

The **Minutes** of the **Regular Board** meeting held on August 10, 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, Jr. – Present
 Mayor Kohut – Present

Mayor Kohut: First item on our agenda is public participation. If anyone would like to ask any questions or make any comments or has any concerns, now is the time, as well as later in the meeting, to do so. Does anyone have any comments or concerns? If not, then we will continue with our regular order of business.

We were scheduled to have a continuation of the public hearing on Murphy Manor of the Servco site on Samsondale Avenue. We have received a letter from GDC, Ginsburg Development. On behalf of H&H Renovation and our co-applicant, Rockland Housing Action Coalition; “I formerly withdraw the Residential Inclusionary Zone application for the above captioned project at 153 Samsondale Avenue. Based upon the clear community feedback for the application at the proposed location, H&H and RHAC set out to locate an alternate location, which would put to rest many of the legitimate issues raised by the Village Board and local residents. Fortunately, RHAC was able to locate another site. Towards that end, RHAC plans to file a RIZ application for the alternate site later this week.”

Mayor Kohut: We have a second public hearing, which was adjourned from an earlier date on a revision to the Dog Law, which is Animals Law.

Village Attorney: The last time we had the hearing was at the last board meeting. We described what we’ve done with the existing dog law. We have taken out a definition of a vicious dog as being a pit bull simply because it conflicts with the New York State, which says that a vicious dog is not one described by a breed alone. We have also covered almost any incidents that you could think of that you would be upset about a dog being anywhere, doing anything at anytime-barking, roaming at large, etc. One thing we have kept in the law is that we have recognized that pit bulls do, as a group, tend to be more aggressive than other dogs we experienced from in the village itself. We are going to continue with them being muzzled and taken on a leash to reduce the danger. That being said, I think I would ask the Village Board to vote on this if they so choose.

Mayor Kohut: First of all, this is a public hearing. If anyone wishes to be heard on this matter, they can step forward, give their name and address for the record and they will be heard.

Sean O’Malley, 116 Hudson Avenue- How do you identify pit bulls?

Village Attorney: Pit bull or partial pit bull, and I think that’s an evaluation. We are trying to at least make the requirement that if you have a pit bull or a part pit bull that it’s muzzled when it’s going down the street.

Mayor Kohut: Anyone else for comment?

Giovani Saravia, 114 Hudson Avenue- Is everyone going to be aware of this?

Mayor Kohut: The present law already has a requirement that pit bulls be muzzled. What we have to take out of the law is the insurance requirement because that is not legal and it is not attainable.

Luis Torres, 92 Clove Avenue- My question relates to the previous issue with the RIZ application.

Mayor Kohut: That is not appropriate for this point. At the end, when we have general public participation, you can ask your question.

Mayor Kohut: Anyone else? If not, then I will ask for a motion to close the public hearing.

RESOLUTION #168-2009

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

Mayor Kohut: We need a motion to adopt this local law as written.

RESOLUTION #170-2009

Motion by: Francisco Batista
 Seconded by: Emily Dominguez

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

5-Yes Motion passed.

Mayor Kohut:

Report of Village Officials-

Village Attorney- First, we have a requirement to amend the local law concerning temporary signs or political signs. I have a constructed law that we've put into effect. It basically defines political events as any scheduled event involving a nomination, primary or election for public office or a referendum. It also indicates an additional requirement that all political signs shall clearly set forth a political event for which it pertains. I would like to put this on for a public hearing at the next village board meeting. I would request that the village clerk have this published.

Mayor Kohut: Before we get to that, let's set up the next village board meeting. The next meeting normally would be the first Monday in September, however, that is Labor Day. We are going to bump that over to Tuesday, September 8th, at 8:00 pm. Could I have a motion to that effect?

RESOLUTION #171-2009

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

Mayor Kohut: We are going back to the first and third Monday's of every month.

Village Attorney: I am requesting a resolution to schedule a public hearing on the amendment for sign law for that next date.

RESOLUTION #172-2009

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

Village Attorney: I also have a request from the Joint Regional Sewer Board. The board that takes care of making sure our sewers work properly. Members of the board are the Town of Haverstraw, Village of West Haverstraw, and the Village of Haverstraw. The request requires these three entities to change that agreement. It turns out when they originally did the agreement, they did not provide for the Joint Regional Sewer Board to own any property. It in fact does own property. Without authorization in the agreement, this has been questioned and I would like the board to pass a resolution authorizing the Mayor to sign an agreement, which indicates that the Joint Regional Sewer Board may own property.

