

The minutes of the Regular Meeting of the Village of Haverstraw Board of Trustees on Monday, February 4, 2013, beginning at 8:00 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL	Trustee Batista	- Present
	Trustee Bueno	- Absent
	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.

Arti Taub, 3304 Leewood Drive: Mr. Taub extended his thanks to the Mayor and the Board for taking care of the "STOP" signs. He then suggested that the Police be called for those people who run the "STOP" signs because 50% of those people live in Parkside.

Mel Post, 1422 Round Pointe Drive: Mr. Post inquired if the Mayor has had any meetings or conversations with the FEMA engineers and any other organizations, with respect to the areas on both sides of Harbors, to see what might be done to protect this area from any future storm damage.

Mayor Kohut: The Mayor stated that he had conversations with FEMA representatives about the next steps the Village needs to take to prevent this type of damage from occurring in the future. The FEMA rep has not gotten back to the Mayor as of this date. The Mayor also mentioned that FEMA said they would help the Village with its mitigation efforts. FEMA was looking into how much money they have available for help with mitigation as this process continues. They are currently concentrating their efforts toward the Southern end of the County where they received worse damage than the Village incurred. He is waiting for a meeting to be scheduled with FEMA to discuss how they will proceed.

Mel Post: Mr. Post is hoping they will install a sea wall or something of that nature to keep this type of damage from happening again.

Mayor Kohut: The Mayor stated that if it is economically and engineeringly feasible, the Village will look into that.

Mayor Kohut: The Mayor announced the next order of business to be a Public Hearing with regard to Relief Hose Co., #3, a village fire company, that wishes to become an incorporated entity, which requires a Public Hearing. He invited Joe Natale to present their request.

Mayor Kohut entertained a motion to open the Public Hearing.

RESOLUTION #24-2013

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

Joseph Natale, Member, Relief Hose Co., #3: Mr. Natale explained that the company wants to become an incorporated entity mainly to obtain their own Tax I.D. number in order to move forward with becoming a "Not-for-Profit" for the fundraising activities that they hold. He mentioned that in the past they have used the Village Tax I.D. number, which has not been an issue so far,

but to legally hold these events the company needs to have their own Tax I.D. number, which being incorporated would allow them to obtain. When the company was originally formed they did not have a Charter, which they have since found is a requirement.

Mayor Kohut: The Mayor mentioned that being incorporated has nothing to do with firematic activity, but is a requirement for the social aspect of the Haverstraw Fire Department. In order for them to get their own Tax I.D. number they have to be separate from the Village of Haverstraw, otherwise any funds raised would legally belong to the Village instead of the firehouse.

Emily Dominguez: Trustee Dominguez inquired if the other firehouses were set up like this.

Mayor Kohut: The Mayor responded that Rescue Hook & Ladder Co. #1, General Warren Emergency Co. #2 and Cosgriff Hose Co. #4 have all been incorporated, but he was not sure about Lady Warren Hose Co. #5. He reiterated that it would strictly be for social purposes and the firematic aspect would still be under the Village of Haverstraw.

Joe Natale: Mr. Natale reiterated that the company really just wants to make everything they do on the social side legal.

Mayor Kohut: The Mayor invited the public to ask questions or make comments with regard to the Incorporation of Relief Hose Co., #3.

Arti Taub: Mr. Taub inquired if there is any question about indemnity involved.

Jay Hood, Jr., Esq., Village Attorney: Counselor Hood informed Mr. Taub that there would be no liability to the Village since the fire company would be its own separate entity when incorporated.

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

RESOLUTION #25-2013

Motion by: Emily Dominguez

Seconded by: Francisco Batista

Motion Carries: All

Mayor Kohut entertained a motion to give Relief Hose Co., #3 permission to incorporate.

RESOLUTION #26-2013

Motion by: Emily Dominguez

Seconded by: Terence Watson, Jr.

Motion Carries: All

Mayor Kohut:

REPORTS OF VILLAGE OFFICIALS

VILLAGE ATTORNEY, Jay Hood, Jr.: Counselor Hood reported on the request from Colleen Vanderhoef to receive damages caused by a sewer backup. After discussions with the Board, it was determined that she receive a settlement of \$1,000.00 with the condition that she sign the agreement with the Village for the stated amount.

Mayor Kohut entertained a motion to settle damages as stated above.

