

The minutes of the Regular Meeting of the Board of Trustees of the Village of Haverstraw on September 7<sup>th</sup>, 2010, beginning at 8:00 PM.

#### PLEDGE OF ALLEGIANCE

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

Mayor Kohut: The Mayor opened the meeting with the first Public Participation inviting the public to speak.

Larry Levine, 1414 Round Point Drive: Mr. Levine stated the gap on the railroad tracks located at Short Clove Road and Route 9W is increasing dramatically between the wood, the asphalt and the tracks and wanted to know who is responsible for maintaining the area.

Mayor Kohut: The Mayor responded that it's the responsibility of CSX, who will not allow the village make any repairs. He mentioned that CSX does not want to do a lot of extra work in that area because they will be closing it down, but mentioned that they did do work at the New Main Street entrance in June, making some temporary repairs. He will e-mail his contact at CSX.

Larry Levine: Mr. Levine then asked to have the weeds cut down in the same area, which is obstructing the view of traffic.

Mayor Kohut: The Mayor stated that is the village's responsibility and he will instruct the DPW to cut the overgrowth of weeds.

Larry Levine: Mr. Levine then requested that the yellow road lines on Maple Avenue be straightened out.

Mayor Kohut: The Mayor informed the public that the County Highway Department put down those lines. However, within an hour of the lines being drawn, he spoke with the DPW superintendent and the county will be coming back within the next two weeks to sandblast away the wavy lines and replace them with straight lines.

Larry Levine: Mr. Levine then asked about the DPW building.

Mayor Kohut: The Mayor stated that village is trying to figure out how to rectify some of the problems; a new roof, etc. whatever is within the village means.

Gil Musinger, 1416 Round Point Drive: Mr. Musinger thanked the board for having the weeds and grass cut at the unoccupied house on First Street. He was asked by members of the Harbors community to inquire whether or not any tree plantings will be done in the village this fall. He also inquired about the approval of the early retirement incentives. Harbors members would be interested to know what people would be taking the incentives and their positions.

Mayor Kohut: The Mayor informed the public that no-one has accepted the incentives at this point and that targeted employees have a window between October 1<sup>st</sup> and December 30<sup>th</sup> to take advantage of the retirement incentive.

Gil Musinger: Mr. Musinger read an editorial in last week's Journal News about ways to cut down on municipal expenditures. Consolidation, he mentioned, was one of the ways. He wanted to know if the board has given any consideration to consolidating any of the departments in the village in order to provide taxpayers with some form of relief.

Mayor Kohut: The Mayor stated that the board has looked into ways to satisfy the needs of the taxpayers and save money and will continue to do so.

Mel Post, 1422 Round Point Drive: Mr. Post brought up the prospect of moving the Gurnee Avenue light a little nearer into the future and wanted to know if the Mayor has spoken to anyone about this problem.

Mayor Kohut: The Mayor responded that approximately three weeks ago he again contacted the state, but to date has not received any response.

Mel Post: Mr. Post inquired about the possibility of our community politicians being able to help move the date forward.

Mayor Kohut: The Mayor explained that Senator Morahan would have been the one with the most pull to get this done because of his longevity and the committees he sat on. However, he did speak briefly with Assemblyman Kenneth Zebrowski regarding this situation and will be sending a formal letter to request his help.

Mel Post: Mr. Post inquired what the overall feeling of the board is with regard to consolidation. He wanted to hear the Trustees thoughts on this matter.

Deputy Mayor Francisco Batista: Trustee Batista stated that they are all thinking about consolidation, but he feels that networking is the best way to go. He also mentioned that wherever there is a possibility to consolidate efforts they do, however, you also have to consider the thoughts of the Town Board and their wishes.

Mel Post: To clarify what Trustee Batista said, Mr. Post asked if he agreed with consolidating the village and the town.

Deputy Mayor Batista: Trustee Batista thought that Mr. Post was referring to services not consolidation of the village and town.

Mel Post: Mr. Post stated that the article he was referring to was consolidation of the villages and towns not services. He feels there should be discussions between the village and town officials to work on equalization of the taxes to help alleviate the high tax problems faced by the community. He also feels that GDC needs to be given the opportunity to continue with the Harbors project to bring in more tax revenue. At this point the taxes are stifling him and halting the construction process. Mr. Post feels the prospect of another 100 to 200 units that will be paying taxes is the way to go.

