

**A Village Board Work Session Meeting was held on Monday, June 17, 2024 at 7:00 P.M. at Village Hall, 9 Fairlawn Drive, Washingtonville, New York.**

**PRESENT:**

**Mayor Thomas DeVinko, Deputy Mayor Donna Jacaruso, Trustee Vernon Coleman, Trustee Steve Presser and Trustee Susan Walski.**

**ALSO PRESENT:**

**Village Clerk Christine Shenkman, Police Chief Brain Zaccaro, Department of Public Works (D.P.W.) Superintendent Christopher Martino.**

**PLEDGE OF ALLEGIANCE TO THE FLAG:**

**Mayor Thomas DeVinko led the Pledge of Allegiance to the Flag.**

**ZOOM PRESENTATION – UPDATE – BST AUDITOR – FINANCIAL AUDITS:**

**Village Auditor Brendan Kennedy from BST & Company CPAs, LLP presented the following Village financial audit update via Zoom:**

**Auditor Kennedy stated “he presented to the Village of Washingtonville approximately five (5) months ago what financial matters were going on in the Village, and the different issues the Village was experiencing. That presentation was lengthy, and tonight I will give you a brief update on the progress of Washingtonville’s financial reporting requirements with the New York State Comptrollers Office external audit, and where the Village stands financially. This will leave ample time for questions and comments from the Village Board or audience members.”**

**“Since the last presentation by BST Company the 2020 fiscal year financial statement audit has been completed, and the annual financial report was presented to the New York State Comptrollers Office. Since then, the 2021 fiscal year annual financial report that is required to be filed annually has been submitted, and reviewed and approved. Two weeks ago I submitted the 2022 fiscal year annual financial report that is pending OSC review. I have emailed the State Comptroller to indicate the Village is eager to continue to file the annual financial reports and if there are any questions please reach out to me. The Village of Washingtonville secondary Auditors, PKF O’ Connor Davies have made good progress on the 2021 Audit report and BST, the Mayor and Village Board will review PKF O’Connor Davies draft report and provide comments. Hopefully PKF will be able to commence the 2022 audit report soon.”**

**“A significant and positive item is the Village of Washingtonville has implemented a new Edmunds financial accounting system since QuickBooks was being utilized for the past five (5) to six (6) years. I cannot reiterate enough that QuickBooks is not a good accounting software program for Municipalities since it is not designed for Municipal purposes. Trustee Walski has been working diligently on the Water and Sewer billing modules. Progress has been made with New York State Environmental Facilities Corporation (E.F.C.), and Delaware Engineering Company has assisted the Village in understanding E.F.C. Grant funding. The Village of Washingtonville is owed \$1,040,000 in Grant funds due to paperwork not being filed, and MWB compliance documentation paperwork not being submitted.”**

**ZOOM PRESENTATION – UPDATE – BST AUDITOR – FINANCIAL AUDITS –  
(CONTINUED):**

**“These issues have been resolved however there is a significant amount of money remaining that we are not sure if we will receive. Auditor Kennedy continued I presented to the Village last January draft fiscal year 2021 numbers which is simply the net change in fund balances and is called a net loss or net income in Auditor terms. Be mindful this is three (3) year old data during this time period and the General Fund shows a surplus which sounds good but in reality the funds are B.A.N. proceeds (\$875,000) which have to be paid back. The Capital Projects Fund was in decline but is entirely due to the Wastewater Treatment Facility Plant, and not having received that money from E.F.C. had a negative effect on this fund.”**

