

The **Minutes** of the **Regular Board** meeting held on Monday, July 13, 2009 by the Mayor and the Board of Trustees.

#### PLEDGE OF ALLEGIANCE

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

Mayor Kohut: First item on the agenda is our first public participation. If anyone has any questions, comments, or concerns of a general nature, they can bring it to us now or wait until later in the meeting. If not, then we are going to go to our first public hearing for the evening. We have an application from the owners of 110 Hudson Avenue to convert their home into a Bed & Breakfast.

John & Eileen Lia, 110 Hudson Avenue- We are proposing to convert our house at 110 Hudson Avenue into a Bed & Breakfast. We would like to start off with two bedrooms.

Mayor Kohut: You've been before the Planning Board, right?

Eileen Lia: Yes.

Mayor Kohut: Did you have to go before the Zoning Board too?

John Lia: No, there was no reason to go before them.

Mayor Kohut: What are you going to be doing for parking?

John Lia: We actually have two spaces on the extra lot that we have on the side. We also have permission to put four spaces in the back. We actually have a license from Bill Stein to put in our spaces back there.

Mayor Kohut: You want to do your first two rooms. Are there a total of four?

Eileen Lia: Yes, four.

Mayor Kohut: Where are your personal vehicles parked?

John Lia: We actually have space to park them behind the house or use the street if we needed to.

Village Attorney: This has been reviewed by the Planning Board recommending approval. Also, the requirements of the ordinance have been complied with. At the Planning Board's suggestion they were going to come in for the two rooms now and come back later for the other two. We think we have a very good plan here. It is very similar to the Bed & Breakfast at the Natale's next door.

A letter was submitted from Michelle Natale who was not able to attend the meeting. For the record, the letter was read to the public. She was in support of the application of John & Eileen Lia for a permit to open a Bed & Breakfast at 110 Hudson Avenue. "The Lia's have a beautiful historic home in the Village of Haverstraw and their intention to turn it into a Bed & Breakfast will only enhance its beauty and serve as a catalyst for attracting tourism and economic support to our fine village." She is very enthusiastic about their plan. She looks forward to working beside them.

Mayor Kohut: I just want to make sure that you satisfy all the necessary mailings, etc. Anyone else with questions? If not, this is a public hearing. Anyone who would like to comment pro/con or otherwise regarding the proposal for the Bed & Breakfast at 110 Hudson Avenue just step forward with your name and address for the record.

Joe Natale, 112 Hudson Avenue- He had no objections.

Sean O'Malley, 116 Hudson Avenue- I think this will be good for the village.

Mayor Kohut: Anyone else to comment on the Bed & Breakfast application? If not, can I have motion to close the public hearing?

**RESOLUTION #141-2009**

Motion by: Tom Watson  
Seconded by: Emily Dominguez  
Motion carried: All

Trustee Dominguez: I make a motion to approve the application.

**RESOLUTION #143-2009**

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

Village Attorney: Regarding the Dog Law, I can tell you that I did not originally put in leashing and muzzling and it's not been put back into the law. I'll get you copies early next week.

Mayor Kohut: We need a motion to adjourn the hearing on the revision to the dog law to the August meeting.

**RESOLUTION #144-2009**

Motion by: Emily Dominguez  
Seconded by: Tom Watson  
Motioned carried - All

Mayor Kohut: There is a proposed revision to the Dog Law, which is still in the works, but it was noticed for tonight. So, if anyone has any comments or concerns about the present ordinance as it is written, I'll let them speak now but we will continue the public hearing at the August 10<sup>th</sup> meeting.

Giovani Saravia, 114 Hudson Ave.- You guys are coming out with a certain list.

Village Attorney: There is a present law on dogs that indicates that certain breeds of dogs, just by the type of breed they are, are vicious. New York State says "this is the way we are handling this particular area of the law, and we don't want you to contradict us". There are areas of that particular law that specifically say that we can vary our law somewhat from them. We have eliminated that a pit bull is a vicious dog. However, experience has shown that people have a tendency to obtain pit bulls and to train them in a certain way. Recognizing that, we are putting in that pit bulls in variations will be required to be muzzled and leashed when on the public streets.

Joe Natale, 112 Hudson Ave.- We were up at the High Tor Shelter and just wanted to be put on the record that most of dogs that were up there were pit bulls.

Mayor Kohut:

**Reports of Village Officials:**

Village Attorney-I have one matter and that is that we have a new overpass coming in the Short Clove area. We've all seen the construction. However, to do that, the D.O.T. has held a hearing and rendered a determination that the Old Short Clove, owned by the village, would be terminated. After this project had progressed, Tilcon realized that the large trucks used in the quarry in Clarkstown need to come over into the Village of Haverstraw to be serviced. It may very well be that those trucks are too heavy or too large to put over in the new overpass and they have to continue crossing the railroad tracks where Short Clove is. We have a resolution prepared that basically authorizes the Mayor to negotiate that this crossing will remain in existence for the only purpose of those large trucks crossing into the village for the purpose of being serviced. They have no servicing facility on the other side. It will of course be done in conjunction with CSX Railroad, Dept. of Transportation and will be done in such a way that it will be safe. It will probably be used only occasionally. There are other things that need to be worked out. This is why this resolution basically supports Tilcon's application to get their trucks across and also authorizes the Mayor to negotiate the final terms and conditions. I'd like a resolution to that effect.

