

The **Minutes** of the **Regular Board Meeting** held on April 5, 2010 by the Mayor and the Board of Trustees.

## PLEDGE OF ALLEGIANCE

ROLL CALL   Trustee Batista – Present  
                  Trustee Bueno – Present  
                  Trustee Dominguez – Present  
                  Trustee Watson – Present  
                  Mayor Kohut – Present

Mayor Kohut: First up is our first public participation. If anyone wishes to make any comments or have any questions they can do so now.

Noel Rappaport, 31 New Main Street- Hopefully, you may all know that Key Bank is abandoning our village. I would like you and other business people, the same way I am doing, to take your accounts away from them. They are walking away from us.

Mayor Kohut: This will probably be our intention. If they are not serving the village, why should we stay with them?

Noel Rappaport: Secondly, how is the state budget going to affect us?

Mayor Kohut: Presuming that a budget is passed, the revenue sharing that we get from the state amounts to just the sales tax. So that is what it is. Our CHIPS money, we are presuming, CHIPS is Consolidated Highway Improvement, and we are presuming that to be flat, no change. We won't know for sure until the budget passes. I don't think there is any other state aid that could be affected.

Noel Rappaport: One more thing, down by Warren Court ball field, I noticed that the work has stopped for the last month or so. Is there any reason for that?

Mayor Kohut: No, they have been working down there as the weather permits. In fact, he was down there today, and it's only finishing work that is left.

Also, I have been pursuing another bank to take Key Bank's space.

Mayor Kohut: Anyone else under our first public participation?

Gil Carlevaro, 43 Leonard St.- There are these guys that throw these flyers from the Journal News. Sometimes, they throw three or four in my driveway. Some of the guys do a great job. Some of them just throw a handful of them out of their window. They are littering the streets.

Mayor Kohut: We are about to schedule a public hearing on a revision to our Littering Law. This will include publications like this that are not requested. Once it's passed, then we can send a letter to the Journal News telling them that these are unwanted and they'll have to stop.

Mayor Kohut: Anybody else?

Laurence Levine, 1414 Round Point Dr.- I came to say thank you for finally getting the garage repairs done. My question relates to my curiosity as to how it's going to be finished? Is it going to be painted or a different siding?

Mayor Kohut: In reviewing the building the siding has basically rusted out all around the building. So what we're looking to do with this contractor is to re-skin the entire building. We can't just jump and give him the bid even though he gave us a very good price. We are going to use his quote as a basis for our specs to go out to bid. Hopefully, he's the acceptable bidder. We will use the gray color

because that color is more in keeping with your building. It blends more than the green against the gray. It's our hope that within the next month we can go out to bid.

Mr. Levine: So, it will be done by the summertime you think?

Mayor Kohut: If we could get it out to bid within a month, he'll probably have it done during the summer. Anybody else?

John Lia, 110 Hudson Ave.- I just wanted to follow up with you on the speed bumps. Also, have you found out any other information about the Falls Church application with D.O.E?

Mayor Kohut: I received an email from them about two weeks ago that said that even though they expected a decision by March sometime, the Dept. of Energy has been delayed.

Mel Post, 1422 Round Point Dr.- Happy Holidays to everybody. One of the things that I wanted to speak to you about was Key Bank. Can you tell me who the building is owned by?

Mayor Kohut: Key owns the building.

Mel Post: I was wondering what you were doing with respect to trying to get someone in there because that's quite a landmark building in downtown Haverstraw.

Mayor Kohut: I suspected this was happening with Key Bank, and I have been in discussions with another local bank trying to get them interested in coming down here.

Mel Post: Originally, you and I had discussed Gurnee Avenue and I was just wondering if the D.O.T. had ever gotten back to you. It has now been about six months.

Mayor Kohut: I suspect that they have been so decimated in that agency that they don't respond to anybody. I never did hear one way or another about the proposal to somehow correct Gurnee and Westside.

Mel Post: As a common courtesy, I'm sure you should have. Then, we go off to Maple Avenue. I thank you for putting up the sign. I noticed them when I got back. However, the question that I have going forward is, obviously you realize the amount of cars having to zig and zag to get around one another. My question is why you only did it through portions of that street versus just going straight down from Tor going towards Harbors.