**“With regard to fiscal year 2022, Auditor Kennedy explained data was pulled from the Trial module balance in QuickBooks. All things in governmental accounting are supposed to be conducted on a fund basis. There are four (4) major funds: General; Capital; Water; Sewer. As Auditors, we knew there would be many issues since none of the accounts balanced. There were no reconciled balance sheet accounts payables, and many transactions were not booked into QuickBooks. BST had to trace transactions to source documentations, tax levy, water - sewer billing reports, invoice payments and had to make adjustments which is done, and the 2022 fiscal year numbers have been filed with the State Comptrollers Office, and are in the process of being audited by PFK O’Connor Davies. 2022 was not a good year ultimately and the General Fund was in a deficit position by almost \$600,000. Bills regarding the Capital Wastewater Treatment Plant Project had to be paid, and there was a deficit of almost \$1,000,000. In October of 2023 the Village had to borrow funds in order to pay bills. In the past the Village did receive \$295,000 in ARPA proceeds which are part of the economic stimulus program, and money was distributed to local Governments. These funds should have been set aside and the Village Board was supposed to decide how this money would be spent. The Village was required to file certain reports with the Federal Government on how they spent the funds, or planned on spending the money or were still undecided. This money was revenue in fiscal year 2022 and the concerns are since the Village never filed paperwork at the time of receipt of the funding BST Company wants to check that the Village was entitled to the funding and does not have to pay it back. BST is working with PKF O’Connor Davies to verify the Village can claim this money which has already been spent. In essence the funds were put in the Village Multi-Fund account and used to pay bills at that time. The Deficit will go down by \$295,000 if the Village does not have to pay this money back. This matter is currently being worked on and hopefully will be resolved in the Village’s favor.”**

**Auditor Kennedy stated “by the end of fiscal year 2022 there was approximately \$1.6 million dollars in unpaid bills. Some of the bills were past due, for example the Retirement Fund System invoices were incurring interest because they were not paid on time. This is what was occurring until the current administration took over and realized what was happening. The Village was not able to pay bills until the Deficit Bonds were issued. By the end of fiscal year 2022 the Village basically had very little funds left, and not enough to pay \$1.6 million dollars in outstanding invoices and significant past due payments which accrued interest and penalties. The Village of Washingtonville taxes are collected in March (fiscal year ends on February 28), and as the taxpayers would make their payments in March and April the funds would go towards prior year bills so the Village was always behind financially. Presently, the number of Vendors that were owed past years funds significantly slowed down, and the Village was up to date by the end of 2023. There were some lingering invoices that were paid this past year.”**

**Auditor Kennedy explained the liquidity issue did not get resolved until B.A.N.’s were issued in October of 2023 when the Village Board authorized \$4.4 million dollars in Deficit Bond Participation Notes that require an act of Legislation and the Governor’s signature. Of the \$4.4 million dollars the Village utilized \$2 million**

**ZOOM PRESENTATION – UPDATE – BST AUDITOR – FINANCIAL AUDITS -  
(CONTINUED):**

dollars. Over \$100,000 interest has been earned on the remaining funds. Mayor DeVinko is working on obtaining a Grant from New York State to assist with the interest payment in October.

Mayor DeVinko indicated Grant amount was approximately \$300,000 - \$310,000. If the Village is eligible the funds would be utilized to offset the B.A.N. payment principle. The Mayor stated "the Deficit financing is a ten (10) year commitment of paying back the amount the Village borrowed, and that various audits will take place before the Village can re-B.A.N. which is why New York State authorized a commitment extension payment until June 2025."

Auditor Kennedy stated "as the Auditors are working through the 2022 Audit, work will immediately commence on fiscal year 2023. The Auditors will have to do reconstructive work and reconciling for this fiscal year. With regard to the Deficit financing the New York State Comptrollers Office will be reviewing every annual Budget and the Village will also provide quarterly reports for the next ten (10) years until the Bonds are repaid. In summation, the Village has made tremendous progress and is in a much better financial position."

Mayor DeVinko expressed thanks to Auditor Kennedy for the update, and opened the session for audience questions.

Resident William Graber of 18 Washington Blvd questioned as of February 28, 2024 are all the balance sheet accounts and various fund accounts now reconciled, and suitable to turn over to the Auditors?

Auditor Kennedy responded the balance sheet has been reconciled through February 28, 2022 and February 28, 2023 and February 29, 2024 have not yet been reconciled. "The problem was that not all transactions were recorded into the correct financial statement line item. The Village does have a Treasurer now for these time periods so that should help with accuracy."

