

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

PLEDGE OF ALLEGIANCE

ROLL CALL:	Trustee Batista	-	Absent
	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 requested an update on the GDC matter, any applications submitted for building structures, the Interim Agreement and if they have been paying their bills.

Mayor Kohut: The Mayor responded there is nothing new on the building front. With regard to the Interim Agreement, the Mayor informed Mr. Post the Village has a new Interim Agreement with GDC. He also informed him that GDC has made their planned payment of \$400,000.00 to the Village Attorney's Escrow Account, which will come into the Village coffers either when a new full-fledged Interim Agreement comes about within the next 30 days or, as a matter of course, after the 30 days has gone by. He reported that the Board is working on a list of items Mr. Ginsburg raised before completing the negotiations between the Village and GDC.

With no further input from the public, the Mayor continued with the agenda for that night's meeting, starting with a Public Hearing on the Mayor's Proposed Budget for the 2016/2017 fiscal year, which has been previously submitted to the Trustees for their review and possible revision.

Mayor Kohut entertained a motion to open the Public Hearing as stated above.

RESOLUTION # 66 - 2016

Motion by: Emily Dominguez

Seconded by: Terence Watson, Jr.

Motion Carries: ALL

The Mayor explained that he would go through his proposed budget, highlighting major changes. He announced that the Mayor's Proposed Budget amounts to \$9,985,000.00 and listed below is a brief synopsis of his proposed budget.

1. **LEGISLATIVE/BOARD OF TRUSTEES - A1210.1 - Personal Services:** Increase from \$40,000.00 to \$61,200.00. He explained that the Board previously restored his salary to where it was prior to 2011. This includes the 2% increase across the board for all employees since recently settling the CSEA Contract. He also reported that his budget includes a 2% increase for non CSEA employees and elected officials.
2. **FINANCE/TREASURER - A1325.4 - Contractual Expenses** - Relative to the \$6.5M PDC Bond and the cost of bonding, legal expenses, etc. towards the Bond.
3. **FINANCE/TREASURER - A1325.42 - Payroll Processing:** Additional expenses because of the Affordable Care Act.

4. **SHARED SERVICES/BUILDINGS - A1620.45 – Water** – There is a 30% increase based upon usage and proposed increases expected in the water bill.
5. **SHARED SERVICES/BUILDINGS - A1680.4–Central Data Processing Contract** – Based upon increased expenses for IT costs.
6. **SPECIAL ITEMS - A1910.4 – Unallocated Insurance** – An increase of 7% based on actuals.
7. **SPECIAL ITEMS - A1950.4 – Sewer Tax/Village Property** – For a particular property that the Village still has control over that the Village needs to revert to “tax exempt” status, which has not yet been done.
8. **PUBLIC SAFETY - A3120.1 – Personal Services – Crossing Guards** – There is an increase in the Crossing Guard line of 8%, which reflects increased hours and the 2% raise in salary.
9. **ON-STREET PARKING - A3320.4 – Contractual Expenses & A3320.41 Meter Replacement** – Increase due to the expense of replacing the downtown meters with the Streetscape Project.
10. **FIRE DEPARTMENT - A3410.41 – Water Hydrant Rental** – Increase based on actual usage. The Mayor explained that the hydrants are actually rented from Suez Water and the Village is forced to pay ridiculously high rental fees for the hydrants whether they are used or not. These fees continue to go up every year and there will be an additional hydrant installed this year.
11. **FIRE DEPARTMENT - A3410.42 – Medical Firemen** – It is a requirement that all volunteer firefighters receive a physical every 3 years, every 2 years or every year depending on their age and it is to be paid for by the Village.
12. **STREET MAINTENANCE - A5110.4 – Contractual Expenses** – An increase of \$15,000.00 to cover the promenade. The Village has an agreement with the Harbors HOA to fund some of the continuing expenses for the promenade, which is open to the public.
13. **STREET MAINTENANCE - A5110.45 – DPW Equipment Repairs** – An increase of \$10,000.00 reflecting the cost of repairs to equipment based upon actuals from the past year.
14. **RECREATION ADMINISTRATION/PARKS - A7110.42 – Ball Park** – There is a small decrease based upon actuals, but an increase in utility cost at the Concession Stand.
15. **COMMUNITY CENTER - A7140.4 – Contractual Expenses** – Expenses have increased 14% which includes supplies and running of programs.
16. **Summer Camp A7310.41 – Contractual Expenses** – Increase of 33%, based on actuals to run the Village Day Camp for approximately 175 children, with 3 additional days this year due to the 4th of July holiday.
17. **Summer Camp A7310.12 – Personal Services** – Based on the increase in minimum wage.