Trustee Terence Watson: Trustee Watson disagreed with Mr. Post, stating that Mr. Ginsburg worked well with the village and would continue to do so, but he does not believe Mr. Ginsburg could work as well with the town. Trustee Watson believes that we do need to keep the village government, with the possibility of sharing some services with the town such as sharing fuel with the town and the two villages, Haverstraw and West Haverstraw.

Mel Post: Mr. Post suggested the possibility of consolidating the town and village court.

Mayor Kohut: If the court is bringing in more revenue than it is costing, the Mayor feels it would be in the village's best interest to maintain the court system.

Mel Post: Mr. Post inquired if that was factual.

Mayor Kohut: The Mayor stated it would have to be reviewed on a yearly basis, but the revenues from the court were up significantly over the past year.

Trustee Watson: He feels, at this point in time, that there may be a possibility of sharing some small services with the town, but not consolidating.

Mel Post: Mr. Post still feels there has to be a way to lower taxes, mentioning what the total taxes are on his property in Harbors. He stated once again that something must be done to alleviate the situation.

Mayor Kohut: The Mayor called for representatives from Cuddy & Feder to do an informal presentation for wireless telecommunications.

John First: Mr. First spoke on behalf of his clients MetroPCS New York, LLC, explaining that MetroPCS is licensed by the Federal Communications Commission to provide digital wireless personal communications services throughout the State of New York, including Rockland County. They have entered into a lease agreement with Berman Real Estate Associates and are submitting to the board an application for a Special Permit and Site Plan approvals to co-locate a wireless telecommunications facility on the rooftop of an existing building located at 21 Broadway in the village. It is a three story building located in the downtown business area and is zoned for mixed residential/commercial use. It would consist of antennas to be mounted on the rooftop of the existing building and associated unmanned equipment to be located in the basement of the building. By co-locating its facility at this location, they seek to provide wireless service along Broadway, Main Street, Broad Street, Route 9W, Hudson Avenue and Riverside Avenue, as well as the surrounding local roads in the vicinity. Their proposal would consist of mounting six panel antennas on top of the existing staircase bulkhead roof. They would be mounted so as not to exceed the 15 foot height limitation above the roof, which is structurally capable of accommodating all the equipment.

In addition, MetroPCS seeks to install its associated unmanned equipment cabinets, necessary to operate its facility, in the basement of the building. They also propose to mount two Global Positioning Satellite antennas to the mounting brackets, used to operate the wireless facility. Additionally, they are proposing to mount a condenser unit, also necessary to operate its facility, on the roof of the building, which will not have any effect on the surrounding area. He mentioned that the Site Plans prepared by The Cedars Group has all the detailed information required.

Trustee Watson: He asked if there would be any carriers other than MetroPCS.

John First: Mr. First informed the board that he was not sure if any other carriers would fit on the unit, but if they did they would have to do their own structural analysis to make sure the roof is capable of handling the additional equipment.

Mayor Kohut: The Mayor mentioned expanding the camera system in the village and possibly going to a wireless technology, inquiring if it would be possible to co-locate on their system or if it would interfere with their signals.

John First: Mr. First does not believe it would interfere, but he would have to check with their radio frequency engineers to be sure. The proposed facility would allow MetroPCS to provide reliable telecommunication service to its customers living in and traveling through this area of the village. Moreover, by locating its facility on the rooftop of this building it would alleviate the need to build a new tower and provide a rapid, efficient, nationwide and world wide wire and radio communication service with adequate facilities at reasonable charges. The proposed wireless facility also constitutes the least intrusive means available for filling the gap in wireless service in the village.

Mayor Kohut: The Mayor entertained a motion to refer the application to the Planning Board and the Architectural Review Board.

RESOLUTION #172-2010

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

Mayor Kohut:  
**REPORTS OF VILLAGE OFFICIALS**

**VILLAGE ATTORNEY**, Jay Hood, Sr.: Absent.

**VILLAGE CLERK/TREASURER**, Judith Curcio: Ms. Curcio gave the Treasurers' Report for the period of June and July, 2010 as follows:

Total Disbursements	\$ 975,975.00
Total Revenue	\$5,866,807.00

**MAYOR'S REPORT**: The Mayor recently attended a meeting on Warren Avenue with concerned citizens who have contacted the DEC about the erosion occurring at the river edge behind the small chapel. The village is working together with the DEC to develop possible scenarios to correct the erosion problem.