An audience member questioned "has blatant incompetence contributed to this situation or has fraud taken place?"

Deputy Mayor Jacaruso responded "the Village and State Auditors are still conducting their audits so at this point in time a determination has not been reached."

Auditor Kennedy commented governmental accounting is much more complex than people realize and there are a tremendous amount of Laws that have to be followed. "I am a licensed CPA and have twenty (20) years of experience but to have people with none or very little experience in this field makes things difficult."

Resident Sean Hegarty of 4 Belvoir Drive stated is the Village going to pay interest on vendor invoices and Bond interest payments that are late?

Auditor Kennedy indicated the Village Attorney should provide comment on this matter, however it appears the Vendors are not charging interest on late invoices. With regard to the Deficit finance all interest payments at this point in time are up to date.

Deputy Mayor Jacaruso questioned does BST have any idea when the Village would receive a Bond rating, and Auditor Kennedy responded when the 2024 fiscal year audit is issued then the Village should receive a Bond rate.

Michael Graziano of 3 Lark Street commented is that correct that the Village may have to pay back the ARPA monies, and Auditor Kennedy explained there may be a risk that the Village would have to return the Grant funds to the Federal Government because reports were not submitted.

**ZOOM PRESENTATION – UPDATE – BST AUDITOR – FINANCIAL AUDITS -  
(CONTINUED):**

**Resident Vincent Lang of 9 Plymouth Rock Court questioned will the Village of Washingtonville become whole when the books are reconciled, and can you explain how beneficial would it be for the Village to hire a Village Manager to prevent a situation of this nature arising in the future due to inexperienced Village Board members?**

**Auditor Kennedy replied it is not uncommon to have a Village Manager. Presently there are some elected officials spending a significant amount of time functioning in the capacity of what a Village Manager might do. It is up to the Village Board to decide if they require a Village Manager. A Manager would remove pressure off the Mayor and Trustees.**

**Resident Ron Springer of 21 Highgrove Drive asked the Village Board if the increase in taxes residents paid this year which was 21.5 percent will be occurring every year for the next ten (10) years?**

**Mayor DeVinko stated the plan is to have only a normal tax increase.**

**Auditor Kennedy indicated the prior Administration did not increase taxes for six (6) years. Mayor DeVinko explained originally the tax increase was to be forty percent (40%) but the Village Board took significant steps to reduce it drastically.**

**A resident of High Grove Development stated when we moved into our home we were not told the taxes would be this high so it was a definite shock.**

**Deputy Mayor Jacaruso commented some people are under the misconception the percentage increase was on total taxes (Town of Blooming Grove; Washingtonville Central School District; Village of Washingtonville) but it is only on Village tax.**

**Resident Patrice Gesner of 7 Puritan Lane commented I would like to know Auditor Kennedy's professional opinion as to whether it would be fiscally responsible at this point in time for the Village Board to employ a Village Manager.**

**Auditor Kennedy responded that is a difficult question to answer. It could be a good use of funds to help avoid some of the mistakes that happened in the Village. Currently the Mayor and Trustees are very dedicated, and spending countless hours doing a tremendous amount of work. Ms. Gesner expressed thanks to the Village Board. Auditor Kennedy continued the Mayor is serving as a Village Manager. What is going to happen in the future no one knows. This is a decision that would need to be reviewed carefully.**

**Mayor DeVinko again expressed thanks to Auditor Brendan Kennedy for his presentation, and explaining the situation at a level that everyone can understand. The Mayor also thanked the residents and audience members for their good questions.**

**PUBLIC COMMENT - AGENDA ITEMS ONLY:**

**Resident Vincent Lang of 9 Plymouth Rock Court questioned how did the surplus Police Department radar equipment become damaged? Mayor DeVinko explained Police Chief Brian Zaccaro described the unit as being old and insects were inside, and chewed the wires. The Chief does not believe it was vandalized.**

**PUBLIC COMMENT – AGENDA ITEMS ONLY – (CONTINUED):**

Mr. Lang continued with regard to the Air B and B Local Law (Short-Term Rental Local Law) is the Village going to target an Air B and B Company? Mayor DeVinko stated not the Company but the short-term rental.