RESOLUTION #27-2013

Motion by: Terence Watson, Jr.
Seconded by: Francisco Batista
Motion Carries: All

Counselor Hood then reported that the requirements of the Village for "MyBenefitsComputer" would be too much, therefore, he believes the Village should advise the county that it is not interested in the services at this time. He will inform the County of the Village's decision.

Counselor Hood had nothing further to report.

VILLAGE TREASURER, Judith Curcio: Ms. Curcio submitted the following report for the months of November and December, 2012:

TOTAL DISBURSEMENTS	-	\$618,031.00
TOTAL REVENUE	-	\$158,446.00

Ms. Curcio had nothing further to report.

MAYOR'S REPORT, Mayor Kohut: The Mayor updated the public with regard to storm related issues, stating that the progress is slow with FEMA.

The Mayor then introduced the following Budget Adjustments for approval by the Board:

	<u>Increase</u> <u>Appropriations</u>	<u>Increase</u> <u>Est. Revenue</u>	<u>Decrease</u> <u>Appropriations</u>
A.1410.0400 Clerk Contractual	\$ 7,000.00		
Appraisals			
A.1420.0400 Law Contractual	10,000.00		
A.3120.0460 Contractual Haverstraw	14,066.00		
A.6989.0420 Farmers Market	6,300.00		
A.3120.0400 Camera	3,500.00		
A.7110.0420 Ball Park	25,000.00		
A.7310.0120 Summer Camp Pers.	7,800.00		
A.7310.0410 Summer Camp Cont.	2,050.00		
A.1950.0400 Sewer Tax	2,050.00		
A.1990.0400 Contingency			\$ 77,766.00

	<u>Increase</u> <u>Appropriations</u>	<u>Increase</u> <u>Est. Revenue</u>	<u>Decrease</u> <u>Appropriations</u>
A.1440.0400 Engineer Contractual	\$ 200,000.00		
A.3089 DOS Grant		\$200,000.00	

Overtime 2nd Quarter

A.1110.0110 Pers. Justice Court	1,003.15		
A.1325.0100 Pers. Treasurer	1,753.88		
A.1410.0100 Pers. Clerk	426.15		
A.3620.0100 Pers. Building	3,482.16		
A.5110.0100 Pers. Labor DPW	30,767.33		
A.5010.0100 Pers. DPW Admin.	10,009.87		
A.5010.0110 Pers. DPW Clerk	515.43		
A.1990.0410 Contingent O.T.			\$ 47,957.97

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

RESOLUTION #28-2013

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

The Mayor reported that the Village Capital Fund needed to be closed out at this point, therefore, he entertained a motion to that effect.

RESOLUTION #29-2013

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

The Mayor announced that he has received word from the Attorney's representing the Village in the 49WB (Graziosi Building) vs. the Village of Haverstraw action, for which the Village was sued in Federal Court for alleged constitutional violations when the Village tried to take the property by condemnation. The Village won the case at the Federal District Court Level several months prior, however, the attorney's for Graziosi appealed the case. The outcome from that appeal was a unanimous decision by the Court of Appeals in favor of the Village, who they affirmed committed no constitutional violations in their efforts to take the Graziosi building. It is the hope of the Village that unless the attorney's for 49WB take the case to the Supreme Court, that this issue will come to an end. The Village is now hopeful that something will be done with that building.

The Mayor then read a letter from Union Restaurant that they will be hosting their "5th Annual We Care Event", offering free meals to the general public who continue to struggle with the economy. To do so they will close for regular business from Monday, February 25th to Wednesday, February 27th from 4:00 to 8:00 PM. They are requesting use of the Village barricades for control purposes, as well as have the DPW hang a banner for this event on New Main Street.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #30-2013

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

The Mayor had nothing further to report.

Mayor Kohut:
REPORTS OF STANDING COMMITTEES

FIRE & ORDINANCES – Trustee Rafael Bueno: In the absence of Trustee Bueno, Trustee Watson read the following report for the month of January, 2013, submitted by Fire Chief Patrick McNamee:

Total Alarms	-	23
General Alarms	-	17
Special Calls	-	4
Mutual Aid Calls	-	2
Structure Fires	-	1

Cooking Fires	-	2
Electrical	-	5
Gas Leaks	-	3
Carbon Monoxide	-	2
Water condition/Pump outs		3
Haz-Mat	-	1
Good Intent/Miscellaneous		3
False Alarms	-	2

Total Manpower Responding - 435 members

The Chief also reported that on January 19th a tractor trailer had an axle break and punctured its diesel tank on Route 9W at the rock cut. Route 9W was shut down until the fire department stopped the leak with the help of the Rockland County Haz-Mat Team. The owner of the truck was required to contact a company to clean up the spilled diesel fuel. This created a traffic nightmare in the North Rockland area until early afternoon.