18. **Refuse Collect/Disposal A8160.4 – Contractual Expenses** - For the pickup of miscellaneous garbage (dumpsters) etc. to pay the actual expenses incurred.
19. **Employee Benefits A9010.8 NYS Retirement** - Decrease due to the yearly fluctuation of costs.
20. **Firemen’s Benefits A9025.8** - Increase of 9% based upon estimates obtained for the cost this year.
21. **Hospital & Medical Expenses A9060.8** - Based on an increase of 6% or \$64,000.00, which is mandated by New York State and the Village does not control.
22. **Statutory Bonds A9720.6** - A \$15,000.00 increase, which represents the proposed payment of \$190,000.00 for the Streetscape Project and also includes the acquisition of the Damiani property.
23. **Bond Anticipation Note Interest A9730.7** - Due to an increase in the interest.
24. **Utility Gross Receipts Telephone & Water A1132** - The Village does not set the rates for these utilities but based upon the previous year’s figures the Village is anticipating a 21% increase from these utilities.
25. **Parking Permits, Taxable A1720** - A decrease based upon actual number of permits sold and some vendor permits have been moved to the rental line.
26. **Rental of Real Property A2410** - Decrease due to the loss of rental income from 16 Front Street.
27. **Licenses/Permits A2501** - Decrease of \$3,900.00 due to the difficulty the Village is having with taxi’s coming in to pay their fees.
28. **Fines/Forfeitures A2610** - Increase in the funds taken in for court fees and taxi’s receiving tickets, as well as an increase in the fees for building fines.
29. **Harbors Haverstraw A2770.6** - Increase due to a \$400,000.00 payment and \$98,850.00 in interest from GDC.

The mayor reported that his proposed budget for the 2016/2017 fiscal year amounts to \$9,985,000.00 leading to a 3.1% increase in the tax levy. The Mayor then opened the floor to the public.

Marvin Nyman, 1401 Round Pointe Drive: Mr. Nyman inquired when the Budget would actually be approved.

Mayor Kohut: The Mayor explained that he would open and close the Public Hearing that night but the actual approval of the Budget, by law, has to take place by April 30th. He mentioned that there is another Board Meeting on April 18th, however, if the Budget is not adopted at that meeting, the Board will have to call a Special Meeting to pass the Budget. He also informed Mr. Nyman that the Board can now review the Budget and make whatever changes they deem necessary.

Marvin Nyman: Mr. Nyman inquired if the change to the Legal Line has anything to do with GDC.

Mayor Kohut: The Mayor responded "yes" as well as other litigation matters facing the Village.

Marvin Nyman: Mr. Nyman next inquired about the Contingent Overtime Line to which nothing has been charged yet for this year, therefore wondered why the Budget still remains at \$250,000.00.

Joseph Modafferri, Village Accountant: Mr. Modafferri responded that several years prior, in order to get control of the overtime, funds were pulled out of other lines and put into this account. As it is used up each quarter, it is taken out of that line to increase the Budget in other lines. This is a way for the Board to have a better idea of actual overtime accumulation.

Marvin Nyman: Mr. Nyman questioned the \$25,000.00 for Storm Sewer Contractual Expenses wanting to know if this is for capital improvements.

Joseph Modafferri: Mr. Modafferri informed Mr. Nyman that with expenses over the past couple of weeks he requested the Mayor include the \$25,000.00 in his budget for any upcoming needs in this area.

Marvin Nyman: Mr. Nyman wanted to know what Line #1030, Special Assessments is.

Judith Curcio, Village Clerk/Treasurer: Ms. Curcio informed Mr. Nyman it is the Special Assessment District at Harbors which is listed on tax bills as "SAD" or "HH01" and every year runs approximately \$570.00 to \$585.00, explaining further that it was a variable rate bond, therefore, every year it will be a different amount.

