

The minutes of the Regular Meeting of the Village of Haverstraw Board of Trustees on Monday, December 3<sup>rd</sup>, 2018, beginning at 7:00 PM.

## PLEDGE OF ALLEGIANCE

|           |                   |           |
|-----------|-------------------|-----------|
| ROLL CALL | Trustee Bueno     | - Present |
|           | Trustee Watson    | - Present |
|           | Trustee Dominguez | - Present |
|           | Trustee Santana   | - Present |
|           | Mayor Kohut       | - Present |

Mayor Kohut: The Mayor opened the floor to the public for the Public Participation portion of the meeting inviting people to ask questions or make comments.

Mel Post, 1422 Round Pointe Drive: Mr. Post noticed that Mr. Ginsburg has started construction again, so he assumes that the Village and GDC have come to an agreement.

Mayor Kohut: The Mayor informed Mr. Post that his assumption is wrong and there is no agreement at this point, but he was very happy to hear that GDC has begun construction again.

Mel Post: Mr. Post then inquired if the \$6.5M debt is being bonded.

Mayor Kohut: The Mayor responded that it was originally a BAN which has now been switched to a long term Bond. Either way it would have had to be "bonded" eventually because Mr. Ginsburg was never going to pay the Village in one lump sum.

Judith Curcio, Village Clerk/Treasurer: Ms. Curcio informed the public that the Village doesn't set the length of the Bond, which, in this particular case, is 20 years.

Larry Levine, 1414 Round Pointe Drive: Mr. Levine informed the Board that the lights on the left side of the Lagoon are still burning 24 hours a day. He also mentioned that Light Pole #10 is on most of the time.

Mayor Kohut: The Mayor informed Mr. Levine that some of those lights do not belong to the Village. He explained that the lights leading to the Ferry Landing on the DPW side do not belong to the Village.

With no further input from the public, the Mayor continued with the agenda for that night's meeting, inviting Jorge Lopez, the Architect representing Dan Freeman to speak with regard to a Special Permit for 14 Broadway.

Jay Hood, Village Attorney recused himself from this discussion and the ongoing process due to his business relationship with Daniel Freeman.

Jorge Lopez, Architect, 226 North Main Street: Mr. Lopez was representing Daniel Freeman who is proposing to construct 6 residential apartments on the 2<sup>nd</sup> floor of the building located at 14 Broadway with the 1<sup>st</sup> floor to be utilized for commercial space. He stated that 5 of the

apartments would be 1 bedroom with a kitchen, living room and bathroom, and the 6<sup>th</sup> apartment would be 2 bedrooms with a kitchen, living room and bathroom. The 2<sup>nd</sup> floor space measures approximately 5,000 sq. ft.

Mayor Kohut: The Mayor informed Mr. Lopez that he is going to have to complete and submit an application for a Special Permit along with all fees involved. The Mayor went on to explain that since this is a Special Permit request for a residential over commercial property in the downtown business district it would have to be referred to the Planning Board and any other Boards deemed necessary.

Mayor Kohut then entertained a motion to forward this application to the Planning Board and any other Boards as required for review and recommendation.

**RESOLUTION #226-2018**

Motion by: Emily Dominguez  
Seconded by: Joel I. A. Santana  
Motion Carries: All

Mayor Kohut:

**REPORTS OF VILLAGE OFFICIALS**

**VILLAGE ATTORNEY, Jay Hood, Jr.:** Counselor Hood requested approval of the Board for him to sign the Settlement Agreements and consent orders in court for the reductions in taxes for the following:

- 1) 148 Maple Avenue, Slattery Moving: Reduced with a cost to the Village of \$5,490.19.

Mayor Kohut entertained a motion to authorize the Village Attorney to sign the Settlement Agreement and consent order as stated above.

**RESOLUTION #227-2018**

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

- 2) 57 Fairmount Avenue, Olori residence with 6 apartments: Reduced with a cost to the Village of \$4,415.29.

Mayor Kohut entertained a motion to authorize the Village Attorney to sign the Settlement Agreement and consent order as stated above.

**RESOLUTION #228-2018**

Motion by: Emily Dominguez  
Seconded by: Joel I. A. Santana  
Motion Carries: All

Counselor Hood then reported that he received notice that NRG Bowline LLC wants to take out a mortgage on the property at the power plant as

part of a reorganization plan approved by the Bankruptcy Court and a Pilot Agreement with Rockland County and approval from the jurisdictions involved. He will also speak with William Stein, Esq., Town Attorney, to be sure each municipality is in agreement with this proposal.