There was 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 February 4th, 2013:

- 1) Hand swept the village due to the sweeper being down.
- 2) Cleaned all the catch basins on Main Street, New Main Street and Broadway.
- 3) Billy King finished reinforcing the salt shed.
- 4) Cleared the sewer blockage at Haverstraw Transit.
- 5) Plowed and salted throughout the Village due to various snow storms.
- 6) Rebuilt two catch basins at Dowd Street.

Trustee Watson had nothing further to report.

YOUTH & FAMILY SERVICES - Trustee Emily Dominguez: Trustee Dominguez gave the following report of activities at the Community Center for the period of January 1st through January 17th:

Reachout Counseling Services – The staff held counseling sessions for 32 individuals and their family members for group and/or family canceling. In the smaller chapter of this program, 24 participants were seen.

Girls Club: 22 girls were seen.

Caught Being Good Program: There were 82 participants.

Homework Help Program – The Center continues with its Homework Program for 64 children in grades 3 through 12 who attend on a daily basis.

Project Shift Program: There were 13 participants.

Late Night Friday: There were a total of 80 participants.

Trustee Dominguez then reported that the sweeper machine used at the ball park is no longer in proper working condition and needs to be replaced. She mentioned that the Village has received a state bid for a machine similar to that of West Haverstraw, from Wilfred, McDonald's, Inc. for approximately \$15,000.00.

Mayor Kohut entertained a motion to approve the purchase of the above equipment as stated.

RESOLUTION #31-2013

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

Trustee Dominguez had nothing further to report.

BUILDINGS & CODE ENFORCEMENT - Trustee Francisco Batista: Trustee Batista read the following report submitted by the Building Inspector, Ruben Berrios, for the period of January 21st through February 1st, 2013:

Rental Registration	-	3
Municipal searches	-	3
Miscellaneous inspections	-	109
Construction inspections	-	3
Complaints	-	9
Violations & tickets	-	37
Permits & C.O.'s	-	4

Trustee Batista also reported that the Village continues to be aggressive with issuing parking violations. He had nothing further to report.

MINUTES: The Mayor presented the minutes of the Regular Board Meeting of December 17th, 2012 for approval.

Mayor Kohut entertained a motion to approve the above Minutes.

RESOLUTION #32-2013

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

Mayor Kohut:

OLD BUSINESS

None.

Mayor Kohut:

NEW BUSINESS

Trustee Dominguez reported that the Village Marketing Committee will be meeting on Wednesday, February 6th at 7:00 PM in the Building Department Conference Room.

Mayor Kohut:

2nd PUBLIC PARTICIPATION

Arti Taub: Mr. Taub noticed that Andy Maniglia was at the Village Hall and requested an update on matters.

Mayor Kohut: The Mayor responded that Mr. Maniglia was there, but for matters that did not include the Harbors.

Mel Post: Mr. Post requested the Mayor to give a breakdown of the \$200,000.00 engineering fee previously mentioned.

Mayor Kohut: The Mayor responded that the funds were merely being moved from revenue to appropriations.

Treasurer Judith Curcio: Ms. Curcio explained that it is an accounting adjustment for a grant, stating that the Village anticipates spending \$200,000.00 in this fiscal year, some of which has already been spent. Rather than doing multiple budget adjustments, \$200,000.00 is being taken from the one million dollar grant and recording it to the proper general ledger accounts.

Mayor Kohut: The Mayor explained that these are funds from the DOS grant for the promenade.

Mayor Kohut: With no further business to be conducted by the Board, the Mayor asked that everyone rise for a moment of silence to pay tribute to Judge Henry Gruffi, who served this Village admirably for over 15 years. He then closed the meeting in honor of the Judge.

Mayor Kohut entertained a motion to adjourn the meeting.

RESOLUTION #33-2013

Motion by: Terence Watson, Jr.

Seconded by: Emily Dominguez

Motion Carries: All

Respectfully submitted by,

Beverly A. Swift
Senior Steno Clerk
February 5, 2013