Marvin Nyman: Mr. Nyman questioned the Board as to whether or not a Public Hearing would be necessary to override the 2% cap.

Mayor Kohut: The Mayor responded that a Public Hearing is required to override the Tax Cap, which is being scheduled for the next meeting on April 18th. He then mentioned that the Tax Cap for this year is .12%, meaning for every \$100,000.00 of revenue that would allow for a \$120.00 increase or for \$10,000,000.00 it would be a \$12,000.00 increase.

Marvin Nyman: Mr. Nyman noticed that last year and this year the Board is making appropriations from the Fund Balance, inquiring where that will leave the Fund Balance.

Joseph Modafferri: Mr. Modafferri responded that the Fund Balance should end up with about \$1.2 to \$1.4M available. He also mentioned that the Board reserves 5% of the budget to be sure there is always enough. He feels the Village should have 2 to 3 years left in the fund balance at that rate.

Mayor Kohut: The Mayor informed Mr. Nyman that the Village has been putting money that is not spent back each year and has been drawing down similar amounts for the past several years. The Village usually is able to put money back in to keep the fund balance at a fairly stable amount.

Mel Post, 1422 Round Pointe Drive: Mr. Post spoke about the water hydrant rental from Suez Water, inquiring if the price is negotiable or if the Village can purchase the hydrants, because the rental fee seems exorbitant to him.

Mayor Kohut: The Mayor agreed it is a huge amount and unfortunately the Village has no control over it. He explained that the fee is set by the Public

Service Commission and when the rates go up it is never negotiable between the customer and the utility and also if any maintenance is required Suez Water has to take care of the problem. The Mayor mentioned he would not want the Village to own the hydrants because if anything were to happen to them or the water lines involved, repair would all fall on the Village. He also explained that if the main lines go down, Suez Water has to provide the Village with water until everything is repaired.

Mayor Kohut entertained a motion to close the Public Hearing.

RESOLUTION # 67 - 2016

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

Mayor Kohut entertained a motion to schedule a Public Hearing for the Tax Cap override for April 18th at 7:15 PM.

RESOLUTION # 68 - 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 approval from the Board authorizing the Mayor to sign the Engineering Contract in the amount of approximately \$600,000.00 with Tectonic Engineering and Consultants for the Streetscape Project that will be starting in the near future.

Rafael Bueno: Trustee Bueno inquired if there was only 1 bid.

Mayor Kohut: The Mayor responded that there were 3 or 4 companies that responded and this was the lowest bid.

Mayor Kohut entertained a motion to authorize the Mayor to sign the Engineering Contract as stated above.

RESOLUTION # 69 - 2016

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

Counselor Hood then presented a Tax Certiorari on 3 lots for Tilcon as listed below:

- 1) 27.18-1-3.1 – 2 year Assessment Value going from \$301,200.00 to \$296,700.00, a reduction of \$4,500.00 in assessed value.
- 2) 35.06-1-2 – 2 year Assessment Value going from \$181,500.00 to \$120,000.00 a reduction of \$61,500.00 in assessed value.
- 3) 35.06-1-1 – 2 year Assessment Value going from \$13,900.00 to \$9,150.00 a reduction of \$4,750.00.

He reported that these 3 parcels will cost a total of \$23,172.04 in refunds for the next 2 years, also mentioning that these values will move forward to

2016 and have been reviewed and approved by the Village Assessor, Edey McCarthy.

Mel Post: Mr. Post inquired what if anything, is actually on the above properties.

Jay Hood, Jr., Esq.: Counselor Hood stated that Ms. McCarthy did not inform him of the details of the properties and without a tax map he would not be able to provide that information.

Mayor Kohut entertained a motion to approve the Tax Certiorari's on the 3 properties as stated above and also to authorize Counselor Hood to sign the documents.

RESOLUTION # 70 - 2016

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

Counselor Hood then requested the Board to give him authorization to send a default letter to 16 Front Street, LLC for not opening the restaurant on time, as agreed.

Mayor Kohut entertained a motion to authorize the Village Attorney to send a default letter as stated above.