Mayor Kohut entertained a motion authorizing the Mayor to sign a letter allowing this reorganization.

**RESOLUTION #229-2018**

Motion by: Terence Watson  
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 Village received a proposal from HUSH Electric to convert lighting on Short Clove Road (500 feet in both directions on Route 9W) which was turned over to the Village by the State and all but 3 of those lights do not work. The cost for the conversion would be \$8,995.00.

Mayor Kohut entertained a motion to approve the proposal from HUSH Electric to convert lighting as stated above.

**RESOLUTION #230-2018**

Motion by: Emily Dominguez  
Seconded by: Joel I. A. Santana  
Motion Carries: All

The Mayor also requested Robert Drexler, DPW Superintendent to speak with HUSH to see if it would be possible to hook-up electricity to the "Welcome to Haverstraw" sign, which is now solar powered.

Mayor Kohut entertained a motion for the Board's approval to authorize the Village Clerk to request the list for DPW Superintendent from Rockland County Personnel.

**RESOLUTION #231-23018**

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

Mayor Kohut entertained a motion for the Village Clerk to post a Legal Notice with regard to a Special Meeting to be held on Wednesday, December 5<sup>th</sup> at 10:30 AM with a proposed developer, Walison Corporation.

**RESOLUTION #232-2018**

Motion by: Emily Dominguez

Seconded by: Terence Watson  
Motion Carries: All

Mayor Kohut entertained a motion to close the Village on Monday, December 24<sup>th</sup>, Christmas Eve at 2:00 PM and on Monday, December 31<sup>st</sup>, New Year's Eve at 3:00 PM as the Village has done in the past.

RESOLUTION #233-2018

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

Mayor Kohut entertained a motion to accept with regret the resignation of Michelle Ventura, Clerk Typist in the Building Department, whose last day of employment with the Village will be December 7<sup>th</sup>, 2018.

RESOLUTION #214-2018

Motion by: Emily Dominguez  
Seconded by: Joel I. A. Santana  
Motion Carries: All

Mayor Kohut entertained a motion authorizing the Mayor to sign the Comp Alliance Participation Agreement for workers compensation.

RESOLUTION #215-2018

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

Mayor Kohut entertained a motion authorizing the Mayor to sign the Inter-Municipal Agreement between Youth & Family Services and Rockland BOCES.

RESOLUTION #216-2018

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

Mayor Kohut entertained a motion to accept the resignation of Joseph Drexler as Justice Court Attendant.

RESOLUTION #217-2018

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

The Mayor read the following adjustments to the 2018-2019 budget year submitted by Joseph Modafferi, Village Accountant:

| 2018-2019 BUDGET ADJUSTMENTS |                |                |                |          |
|------------------------------|----------------|----------------|----------------|----------|
| Acct. #                      | Account Name   | Increase       | Decrease       | Increase |
|                              |                | Appropriations | Appropriations | Revenue  |
| A8120.0400                   | Sanitary Sewer | \$ 5,000.00    |                |          |

|            |                      |               |              |              |
|------------|----------------------|---------------|--------------|--------------|
| A1990.0400 | Contingent           |               | \$ 5,000.00  |              |
| A1990.0400 | Contingent           |               | \$ 1,000.00  |              |
| A3410.0420 | Medical Firefighters | \$ 1,000.00   |              |              |
| A8160.0400 | Refuse Collection    | \$ 15,000.00  |              |              |
| A1990.0400 | Contingent           |               | \$ 15,000.00 |              |
| A6989.0400 | Economic Development | \$ 1,900.00   |              |              |
| A1990.0400 | Contingent           |               | \$ 1,900.00  |              |
| A2560      | Road Opening         |               |              | \$236,364.00 |
| A5110.0420 | Street Maintenance   | \$ 236,364.00 |              |              |
|            |                      |               |              |              |

The Mayor explained that the bulk of the money for the street maintenance and paving came from Suez and Orange & Rockland Utilities.