Resident Sean Hegarty of 4 Belvoir Drive announced I wish to make a comment regarding the green area by the pond. Some people are dumping in this area constantly. A better fence needs to be put in this location. I do not know where they live but I do see them going into this area. Mayor DeVinko requested if you see something please say something because the Village has made announcements and will make them again this evening concerning this matter.

**ANNOUNCEMENTS – DISCUSSION:**

**AIR B AND B - LOCAL LAW – SHORT TERM RENTALS:**

Mayor DeVinko stated there is a Local Law already filed in New York State. Previously, it had been passed by the prior administration but was not filed. Trustee Walski explained the Village Board would like to revamp the language in said Local Law.

**NORTH STREET - TREE MAINTENANCE WITH REGARD TO DEAD TREES:**

Orange and Rockland Utilities Inc. was able to clear away fallen trees in the Village.

**GREEN AREA - TREE MAINTENANCE:**

Mayor DeVinko stated residents need to check with the Village before utilizing green areas and taking down trees or putting up fences due to the fact some areas are part of New York State – Department of Environmental Conservation – (N.Y.S. – D.E.C.).

**PICKLE BALL COURT UPDATE:**

The Mayor reported progress has been made with regard to the Village Pickle Ball Court, and internal fencing will be completed this week, and nets and signage will be installed. The Courts are currently open from 8:00 A.M. until dusk. The Village is obtaining price quotations regarding lighting in this area which could possibly extend the closing hours. The Courts are for Village residents only, and children under twelve (12) require an adult.

**DONATE A TREE PROGRAM - TREE PLANTING:**

Tree planting along Ahern Boulevard is scheduled for October 19, 2024 concerning the ongoing Donate A Tree Program. Thus far one (1) tree has been planted and more are available for purchase. The cost is \$275.00 each. Trustee Donna Jacaruso is researching information from Printing Express in the Village of Washingtonville regarding engraved, personalized metal plaques for each tree if the purchaser is

DONATE A TREE PROGRAM – TREE PLANTING – (CONTINUED):

interested. Applications for the Donate A Tree Program are available at Village Hall, and on the Village Website.

UPDATE REGARDING WATER – SEWER EDMUNDS FINANCIAL PROGRAM:

Trustee Walski reported the Village Hall has gone live on the Edmunds Financial Program. Water and Sewer and Tax bills will be available to pay online. Fees for Credit Card payment is 2.95%. E-Check is \$1.95. Autopay can also be set up.

UPDATE – VILLAGE FIREWORKS DISPLAY:

The Village Food, Fun and Fireworks Display Festival will be held on Friday, July 5 at L. Vernon Allen Park on Ahern Boulevard. There will be food trucks, vendors, music, activities for children, fireworks display and more. Emergency Service plans are in place. A C.T.Y. telephone communication message will be sent to the residents regarding parking and road closures and a map will be posted on the Village Website.

UPDATE - STATUS OF VILLAGE WELL WATER LEVELS:

The Mayor announced the Village well levels are at twenty-three (23) feet and there is no rain in the forecast. The Village Engineer and Water Department are consistently monitoring well level and if the need arises then water restrictions will be put in place.

VETERAN BANNER PROGRAM:

The Veteran Banners have arrived and installation will begin shortly. This is an ongoing Program, and applications are available at Village Hall and on the Village Website. The Banners will remain on the poles from Spring to Fall.

VILLAGE HALL - COOLING STATION:

Patrice Gesner of 7 Puritan Lane stated there is a heat wave coming this week and people are asking on social media where a cooling center will be located. Mayor DeVinko responded the Village Hall will be utilized as a cooling center. If a person needs assistance they can contact the Village of Washingtonville Police Department.