Mayor Kohut: From Tor south, where the houses are? Isn't the street wider there? It's wider by a couple of feet. It's about two feet wider and I think that is one of the reasons why we left it. I have never experienced a problem with having to zig and zag in that section. We'll take a look at it.

Mel Post: Okay, I'd like to hear on that. Where are we with respect to the streetscape?

Mayor Kohut: We are still working on trying to recapture the money for an earlier date.

Mel Post: Is there a possibility of recapturing it?

Mayor Kohut: Yes, there is definitely a possibility. I don't know if it will be in the 2010 calendar year. I think it could be the 2011 calendar year. We are working on it on a daily basis.

Mel Post: You and I were at the town meeting that Andy Cuomo spoke. I had a good conversation with the Deputy Chief Staff. He said that if there were any problems, which I, as an individual, ever incurred; he gave me his card and so forth. I am wondering if they can be of any help to the village.

Mayor Kohut: They might at some point. We are working on some other avenues. You may have seen that Scott Vanderhoef was just named the Co-Chairman of the New York Metropolitan Transportation Council. They are the agency that actually make those decisions and pulled the funding. I've had a meeting with Scott Vanderhoef's office and we are working together on this.

Mel Post: The last question I have is with respect to the municipal bond that you were issuing to Ginsburg, monies that were supposedly owed him. Where do we stand with that?

Mayor Kohut: Letters actually went out today. As was discussed at the meeting, you will be given an option of prepaying it up front by June 30<sup>th</sup> or it will appear in your tax bill. The first installment will be an interest only installment of \$173.60. Subsequently, there will interest and principal on your annual tax bill.

Mel Post: My question actually was in terms of the bond issuance itself. How many years did you take and at what interest rate?

Mayor Kohut: We took a BAN the first year, which is why you are paying interest only. We used a BAN so that we could get a new bond rating and hopefully improve our standing in the bond market with lower rates when we go back out to borrow in October.

Mayor Kohut: At this point, we have a public hearing, which began at our last meeting on 9 New Main Street. If you just give your names and address for the record.

Steve Bongiorno, 77 Old Mountain Rd., Nyack  
Mike Bongiorno, Applicant's son resides in Ohio

Mike Bongiorno- I am handing out a drawing. I think one of the things that came up the last time was a question about the stairs. What we've done is we have taken a section through the existing space and we are showing the proposed configuration in this drawing. He is planning for a storage mezzanine above the living spaces, providing clearance on the first level for headroom to use as kitchen and bathroom. There will some storage space above with some clear area so that you can climb up and access some spaces up there. I think there was also a question the last time about the type of stair. He's been showing a conventional residential stair. A suggestion was made I believe for an operable stair. The issue with the operable stair is that for simple liability if it's operable it could drop on someone. I believe this is the one issue that he is responding to as part of the continuation.

Mayor Kohut: Have you been in to the Building Department?

Mike Bongiorno: We met with Inspector Berrios today. He reviewed this and wants a little bit more information. He hasn't seen the photographs. He did see the drawings. As you can see, the structure slopes from front to back. Our clearance from the top of the stairs is 5'9 in one location at the nose and at the nose from the rear location is about 4'9. It really isn't habitable space. A portion of the front of it will be for maneuvering space. Basically, to get up there, get the closets opened and be able to get in and out. You would have closet doors along the perimeter.

Mayor Kohut: Since Ruben needs to review this we would then have to put it over until our next meeting. He obviously has to check with the state code.

Mayor Kohut: We need a motion to continue this public hearing at our April 19<sup>th</sup> meeting.

**RESOLUTION #67-2010**

Motion by: Trustee Bueno  
Seconded by: Trustee Dominguez  
Motion carried: All

Mayor Kohut:  
**Reports of Village Officials-**

Village Attorney: I have a number of matters. First of all, the Brick Museum renewal lease extension has gone out. I have not received it back. I will report back as soon as it's received.

