from the public, the Mayor moved forward with that night's agenda starting with 3 Public Hearings.

Mayor Kohut entertained a motion to open the Public Hearing with regard to the addition of Bed & Breakfast Business Activities, §245-14 K(3)(p) & (q) requesting Counselor Hood to present the changes.

RESOLUTION #82-2016

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

Jay Hood, Jr., Esq.: Counselor Hood reported that the changes had been prompted by the Building Inspector, Ruben Berrios to make some additions to the Bed & Breakfast (B&B) Law, mostly because he realized that it is a business activity within a residential zone. This addition will allow for music and other public assembly events so long as such activities do not negatively impact people in the surrounding area. The addition will also allow for alcohol to be served as long as all rules and regulations of the New York State Liquor Authority are followed.

Mayor Kohut: The Mayor invited the public to ask questions or make comments, mentioning also that the Board may limit these activities as it deems necessary or completely rescind these sections if any patrons of any B&B cause a negative impact on the quiet enjoyment of people in the surrounding neighborhood.

Mayor Kohut entertained a motion to close the Public Hearing regarding B&B business activities.

RESOLUTION #83-2016

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

Mayor Kohut entertained a motion to approve the addition of §245-14 K(3) (p) & (q) to the Bed & Breakfast Law.

RESOLUTION #84-2016

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

Mayor Kohut entertained a motion to open the Public Hearing for Keeping Domesticated Chickens.

RESOLUTION #85-2016

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

Jay Hood, Jr., Esq.: Counselor Hood stated that with more and more people looking to raise chickens as pets or for their own personal use for farm to table food sources, the Village wants to maintain complete control over this by establishing regulations. He has, therefore, prepared a law

stating the conditions and circumstances that have to be adhered to before anyone can be allowed to raise chickens in the Village, including the size and the number allowed per lot. This law is intended to create licensing standards and requirements that ensure that domesticated chickens do not adversely impact the neighborhood surrounding the property on which chickens are kept, noting that a henhouse has to be at least 5 feet from any side or rear property line.

Mayor Kohut: The Mayor explained that this law will allow residents to raise chickens in the Village, however, no more than 8 chickens per property and there will also be a fee involved for a permit. In addition to any enforcement action or violation of any provision of the law, there will be a penalty imposed. He also mentioned that more people from around the area are looking into raising chickens, especially now with Tractor Supply in our area who sells chicks and ducks. He did inform the public that there will be NO roosters allowed. The Mayor then opened the floor to the public for questions or comments.

Myrna Perez, no address given: Ms. Perez inquired about the amount of the fee involved to raise the chickens.

Mayor Kohut: The Mayor mentioned it was proposed as a \$100.00 fee, but the Board was thinking more along the lines of a \$25.00 annual fee.

Andrea Caccora, 34 Ridge Street: Ms. Caccora questioned if the number of chickens allowed is per property or per family.

Mayor Kohut: The Mayor responded the number of chickens allowed is per property and according to the proposed law it would be a total of 8 chickens per lot.

Michelle Natale, 112 Hudson Avenue: Ms. Natale inquired if there is a minimum lot size stated in the Law.

Mayor Kohut: The Mayor responded that there is no minimum lot size in the Law because many of the lots in the Village are very small.

Mel Post: Mr. Post inquired if the law is specific to chickens or does it also include ducks.

Mayor Kohut: The Mayor informed Mr. Post that the Law does not include ducks.

Ed Molina, 10 Hudson Avenue: Mr. Molina raises chickens and has found them to be very beneficial, mentioning that he uses chicken manure to fertilize his garden and that 6 chickens will produce less manure than 1 full size dog. He also mentioned that when you keep chickens as pets or for personal use, if kept properly and according to law, there is usually no smell, but there are several things on the market to suppress odors and mostly, there is no comparison to the quality of the fresh eggs compared to supermarket eggs. He also informed the public that chickens can lay eggs without a rooster, which is a question many people ask.

