

The **Minutes** of the **Regular Board** meeting held on Monday, December 7, 2009 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 item is public participation. If anyone would like to ask any questions or make any comments at this point, they may do so.

Mayor Kohut-

#### **Reports of Village Officials:**

Village Attorney- I have a number of matters, first of which is for a motion to authorize the Mayor to sign an agreement with the Joint Regional Sewer Board. There may or may not have been a motion made before, but I'd like a reconfirmation. The purpose for this is that when the original agreement was passed, back in the day, there were some sections that did not allow the Joint Regional Board to own property and there were no authorizations in the agreement for the Joint Regional Board to own property. It has now come to a point where, with some contracts that the Town and the Sewer Board are entering into, they have to give easements. In fact, we found out that the Joint Regional Sewer Board does own property. This is really just giving the authorization to change the agreement between the Town, Village of West Haverstraw, and the Village of Haverstraw to allow the Joint Regional Sewer Board to own property so that they can finish up the contracts or obligations to give easements over property they already own. If I could have a motion to this effect?

#### RESOLUTION # 271 - 2009

Motion by: Tom Watson, Jr.  
Seconded by: Emily Dominguez  
Motion carried: All

Village Attorney: I would like a motion for the board to accept the balance of monies in the air quality account, originally given to us by Mirant, pursuant to their letter dated 9/1/09 releasing the amount of \$101,790.25 to the village.

Mayor Kohut: Can I have motion accepting the balance of the money to go into the General Fund?

#### RESOLUTION # 272 - 2009

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

Mayor Kohut:

Village Treasurer- My report for the months of August, September, and October: Disbursements of \$2,072,276.00 and Revenue for the same time period of \$965,577.00. In addition, I am submitting to the board an audit report. Each of you has a copy of it, and it's available to the public.

For a variety of reasons, we haven't been happy with the current payroll company. We have received estimates from ADP and Payserv and we currently use PayChex. We received a bid from ADP, which is a little bit more expensive than PayChex. We also received a price from PayServ, which is a local company out of Bardonia. It would be my recommendation to go with them.

They are less expensive overall and I believe we will receive better service from them.

Trustee Dominguez asked if there were other municipalities who used PayServ.

Village Treasurer stated that they have over 700 clients. She does not know if any of our neighboring municipalities are using them.

Trustee Dominguez: Is there a big saving?

Village Treasurer: There is a big saving in their base amount. They each charge a per check fee. PayChex and ADP get \$2.15 a check. PayServ gets \$2.19. ADP gets \$16.00 for delivery. PayChex is \$8.25 and PayServ is \$9.75. For the base charge, which includes all of the reporting, PayChex charges \$85.00 per payroll. ADP is \$155.00 and PayServ is \$19.50.

Trustee Watson makes a motion to accept PayServ.

**RESOLUTION # 273 - 2009**

Motion by: Tom Watson, Jr.

Seconded by: Emily Dominguez

Motion carried: All

Mayor's Report: First item I had on my agenda is the Maple Avenue parking. We discussed this at our last workshop, about turning the west side of Maple, between Fairmount and Tor Avenue, to "No Parking".

Trustee Batista stated that this was going to affect all the people who are living there. The board should let them know.

Mayor Kohut: As people may or may not be aware, less than a month ago the ladder on our aerial apparatus in the fire department failed its ladder test. It's been compromised and no longer in service. It requires us to proceed to purchase another apparatus. I am going to read the following resolution and ask for the board to approve it:

**RESOLUTION # 274 - 2009**

WHEREAS, the Village of Haverstraw was incorporated for the purpose of providing fire protection to its residents, and

WHEREAS, the Haverstraw Fire Department was created in 1854 when the Village of Haverstraw was created; and

WHEREAS, the Haverstraw Fire Department operates and maintains an aerial fire apparatus to protect the residents and properties within the Village of Haverstraw; and

WHEREAS, said apparatus, a 1969 Pirsch tractor-drawn aerial, recently underwent routine maintenance and inspection; and

WHEREAS, during such inspection said truck's aerial ladder was found to be compromised and unsafe for its intended use; and

WHEREAS, as a result of said inspection, which occurred on November 11, 2009, said aerial was de-certified by the independent inspection firm of Mistras Services; and

WHEREAS, said de-certification has now left the Village of Haverstraw without an operative aerial ladder within its jurisdiction to protect its people and properties; and

WHEREAS, said Village of Haverstraw must now rely on a mutual aid agreement amongst neighboring municipalities to provide aerial fire protection to Village residents and properties; and

