

The minutes of the Regular Meeting of the Village of Haverstraw Board of Trustees on Monday, May 16th, 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 the first Public Participation inviting the public to make comments or ask questions.

Noel Rappaport, 31 New Main Street: Mr. Rappaport informed the Board that the flagpole across from the Village Hall is missing the Village flag.

Mayor Kohut: The Mayor stated that the Village flag is hanging on the flagpole in front of the Village Hall.

Noel Rappaport: Mr. Rappaport felt that there should also be a Village flag hanging from the pole in the Village Clock Square. He then mentioned that on Mother's Day while having dinner at Union, he noticed taxi cabs parking on the street, which he thought was not allowed.

Mayor Kohut: The Mayor informed Mr. Rappaport that the taxi cabs are not allowed to park on the street.

Noel Rappaport: Mr. Rappaport then mentioned that he attended a Town Board Meeting recently where they spoke about disbanding the Village Courts. He inquired what the Village would lose or gain if it were to close the Justice Court.

Mayor Kohut: The Mayor responded it would make it inconvenient for the public to pay parking tickets, etc. handed out in the Village at a different location. He further explained that many people come in right away to pay parking tickets, etc. because it is cheaper to pay the tickets within 48 hours and also, a lot of people may not have the ability to easily make it to the Town. Having the court here also gives the Village a sense of self control with a Judge who is familiar with the ins and outs of the Village. Although loss of personnel would save the Village money, the Village would lose out on the revenue made here, which the town would then receive. In thoughts of dollars and sense it might pay to consolidate, however, there are other factors to consider that would justify keeping the Village Court, most important being the convenience to the public.

Noel Rappaport: Mr. Rappaport inquired if the savings would be in the area of \$10,000.00.

Mayor Kohut: The Mayor responded it would probably be more than that, however, the convenience to the public he considers to be a major factor and far more important.

Gil Musinger, 1416 Round Point Drive: Mr. Musinger spoke about his concern for pedestrian traffic in the area of Dr. Girling Drive. He believes this to be a potentially dangerous situation for people having to walk on the roadway to get to West Street or Maple Avenue. He anticipates there will be a tremendous amount of traffic on this roadway with the completion of the Short Clove Overpass and could present a real danger to pedestrians. He requested that the board give installing a sidewalk in this area their utmost consideration to protect the pedestrian traffic in this area.

Larry Levine, 1414 Round Point Drive: Mr. Levine agreed with the concerns mentioned by Mr. Musinger. He also mentioned that the yellow lines on Maple Avenue have still not been repainted and wanted to know when this matter would be taken care of.

Mayor Kohut: The Mayor responded that the Village borrows equipment from the County for this purpose and, as far as he knew, that piece of equipment was still not working. He would have the Village Attorney check with the County Road Department about borrowing their machine if it is back in good working order.

Larry Levine: Mr. Levine then inquired about whether or not the Village intends to paint the DPW building.

Mayor Kohut: The Mayor informed Mr. Levine that painting the DPW building is on the agenda for this year.

Cecelia of 11 Fourth Street: She stated that the sidewalk in front of her home on Fourth Street is in bad condition and wanted to know if the Village could replace it since she has seen sidewalks being installed in other areas of the Village.

Mayor Kohut: The Mayor stated that installing new sidewalks on Fourth Street is not scheduled for 2011, but perhaps will be on the schedule for replacement in 2012. The Board has not yet made that determination.

Cecelia: She wanted to know why the Village increased the parking meter fees because when she cannot park by her home she is forced to park in the lot behind Soup Stone and it is costing her a lot of money.

Mayor Kohut: The Mayor stated that the Village did not raise the fees on the parking meters and that the meters are electronic and may sometimes malfunction. He told her to get the meter number and inform someone at the Village Hall so it can be checked out.

Judith Curcio, Village Clerk/Treasurer: Ms. Curcio stated that the meter programmer will be coming in and all the meters will be reprogrammed.