Andrea Caccora: Addressing Mr. Molina, Ms. Caccora inquired if the number of chickens should depend on the size of the lot.

Ed Molina: Mr. Molina responded that it depends on the size of the chickens because they require a certain amount of square footage per bird; probably about 4 to 6 sq. ft. per chicken.

Joe Natale, 112 Hudson Avenue: Mr. Natale believes it is going to be a lot of extra work for the Building Department, therefore, feels that the exact measurements per chicken should be a part of the law.

Mayor Kohut: The Mayor informed Mr. Natale that the Building Inspector was involved in putting the law together, but the Board will look into that suggestion.

Ed Molina: Mr. Molina mentioned that as far as the law is concerned there should be an inspection of the property required before a permit is issued, which he feels should be a part of the law along with the number of permits that will be issued per year, which would give the municipality better control over monitoring the properties.

Michelle Natale: Ms. Natale inquired what the law is with regard to roosters.

Mayor Kohut: The Mayor again stated that there will be NO roosters allowed.

Mayor Kohut entertained a motion to close the Public Hearing with regard to the Chicken Law.

RESOLUTION #86-2016

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

Mayor Kohut: The Mayor recommended that the Board discuss some of the recommendations made that night with the Building Inspector and make any necessary adjustments to the Law before being approved. It can be presented for approval at the next Board Meeting on May 2nd.

Mayor Kohut entertained a motion to open the Public Hearing to Override the Property Tax Cap.

RESOLUTION #87-2016

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

Jay Hood, Jr., Esq.: Counselor Hood reported that every budget season a municipality has to go through this process if the property tax levy will be in excess of the limit established in the General Municipal Law §3-c. This year the Village overage is .12% and given that many items in the budget are beyond the control of the Board, the law mandates a Public Hearing be held and a law passed to authorize the municipality to override the property tax cap by a majority of 60% of said governing body. He mentioned that it is also important to pass this law in case there are any miscalculations that have to be taken care of later, in which case the Comptroller will seize the additional funds if a law has not previously been passed to override the Tax Cap.

Mayor Kohut: At this time, the Mayor invited the public to ask questions, make comments, etc.

Mel Post: Mr. Post thought that the Mayor mentioned a 3.6% increase in the Tax Cap at the last meeting. It is also his impression that once the municipality exceeds the Tax Cap that the homeowner losses out on the NYS rebate.

Mayor Kohut: The Mayor responded that the homeowner would lose a portion of the rebate not the entire thing.

Mel Post: Mr. Post feels then that if the Village raises the Tax Cap that the residents are losing an amount greater than 3.6%.

Mayor Kohut: The Mayor explained that the Board is not happy about having to raise the Tax Cap, but there are certain items that cannot be controlled that are necessary to run the Village properly. He explained further that the .12% raise equals out to \$120.00 per \$100,000.00. Given the Village expenses, which are never ending, with utilities, water, insurance, health care, state mandates, etc., it is not an inconceivable amount and if it were a true 2% Tax Cap, the Village might be able to manage it.

Emily Dominguez: Trustee Dominguez reminded Mr. Post that the raise in cap for this year is .12%, which she feels is a small number.

With nothing further from the public, Mayor Kohut entertained a motion to close the Public Hearing.

RESOLUTION #88-2016

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

Mayor Kohut entertained a motion to approve the .12% rise in the Tax Cap.

RESOLUTION #89-2016

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

ROLL CALL VOTE:

Trustee Batista	- Yes
Trustee Bueno	- Yes
Trustee Watson	- Yes
Trustee Dominguez	- Yes
Mayor Kohut	- Yes

Motion passes with a full Board Yes vote.