WHEREAS, the responding apparatus will require 10 minutes or more to arrive on scene once dispatched and said time is not optimal in emergency situations; and

WHEREAS, beginning in 2010 new regulations on truck engines will cause the lengthening of truck chasses, which lengthening would make the present quarters of Haverstraw's aerial apparatus undersized for said new vehicle; and

WHEREAS, Kovatch Mobile Equipment (KME) has a 2009 designed apparatus that can be accommodated in Haverstraw's quarters and can still be procured during the 2009 calendar year; and

WHEREAS, KME was recently awarded a bid for a tractor-drawn aerial apparatus by the Village of Hastings-on-Hudson, New York, after a full bid process, resulting in KME's low bid of \$896,128.00; and

WHEREAS, KME, by letter dated December 3, 2009, has offered to allow the Village of Haverstraw to "add on" to Hastings bid with an additional like unit of a tractor-drawn aerial apparatus for the same price obtained through their bidding process; and

WHEREAS, such opportunity would shorten the time by which the Village of Haverstraw would take to secure its own bid by two to three months, minimum; and

WHEREAS, KME has agreed to expedite the manufacturing process because of the emergency nature of said purchase from one year or more to less than nine months; and

WHEREAS, said time considerations will shorten the time period for having an aerial apparatus back operating within the Village of Haverstraw from fifteen months or more to less than nine months; and

WHEREAS, for the safety and protection of the residents and properties of the Village of Haverstraw it is preferable to have full firefighting capabilities within the village boundaries as soon as possible;

NOW, THEREFORE BE IT RESOLVED that the Village of Haverstraw Board of Trustees:

1. Declares that an emergency exists within the Haverstraw Fire Department caused by the unexpected failure of the aerial ladder on the department's 1969 Pirsch tractor-drawn aerial truck; and

2. Declares that said emergency threatens the safety of the residents and property of said residents and taxpayers within the Village; and

3. Declares that because of said emergency, we hereby adopt the recently awarded bid by the Village of Hastings-on-Hudson to Kovatch Mobile Equipment for a tractor-drawn aerial apparatus in the sum of \$896,128.00; and

4. Authorizes the Mayor to enter into contract with KME to purchase the same at the above price; and

5. Authorizes the previously approved truck committee of Rescue Hook & Ladder Co. No. 1 to specify their needs for the approved apparatus and

begin design of same within the approved parameters and dollar amount of said bid.

Mayor Kohut: Could I have a motion and a second to that?

RESOLUTION # 274 - 2009

Motion by: Rafael Bueno

Seconded by: Tom Watson, Jr.

Motion carried: All

Mayor Kohut: Recently, I was contacted by a gentleman by the name of Robert Lofthersan, who, many years ago, was a resident of the village. He now lives down in Virginia. Falls Church, Virginia is a community of a similar size to the Village of Haverstraw. Through a Citizen's Advisory Committee that he is a member of, they are trying to initiate a green program through the federal stimulus dollars that would retrofit neighborhood communities in an effort to prove that you could become more sustainable in the communities in which you live. They are pitching for about \$60 million of the federal stimulus. He would like the Village of Haverstraw to join with them because he grew up in this community and because they are looking for a multi state approach, Virginia, New York and also looking at a community in Minnesota. He has not gotten back to me with all the information on it. Although, he puts a December 14<sup>th</sup> deadline on it, I don't think it's doable for us within that time frame because he hasn't given us all the information. He talks about either coming through with grants, which would be great, or some sort of grant loan or matching loan scenario. I would like the board to allow me to continue to discuss this with him and bring information back to the board about it. As of now, he was supposed to get me the financials on it. I just wanted to bring the board up to date on that.

Board agreed to have Mayor continue discussions regarding possible grant.

Mayor Kohut: As this is the first meeting of December, it is time to begin the reorganization process in the Village, which is an annual process for appointments. Are we comfortable with making some of these or do you want to hold off on everything?

Trustee Dominguez: I think we should hold off and discuss some of it .

Mayor Kohut: Well, the boards we can definitely hold off on.

Mayor Kohut: I will go through them individually.

Village Attorney – presently is Jay Nelson Hood, Sr.- Annual Term

Mayor Kohut: Could I have a motion to appoint Jay Nelson Hood, Sr?

RESOLUTION # 275 - 2009

Motion by: Rafael Bueno

Seconded by: Tom Watson, Jr.