**RESOLUTION #145-2009**

Motion by: Tom Watson, Jr.  
Seconded by: Rafael Bueno  
Motion carried: All

Village Treasurer- No report.

Mayor's Report: First is a request from Rev. Tim Tyre of the Bricktown Gospel Fellowship Church who is looking to have a block party to be held down in front of his church which is on Rockland Street between Broad and Main Street. They are looking to block the street off on Saturday afternoon, August 22<sup>nd</sup> with a rain date of the 29<sup>th</sup>. The event will actually be from 12:00 to 4:00 pm, but he is asking for there to be no parking on the street from 10:00 to 5:00 pm that day. They are going to have movies for the kids and other activities. They have been there for a while, but they just purchased the building for a church. It's sort of a welcome to the neighborhood, as well as a children's activity day. We have told him that he needs to provide us with insurance, and we will provide him with barricades and notices that can be posted.

**RESOLUTION #146-2009**

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

Mayor Kohut: In reference to our streetscape project, our landscape architect needs to proceed into the next phase of this and we are in the midst of negotiating a contract with her for the next phase of the process. However, in the meantime, she is looking for a notice to proceed so that she can commence work on the next phase. If I could have a motion to authorize me to provide a notice to proceed to Munz Associates Architect and Landscape Architecture to proceed with the streetscape project so we can keep on a time line for next year.

**RESOLUTION #147-2009**

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

Mayor Kohut: As part of the agreement with the developer, GDC, when we originally set up the agreement between the village and ourselves on the Land Acquisition and Disposition Agreement, it was always contemplated that the improvements made down on Site A would be those which weren't funded through public dollars and would be at least partially paid for by the people who had the greatest benefit, meaning the homeowners in the Harbors themselves. That being the case, through something called a Special Assessment District to be levied against those property owners, Ginsburg Development has asked us to proceed with the creation of this special assessment district. To this effect, we need to set up a public hearing, which they are asking for Monday, August 3<sup>rd</sup> at 7:30 pm. This will address the parameters of the expenses to be incorporated into it and essentially they are looking for a \$4 million assessment district, which will be paid by the property owners down at the Harbors site. If I could have a motion to set the public hearing?

**RESOLUTION#148-2009**

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

Mayor Kohut: It's not a village function by any means, but it's sort of a public relation function, Union Restaurant and some other soon to be local restaurant are having something called Bastille Day. July 14<sup>th</sup> is Bastille Day, it started the French revolution and they are celebrating that with a celebration in the parking lot along side of Union, as well as something called the Firemen's Ball, which is also traditional in France. The proceeds of which will be given over to the Haverstraw Fire Department. This will be from 5:00 to 10:00 pm.

Mayor Kohut: At a prior meeting, we had authorized the issuance of \$500,000 in bonds in the Village of Haverstraw in reference to the Warren Court Ball Field Project. Unfortunately, because of time constraints we had to have it published in the newspaper within a ten-day window, which we missed. We need to re-pass the resolution so we have a new ten-day window to publish the bond resolution. Can I have a motion authorizing the village to issue \$500,000 of bonds for the Warren Court recreational area? The \$500,000 is the contribution to be made by Ginsburg Development towards the project.

**RESOLUTION #142-2009**

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

ROLL CALL VOTE	Trustee Bueno	Yes
	Trustee Dominguez	Yes
	Trustee Watson	Yes
	Mayor Kohut	Yes

4- Yes    1- Absent    Motion passes.

Mayor Kohut: We have a letter from the Haverstraw Hispanic American Lion's Club. They are requesting to use the West Broad Street parking lot next to the Knight's of Columbus for their yearly fund raising event. The event will take place from August 27<sup>th</sup> to August 30<sup>th</sup>. It's a carnival. They will provide the necessary insurance coverage. They are willing to clean up the lot. Can I have a motion to authorize the use of the lot accordingly?

**RESOLUTION #149-2009**

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

Mayor Kohut: We have a request from the RCC Extension next door. They are asking if we could support and consider allowing the Rockland Counsel on Alcoholism and other drug dependent Inc. and Rockland Community College to hold the 2<sup>nd</sup> Annual Recovery Rally. The dates are September 26<sup>th</sup> from 11:00 am to 4:00 pm in the Haverstraw Village Community parking area. The space they are specifically looking to occupy is the parking lot across from the RCC Extension, as well as possibly securing the street on Maple Avenue between New Main and West Broad.

The board has discussed this and is willing to enable them to hold the rally by closing up the street and not to take the entire parking lot, but at least to take the parking spaces that are assigned to the village employees.

**RESOLUTION #150-2009**

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

Mayor Kohut: We have a request from the Building Inspector. He is requesting permission for himself to attend the New York Building Officials Conference. The conference will be held September 8<sup>th</sup> through September 11<sup>th</sup>. The State of New York requires all the Code Enforcement Officials to have a total of 24 hours of supplemental training annually. This conference will give him hours towards the requirement. The cost of the conference and registration is \$387.00. The cost of this conference has been budgeted in the department budget.