We had a meeting at Turner's office to review how we are going to give these four sessions to the various Boards and hopefully to the Village Board also. The first one is scheduled for the 26<sup>th</sup> of April at 6:00 p.m. and we are looking forward to making it as interesting a presentation as possible.

I have had some notifications that there is a requirement for a Work Place Violence Plan. I am looking into it to make sure that the village is in compliance with that requirement.

Village Treasurer: No report.

Mayor's Report: As aforementioned, we have a proposed litter law. We need to schedule that for a public hearing.

Village Attorney: I don't know if everyone has reviewed it. You want one more session to discuss the law after you have all reviewed?

Mayor Kohut: Yes, I'd like to discuss it.

Village Attorney: Let's put this on for discussion for the workshop on April 19<sup>th</sup> at 6:00 p.m.

Mayor Kohut: We do have to schedule a public hearing on the budget. Can I have a motion to this effect, to schedule the budget hearing for Monday, April 12<sup>th</sup> at 8:05 pm?

**RESOLUTION #68-2010**

Motion by: Trustee Dominguez  
Seconded by: Trustee Watson  
Motion carried: All

Mayor Kohut: We have a request from the Haverstraw Puerto Rican Day Festival Committee. They are requesting permission to hold their 16<sup>th</sup> Annual Puerto Rican Day Parade and Festival on Sunday, June 6<sup>th</sup> from 12:00 noon to 5:00 p.m. It will begin at the entrance of Emeline Park, proceed down Main Street and Broadway and end at the Haverstraw Middle School on Partition Street. The committee will furnish copies of insurance for this event. They would like to thank the village for its continuing support for this festival. Do we wish to give permission for the parade as usual?

**RESOLUTION #69-2010**

Motion by: Trustee Batista  
Seconded by: Trustee Dominguez  
Motion carried: All

Mayor Kohut: Even though they know about it we should send a copy to the Town Police.

Mayor Kohut: We have a series of budget amendments that we need to make. We do this on a quarterly basis in order to keep our books in line. I will read through them and then ask for a motion. First is to increase the Expense Account A1680.4 Data Processing Contractual and increase Revenue Account A3089 Other Government Aid by the same sum \$17,691.00, to increase the Expense Account A1420.1 Law Personnel and decrease Expense Account A1420.4 Law Contractual by \$8,827.00, Increase Expense Account A5110.45 DPW Equipment Repair and increase Revenue Account A2680 Insurance Recovery by the same figure which is the Recovery from the Fire Insurance of a figure of \$60,276.00. Could I have a motion to make those transfers?

**RESOLUTION #70-2010**

Motion by: Trustee Dominguez  
Seconded by: Trustee Watson  
Motion carried: All

Mayor Kohut: Next are overtime 3rd quarter figures. The following budget amendments must be approved to provide the proper payouts. First to decrease Expense Account A1990.410 Contingent Overtime by \$81,722.29, Increase Expense Account A1110.110 Personnel Justice Court by \$2,751.36, Increase Expense Account A3620.1 Personnel Building Department by \$4,961.35, Increase Expense Account A5110.10 Personnel DPW by \$40,601.29, Increase Expense Account A5010.10 Personnel Administration DPW by \$10,753.77, Increase Expense Account A9961.9 Transfer to Reachout for \$14,722.88, Increase Expense Account A1325.1 Personnel Treasurers Department \$6,554.34, Increase Expense Account A7140.1 Personnel Recreation Department \$1,377.30. Can I have a motion to approve these transfers?