RESOLUTION #173-2009

Motion by: Francisco Batista
 Seconded by: Tom Watson, Jr.
 Motion carried: All

Village Attorney: I have a request from an attorney, Loring Manley, who is doing a property closing which can't close because the funding bank has objected to the fact that the building, which is located at 6 Grant Street in the Village of Haverstraw, is 1.7 feet on to the village property. It has probably been 1.7 feet on the village property for a 100 years, or at least for a long time. What we've done in the past when there is a small encroachment that has been on a non-standard village property, we have granted them permanent easements to eliminate the problem of the title objections. I'd like a motion by the Village Board allowing us to grant an easement to the owners of 6 Grant Street in the Village of Haverstraw to maintain its building 1.7 feet over the line onto the village property. It does not interfere with any right of way, sidewalk, or anything like that. Also, authorizing the Mayor to sign this agreement for the easement.

RESOLUTION #174-2009

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

Village Attorney: I also have the need for a very short executive session to advise the board on some contractual and litigation matter.

Village Treasurer: No report.

Mayor's Report: We have had a problem with drainage on Leonard Street where, with all the heavy flooding, water was actually forced its way up through the drainage system and damaged the sidewalk and driveway on the Leonard Street block between Hudson Avenue and Sharp Street. It turns out, after we uncovered it, that it was blocked by gravel which came down from the railroad. That is a separate issue. We are going to have to screen that entrance. It turns out there is no drainage pipe in there. It was actually built with boulders that formed the channel for the water to run. We are going to have to get some pricing from a couple of contractors to replace or to put storm drain lines in there.

Back in June, the Village had its first International Food Walk on a Saturday. A lot of people participated. The merchants would like to do that again. On Friday, August 28th, we have our Dancing under the Stars out here in front of Village Hall. It's being billed as My Big Fat Haverstraw Wedding. It's going to be a wedding fan theme with brides and grooms and a lot of fun dancing. We are going to tie the International Food Walk into that. You could come into Haverstraw for the evening and enjoy various cuisines. From 7:30 pm to 10:30 pm will be Dancing under the Stars right here in front of Village Hall.

We have a request from La Iglesia Puerto del Cielo of Nyack. They would like to have an outdoor concert service at the corner of Maple and West Broad Street parking or the Knights of Columbus parking lot on Sunday, September 13th from 12:00 to 7:00 pm. They will have their church band playing at this event. They

are also looking into the use of the stage that the town owns for this event as well. However, it's the date of our street fair and we don't own the stage. For those reasons if no other, I think we need to send them a letter or contact them and turn them down because our streets are going to be occupied for our street fair. Can I have that in a form of a motion?

RESOLUTION #175-2009

Motion by: Francisco Batista

Seconded by: Emily Dominguez

Motion carried: All

Mayor Kohut: We have a letter from the Ladies Societa Maria Santissima di Montevergine, which is the small chapel down on Warren Avenue. This society was established in 1927 by immigrants from Naples and Avellino Italy. The chapel was built in 1936 and for many years people from the tri-state area journeyed to Haverstraw by the thousands to honor the blessed mother over the Labor Day weekend. We conduct an outdoor mass every year in the first week of September. The property in the rear of the chapel runs along the riverbank of Haverstraw Bay. As a result of the channel being opened several years ago, the property has been eroding at a rate of approximately 2 to 4 feet per year. They are requesting our assistance in obtaining boulders or other clean fill material to bolster the existing embankment from further erosion. This was signed by Rita DiCarlo. We have been looking at this off and on for years. I think we might be able to get the Town and/or the County to jump on this.

Village Attorney: Some portion of the shoreline, we believe is owned by Mirant. We are hoping to get some of their help to stabilize it.

Mayor Kohut: 74 Hudson Avenue, which is the Open Arms, Alcohol and Drug Treatment Center, is requesting to set a formal public hearing for our 2nd board meeting in September, which is September 21st, at 8:05pm. Their intention is to request a special permit to expand and renovate the house. Can I have a motion to set the public hearing for that date?

RESOLUTION #176-2009

Motion by: Francisco Batista

Seconded by: Tom Watson, Jr.