Mayor Kohut: Based upon the last meeting when the Public Hearing for the Budget was presented, the Mayor reported that the Trustees sat with the Village Treasurer and Village Accountant and made some provisions to the Mayor's Proposed Budget as follows:

TRUSTEES ADJUSTMENTS TO BUDGET			
Acct. #	Account Name	Increase	Decrease

A1010.1	Personal Services - Board of Trustees	\$ 583.00	
A1110.1	Personal Services - Police Justice	\$ 506.00	
A1210.1	Personal Services - Mayor	\$ 600.00	
A1310.4	Accounting		\$ 123.00
A8160.4	Refuse Collection		\$ 4,000.00
A9050.8	Unemployment Insurance	\$ 1,000.00	
	TOTAL	\$ 2,689.00	\$ 4,123.00
	NET DECREASE		\$ 1,434.00

This is a total of 2.99% increase in budget for a total budget of \$.

Mayor Kohut entertained a motion to approve the above stated budget adjustments.

RESOLUTION #90-2016

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

Mayor Kohut had not

Mayor Kohut:

REPORTS OF VILLAGE OFFICIALS

VILLAGE ATTORNEY, Jay Hood, Jr.: Counselor Hood reported that the Village Board would like to pass a Refuse Law regulating the garbage haulers hired for pickup within the Village. He has given the Board a copy of the proposed law he prepared for review and/or modify as needed. He then requested a Public Hearing to be set for May 16th at 7:05 PM.

Mayor Kohut entertained a motion to schedule a Public Hearing to regulate garbage haulers as stated above.

RESOLUTION #91-2016

Motion by: Emily Dominguez
 Seconded by: Rafael Bueno
 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 the Town of Haverstraw Community Fun Run will be held on June 5th and will benefit local children with health care issues, which the Board would like to help sponsor with a \$250.00 donation.

Mayor Kohut entertained a motion to approve a sponsorship donation for the Town 5K Fun Run as stated above.

RESOLUTION #92-2016

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

The Mayor reported that there will be a CSX training exercise on Monday, May 2nd at the Fire Training Center to deal with the oil trains coming through the North Rockland area. He feels it is important for the entire board, along with emergency personnel to participate in this exercise in order to better understand the issues and concerns of everyone in the Fire and Emergency services. The training will start at 5:00 PM and should last at least 2 hours, which will not be enough time to hold the Board Meeting that night, therefore, the Board would like to move the meeting to Tuesday, May 3rd at 7:00 PM.

Mayor Kohut entertained a motion to change the first Board Meeting for the month of May to Tuesday, May 3rd at 7:00 PM.

RESOLUTION #93-2016

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

The Mayor received a letter from Andrew Connors, Secretary to the Fire Convention, who reported that the Haverstraw Fire Department's Annual Chiefs Convention was held on April 7th at Cosgriff Hose Co. #4 and the following people were elected for a 1 year term to the offices indicated:

Fire Chief	-	Robert Drexler
1 st Asst. Chief	-	Thomas Price
2 nd Asst. Chief	-	John "Bart" Gordon
3 rd Asst. Chief	-	Perry Masiello
4 th Asst. Chief	-	Michael Begbie

Mayor Kohut entertained a motion to accept the newly elected officers for a 1 year term as stated above.

RESOLUTION #94-2016

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

The Mayor received a request from Rafael Escanyo to use the Community Center on Saturday, April 23rd from 3:00 PM to 8:00 PM to conduct a workshop by the Dominican Central Board of Elections and on August 5th from 6:00 AM to 10:00 PM for voting purposes for the Dominican Presidential election.

Mayor Kohut entertained a motion to approve use of the Community Center as stated above, subject to availability of the Center on those dates.

RESOLUTION #95-2016

Motion by: Rafael Bueno
Seconded by: Emily Dominguez

Motion Carries: All

The Mayor received a 2nd request from the same gentleman for permission to hold a Campaign Rally on May 1 from 2:00 PM to 6:00 PM for the Dominican Presidential election.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #96-2016

Motion by: Rafael Bueno

Seconded by: Emily Dominguez

Motion Carries: All

The Mayor had nothing further to report.