**RESOLUTION #71-2010**

Motion by: Trustee Watson  
Seconded by: Trustee Dominguez  
Motion carried: All

Mayor Kohut: Third set of adjustments is Increase Expense Account A1355.4 Adjustment Contractual by \$200.00, Increase Account A1410.4 Clerk Contingency by \$650.00, Increase Expense Account A1620.42 Building Repairs for DPW \$30,000, Increase Expense Account A1980.4 the MCC Tax, also known as the MTA Tax, by \$2500.00, Increase Expense Account A5110.45 DPW Equipment Repairs \$30,000.00, Increase Expense Account A5142.4 Snow Removal \$2,000.00, Increase Expense Account A7140.43 Community Center Cleaning by \$6,000.00, Increase Expense Account A8510.4 Beautification by \$3,000.00, Increase Expense Account A9025.8 Firemen's Benefit by \$13,500.00, Increase Expense Account A9040.8 Worker's Comp. by \$40,000.00, Increase Expense Account A9025.8 Worker's Comp. Prior by \$7,100.00, Increase Expense Account A6330.4 Chamber of Commerce by \$2,100.00, Increase Expense Account A1440.4 Engineering by \$10,000.00, Decrease Expense Account A1990.4 Contingency Account by \$147,050.00, Increase Expense Account A1420.42 Law Escrow by \$48,672.00, and concurrently increase the Revenue Account A1289 by that sum, Increase Expense Account A5112.4 Chips Account, which is considered highway program by \$73,000.00, concurrently increase the Revenue Account A3101 by the same \$73,000.00, Increase the Expense Account A6989.11 Farmers Market and Decrease the Expense Account A6989.42 Farmers Market by the same \$1,260.00. Can I have a motion to that effect?

**RESOLUTION #72-2010**

Motion by: Trustee Dominguez  
Seconded by: Trustee Watson  
Motion carried: All

Mayor Kohut: There is a request by George White, Superintendent of DPW, for a Roadway Construction Workshop on May 4<sup>th</sup> and 5<sup>th</sup>. There is a (10) ten-hour training class for Roadway Construction. The fee is \$20.00 and it's being held in Thiells. He is requesting permission to attend.

**RESOLUTION #73-2010 - Approved**

Motion by: Trustee Batista

Seconded by: Trustee Dominguez

Motion carried: All

Mayor Kohut: We have a request from Affinity Health Plan to park a recreational vehicle in Haverstraw on Tuesdays to provide information about New York State Subsidized Health Insurance to residents in our community. The information they will provide will describe the process for enrolling in Child Health Plus, Family Health Plus and Medicaid managed care within Rockland County Marketing Guidelines, as well as other health educational programs offered by Affinity Health.

After discussion, if in fact this organization wants to park this van one day a week in our Knight's of Columbus parking lot with the appropriate parking fees, do I have a motion to this effect?

Village Attorney: Can I make a suggestion? There is already a van over there. Maybe there is another specific spot or do you want to let them park there?

Mayor Kohut: We could figure out a space.

**RESOLUTION #74-2010**

Motion by: Trustee Batista

Seconded by: Trustee Dominguez

Motion carried: All

Mayor Kohut: We have had a vacancy in our front office staff. At this point we've completed our interviewing. If we could have a motion to hire Isabela Gonzalez Soto for the position of Clerk Spanish Speaking to replace Lisa Pagan. Can I have a motion?

**RESOLUTION #75-2010**

Motion by: Trustee Bueno

Seconded by: Trustee Batista

Motion carried: All

Mayor Kohut: We have a leaking roof on the second story of this building. We have a proposal from Top Side Systems, LLC to replace a 30-foot section of the rubberized roof at a cost of \$1,120.00. Can I have a motion approving this?

**RESOLUTION #76-2010**

Motion by: Trustee Dominguez

Seconded by: Trustee Bueno

Trustee Watson: I have a question on the motion. We don't need three proposals for that?

Mayor Kohut: Not when it's under a certain sum.

Trustee Dominguez: Or when it's an emergency.

Motion carried: All

Mayor Kohut:

## **Report of Standing Committees:**

Fire and Ordinances, Trustee Bueno – No report.

Public Works, Building and Grounds, Trustee Watson- No report.

Youth and Family Services, Trustee Dominguez – We will be accepting applications for our Summer Day Camp. Applications can be picked up here at Village Hall and at the Community Center. They must be paid for at Village Hall.

Buildings and Code Enforcement, Trustee Batista- No report.

Mayor Kohut: We have a series of minutes that we have to approve. They have been reviewed by Emily and myself. The Minutes of January 19<sup>th</sup> and January 25<sup>th</sup>, Minutes of February 1<sup>st</sup> and February 26<sup>th</sup>, March 1<sup>st</sup>, March 15<sup>th</sup>, and a Special Meeting of March 23<sup>rd</sup>.