Motion carried: All

Assistant Village Attorney – presently held by Sonia Crannage.

Mayor Kohut: Could I have a motion to reappoint Sonia Crannage?

RESOLUTION # 276 -2009

Motion by: Tom Watson, Jr.

Seconded by: Francisco Batista

Motion carried: All

Village Assessor – presently held by Edye McCarthy

Mayor Kohut: Could I have a motion to approve her reappointment?

RESOLUTION # 277 - 2009

Motion by: Tom Watson, Jr.  
Seconded by: Emily Dominguez  
Motion carried: All

Village Treasurer – presently held by Judith Curcio for the completion of a four-year term through December 2011, this coincides with the Mayor's term.

RESOLUTION # 278 - 2009

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

Mayor Kohut: For the position of Deputy Clerk – presently held by Lisa Pagan for the same four-year term to expire December 2011.

RESOLUTION # 279 - 2009

Motion by: Francisco Batista  
Seconded by: Rafael Bueno  
Motion carried: All

Mayor Kohut: For the position of Deputy Treasurer – presently held by Damaris Torres same four-year position to expire December 2011.

RESOLUTION # 280 - 2009

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

Mayor Kohut: For the position of Village Engineer, Brooker Engineering.

RESOLUTION # 281 - 2009

Motion by: Emily Dominguez  
Seconded by: Tom Watson, Jr.  
Motion carried: All

Mayor Kohut: For the position of Village Historian, Stephen Cobb.

RESOLUTION # 282 - 2009

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

Mayor Kohut: For the position of Acting Village Justice, presently held by Henry Gruffi.

RESOLUTION # 283 - 2009

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

Mayor Kohut: For the Director of Disaster Preparedness. Two years ago we changed it from a specific name to a title. For the Director of Disaster Preparedness, the Chief of the Haverstraw Fire Department. Could I have a motion?

RESOLUTION # 284 - 2009

Motion by: Tom Watson, Jr.  
Seconded by: Emily Dominguez

Motion carried: All

Mayor Kohut: For the Deputy Director of Disaster Preparedness to the First Assistant Chief of the Haverstraw Fire Department. Can I have a motion?

RESOLUTION # 285 - 2009

Motion by: Emily Dominguez

Seconded by: Rafael Bueno

Motion carried: All

Mayor Kohut: For the Registrar of Vital Statistics, presently held by Judith Curcio, an annual appointment. Can I have a motion?

RESOLUTION # 286 - 2009

Motion by: Rafael Bueno

Seconded by: Francisco Batista

Motion carried: All

Mayor Kohut: For the Deputy Registrar of Vital Statistics presently held by Damaris Torres. Can I have a motion?

RESOLUTION # 287 - 2009

Motion by: Emily Dominguez

Seconded by: Tom Watson, Jr.

Motion carried: All

Mayor Kohut: We have some vacancies on the Planning, Zoning and Architectural Review Board, which we wish to discuss and interview some applicants. If there is anyone interested in a position on the Planning Board, Zoning Board, or the Architectural Review Board, we will be interested in hearing from you and taking a resume. We will interview those people at a future time.

Mayor Kohut: I have a few appointments. Each Commissioner serves on an annual basis. These are mine without approval. I propose to continue in the following position of Fire Commissioner, Rafael Bueno, Public Works Commissioner, Thomas Watson, Jr., Youth and Family Services Commissioner, Emily Dominguez, Building and Code Enforcement Commissioner, Francisco Batista, who I also appoint to continue as my Deputy Mayor. That completes the report on reorganization for this period of time. We will continue reorganization at a future date.

Mayor Kohut: Can I have a motion to continue reorganization to December 21<sup>st</sup>.

RESOLUTION # 288 - 2009

Motion by: Emily Dominguez

Seconded by: Francisco Batista

Motion carried: All

Mayor Kohut: We received a letter from the Village of Croton for the possibility of a coordinating a ferry-go-round for next summer.

The board had no problems with this request.

Mayor Kohut: We have a letter from the Quisqueya Sports Club. "Our softball committee would appreciate the opportunity to have a meeting with you and the Village Board concerning the new construction of the softball field for the Village of Haverstraw. As you are aware, this project is of great importance to our organization and if you could grant our request at your earliest convenience, it would be greatly appreciated. Thanking in advance for your cooperation and your support. I remain, Jose Hilario, Softball Committee Chairman."