Mayor Kohut:

REPORTS OF STANDING COMMITTEES

FIRE & ORDINANCES – Trustee Rafael Bueno: Trustee Bueno submitted the following application for admittance to the Haverstraw Fire Department:

Eric Apuzzo - General Warren Emergency Co. #2

His application is complete and duly notarized.

Mayor Kohut entertained a motion to accept Mr. Apuzzo into the Haverstraw Fire Department assigned to General Warren Company #2.

RESOLUTION #97-2016

Motion by: Rafael Bueno

Seconded by: Emily Dominguez

Motion Carries: All

Trustee Bueno had nothing further to report.

PUBLIC WORKS, BUILDINGS & GROUNDS – Trustee Terence Watson:

Trustee Watson had nothing to report.

YOUTH & FAMILY SERVICES - Trustee Francisco Batista: Trustee Batista read the following report of activities at the Community Center for the period of April 4th to April 18th, 2016:

- 1) The Haverstraw Collaborative met on Wednesday, April 6th from 12:00 PM to 2:00 PM. The Collaborative is a meeting of a group of human services providers who plan and promote activities to better serve the community.
- 2) The Spanish Speaking Parents Group is set to meet on April 6th at 6:00 PM at the Haverstraw Elementary School. The purpose of the group is for Spanish speaking parents to be involved with the children's education by participating in a group for their population

that addresses specific needs that they encounter in their navigation of school bureaucracy.

- 3) Unity in the Community presented by the Haverstraw Collaborative will take place on April 25th and April 26th during the school district's spring recess. This program offers the children of the community an opportunity to attend recreational activities, educational workshops and other programs presented by members of the Collaborative and other various organizations. All children from grades 3 through 8 are welcome and will receive lunch and snacks starting at 11:00 AM through 6:00 PM, FREE of charge.
- 4) Individual Family Counseling had a total of 26 participants.
- 5) Anger Management had 2 participants.
- 6) Butts Out/Smokers Aftercare had a total of 13 participants.
- 7) Project Shift (A Call to Action) had a total of 11 participants.
- 8) Girls Life Skills for ages 11 through 14 had 12 participants.
- 9) Homework Help has 65 participants.
- 10) Sharpshooters had a total of 27 participants.
- 11) Late Night Friday had 45 participants.
- 12) Boys Life Skills Ages 11 to 14 had a total of 16 participants.

Trustee Batista received a request from Marion Breland for herself, Peter Fata and Jeanmarie Galiotta to attend the Rockland County Department of Health Child and Adolescent Workgroup on May 5th, at a cost of \$180.00 for all 3 participants.

Mayor Kohut entertained a motion to approve attendance at a Rockland County Workshop as stated above.

RESOLUTION #98-2016

Motion by: Francisco Batista
Seconded by: Emily Dominguez
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 April 4th through April 15th, 2016:

Rental registrations	-	9
Miscellaneous inspections	-	64
Complaints	-	4
Searches	-	10
Construction inspections	-	4
Building Permits	-	3
Violations	-	6

Trustee Dominguez then informed the public that the Manny Lopez Ball Field is now open for the season.

Trustee Dominguez had nothing further to report.

Mayor Kohut:

OLD BUSINESS

None.

Mayor Kohut:

NEW BUSINESS

Mayor Kohut:

2nd PUBLIC PARTICIPATION

Mel Post: Mr. Post inquired if there have been any new applications from GDC and requested an update on the Interim Agreement with GDC.

Mayor Kohut: The Mayor responded there have been no new applications since the last meeting and regarding the Interim Agreement, the Village is still continuing negotiations with GDC.

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

RESOLUTION #99-2016

Motion by: Emily Dominguez

Seconded by: Rafael Bueno

Motion Carries: All

Respectfully submitted by,

Beverly A. Swift, Senior Steno Clerk
May 31st, 2016