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

**RESOLUTION #218-2018**

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

The Mayor announced the following appointments to office, including terms to be served:

| <u>TITLE</u>                  | <u>APPOINTEE</u>                  | <u>TERM</u> |
|-------------------------------|-----------------------------------|-------------|
| Village Attorney              | J. Nelson Hood, Jr.               | Annually    |
| Ass't. Village Attorney       | Dennis Michaels                   | Annually    |
| Village Assessor              | Edye McCarthy                     | Annually    |
| Village Engineer              | Brooker Engineering               | Annually    |
| Village Historian             | Stephen Cobb                      | Annually    |
| Acting Village Justice        | Luis A. Torres                    | Annually    |
| Clerk to the Justice Court    | Esther White                      | Annually    |
| Associate Justice Clerk       | Toni Jones                        | Annually    |
| Dir. Disaster Preparedness    | Fire Chief, 4-1                   | Annually    |
| Deputy Dir. Disaster Prep.    | 1 <sup>st</sup> Ass't. Chief, 4-2 | Annually    |
| Registrar of Vital Statistics | Judith Curcio                     | Annually    |
| Deputy Registrar              | Isabel Gonzalez-Soto              | Annually    |

Mayor Kohut entertained a motion to approve the above appointments for the year 2019.

**RESOLUTION #219-2018**

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

**PLANNING BOARD**

| <u>TITLE</u>         | <u>APPOINTEE</u> | <u>TERM</u> |
|----------------------|------------------|-------------|
| Member               | Joseph Natale    | 5 years     |
| Planning Board Chair | Joseph Natale    | Annual      |

Mayor Kohut entertained a motion to approve the above appointments to the Planning Board.

**RESOLUTION #220-2018**

Motion by: Emily Dominguez  
Seconded by: Joel I. A. Santana  
Motion Carries: All

**ZONING BOARD**

| <u>TITLE</u>       | <u>APPOINTEE</u> | <u>TERM</u> |
|--------------------|------------------|-------------|
| Member             | Jose Hilario     | 5 years     |
| Zoning Board Chair | Edwin Rivera     | Annual      |

Mayor Kohut entertained a motion to approve the above appointments to the Zoning Board.

**RESOLUTION #221-2018**

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

**ARCHITECTURAL REVIEW BOARD**

| <u>TITLE</u>    | <u>APPOINTEE</u> | <u>TERM</u> |
|-----------------|------------------|-------------|
| Member          | Jean Gitlin      | 3 years     |
| ARB Chairperson | Jean Gitlin      | Annual      |

Mayor Kohut entertained a motion to approve the above appointments to the Architectural Review Board.

**RESOLUTION #222-2018**

Motion by: Terence Watson  
Seconded by: Rafael Bueno  
Motion Carries: All

**COMMISSIONER APPOINTMENTS by: Mayor Kohut**

| <u>TITLE</u>                      | <u>APPOINTEE</u>   |
|-----------------------------------|--------------------|
| Building & Code Enforcement Comm. | Joel I. A. Santana |
| Fire Comm.                        | Rafael Bueno       |
| Public Works Comm.                | Emily Dominguez    |
| Youth & Family Services Comm.     | Terence Watson     |
| Deputy Mayor                      | Emily Dominguez    |

**DESIGNATING DEPOSITORIES:**

WHEREAS, the Board of Trustees has determined that Village Law 4-412(3)(2) requires the designation of banks and trust companies for the deposit of village monies:

NOW THEREFORE BE IT RESOLVED:

- 1) That the Board of Trustees of the Village of Haverstraw is designating banks and trust companies located within North Rockland to be used as depositories of all monies received by the Village Treasurer, Clerk and Receiver of Taxes;
- 2) That this resolution is effective immediately.

Mayor Kohut entertained a motion to that effect.

**RESOLUTION #223-2018**

Motion by: Rafael Bueno

Seconded by: Emily Dominguez

Motion Carries: All

**ADOPTING PROCUREMENT POLICY:**

NOW THEREFORE BE IT RESOLVED:

- 1) That the Board of Trustees is adopting the Procurement Policy as described in Section 54 requiring competitive bidding, with an award to the lowest bidder, after public advertisement in the official newspaper of the municipality, for purchases in excess of \$20,000.00 and contracts for services in excess of \$35,000.00.
- 2) That the Board of Trustees is designating the following municipal officers as the persons responsible for purchasing decisions:
  - a. Village Mayor
  - b. Village Trustees
  - c. Village Clerk/Treasurer
  - d. Village Deputy Clerk/Treasurer
- 3) That this resolution is effective immediately.