### **RESOLUTION #77-2010**

Motion by: Trustee Dominguez

Seconded by: Trustee Batista

Motion carried: All

### Old Business:

Trustee Bueno- The issue on the parking by the taxi stand on Main Street.

Mayor Kohut: There is still an issue?

Trustee Bueno- It's the same problem. They try to park two cars in one space.

### New Business: None

### Public Participation:

Noel Rappaport, 31 New Main St.- One of my question is on the clock.

Mayor Kohut: It shifted forward an hour again.

Noel Rappaport: The second thing is I'd like to see some sort local law passed. With all these group homes around there is a number of people that are constantly causing problems in the downtown area by doing things like reaching in the garbage cans. We have one that constantly sleeps at 35 Clove Avenue on the porch. The police obviously just chase them away. It's constantly the same people over and over again.

Mayor Kohut: If you have a camera on your cell phone, maybe just take a picture. It's easier if we can identify them by showing them a picture. Then at least, I can go up to the person in charge at Green Hills and show them the pictures.

Mel Post: I had another question. What rate is the ban?

Village Treasurer: I think it's 1.69% or 1.79% for the year.

Mel Post: Out of curiosity, what reason would make you think they would raise the credit rating on the Village of Haverstraw?

Mayor Kohut: We've taken some corrective measures. We've cleaned up our balance sheet and our finance people believe that we should be able boost our rating by a point or two.

Mel Post: When you go back to them, do you have to go back in a year from the time you took the last ban or your renegotiation?

Mayor Kohut: Negotiations with who?

Mel Post: The lender with the municipal money. If we wait a long period of time and interest rates travel up, it's going to be very detrimental for people who are paying for that.

Village Treasurer: Our Financial Advisor informed us that he was going to be watching the market, and we may re-bond it earlier than October for just that reason.

Mel Post: When you apportion the fees to the individual homeowners in Harbors, how did you go about doing that?

Mayor Kohut: One share per every actual or proposed unit. There are 490 proposed units in total down there.

Mel Post: So, a person that might own a studio and a person who owns a 3,500 sq. ft. townhouse pay the same thing?

Village Treasurer: Yes. This was all discussed at the public hearing.

Mel Post: Question about the dedication? Have we dedicated, in Harbors, the fountain or the fountain and the walkways to the village?

Village Attorney: The "U" shape from the sales center, the bridge on the far side circling around until it stops, because it was involving a grant, has been accepted by the village.

Mel Post: Who has the responsibility for keeping that cleaned?

Village Attorney: There is a maintenance agreement that was entered into that requires it to be maintained by the developer and the condominium during the first five years. There is an agreement that we would pay electric for the fountain. At the end of that five-year period the maintenance would pass to the village.

Mel Post: It was five million?

Mayor Kohut: Four million fifty thousand.

John Lia, 110 Hudson Ave.- There is one of the gentleman from Green Hills Estate urinating behind the caboose up on the corner and proceeded to go through the garbage at the dumpster right next to that. My wife was stopped at the light and the guy was standing at the window asking for money.

Mayor Kohut: You can give us a copy of that.

Gil Carlevaro, 43 Leonard St.- I can never find the right time or the day of the meeting. I can never get the village website to come up.

Mayor Kohut: We will check on that.

Gil Carlevaro- When we have the public hearing for the litter, can we add the garbage cans or the lack of use of garbage cans, because in the summer people leave their bags on the streets and the animals just get into them.

Village Attorney: That is under the Property Maintenance code and people should have garbage cans, and garbage bags are not technically allowed.

Mayor Kohut: Our Asst. Building Inspector comes in early on Monday mornings because that is actually the worst time. Those he sees, he sites. Certainly, anytime you see it, you can call down here and leave the address and we can take care of it.

Mayor Kohut: Anybody else under public participation? Then, can I have a motion to adjourn?

**RESOLUTION #78-2010**

Motion by: Trustee Dominguez  
Seconded by: Trustee Batista  
Motion carried: All

Respectfully submitted.

Sandra Castro  
Clerk/Typist