If people have not noticed, the softball fields down below St. Peter's parking lot are rapidly coming to conclusion. Thankfully, it's coming to a conclusion. We have to start discussing who is going to be using it and who is going to be responsible for what. Would you like to set up a meeting with Quisqueya Club?

The workshop with Quisqueya Club, will be scheduled for 12/28/09 at 6:30 pm.

Mayor Kohut: We have a request from St. Peter's Church. They are requesting a permit for a religious procession for the Peace of our Lady of Guadalupe on Saturday, December 12<sup>th</sup>, 2009. The procession will form at the parking lot on St. Peter's School on Ridge Street. They will leave the lot at 6:00 pm. They will follow Ridge, turn left on Partition, right onto Broadway, continue to Main Street and then to Allison, left on to Broad, turn right into Broadway and back to St. Peter's Church.

Mayor Kohut: Could I have a motion authorizing the church?

RESOLUTION # 289 - 2009

Motion by: Emily Dominguez

Seconded by: Francisco Batista

Motion carried: All

Mayor Kohut: This past Saturday, we had our holidays in Haverstraw, which started with a children's festival over at our Community Center, where there was about 150 children and parents. There was a visit by Santa Claus, which was well received by the kids. They wrote letters to Santa. He read their letters and had conversations with the kids. They proceeded with various activities in the village after that. There were different things going on. We thank everybody who participated and helped us out for that event.

Mayor Kohut: Just to announce, generally, on Christmas Eve, which is Thursday, the Village Hall will be closing at 3:00 pm on that day.

Mayor Kohut:

**Reports of Standing Committees:**

Fire and Ordinances, Trustee Bueno- The following people have applied for membership for the village fire department. Agustin Morel of Garnerville, applying as a member of Cosgriff Hose Co.#4, Robin Marrero of Garnerville applying as a member of Cosgriff Hose Co. #4. Both applications are completed. I make a motion that we accept them.

Mayor Kohut: Motion made by Rafael and seconded by Emily to accept Robin Marrero and Agustin Morel into the Haverstraw Fire Department and assign them to Cosgrive Hose Co. #4.

RESOLUTION # 290 - 2009

Motion by: Rafael Bueno

Seconded by: Emily Dominguez

Motion carried: All

Public Works, Buildings and Grounds, Trustee Watson- I have a letter from our Superintendent about an accident that occurred on November 30<sup>th</sup> at 7:00 am. A village garbage truck was backing up on the West Street alleyway behind the houses. The driver backed into an illegally parked car. We have three estimates. The lowest estimate being \$3,759.50 from Rockland County Body. The police report is all filled out. I make a motion to accept the lowest estimate to repair the car, pending review by the insurance company.

RESOLUTION # 291 - 2009

Motion by: Francisco Batista

Seconded by: Emily Dominguez  
Motion carried: All

Trustee Watson said DPW had a few completed tasks and a future tasks list. He read the list out to the board members. He has a recommendation from the Superintendent, George White, to move up one of our laborers to an MEO position. He would like to move Frank Guillen from a laborer to a MEOII position. The MEOII position is a driver position as a Motorized Equipment Operator, which classifies him to drive the largest equipment trucks. His salary will be increased from \$52,000 to \$54,000. I make a recommendation that we make this change.

RESOLUTION # 292 - 2009

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

Trustee Watson: We have an open position on our books for a laborer position. We have a recommendation by the Superintendent, George White, to hire Gary Nash as a full-time laborer to the Dept. of Public Works. This position is at a starting salary of \$44,013. I make a motion.

RESOLUTION # 293 - 2009

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

Youth and Family Services, Trustee Dominguez- Two weeks ago, Thanksgiving Eve, Casa Del Sol in Nyack, has for about 7 years, hosted the kids from the community. This year they took 100 kids and had a Thanksgiving dinner. I wasn't able to attend, but I heard the Mayor did. I hear the kids had a wonderful time. I wanted to take an opportunity to thank once again Casa Del Sol for opening their doors to our community kids.

I'd like to thank the Forty Second Club, who came to the Community Center and provided and served hotdogs for Santa and the kids.

I'd like to announce that on December 21<sup>st</sup> from 4:00 pm to 6:00 pm the Community Center will be hosting their annual Christmas party. They are inviting the Village Board.

Our Gang Prevention Program is going well. We have one full-timer and one part-time case manager. Our caseload of children is going up. Our clinical staff is meeting regarding our Gang Prevention Program.

We are starting to work on the Unity in the Community week for February 2010. I'd like to put that into mind for February 15<sup>th</sup> through February 19<sup>th</sup>.