RESOLUTIONS:

24 – 0076 - RESOLUTION - TO CREATE A \$75.00 FEE FOR RENTAL APPLICATION AND INSPECTION FEE - ADD TO BUILDING DEPARTMENT FEE SCALE:

Deputy Mayor Jacaruso made a motion, seconded by Trustee Presser and adopted to authorize approval of a \$75.00 fee for rental application and inspection fee to be added to the Village Building Department fee scale; said Resolution passed by a unanimous vote of the Village Board. 5 Ayes, 0 Nays, 0 Absent, 0 Abstentions.

24 – 0077 – RESOLUTION – DECLARE SURPLUS - RADAR SIGNAGE:

Trustee Presser made a motion, seconded by Trustee Walski and adopted to declare surplus and of no value to the Village of Washingtonville two (2) radar signs that

**24 – 0077 – RESOLUTION – DECLARE SURPLUS – RADAR SIGNAGE – (CONTINUED):**

are damaged; said Resolution passed by a unanimous vote of the Village Board. 5 Ayes, 0 Nays, 0 Absent, 0 Abstentions.

**24 - 0078 - RESOLUTION – SCHEDULE PUBLIC HEARING - INTRODUCTORY LOCAL LAW NUMBER 6 – TRANSFER ARCHITECTURAL REVIEW BOARD DUTIES TO THE VILLAGE BOARD:**

Deputy Mayor Jacaruso made a motion, seconded by Trustee Coleman and adopted to schedule a Public Hearing regarding Introductory Local Law Number 6 – Transfer Architectural Review Board Duties to the Village Board on Monday, July 1, 2024 at 7:00 P.M.; said Resolution passed by a unanimous vote of the Village Board. 5 Ayes, 0 Nays, 0 Absent, 0 Abstentions.

**24 – 0079 – RESOLUTION – SOLICITOR’S LICENSE – ICE MOTHER & SONS LLC:**

Trustee Presser made a motion, seconded by Trustee Coleman and adopted to authorize approval of a Solicitor’s License to Ice Mother & Sons LLC truck for the sale of ice cream and Italian ices throughout the Village of Washingtonville pending background check by Village Police Chief Brian Zaccaro and receipt of a Certificate of Insurance; said Resolution passed by a unanimous vote of the Village Board. 5 Ayes, 0 Nays, 0 Absent, 0 Abstentions.

**24 – 0080 – RESOLUTION – FACILITY USE REQUEST FORM - KATHY PETRIE – YOGA:**

Trustee Coleman made a motion, seconded by Deputy Mayor Jacaruso and adopted to authorize a Facility Use Request Form to Kathy Petrie for Yoga in Firemen’s Memorial Park to be held on Fridays and Saturdays – June through October from 8:00 A.M. - 9:30 A.M.; said Resolution passed by a unanimous vote of the Village Board. 5 Ayes, 0 Nays, 0 Absent, 0 Abstentions.

**24 – 0081 – RESOLUTION – FACILITY USE REQUEST FORM - WASHINGTONVILLE GIRLS VARSITY SWIM AND DIVE TEAM - CAR WASH:**

Trustee Presser made a motion, seconded by Trustee Coleman and adopted to authorize and approve a Facility Use Request Form to Washingtonville Girls Varsity Swim and Dive Team for a car wash to be held at Veterans Memorial Lot on Sunday, August 25 from 8:30 A.M. – 1:30 P.M.; said Resolution passed by a unanimous vote of the Village Board. 5 Ayes, 0 Nays, 0 Absent, 0 Abstentions.

**24 – 0082 – RESOLUTION – ESTABLISHMENT OF PETTY CASH FUND AND POLICY:**

Trustee Walski made a motion, seconded by Trustee Presser and adopted to establish a Petty Cash Fund and Policy for each Department (Police Department; Department of Public Works; Village Clerks Office) each Department will receive \$500.00 in Petty Cash to pay for claims of small miscellaneous expenditures only. Each Department Head shall maintain the records for their Department in a manner conducive to proper accounting procedures; said Resolution passed by a unanimous vote of the Village Board. 5 Ayes, 0 Nays, 0 Absent, 0 Abstentions.