Cecilia-11 Fourth St.: She again mentioned her sidewalks and wanted to know if she should do some repair in the meantime.

Mayor Kohut: The Mayor informed her that the Village does install sidewalks, but that it is the responsibility of the homeowner to maintain the sidewalks, therefore, if she feels it is dangerous she could certainly make any necessary repairs, especially since it is not certain when the Village will be installing sidewalks on Fourth Street.

Magda Truchan - 1213 Round Point Drive: She wanted to know what happened to the house at either 92 or 94 Maple Avenue, which has been boarded up for a while. She feels something needs to be done to it because it is an eyesore for the community.

Mayor: The Mayor explained that there was a fire in the house and that the property owner is still in the process of negotiating with the insurance company, which will determine whether he will be able to repair it or will have to take it down.

Magda Truchan: She inquired if the parking lot behind the firehouse was for public parking and wanted to know the locations of all the public parking lots in the village. She also mentioned other villages and townships having signage directing people to public parking lots, which she feels is needed here. In order to attract outsiders to spend time in the Village it is vital that they be aware that there is municipal parking available to them, which would be a benefit to everyone, including restaurants and shops.

Mayor Kohut: The Mayor stated that there are some signs closer to the downtown area indicating parking lots but they would look into what could be done to better the situation. He also mentioned there are 19 or 20 different parking lots in the village.

Mayor Kohut:

REPORTS OF VILLAGE OFFICIALS

VILLAGE ATTORNEY, Jay Hood, Jr.: Counselor Hood requested the Board to schedule a Public Hearing in order to finalize the draft regarding the amendments to the "Abandoned Vehicles Law".

Mayor Kohut entertained a motion to schedule a Public Hearing for June 20th for the "Abandoned Vehicles Law" as stated above.

RESOLUTION #114-2011

Motion by: Emily Dominguez

Seconded by: Terence Watson

Motion carries: All

Counselor Hood mentioned that this law would add the Building Inspector and DPW Superintendent to the list of people who can have vehicles towed. According to the current law only the police can have a vehicle towed.

Counselor Hood then spoke about the following changes to be made to the Procurement Policy: purchase contracts under \$20,000.00 and public works contracts under \$35,000.00 would no longer be subject to competitive bidding. These numbers are up from the old law and are the maximum set by NY statute. Also required, is a list of municipal officers that will be responsible for purchasing decisions, which will include the Village Mayor, Trustees, Village Treasurer and Deputy Village Treasurer. This policy requires annual approval and the actual name of the person holding that office (i.e. Village Mayor Michael Kohut) would need to be changed accordingly.

Mayor Kohut entertained a motion to approve the Procurement Policy with the amendments stated above.

Judith Curcio: Ms. Curcio stated that the following must also be added to the Procurement Policy:

- 1) Three verbal quotations must be obtained for purchases and public works contracts between \$500.00 and \$6,000.00.
- 2) Three written quotations must be obtained for purchases and public works contracts between \$6,000 and \$9,999 for contracts and \$19,999 for purchases
- 3) Written and verbal quotes must be documented.

RESOLUTION #115-2011

Motion by: Emily Dominguez

Seconded by: Francisco Batista

Motion Carries: All

Jay Hood, Jr., Esq.: Counselor Hood requested authorization from the Board allowing the Mayor to settle a disagreement with Cablevision over the annual franchise fees due to the Village. The audit company hired by the Village felt that the Village is due approximately \$18,000.00 in franchise fees. The disagreement involves DVR Sales and whether or not they are included in the contract. It is a legal question that could lead to excessive legal fees for the Village if we get involved in a lawsuit over this matter. Counselor Hood requested the Board to approve a settlement of \$6,000.00.

Francisco Batista: Trustee Batista questioned why the Village should settle for \$6,000.00 when the amount specified by the audit firm was \$18,000.00.