RESOLUTION # 71 - 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, Michael Kohut: The Mayor received a proposal from Igniting Media, a Website developing firm, to redesign the Village Website, which will be more user and village friendly, allowing the Village to be able to easily update the site. The proposal submitted is in the amount of \$5,999.00 and should take approximately 10 weeks for completion.

Mayor Kohut entertained a motion to approve the proposal from Igniting Media to redesign the Village Website as stated above.

RESOLUTION # 72 - 2016

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

The Mayor received a proposal for Change Order #2 from SCS Engineers, the engineering firm used for the ball field and the Brownfields site, to allow the engineers to visit the sites to confirm completion of all items listed in a letter from NYSDEC on March 23rd, 2016 with regard to the above sites and to prepare a response letter to NYSDEC. The compensation for this change is an additional \$1,900.00 bringing the overall cost to \$7,500.00.

Mayor Kohut entertained a motion to approve Change Order #2 as stated above.

RESOLUTION # 73 - 2016

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

The Mayor reported that during 2015 the Village received a grant from Assemblyman Zebrowski to install emergency generators at the 3 village firehouses allowing them to continue operations when power outages occur in the Village. The Village has already purchased generators for 2 firehouses and has now received a proposal to install the 3rd 60KW Industrial Gaseous Generator with transfer switch, software system and extended 5 year warranty at a cost of \$31,183.00.

Mayor Kohut entertained a motion to approve the installation of a generator by state provider, Better Power, Inc. as stated above. He mentioned that there will be additional costs for an electrician and a plumber, but he has not received final figures yet for those costs.

RESOLUTION # 74 - 2016

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

The Mayor has received a request from Cosgriff Hose Co., #4 to use the Village Parking Lot adjacent to the Knights of Columbus to host a summer carnival from July 5th thru July 10th, 2016.

Mayor Kohut entertained a motion to approve the use of the Village Parking Lot as stated above.

RESOLUTION # 75 - 2016

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

The Mayor reported that the pump station on Warren Avenue has failed to work properly and is in dire need of replacement. The Village has received a proposal from TAM Enterprises to remove existing pumps, floats, rails and install new 230v ABS Pumps with new flanges, stainless steel rail kits, new check valves, gate valves, custom S&W duplex controls, new floats and a high level alarm at a cost of \$21,000.00.

Mayor Kohut entertained a motion to approve the installation of the Warren Avenue Pump Station as stated above.

RESOLUTION # 76-2016

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

The Mayor then requested approval of the Board to approve the 2016 Project Shift Contract between the Village and the County. He explained Project Shift is held at the Community Center as a part of their Department of Youth & Family Services Program. The County will be paying the Village \$22,000.00 to run this program at the Center.

Mayor Kohut entertained a motion to approve the Project Shift Contract as stated above.

RESOLUTION # 77-2016

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

The Mayor presented the following adjustments to the Budget submitted by Joseph Modafferi, Village Accountant:

BUDGET ADJUSTMENTS				
Acct. #	Account Name	Increase	Decrease	Increase
		Appropriations	Appropriations	Revenue
A9950.0900	Contribution Capital Fund	\$ 9,000.00		
A9950.0910	Contribution Capital Fund		\$ 9,000.00	
	correct prior adjustment to wrong acct.			
A1620.0420	Building Department Repair	\$ 10,000.00		
A8120.0400	Sanitary Sewer	\$ 10,000.00		
A1990.0400	Contingent		\$ 20,000.00	
A9730.0700	BAN Interest	\$ 65.00		
A2770.0600	Harbors			\$ 65.00

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

RESOLUTION # 78-2016

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

BUDGET ADJUSTMENTS				
Acct. #	Account Name	Increase	Decrease	Increase
		Appropriations	Appropriations	Revenue
A8120.0400	Sanitary Sewer	\$21,000.00		
	Pump Station			
A1410.0400	Clerk	\$ 6,000.00		
	Website		\$27,000.00	