**24 – 0083 – RESOLUTION – AUTHORIZE BUDGET TRANSFERS AND AMENDMENTS:**

Trustee Coleman made a motion, seconded by Trustee Presser and adopted to authorize Budget transfers and amendments as necessary to affect necessary transfer of funds and to pay warrants; said Resolution passed by a unanimous vote of the Village Board. 5 Ayes, 0 Nays, 0 Absent, 0 Abstentions.

**PUBLIC COMMENT:**

Sean Hegarty of 4 Belvoir Drive questioned what is the value per Department of Public Works employee reading water meters versus H2O personnel reading water meters. The Village was supposed to save \$100,000.

Mayor DeVinko responded prevailing wages are approximately between \$86.00 - \$90.00; Department of Public Works (D.P.W.) is \$25.00 - \$30.00.

Mr. Hegarty indicated he would like all benefits and hourly wages included.

Mr. Hegarty's second question was is there any reason the Department of Public Works cannot paint crosswalk lines and stripes down Ahern Boulevard and Decker Drive? Superintendent Martino indicated it will be after the Fourth of July, and he is in the process of obtaining price quotations for the line painting. The D.P.W. has a sprayer and can paint the stop bars. Mayor DeVinko indicated Chief Zaccaro and Superintendent Martino provided a list of recommended streets.

Mr. Hegarty stated with regard to the outflow at L. Vernon Allen Park the rocks need to be removed from the stream in order to let the water out. The other side of the stream is dry. This is not a stream but is a storm drain. Mayor DeVinko indicated he went to the site after the last Village Board Regular Meeting and the water was still running.

Mr. Hegarty stated the Village needs to enforce the Ordinance regarding grass and tree limbs being thrown in the street. Trustee Walski commented it is hard to determine who is violating the Ordinance unless they are caught in the act. Mayor DeVinko explained the Village has door hangers that can be put on the door of the person violating the Ordinance asking them to remove the debris from the street. Sean Hegarty suggested the Village put a brush pickup and Code notice in the Water bills when they are mailed out informing residents that it is illegal to dump brush and trees in the street.

Vincent Lange of 9 Plymouth Rock Court questioned at this time does the Village have a new Building Inspector, and Deputy Mayor Jacaruso responded yes there is a Part Time Building Inspector. Mr. Lang continued is the other Inspector still here, and Attorney Pavlacka stated the Village Board cannot discuss this matter due to pending employment action. Mr. Lang asked is the Part Time Building Inspector increasing his hours and Mayor DeVinko said it is being discussed. The Village is receiving assistance from the Village Engineer who is reviewing all applications, submitting permits and other matters.

Mr. Lang further questioned has Coach U.S.A. been paying their bills to the Village for parking usage in the Municipal Lot since they are going bankrupt, and Mayor DeVinko responded yes, and the Village will terminate the Agreement.

Audience member Edie Johnson indicated it was her understanding that another company will be taking them over.

Michael Graziano of 3 Lark Street thanked Superintendent Martino and the D.P.W. staff for answering his request regarding paving of potholes that was submitted through the Maintenance Request Form system, and the work was done in two (2) days.

Resident Patrice Gesner of 7 Puritan Lane expressed thanks to the D.P.W. for picking up brush throughout the Village.

**24 – 0084 - ADJOURNMENT**

**Deputy Mayor Jacaruso made a motion, seconded by Trustee Coleman and adopted to adjourn the June 17, 2024 Village Board Work Session Meeting; said Resolution passed by a unanimous vote of the Village Board. 5 Ayes, 0 Nays, 0 Absent, 0 Abstentions.**

**RESPECTFULLY SUBMITTED,**

**CHRISTINE SHENKMAN**

**VILLAGE CLERK**