Motion carried: All

Mayor Kohut: We also have a request from the Rockland Counsel and Alcoholism and other drugs dependence. This is their second request but they needed to clarify it. The Haverstraw Center and RCADD are collaborating on an upcoming event to be held in the Village of Haverstraw. The 2nd Annual Rockland Recovery Rally has been scheduled for September 26th. This is a family event that will raise public awareness about recovery from addictions. The event will be held at the Haverstraw Center and the Rockland Community College Foundation between 11:00 am and 4:00 pm. They are requesting permission to utilize the Knights of Columbus parking area. They previously requested the use of the lot directly across the street here, but they need the Knights of Columbus lot. Can I have a motion?

RESOLUTION #177-2009

Motion by: Emily Dominguez

Seconded by: Tom Watson, Jr.

Motion carried: All

Mayor Kohut: There is a Justice Court Grant Program that is available every year. They are applying for some upgrades, computer equipment and for new chairs in the courtroom here. They need a resolution passed authorizing them to submit the application and for me to sign the Justice Court application. Can I have a motion to that effect?

RESOLUTION #178-2009

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

Mayor Kohut:

Reports of Standing Committees-

Fire and Ordinance, Trustee Bueno: I have a request from Cosgriff Hose Co #4, for a slop sink on the truck floor, to clean and sterilize equipment. I make a motion that we give them permission to do this.

RESOLUTION #179-2009

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

Trustee Bueno: I have an application for the fire department from Eric Apuzzo. He is a legal resident, 121 Coolidge Street. His date of birth is 7/24/86. He has applied in the past for General Warren Co #2. He was dropped for not finishing his class on time. He is applying as a resident. He is applying for General Warren Co #2. The application is legally notarized. It was proposed by Gary Nash. I make a motion that we accept him.

RESOLUTION #180-2009

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

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

Youth and Family Services, Trustee Dominguez- Last year the village received a grant for the Gang Prevention for Targeted Outreach. We received a \$100,000 grant. We had created two positions. We actually would like to keep one of the positions and split it into two. We'll have to get a new PO/27 done. I'd like to make a motion to convert these to three positions. One will be at 20 hours per week. We need to take one position out of the GPTPO grant from 20 hours and put it into two ten hour or less per week positions.

RESOLUTION #181-2009

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

Trustee Dominguez: In doing that, we'd like to hire our first counselor for the position for the grant money. Her name is Sharon Moore Kelton from Village of West Haverstraw. I'd like to hire Sharon for the half time position, Case Manager Grant Prevention Program subject to availability of salary from the grant and clearance by County Personnel.

RESOLUTION #182-2009

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

Buildings and Code Enforcement, Trustee Batista- No report.

Mayor Kohut: We have a list of meeting minutes. Judy and I have reviewed them. We have Regular Board minutes of May 18th, June 1st, and June 15th and Special Meeting minutes of June 3rd and June 29th. Can I have a motion to approve these minutes?

RESOLUTION #183-2009

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

Old Business: None

New Business: We have an application from Dona Coene of 14 Main Street. Please come up and explain what you would like to do.

Done Coene: I'd like to change the use, which is currently commercial on the 2nd floor to a residential apartment.

Mayor Kohut: The request is for 14 Main Street, which is Soup Stone's Café building. The building owner is requesting that the 2nd floor, which is presently commercial, to be converted to residential use. It is a special permit request. Jay, I was looking at it and believe that it's the Planning Board Special Permit not ours.

Village Attorney: I believe it is yours. In any event, you have to refer it to the Planning Board for their recommendation. There is half a page of what you have to comply with.

Mayor Kohut: What we need at this point is the Village Board to make a referral to the Planning Board. Then, the applicant will come back to us.

RESOLUTION #184-2009

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

Mayor Kohut:

Public participation-

Luis Torres, 19 Clove Avenue- Has this board looked at or will look at issues with housing in the village having to do with density, overcrowding, or things of that nature?

Mayor Kohut: Yes, we have looked at it. We believe that this project can be a good project. We do believe that good modern affordable housing is something that is needed here in the village.

Catherine LoBuono, 40 Hillside Avenue- Do you have a growth plan for this?

Mayor Kohut: A growth plan, no. We have a master plan that was done back in the early 90's that spoke about where we wanted to seek development or where we wanted to see less development.

Village Attorney: It's a master plan mostly for zoning purposes. There isn't much land left.

Sean O'Malley, Hudson Ave.: Any progress from last month's meeting with getting the county to reduce the requirement for affordable housing? The county had added 10% on the affordable housing quota?