Mayor Kohut entertained a motion to that effect.

**RESOLUTION #224-2018**

Motion by: Emily Dominguez

Seconded by: Joel I. A. Santana

Motion Carries: All

**ADVANCE APPROVAL OF CLAIMS:**

WHEREAS, the Board of Trustees of the Village of Haverstraw has determined to authorize payment in advance of audit of claims for public utility services, insurance premiums, postage, freight and express charges and preapproved contracted services; and

WHEREAS, all such claims must be presented at the next regular meeting for audit; and

WHEREAS, the claimant and the officer incurring and approving the claim are jointly and severally liable for any amount the Board disallows.

NOW THEREFORE BE IT RESOLVED:

- 1) That the Board of Trustees authorizes payment in advance of audit of claims for public utility services, insurance premiums, postage, freight and express charges and preapproved contracted services. All such claims must be presented at the next regular meeting for audit and the claimant and the officer incurring or approving the claims are jointly and severally liable for any amount the Board of Trustees disallows.
- 2) That this resolution is effective immediately.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #225-2018

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

**MILEAGE ALLOWANCE:**

WHEREAS, the Board of Trustees has determined to pay a fixed rate for mileage as reimbursement to officers and employees of the Village who use their personal vehicle while performing their official duties on behalf of the Village;

NOW THEREFORE BE IT RESOLVED:

- 1) That the Board of Trustees shall approve reimbursement to such officers and employees at the rate of \$.545 per mile.
- 2) That this resolution shall take effect immediately.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #226-2018

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

**ATTENDANCE AT SCHOOLS AND CONFERENCES:**

WHEREAS, schools and conferences will be held during the coming official year and attendance by municipal officials and employees at one or more of these schools or conferences benefits the municipality:

NOW THEREFORE BE IT RESOLVED:

- 1) That the Board of Trustees must approve the attendance at such school or conference prior to attendance.
- 2) That this resolution is effective immediately.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #227-2018

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

**STANDARD WORK DAYS – ELECTED & APPOINTED OFFICIALS:**

BE IT RESOLVED, that the Village Board of the Village of Haverstraw, be and hereby establishes the following as a standard workday for elected and appointed officials for the purpose of determining days worked reportable to New York State and Local Employees' Retirement System:



**Elected Officials**

Mayor  
Trustee  
Village Justice

Five day work week, six hours per day.

**Appointed Officials**

Acting Village Justice  
Members of the Zoning Board  
Members of the Planning Board  
Members of the Architectural Review Board

Five day work week, six hours per day.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #228-2018

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

**Standard Work Days – Appointed Officials and Others:**

BE IT RESOLVED, that the Village Board of the Village of Haverstraw, be and herby establishes the following as a standard workday for elected and appointed officials for the purpose of determining days worked reportable to New York State and Local Employees' Retirement System:

Accountant  
Assessor  
Assistant Village Attorney  
Camp Director  
Court Attendants  
Crossing Guards  
Custodians  
Fire Alarm Mechanic  
Parking Enforcement Aides  
Village Attorney

Five day work week, 7 hours per day.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #229-2018

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

**2018 Additional Reorganization Policies:**

1) BE IT RESOLVED, that the Village Board of the Village of Haverstraw, hereby establishes the following policies relating to the Medical, Dental & Vision, and Life Insurance benefit coverage ("Benefits") for employees who qualify:

- a) Employee benefits will be activated upon the successful completion of 1 full month of employment.
- b) Employees that are terminated for cause: All benefits will end upon termination.
- c) Employees who resign: Benefits will continue for 30 days.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #230-2018

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 read the following report of fire activity for the month of November, 2018, submitted by Fire Chief Thomas Price:

|                       |   |    |
|-----------------------|---|----|
| Total Alarms          | - | 15 |
| General Alarms        | - | 11 |
| Special Calls         | - | 4  |
| Mutual Aid Calls      | - | 0  |
| Structure Fires       | - | 0  |
| Cooking Fires         | - | 1  |
| Electrical Fires      | - | 2  |
| Vehicle Accidents     | - | 2  |
| Pump Outs/Water Leaks | - | 3  |
| Good Intent/Misc.     | - | 3  |
| False Alarms          | - | 4  |

Total Manpower Responding - 275 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, Jr., Superintendent of Public Works, as of December 3<sup>rd</sup>, 2018:

- 1) Installed Ballards in Lot #17 near the Chair Factory, due to excessive vehicle parking on the flower beds in this area.
- 2) Repaired Traffic Box on Broadway & Orchard Street that was damaged during an accident.