Buildings and Code Enforcement, Trustee Batista- The Building Department has been working diligently on the Rental Property inspections. They had 71 inspections this month. They had 5 Municipal Searches; Miscellaneous Inspections-31, Complaints-3, Miscellaneous Construction Inspections-14.

From the Parking Enforcement, all parking meters have been programmed to reflect the correct rates. Our employees have started doing the overnight shift to enforce the overnight parking rules. Free holiday parking starts on December 12<sup>th</sup> and ends January 4<sup>th</sup>.

Mayor Kohut: Two items that I forgot under my report earlier, one is that we have to schedule a public hearing for Community Development applications, as requested by the Rockland County Community Development Director, Joe Abate.

It is a public hearing to discuss possible applications for Community Development funds and I'd like to schedule it on January 4<sup>th</sup>, 2010 at 8:05 pm. Can I have a motion and a second?

RESOLUTION # 294 - 2009

Motion by: Emily Dominguez

Seconded by: Tom Watson, Jr.

Motion carried: All

Mayor Kohut: Lastly, either from my report or from Terence's' report is that we have two estimates for repairs to the DPW building caused by the fire. We are still reviewing those. Hopefully, we could have a discussion for the workshop on the 14<sup>th</sup> to decide what we are going to do with that.

Mayor Kohut: The minutes for the meetings of October 5<sup>th</sup>, October 19<sup>th</sup> and November 2<sup>nd</sup> and November 16<sup>th</sup> have been reviewed by the Treasurer/Clerk and myself.

Trustee Dominguez stated that she only read the 19<sup>th</sup> and the 2<sup>nd</sup> of November.

Mayor Kohut: Can I have a motion to approve the minutes of October 19<sup>th</sup> and November 2<sup>nd</sup>, 2009?

RESOLUTION # 295 - 2009

Motion by: Emily Dominguez

Seconded by: Tom Watson, Jr.

Motion carried: All

Old Business: J. Hood Sr: On 14 Broadway easement regarding the letter from Mr. Buonocore, I have not heard back from Ginsburg yet. I am continuing to struggle to craft a letter back to them. This not only satisfies his criticism of that particular law, but also salvages the law for the village in the future.

New Business:

Mayor Kohut: We have some folks here that would like to discuss a proposal they have for a building that they are interested in buying on New Main Street. If you would like to come up and discuss what you want to do?

Village Attorney: Before they start, I want to go on record saying that the owner of the building, former Mayor of Haverstraw Francis Wassmer has selected me to be his attorney in the sale, so I am going to step down.

Steve Bongiorno and Sandra Nadohl, 77 Old Mountain Rd., Upper Grandview, NY-

We are talking about 9 New Main Street. There is a commercial store on the 1<sup>st</sup> floor and on the 2<sup>nd</sup> floor are two apartments. We would like to request a change to the 2<sup>nd</sup> floor layout to accommodate four one-bedroom apartments, each having a minimum of 400 sq. ft. We have provided a diagram. The total square footage is close to 2,300 sq. ft.

Mayor Kohut: The reason why they are here before us is because anyone wishing to do anything over the top of any business in the Central Business District requires them to come to us for a Special Permit. What we would do if we wanted to entertain it is to refer it up to the Planning Board for their discussion and their recommendation back to us.

Trustee Watson makes a motion to refer this to the Planning Board for their recommendation.

RESOLUTION # 296 - 2009

Motion by: Tom Watson, Jr.  
Seconded by: Emily Dominguez  
Motion carried: All

Mayor Kohut: This is all I had under new business. I don't know if anyone had anything else under new business? If not, then we will go to our second public participation.

Laurence Levine, 1414 Round Point- I have a question that concerns aesthetics and health. I have noticed on a continuing basis that the garage area, highway department garage, across the street where the garbage dump is, more days than not, the garbage is left off there. It is not put into the containers. More so on the weekends. I have concerns about river rats and rodents. I see people going in there. I just think on a daily basis they can pick their forklift or whatever the machine is called, pick up the garbage and put it in the containers. I will appreciate that being done.

Mayor Kohut: Have you seen people in there within the past month? Just curious.

Laurence Levine: I can't tell you exactly. I have seen people there during the day.

Mayor Kohut: We put security cameras on the area partly for that reason. I was just wondering if you have seen anybody recently.