The Mayor mentioned that several citizens have been contacted to sit on the Quality of Life Advisory Board. The following six people have agreed to be a part of this board: Noel Rappaport, Gil Carlevaro, Juan Rives, Barry Berman, Luis Torres and Steve Moetzing, as well as Trustee Batista. The first advisory board meeting will be held on Thursday, September 23<sup>rd</sup>.

The Mayor then mentioned the Board's discussion regarding village restaurants being able to place sidewalk tables in front of their establishments. The Board has requested the Village Attorney to prepare legislation permitting and controlling sidewalk tables for restaurants so the restaurants are properly licensed and permitted, avoiding any issues by the police, etc.

The Mayor reminded the public that Sunday, September 26<sup>th</sup> is the Village Street Fair and also about the Farmers' Market every Sunday.

The Mayor then read a request from the Hispanic/American Lions Club to hold a garage sale, food and music event at the parking lot on Broad Street and Broadway on Saturday, September 25<sup>th</sup> from 12:00 noon to 8:00 PM. He mentioned that the carnival they ran a few weeks ago, which is their main fundraiser, was not a success due to the rain. To compensate for lack of funds raised, they are holding this event. This was discussed by the board, who suggested that the event be switched to 10:00 AM to 6:00 PM. Mayor Kohut entertained a motion to approve the event with the time change.

**RESOLUTION #173-2010**

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

The Mayor was contacted by Jeffrey Shriek of Cost Control Associates, Inc., who prepares audits of services for municipalities including electricity, natural gas, water, telephone services, etc. The Mayor spoke with him about auditing the village's gas and electric bill, including the municipal street lighting bills, to see if the village is being overcharged for utilities. Mr. Shriek will review one month's worth of bills to see if it would be worth having a full audit done. Mayor Kohut entertained a motion for authorization to move forward on the review.

**RESOLUTION #174-2010**

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

The Mayor reminded everyone that the bids received for the sidewalk project were higher than the engineer's estimates. The board has once again reviewed the bids and located some additional funds to pay for the proposed construction, stating that the low bid of \$145,243.00 was from S. Patatta Construction of South River, New Jersey. The work would be done on sidewalks located at West Broad Street between Maple Avenue and Broadway, Division Street between Broadway and Rockland,

Rockland Street between Division and Main, and First Street between Main and Canal or Elks Drive.

Mayor Kohut entertained a motion to award the sidewalk bid to S. Patatta Construction in the amount of \$145,243.00.

RESOLUTION #175-2010

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

The Mayor previously requested the engineers to provide estimates for streets that are in dire need of paving; Allison Avenue, West Broad Street from Maple to Broadway and Wayne Street from Division to Clinton. Mayor Kohut entertained a motion to have the engineers prepare spec's to go out to bid for paving of the above named streets.

RESOLUTION #176-2010

Motion by: Emily Dominguez  
Seconded by: Terence Watson  
Motion Carries: All

The village has received a grant in the amount of \$37,000.00, through NYSEDA, for upgrading the lighting in the Village Hall, the Community Center and the DPW. The Village Attorney and the Village Engineer have reviewed the document and have concluded it is in order.

Mayor Kohut entertained a motion to authorize him to sign the contract with NYS Energy Research and Development Authority for the Energy Efficiency & Conservation Block Grant Agreement.

RESOLUTION #177-2010

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

The second grant in the amount of \$1,000,000 from the Department of State to continue the Henry Hudson Quadracentennial Park promenade, similar to the promenade at Harbors, from Emeline Park north to Warren Avenue (around the Chair Factory, the Damiani property and the existing Greenway Trail that connects to Warren Avenue opening it to Bowline Road). The Mayor has received the contract from the state for a million dollar grant with a million dollar match. The match would be the acquisition of the Chair Factory property; therefore no further funds would be required from the village to allow for the construction of the promenade. Once the contract is signed by the Mayor the board can retain an engineer and/or consultants to design the promenade and then construct it. The contract period is from August 1<sup>st</sup>, 2010 to July, 2013. Both the Village Engineer and Village Attorney have reviewed the contract and find it to be in order.

Mayor Kohut entertained a motion authorizing him to sign the contract.

RESOLUTION #178-2010

Motion by: Terence Watson  
Seconded by: Emily Dominguez  
Motion Carries: All

**FIRE & ORDINANCES** – **Trustee Rafael Bueno:** Trustee Bueno reported that repairs are being made to Rescue Hook & Ladder Co. #1 headquarters. The floor has been repaired and the back of the building is in the process of being repaired.