**RESOLUTION #151-2009**

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

Mayor Kohut: The Rockland County Youth Bureau, one of the jobs they are charged with is finding employment for the youth in Rockland County. We have come to an arrangement whereby the Youth Bureau can supply us with a certain number of student workers, and they will bear the cost of their pay. We are requesting of them five employees. One of them to be used here in Village Hall, for records retention purposes and four employees to be used down at the DPW. They will be employees of ours. We will pay for them, and we will be recompensed all costs including their social security and fica expenses. I need a motion to hire five youth employees through the Rockland County Youth Bureau.

**RESOLUTION #152-2009**

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

Mayor Kohut: The last item; we have a Community Development Advisory Board who is seeking to add two new members to the board. Then follow up with a meeting as required by

Community Development Director, Joe Abate. The board is proposing for Jose Guareno, Jr. and Mildred Cobb to be added to the list. Can I have a motion to accept them?

**RESOLUTION #153-2009**

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

Mayor Kohut: Normally, Terrance would take care of this under Dept. of Public Works but since it's in reference to him I'll take care of it. "On June 25<sup>th</sup>, the Village of Haverstraw was involved in a construction on Jefferson Street. There were many volunteers who took time out of their workday to participate on this. Many contributed their personal tools, which added to the success of the project. At the days end when it was time to inventory and return the tools to their owners, it was noticed that a cordless power drill belonging to Thomas Watson, Jr. had not been returned. I believe the tool was probably mistakenly taken by one of the contractors on the job. As per our village agreement to those who offered tools, we would replace them if they were lost or damaged. I feel that Mr. Watson's tool should be replaced at an estimated cost of \$170.00." This is from George White, our Superintendent of Public Works, who was responsible for taking in all the tools, inventorying them, and foreseeing that they were returned. This being the case and since Mr. Watson is an interested party and cannot vote, can I have a motion.

**RESOLUTION #154-2009**

Motion by: Emily Dominguez  
Seconded by: Rafael Bueno

3- Yes 1- Abstained Motion passed.

Fire & Ordinances, Trustee Bueno- The Stony Point Fire Dept. had a parade on Saturday. We had a truck taken over there. I have five applications for the fire department. One is from Hector Rivera, 4 Broadway. His date of birth is 3/14/66. He has never applied or been refused. There is no sign of handicap. He has never been convicted of a crime. He wants to join Rescue Hook & Ladder Co.#1. Application is notarized. Second is Nicolas Caseco. He resides at 164 Railroad Avenue, West Haverstraw. His date of birth is 5/5/93. He has never applied or been convicted of a crime. This is a junior application. He wants to join Lady Warren Co.#5. Application is notarized. Third is Dery Fernandez. He resides at 37 New Main Street. His date of birth is 8/15/89. He has never applied or been refused. He never has been convicted of a crime. There is no sign of handicap. He wants to join General Warren Co. #2. Application is notarized. Fourth is an application from Brian Valero. He resides at 158 Railroad Ave., West Haverstraw. His date of birth is 11/22/86. He has never applied or been refused. He has never been dropped. He is applying as a non-resident. There is no sign of handicap. He wants to join Relief Hose Co.#3. The application is legally notarized. Fifth application is for Raynard Peralta, residing at 77 South Liberty Drive, Apt. #1 in Stony Point. His date of birth is 9/5/84. He has never applied or been refused. He has never been dropped. He is applying as a non-resident. There is no sign of handicap. He has never been convicted of a crime. The application is legally notarized. I make a motion that we accept all of these applications.

**RESOLUTION #155-2009**

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

Mayor Kohut: We have a motion to approve the minutes of April 20<sup>th</sup>, May 4<sup>th</sup> and May 11<sup>th</sup>.

**RESOLUTION #156-2009**

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

Mayor Kohut:

Old Business- None

New Business-None

Public Participation-

Melissa Saravia, 114 Hudson Ave.- She spoke regarding Miele and her recyclables not being picked up.

Sean O'Malley, 16 Hudson Ave.- He asked about the Short Clove closing for the Tilcon project and the possibility about moving the maintenance facility to Clarkstown.

Mayor Kohut: This would be a requirement by the State. As far as changing the crossing, the state and the railroad, it's going to be tough to even get them to allow that one to exist as it is. This is literally one or two oversized vehicles every couple of weeks or once a month coming down at any off time, and they usually send them with a guide vehicle and a follow vehicle. Then the gates open. They cross and they close the gate. If the order is given to allow it, there is probably going to be all sorts of requirements.

Melissa Saravia, 114 Hudson Ave.- Can you tell me what is the status from our last public hearing related to the Murphy Manor?

Village Attorney: I have absolutely no indication from the applicant. I could give them a call and find out what the status is.

Mayor Kohut: I'll entertain a motion to adjourn.

**RESOLUTION #157-2009**

Motion by: Tom Watson, Jr.

Seconded by: Emily Dominguez

Motion carried: All

Respectfully submitted,

Sandra Castro  
Clerk/Typist