Mel Post, 1422 Round Pointe Drive- With respect to a discussion earlier at this meeting about Maple Avenue, I was at the meeting where we all discussed this. I gather it was opened to the public because two other concerned citizens were aware of the meeting and were here. At that meeting, correct me if I am wrong, there was I believe a motion to test this out for a multiple period of months, two months, and maybe one side of the street parking. I was also under the impression that the board unanimously reaffirmed that motion.

Mayor Kohut: First of all because it was a workshop, we took no official action on anything. That is what these regular board meetings are for. Terrence and I were both at fault in not speaking with the owner of the deli. Part of the conditions that we had among ourselves before we imposed the regulation was to speak to the deli owner. This evening it was also suggested that we give notice to the residents in that strip. That has not been done yet. We don't want to make the motion or make it affective until that has been done.

Mel Post: At the meeting you so stated that during the period of time you were going to try this, but you voted affirmatively to try this for two months.

Trustee Batista: We did not vote.

Mayor Kohut: It was just a discussion. At workshops you cannot vote.

Mel Post: Okay, it wasn't an official vote, but there was an essence of vote where everybody said yes, including there was no opposition from the public that was here. During that meeting, you said if there were any complaints during that period of time from the owner of the deli, or from anyone else that would affect how you were going to look at this. I was under the impression that this was a done deal.

Trustee Batista: We are going to do it, but nevertheless we want to let people know. They have a right to know before we implement it. We are going to send a letter to them letting them know that we are going to have two months of tryout.

Trustee Dominguez: And of alternate parking.

Mel Post: If that is the way you want to do it, but it's not the way it came down.

Village Attorney: The board wants to do it in a kinder, gentler way. They are going to do what you suggested. Try to give them a little leeway.

Mayor Kohut: We probably would not have started until January 1<sup>st</sup> in any event, and we have another meeting between now and then. If everything gets into place we can make the motion and do it at that point.

Gil Carlevaro, 43 Leonard St.- I just wanted to know if there is an updated status on the landlord rule where everybody had to register their apartments and had to have someone that lives in the town to manage them. How is it being accepted?

Mayor Kohut: It hasn't been a problem and we haven't been imposing the fees. When Francisco read the report of 71 apartment inspections in the last two-week period, that's what that was. The Building Inspector has come across many instances where they weren't telling them about illegal apartment so we came and found an illegal apartment or some other violation when we went through it. It is proceeding along to the point where they are scheduled into sometime in March. It's working well and we are not hurting people's pocketbooks by imposing the fees.

Gil Carlevaro: Will the fees be next year?

Mayor Kohut: We had said that if people registered by December 31<sup>st</sup>, it would be fee-less. After January 1<sup>st</sup> and beyond the fee would be imposed. As of now, that is where we are at.

Lori Scaly, 16 Hillside- I was just wondering how much is that fee if they don't register?

Mayor Kohut: The penalty for failure to register is a fine of up to \$500.00, I think. It's up to the judge. Unless, they register by the 31<sup>st</sup> of this month and then we are waiving the fee.

Trustee Watson: The registration fee is \$50.00 and the inspection fee is \$25.00.

Lori Scaly: If they are going in and trying to find a violation, again they are being hit with a fee?

Village Attorney: They are given an opportunity to correct those violations. The Building Inspector will come back and re-inspect. If you have corrected the violations, then there is no court or no fee or fine. If it's ignored, that's when a court appearance is issued and possible fines could result.

Lori Scaly: Do we know how many buildings there are and about how many have registered?

Mayor Kohut: I don't have numbers.

Lori Scaly: I was just wondering the number of people who have come forward.

Trustee Batista: At the last meeting, we had seventy something that I reported. This meeting, we have seventy-one.

Mayor Kohut: If they are booked out into March, they are doing very well. Anybody else?

Mel Post, 1422 Round Pointe Drive- The letter that is supposed to be forthcoming to me with respect to the services for the Harbors residents, do you know when about I should be receiving it?

Mayor Kohut: Probably within a week, because we revised it and just want to look over it one more time.

Mel Post: The other question I had, just a curiosity question, you were talking about a gentleman who backed up the garbage truck into an illegally parked car? Was that car issued a ticket? Should the Village of Haverstraw be generous enough to pay for an illegally parked car?

Trustee Watson: I am not sure if the officer that came down and issued the accident report issued a ticket. I will find that out.

Mel Post: I hear that we are paying \$3,700 or something.