- 3) Repaired damaged signs on Samsondale Avenue and Broadway.
- 4) Installed a "No Parking Here to Corner" sign on Clinton Street.
- 5) Removed a fallen tree at 62 Hudson Avenue.
- 6) Continued putting up Christmas decorations throughout the Village.
- 7) Put up additional tiles at the Village Hall Tile Project.
- 8) Removed graffiti (vandalism) off the Bridge Wall on Riverside Avenue.
- 9) Removed debris from the Brick Museum.
- 10) Put up Christmas lights at the Village Hall and the Haverstraw Center.
- 11) Put up Christmas decorations and lights at the Haverstraw Center.
- 12) Checked for damaged signage throughout the Village replacing and repairing where needed.
- 13) Removed paint from the windows on 37 New Main Street done during the Halloween season.
- 14) Repaired or replaced damaged parking meters throughout the Village.
- 15) Installed new signage in the Village Parking Lots.
- 16) Repaired lights in the Harbors and bridge on Short Clove Road.

Trustee Watson had nothing further to report.

**YOUTH & FAMILY SERVICES** - Trustee Joel Santana: Trustee Santana read the following report of activities at the Community Center for the period of November 19<sup>th</sup> to December 3<sup>rd</sup>, 2018:

- 1) Annual Holiday Party – scheduled for December 20<sup>th</sup>, 4:00 PM at the Center for the children attending the Center and their families.
- 2) Toys for Tots Organization – donated over 200 toys for distribution with any extra toys being donated to the Quisqueya Sports Club for their Annual Holiday Party.
- 3) Haverstraw Collaborative - continues to meet monthly at the Center.
- 4) The Spanish Speaking Parents Group – will meet on Wednesday, December 5<sup>th</sup> at 6:00 PM at the Haverstraw Elementary School.
- 5) The Jump Program – is in need of Spanish and English speaking mentors. Anyone willing to volunteer should speak with Pete Fada.
- 6) Homework Help Program – This program is geared toward students up to and including 8<sup>th</sup> grade.
- 7) Positive Alternatives – On December 6<sup>th</sup>, Tim Sanders will be taking 8 youth from the Center to help decorate Haverstraw Place.

Trustee Santana had nothing further to report.

**BUILDINGS & CODE ENFORCEMENT** – Deputy Mayor Emily Dominguez: The Deputy Mayor read the following report submitted by the Building Inspector, Ruben Berrios, for the period of November 19<sup>th</sup> thru November 30<sup>th</sup>, 2018:

|                           |   |    |
|---------------------------|---|----|
| Rental registrations      | - | 13 |
| Miscellaneous inspections | - | 46 |
| Complaints                | - | 8  |
| Municipal searches        | - | 3  |
| Construction inspections  | - | 6  |
| Violations/Tickets        | - | 3  |
| Building Permits & C.O.'s | - | 5  |

Fines collected at court - \$750.00

Deputy Mayor Dominguez reminded everyone that parking regulations are still in effect.

Deputy Mayor 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 requested the Mayor to elaborate on where the Village stands with the GDC issue.

Mayor Kohut: The Mayor responded that the holdup right now is the school district and nothing can move forward with anything without a resolution by the school district. The Pilot is a linchpin to the rest of the settlement and nothing can happen until that is settled.

Larry Levine: Mr. Levine inquired if there is some way that a time frame can be put on these negotiations.

Mayor Kohut: The Mayor responded that it has only been in the school districts hands for less than 2 months.

Gil Carlevaro, 43 Leonard Street: Mr. Carlevaro and his wife attended Holidays in Haverstraw and congratulated the Mayor, the Board and everyone else involved in putting together such a successful event.

Mayor Kohut: The Mayor thanked Mr. Carlevaro.

Mayor Kohut: With nothing further to be brought before the Board, the Mayor entertained a motion to adjourn the meeting.

**RESOLUTION #231-2018**

Motion by: Emily Dominguez  
Seconded by: Joel I. A. Santana  
Motion Carries: All

Respectfully submitted by,

Beverly A. Swift, Senior Steno Clerk