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

RESOLUTION # 79-2016

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

OVERTIME RECORD				
Department	Fund	Account #	Increase Amount	Decrease Amount
Justice Court	A	1110.11	\$ 1,494.45	
Clerk/Treasurer Office	A	1325.1	\$ 5,862.49	
Clerk/Treasurer Office	A	1410.1	\$ 428.24	
Legal	A	1420.1	\$ 5,050.00	
Reach Out	A	9961.9	\$ 2,750.94	
Recreation	A	7140.1	\$ 2,750.94	
Building Dept.	A	3620.1	\$ 3,576.33	
DPW: laborers, etc.	A	5110.1	\$ 30,752.95	
DPW: admin.	A	5010.1	\$ 5,805.39	
DPW: clerical	A	5010.11	\$ 194.06	
OT Contingency	A	1990.41		\$ 58,665.78

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

RESOLUTION # 80-2016

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

Judith Curcio: Ms. Curcio mentioned that some of the above adjustments were for retroactive pay from the CSEA contract settlement and not overtime.

The Mayor had nothing further to report.

Mayor Kohut:

REPORTS OF STANDING COMMITTEES

FIRE & ORDINANCES – Trustee Rafael Bueno: Trustee Bueno read the following summary of activity of the Haverstraw Fire Department for the month of March, 2016 submitted by Chief Robert Drexler:

Total Alarms	-	17
General Alarms	-	11
Special Calls	-	6
Mutual Aid Calls	-	0
Structure Fires	-	0
Vehicle Fires	-	1
Extrication Calls	-	1
Gas Leaks/Odors	-	4
Good Intent/Miscellaneous	-	5
False Alarms	-	6

Total manpower responding - 357 members.

Trustee Bueno had nothing further to report.

PUBLIC WORKS, BUILDINGS & GROUNDS – Trustee Terence Watson:

Trustee Watson read the following report submitted by Robert Drexler, Maintenance Supervisor, Department of Public Works, as of April 4th, 2016:

- 1) Repaired 5 catch basins.
- 2) Placed river rock in the Manny Lopez Baseball Field and around the firehouse on Maple Avenue.
- 3) Scraped and painted the tunnel on Gurnee Avenue.
- 4) Sewer blockage on 4 West Street.
- 5) Mulched and trimmed down at the baseball field.
- 6) Repaired potholes throughout the Village.

Trustee Watson had nothing further to report.

YOUTH & FAMILY SERVICES – Trustee Francisco Batista: Trustee Batista was absent from the meeting, therefore, no report was given.

BUILDINGS & CODE ENFORCEMENT – Trustee Emily Dominguez: Trustee Dominguez read the following report submitted by the Building Inspector, Ruben Berrios, for the period of March 21st thru April 1st:

Rental Registrations	-	9
Miscellaneous Inspections	-	90
Complaints	-	10
Searches	-	4
Construction Inspections	-	9
Building Permits/C.O.'s	-	4
Violations/Tickets	-	16

Trustee Dominguez had nothing further to report.

MINUTES: The Mayor presented the minutes of the Regular Meetings of January 4th and January 19th, 2016 for approval by the Board.

Mayor Kohut entertained a motion to approve the above stated minutes as written.

RESOLUTION # 81-2016

Motion by: Emily Dominguez

Seconded by: Terence Watson, Jr.

Motion Carries: ALL

Mayor Kohut:

OLD BUSINESS

Mayor Kohut:

NEW BUSINESS

Mayor Kohut:

2nd PUBLIC PARTICIPATION

Mel Post: Mr. Post requested an update on the auto body shop located on Dr. Girling Drive.

Mayor Kohut: The Mayor responded that nothing new has come to the Board with regard to that location, however, if anyone wants to do something in that area they would have to come before the Board for a Public Hearing to be scheduled for a Special Permit. He mentioned that GDC

is not happy with the operator of the shop and the Mayor is not sure where that will end up, but he feels the issue may resolve itself in the next month or so.

Mel Post: Mr. Post was asked by his neighbor Mr. Sucholoff to inform the Board that during the past week the operator was using a pneumatic drill at 1:00 AM.

Mayor Kohut: The Mayor thanked him for the information and will inform the Building Inspector of what is going on at that location.

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

RESOLUTION # 82-2016

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

Respectfully submitted by,

Beverly A. Swift, Senior Steno Clerk