Village Attorney: It's why we have lawyers, but even illegally parked cars have the right not to be run into. It all depends on the circumstances. If in fact the illegally parked car was the primary cause of the accident, you might come up with a defense that the violation of the law caused the accident not the negligence of the garbage truck. It's an item by item situation and I believe the village has decided that, legally parked or illegally parked, the garbage truck should not have run into the car.

Mel Post: If that's what you decided, but I think at the minimum the person should be issued a summons.

Mayor Kohut: It was up to the police officer at the time, and according to the clerk a ticket was not issued.

Mel Post: I still don't buy that the Village of Haverstraw can spend \$3,700 because the car was parked illegally. The key word being illegal.

Laurence Levine, 1414 Round Pointe Drive- The point of our question is when you have an accident, usually the insurance company pays.

Mayor Kohut: We have a \$5,000 deductible.

Village Attorney: Without which our insurance would be much higher.

Sean O'Malley, 116 Hudson Ave.- I was just curious, with the new fire truck, do we have a fund to cover that?

Mayor Kohut: No, we are pursuing grant avenues in whatever way we can. There are a couple of possibilities for that. Otherwise, we will either bond or lease it. We are looking at different avenues for that as well.

Sean O'Malley: What happened to the old truck? What will happen?

Mayor Kohut: It will go out of service for the Village of Haverstraw. We will either decide to keep it if it was our preference or we would sell it. What you would get for that truck, except maybe for a collector, would be small. The last time we sold a truck, we got \$10,000 for it.

Sean O'Malley: On the approval of appointments, it's something that went on tonight, how does that procedure work? How did you prepare for that?

Mayor Kohut: We have a list of what the appointments are and who is in the present position.

Sean O'Malley: What was the measuring behind whether it's a yay or nay? Don't you use some sort of performance evaluation tool? Do the people in the appointed positions have to submit their annual goals and achievements in order to be considered? That way you can determine if they are actually doing their jobs.

Mayor Kohut: If we think there is a change in order, then we discuss that in executive session workshop. If not, we just continue the appointments.

Sean O'Malley: The softball field, do you plan to charge for the usage on this?

Trustee Dominguez: We have not decided that.

Sean O'Malley: I wanted to ask the attorney if there is a status update on the search for approvals of the group homes.

Village Attorney: I have a pretty good idea of exactly where we are with each one. Because they were started so long ago it's hard to get start dates. I'll discuss this with you when I finally go through all the minutes. There are a bunch of minutes that I still haven't read through. However, there are two issues. One is that New York State, when it chooses to place these types of homes, overrides our local laws. As you had pointed out, they are circulating within ½ mile or 1 mile; they (the state) are now getting on board to do that. Ours already had that in it. Then there is a grand-fathered situation. The requirement for special permits in this type of facility was passed in 1983. So, those that pre-date that are not required to get a special permit. They have to comply with building requirements, etc. When we put this all together, there are also several of them, which you pointed out, that are in the process of being discontinued because they are not authorized. One is in court and one has an application for approval, which is being considered but it's not complete at the present time. When we get all set and done, I think you are going to find the ones that are here are pre-existing and run fairly well and two that are questionable and probably will be discontinued. There were two other things on your list. There was one that was not in the Village of Haverstraw and the one was the Lexington House Center where its drug treatment doesn't qualify under this law. I think I am going to have pretty good answers for everything.

Sean O'Malley: When do you think this will be concluded?

Village Attorney: I would like to get it done for the board maybe by either next week or the following board meeting. I will certainly contact you as soon as I speak to the board.

Sean O'Malley: I know that the village has thought to have minutes posted on the village website. Any idea when the stuff is going to be available?

Village Treasurer: As soon as you turn over the information on the website.

Sean O'Malley: Does the village have any mechanism, an open system for job posting, so the public can find out about these?

Village Treasurer: Generally, out on the board here. They come in once a week. They are pink sheets. They are also on the county website and they tell you in which municipality they are open.

Sean O'Malley: That Energy Retrofit Project, we were just wondering about it. I understand it would be \$5 million. This \$5 million is potentially accurate for the village to proceed towards retrofitting. It's due on the 14<sup>th</sup>. You have a meeting after that right?

Mayor Kohut: Our next meeting is December 21<sup>st</sup>.

Sean O'Malley: You would have to approve it tonight, right?

Mayor Kohut: I cannot approve what I don't have the information about. When I left my email at 5:30pm, it was not there. I'll look at it with the information that I had. We don't know what the fiscal realities are to this village nor the time and effort that need to be expended exactly. So, we have to wait and go through it.