Jay Hood, Jr., Esq.: Counselor Hood responded that a lawsuit would cost the Village many thousands of dollars for litigation of this matter and there is no guarantee that the Village would win. Also, the audit firm advised him to settle for whatever the Village could get. Originally the offer from Cablevision was \$2,000.00, therefore, he felt settling for \$6,000.00 would be the best thing for the Village without having to litigate the matter. He suggested tightening the next contract to include DVR sales in order to get the best return.

Mayor Kohut entertained a motion to approve the settlement of \$6,000.00 with Cablevision.

RESOLUTION #116-2011

Motion by: Emily Dominguez

Seconded by: Terence Watson

Motion Carries: All

Counselor Hood had nothing further to report.

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

MAYOR'S REPORT, Mayor Michael Kohut: The Mayor received a bill from the Scott family on Warren Avenue for reimbursement of \$402.97 paid to

American Minuteman for a sewerage backup in their home. It was discovered that a village sewer line had collapsed on Warren and McKenzie Avenue and therefore, the repair was the responsibility of the Village.

Mayor Kohut entertained a motion to reimburse the Scott family \$402.97 for payment made to American Minuteman for sewer damage.

RESOLUTION #117-2011

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

Mayor Kohut: The Mayor read a request from the Hispanic American Lions Club to hold its annual carnival, however, the date's conflict with the United Latin Parade & Festival. The Mayor would like to offer them an alternate date one week prior.

Mayor Kohut entertained a motion to approve the Hispanic American Lions Club carnival as indicated above.

RESOLUTION #118-2011

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

The Mayor then announced that after many years of discussion between the Puerto Rican Day Committee, the Dominican Day Committee and the Ecuadorian Day Committee have decided to hold one joint event, the United Latin Parade and Festival on August 21st, with a rain date of August 28th. He proposed that the Village make a contribution to the event in the amount of \$1,500.00 as well as providing the services of the DPW.

Mayor Kohut entertained a motion to make a contribution to the United Latin Parade and Festival in the amount of \$1,500.00.

RESOLUTION #119-2011

Motion by: Francisco Batista
Seconded by: Terence Watson
Motion Carries: All

The Mayor requested approval of a contract with Ferguson Landscaping for three fertilization applications at the municipal ball field at a cost of \$725.00 per application.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #120-2011

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

The Mayor received a Final Change Order for the ball field from SCS Engineers totaling \$23,978.27.

Mayor Kohut entertained a motion to authorize payment of the final change order.

RESOLUTION #121-2011

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

The Mayor received a schedule of proposed trips for the Village Summer Camp that require bus transportation. He requested approval from the Board to go out to bid for this purpose with all bids returnable by Friday, June 3rd at 12:00 PM.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #122-2011

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

The Mayor received a request from POW'R Against Tobacco (Power stands for Putnam, Orange, Westchester and Rockland counties) for support of their resolution to stop tobacco marketing in stores. He then read the resolution as follows:

STATEMENT IN SUPPORT OF
ENDING TOBACCO MARKETING IN STORES

WHEREAS, tobacco companies have developed carefully calculated media campaigns to recruit new youth smokers; and

WHEREAS, internal industry documents show that tobacco companies have perceived children as a key market and developed products and marketing campaigns aimed directly at them; and

WHEREAS, point-of-sale cigarette marketing exposes all store visitors to pro-smoking messages and imagery; and

WHEREAS, cigarette marketing is more prevalent in stores where adolescents shop frequently; and

WHEREAS, the density and proximity of tobacco retailers may influence tobacco use initiation among youth; and

WHEREAS, only a comprehensive and enforced ban on marketing reduces use, especially among youth; and

WHEREAS, tobacco products are responsible for the preventable death of approximately 1,200 Americans per day; and

WHEREAS, habitual tobacco use begins in childhood; and

WHEREAS, retail stores are an integral and valuable part of our community; and

THEREFORE BE IT RESOLVED that the Village of Haverstraw hereby partners with POW'R Against Tobacco in requesting that retailers place tobacco products out of customer view inside all non-adult retail establishments.

Mayor Kohut entertained a motion to adopt the above resolution regarding POW'R Against Tobacco.