Mayor Kohut: I looked into it and Mr. Abate said that their 10% would remain. It was an agreement between the county and the developer.

Sean O'Malley: Would the agreement stipulate that those units go into the Harbors or does the village have to take on those requirements?

Mayor Kohut: He is required to place 10% in the Village of Haverstraw.

Sean O'Malley: My other question was also on the project. We were told at one of the public hearings that it was time sensitive due to the state funding. Has that money been lost?

Mayor Kohut: It still is time sensitive. It was pushed back, unless a further extension can be received, to the 1st of September. There are efforts to extend that further.

Giovani Saravia, 114 Hudson Avenue- It's my understanding that the county can come in here to the village and pretty much obligate the village to do this 10% extra without the village's authorization. Is this what I am understanding?

Mayor Kohut: When the deal was created that got Ginsburg to come in here, part of the deal was that the village requested 10% affordable housing, a component separate and apart for some of the funding that they got from the County of Rockland. The County of Rockland required a separate 10% affordable housing component. They made deals with us, and they made deals with them.

Giovani Saravia: Ok, pretty much because this was an agreement from the beginning. Even though this money was already paid back, they are still holding them to that agreement. Is there anything that you guys in the village can do by doing certain studies within the village to see, in reality, if it fits our village to have another 10% of affordable homes here in the village? Has a study been done recently or lately to see if we need anymore affordable homes?

Mayor Kohut: One thing I want to point out. Either the 10% or 20%, it doesn't necessarily have to be new housing. It could be rehabilitation of existing housing. It doesn't have to be new construction or new units. Part of the number that GDC has already accomplished has been in rehabbing existing housing.

Giovani Saravia: I can only speak for myself. If they are going to take 10% of whatever is in the village and restore it for rental purposes or for affordable housing, then I am all for it.

Village Attorney: My other observation is we know we have 10%. We still haven't exceeded the 10%. So, we are not working on that extra 10% yet. There are many possibilities that can be worked out.

Giovani Saravia: It's not that we are against the waterfront. We are against the fact of bringing more housing here and the density issue. If, in return, it's going to be worked where that extra 10% might be some type of restoration of buildings where that could become apartments for affordable homes, then I agree to that.

Pat McDonald, 41 Clove Avenue- Are there any stipulations with affordable housing?

Village Attorney: No, there is a statement that for homeownership it will be a percentage of the median income of the county and for rental it's a percentage of median income that is lower.

Sean O'Malley, 116 Hudson Avenue- He asked about the 10%. I understand that the village had a hearing and the public approved the village's participation on this project. Was there any public approval of the project?

Mayor Kohut: It was subsequent to the public hearing. The board took a vote and voted approval of the project.

Sean O'Malley: So, the contractor was able to negotiate a separate deal with someone else that the village had no saying on whatsoever.

Trustee Batista: The affordable housing was included in the conversation at the hearing. Everybody understood that the county, in order for them to have the development, they requested 10% of affordable housing and with the village 10%.

Pete Rugg, 64 Hudson Avenue- The people demanded at the hearing for affordable housing. It was not the board. This room was packed.

Kathleen Hubner, 37 Fairmount Avenue- This is on a different subject. Are people being ticketed for the noise that is going on in the village from cars with the loud exhaust systems?

Mayor Kohut: They are being ticketed. How frequently and successfully, I couldn't tell you. Police do enforce both the noise ordinance as far as radios goes and the ordinance on mufflers.

Village Attorney: This is one of the things that Jay Jr. most wants to accomplish as a County Legislature. It's intolerant. The impression that we have is that there is a limited amount of policeman because of the expense of having them. Therefore, they target bigger things than this noise. He has asked Assemblyman Zebrowski to entertain a law in Albany to increase the fines. There is a bill pending to increase the fines.

Melissa Saravia, 114 Hudson Avenue- I know the lights on the streets have to do with O&R. There are many lights throughout the village that are very dim. Maybe you can contact them and have them changed.

Mayor Kohut: We can and we do. We are limited to eleven per year for upgrade. When they burn out, they have to replace them. It's on my list of things to do. We need to know the pole number. That is a five-digit number over a five-digit number, located on the side of the pole. We also need to know the closest house number and the street that it's on.

Mayor Kohut: Can I have a motion to go to Executive Session?

RESOLUTION #185-2009

Motion by: Emily Dominguez

Seconded by: Rafael Bueno

Motion carried: All

Respectfully submitted,

Sandra Castro
Clerk/Typist