Sean O'Malley: Their organization is doing all the paperwork. They are just asking a yes or no. I appreciate you not wanting to commit to something that would be bad. Are we able to give you what you need tomorrow? Have you looked at this and would it be just you saying yes or would you need everyone else?

Trustee Dominguez: The Mayor will have to call an emergency board meeting. We'll have to discuss it.

Sean O'Malley: Is the board open to doing that?

Mayor Kohut: Once I get the information and I'll pass it along to them. They can take a look at it. Then if we need to do that before the 14<sup>th</sup>, we will.

Sean O'Malley: How soon does he need to get the information to you for you guys to do that?

Trustee Dominguez: Well the 14<sup>th</sup> is a week from today. He'll have to probably do it by Monday.

Mayor Kohut: When he gets me the information, I will look at it. I will forward it on to the other trustees for them to look at. If it's something that they are generally interested in, we'll either have a phone discussion or we'll call a meeting that will authorize us to continue on. I don't know when that is going to be. It's a very nebulous thing that he is proposing and I haven't seen anything concrete yet that I can really discuss with the board. So, when I get something concrete that I can discuss with the board, that's what I will do.

Sean O'Malley: He knows what you are looking for I guess?

Mayor Kohut: He's giving me this much information (indicating a small amount) on something that he is proposing to involve us in that is going to be hundreds or thousands of hours of work for some entities, some private entity or some public entity, which we don't know if it's going to require cash matches for us, loans for us, or anything else. I can't, nor can this board, in good conscience make decisions without knowing what the ramifications are. When he gives us the information, then we can make a decision. That is the reality. He knows he has been doing this with other communities who are asking the same questions. He didn't finish anything until sometime Thursday or Friday. He gave me one document. I am still waiting for the bulk of the rest of the documents. As of 5:30 pm, when I looked at my computer, I didn't have it.

Trustee Watson: Are you in contact with this other gentleman?

Sean O'Malley: He emailed us.

Village Attorney: It's multi-state, multi-municipality and multi-millions. It's not something that I would think that the board would jump into unless, they are absolutely certain that it would benefit the village.

Sean O'Malley: I don't know who does it, but a lot of the highway is cleaned up by people who criminally do something wrong. Do we do something similar here in our court?

Mayor Kohut: We have community service people that work with our DPW on practically a daily basis.

Trustee Watson: They have done a lot of the cleanup. They go out and do the alleyways.

Sean O'Malley: With the landlord registration, if someone has an apartment but they are not actively renting it, are they supposed to be registering it?

Village Attorney: It has to be registered.

Sean O'Malley: So, if it's three years later before they re-rent it, it's registered but no fees are required until it's been actively rented?

Village Attorney: Registration is you have an apartment and it's a one-time thing. Just fill in the blanks. Let us know what it is. Give us a diagram. We will attempt to get to all of them every two years. To decide who is actually renting and not renting and when they are renting, you couldn't keep track of that. It's \$50.00 once in a lifetime as long as you own the place. \$25.00 every two years for the inspection.

Mayor Kohut: Anyone else under public participation?

Melissa Saravia, 114 Hudson Ave.- The retaining wall on New Main and Hudson, I know it's not owned by the village, has some graffiti on it. Are you guys going to contact the owner?

Mayor Kohut: It's the wall below Catholic Charities. I thought they were taking care of this. I will check on it.

Mayor Kohut: Anybody else? If not, then I make a motion to go into executive session for the purpose of personnel matters.

RESOLUTION # 297 - 2009

Motion by: Emily Dominguez

Seconded by: Tom Watson, Jr.

Motion carried: All

The board came out of Executive Session at 9:45 p.m.

Trustee Dominguez explained there was a calculation error committed when the raise was approved for Marion Breland-Oswald. It was intended to be a 3% raise, which amounted to \$2,654.46, not the \$1,800 or so dollars that was mentioned at the previous meeting. A motion was made to increase Marion Breland-Oswald's annual salary by 3% to her base pay.

RESOLUTION # 298 - 2009

Motion by: Emily Dominguez

Seconded by: Francisco Batista

Motion carried: All

Motion passed 4-1 with Rafael Bueno opposing.

RESOLUTION # 299 – 2009

A motion to adjourn at 9:50 p.m. was offered by: Rafael Bueno

Seconded by: Tom Watson, Jr.

Motion carried: All

Respectfully submitted,

Sandra Castro  
Clerk/Typist