RESOLUTION #123-2011

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

The Mayor then discussed scheduling the summer Board meetings as follows: Monday, July 11th and Monday, August 15th, the summer schedule is to hold one board meeting per month.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #124-2011

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

The Mayor announced the grand opening of GET (Gateway to an Entrepreneurial Tomorrow) a new organization in the Village. They are a non-profit organization who assists new businesses getting started and existing businesses to grow and prosper. They are located next to Mariella's Pizza on New Main Street and will be having their grand opening on Thursday, May 26th at 11:00 AM. They have been in existence for five years, originating in Dutchess and Orange counties. They have worked with over 400 projects and well over 100 entrepreneurs have been successfully trained and opened businesses. In conjunction with Provident Bank and Rockland County Community Development, the Village was able to secure funding to bring this agency to the Village. The Board is hopeful that "GET" can help with successfully opening new businesses in the Village and put some people back to work. He then mentioned that they would like to declare the week of May 23rd as Entrepreneurial Week in the Village. He invited anyone interested to speak with either him or the Building Inspector to find out the requirements involved with opening a business.

The Mayor reminded everyone that Sunday, June 5th is the Annual North Rockland Community Day 3 Mile Run/Walk at Bowline Park. This annual event benefits local residents who need assistance from the community to help primarily with medical problems. There are three individuals being assisted this year including Dierdre Hubner who was raised in the Village and whose family still resides in Haverstraw.

The Mayor then requested approval of a new copy machine Lease with Toshiba Business Solutions for the Village Hall, the Justice Court and Reachout. It will be a 48 month lease at \$323.00 per month for two machines, which is a savings from the present lease of \$456 per month.

Mayor Kohut entertained a motion to approve the copy machine lease with Toshiba.

RESOLUTION #125-2011

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

Mayor Kohut received a request to sign a Participation Agreement with Rockland County Transportation of Rockland to sell bus tickets at the Village Hall. He informed everyone that the price of the tickets has gone up to \$11.00 from \$9.00 per ticket sleeve. He believes this is a great service the Village provides to its residents.

Mayor Kohut entertained a motion to sign the new agreement.

RESOLUTION #126-2011

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

The Mayor had nothing further to report.

Mayor Kohut:

REPORTS OF STANDING COMMITTEES

FIRE & ORDINANCES – Trustee Rafael Bueno: Trustee Bueno submitted two applications for acceptance to the Haverstraw Fire Department as follows:

Anthony Caccioppoli – General Warren Emergency Co. #2
Marino Ledesma – Relief Hose Co. #3

Both applications are complete and are in order.

Mayor Kohut entertained a motion to accept both applicants into their chosen fire company.

RESOLUTION #127-2011

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 Emily Dominguez**:

Trustee Dominguez announced that applications for summer camp are now being accepted at Village Hall. She then mentioned that the Rockland County Youth Bureau annually presents awards to people for distinguished service. She proudly announced that this year's Dennis Fleming Award was

presented to Marion Breland Oswald, Director of Family Youth Services, for her long term commitment and dedication. 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 4/18 through April 29th and May 2nd through May 13th. The following numbers are a combined total of both periods:

Rental property inspections	-	41
Municipal searches	-	3
Miscellaneous inspections	-	217
Construction inspections	-	49
Complaints	-	9
Violations & tickets	-	53
Permits	-	4

Trustee Batista had nothing further to report.

MINUTES: The Mayor presented the minutes of the April 4th, April 18th and May 2nd for approval by the board.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #128-2011

Motion by: Emily Dominguez (with minor changes to the May 2nd minutes.

Seconded by: Terence Watson
Motion Carries: All

Mayor Kohut:

OLD BUSINESS

The Mayor discussed an application previously submitted by Harbors Haverstraw, LLC for a proposed site plan amendment. At that time, the proposal was forwarded to the Planning Board for review and approval. The Mayor invited Andy Maniglia to come forward to discuss the changes to the site plan.

Andy Maniglia: Mr. Maniglia explained that this is an amendment to a site plan application that was approved in 2006 for construction of Building C, Park Side, at Harbors Haverstraw. This building was originally approved to be a rental facility with 83 units. When the market was good they redesigned the building to create 107 condominium units. When the market changed they again redesigned the building to house 110 rental units, which are market rate rentals that accept no subsidy from any Federal, State or local agencies. One of the additional units would house the on-site superintendent of the building. He also mentioned that the parking facilities have been accounted for and redesigned, as shown in the Site Plan Amendment. Since the Rockland County Planning Department is also reviewing this application, he believes the Board would probably want to wait for their review according to Section 239 of the General Municipal Law, however, he is requesting the Board to approve this site plan at this meeting, contingent to approval by the Rockland County Planning Department.

Jay Hood, Jr., Esq.: Counselor Hood stated that Mr. Maniglia has covered all the bases. He did feel, however, that the Board should keep in mind that even though the building has been constructed, the entire site is approved for 490 units and they are not additional units, but units that would be shifted from other buildings, which have not yet been constructed. The parking issues have been addressed and he is satisfied with the application.

Mayor Kohut: The Mayor questioned if this is a lot line amendment.

Andy Maniglia: Mr. Maniglia explained that this is simply an application to change the building from 107 condominium units to 110 rental units. They also had to reconfigure the parking slightly giving them 201 parking spaces dedicated to that building. He then mentioned that a letter was sent to the Joint Regional Sewer Board regarding the improvements at the Dr. Girling Drive Pump Station to be able to handle the entire site, therefore, construction is moving forward. As of June 1st they expect to have 9 leases in Building C and during the month of July at least 22 leases. The improvement project at the pump station will be completed by the second week in June.

Mayor Kohut: The Mayor stated that the Planning Board has reviewed and approved the application, referring it back to the Village Board for final approval.

Mel Post of Harbors Haverstraw: He asked for more detail with regard to the parking spaces being taken from other buildings. He feels parking spaces are very hard to come by unless people have garages for their vehicles.

Andy Maniglia: Mr. Maniglia believes what he is referring to is the spaces on public streets, however, with regard to parking for Building C, he explained that there are 201 dedicated spaces for 110 units. There are an additional 15 spaces in that lot, which will be applied to Building A when it is eventually constructed. Building A will not be in excess of the 490 units that have been approved, so the total number of units will remain 490. There are six spots on the southern end of Round Point Drive that are dedicated to six private units in Bayside, Building B. That part of the street will not be dedicated, but will remain private. There would still be a total of 107 public spots throughout the entire site.

With the recommendation for approval from the Village Planning Board, Mayor Kohut entertained a motion to approve the Site Plan Amendment for Building C at Harbors, subject to review and approval by the Rockland County Planning Board.

RESOLUTION 129-2011

Motion by: Terence Watson

Seconded by: Emily Dominguez

Motion Carries: All

Mayor Kohut:

NEW BUSINESS

None.

Mayor Kohut:

2nd PUBLIC PARTICIPATION

Noel Rappaport: With regard to pulling cigarette ads from local stores, Mr. Rappaport mentioned that he started smoking when he was 14, smoking 3 to 4 packs a day, quitting when he was 23. He was very much in favor of this resolution and feels it would be a good idea for the Village to offer some kind of incentive for businesses who remove the tobacco ads.

Mayor Kohut: The Mayor agreed, stating that it is simply a resolution to encourage removal of these ads, however, and incentive would be a good idea for any businesses cooperating in this endeavor.

Larry Levine: Mr. Levine inquired if Short Clove Road would be gated or blocked once the Route 9W project is completed.

Mayor Kohut: The Mayor responded that it will be permanently blocked from both ends, probably by concrete barriers. The efforts by Tilcon to keep the road open for access to their trucks was denied by CSX.

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

Mayor Kohut entertained a motion to that effect.

RESOLUTION #130-2011

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

Respectfully submitted by,

Beverly A. Swift
Senior Steno Clerk
May 24th, 2011