**PUBLIC WORKS, BUILDINGS & GROUNDS** – **Trustee Terence Watson:** Trustee Watson reported that an overview has been performed of the fuel dispensing system

at the DPW, which revealed a non-working fire suppression system, which is a safety hazard. They also found the fuel accountability system is slowly corroding. He presented a proposal from American Petroleum Equipment & Construction Co. from Walden, New York, to upgrade the system in the amount of \$3,940.00. They also want to replace the key lock system with a top hat system, which will issue receipts and logs of all fuel dispensed and added to the system, at a cost of \$6,895.00. There is also damage to each vapor hose that dispenses the fuel, which needs to be repaired, in the amount of \$1,597.00 for the hose repair and \$835.00 for the internal pump problems. He asked for a motion to approve the above repair work.

Mayor Kohut: The Mayor entertained a motion to approve the proposal for repairs at the DPW, by American Petroleum Equipment & Construction Co., with a budget transfer from the Contingency Account.

**RESOLUTION #179-2010**

Motion by: Terence Watson  
Seconded by: Emily Dominguez  
Motion Carries: All

**YOUTH & FAMILY SERVICES - Trustee Emily Dominguez:** Trustee Dominguez stated that the center has been scheduling classes for children as a part of their back to school program, including homework sessions, the boys and girls club, self expression team advisory, etc. They have a weekly schedule of programs available at the center and on the website. She had nothing further to report.

**BUILDINGS & CODE ENFORCEMENT - Trustee Francisco Batista:** Trustee Batista read the following Building Department report for the period of August 9<sup>th</sup> to September 3<sup>rd</sup>:

Rental property inspections	-	23
Municipal searches	-	4
Miscellaneous inspections	-	178
Construction inspections	-	24
Complaints	-	25
Violations & tickets	-	92
Permits	-	14

Mayor Kohut:

**OLD BUSINESS**

Mayor Kohut presented the minutes from the meetings of June 21<sup>st</sup>, July 12<sup>th</sup>, August 2<sup>nd</sup> and August 9<sup>th</sup> for approval.

Mayor Kohut entertained a motion to approve the above mentioned minutes.

**RESOLUTION #180-2010**

Motion by: Emily Dominguez  
Seconded by: Terence Watson  
Motion Carries: All

Mayor Kohut:

**NEW BUSINESS**

No new business to be discussed.

Mayor Kohut:

**PUBLIC PARTICIPATION #2**

Gil Musinger: It is Mr. Musinger's understanding that when a communications device is installed on a private building revenue is derived by the owner of the building. He suggested that the board look into the possibility of having this communication device put on village owned property, which would give the village a consistent source of

revenue. He thought that a project such as this should be handled by the Zoning Board and not the Planning Board as originally stated earlier in the meeting. He then spoke about the promenade, which he is in favor of, however, wondered if it would affect the desalination plant being proposed. He would like the board to look into the possibility of whether or not the promenade would interfere with that situation or if they could co-exist, since the plant would be a continuing source of revenue for the village.

Mayor Kohut: The Mayor responded that the property at Hornicks/Mirant was considered as a site, but was passed over by United Water in favor of the proposed site by the Town of Haverstraw landfill. The Mayor is not aware of United Water considering any other spot for the plant to be located. Regarding the cell towers on village property, the village has been contacted by several providers and has gone through the steps with them, looking into sites next to the old municipal building on Maple Avenue and a site on Route 9W by the railroad tracks, but ultimately they chose other sites for the towers. MetroPCS has looked into other locations but ultimately decided on the Berman property, being the highest point in this vicinity to install the towers. He will contact MetroPCS to see if they would consider any of the village buildings, however, he feels they have found the best location to fill their needs.

Gil Musinger: Mr. Musinger questioned the board as to who would maintain the promenade along the river.

Mayor Kohut: The Mayor answered that the village would still have to get ownership of the property, but then would maintain it.

Gil Musinger: Mr. Musinger asked why all the taxpayers would pay for the promenade, but Harbors became a special taxation district. He wanted to know how this could come to an end.

Mayor Kohut: The Mayor responded that it was a negotiated contract between the village and GDC. He then stated that the issue and problem with taxes is so overwhelming it is difficult to come up with a simple solution, explaining that even if the village was dissolved, the town taxes would go up by a big margin to cover all the services that the village currently provides.

Gil Musinger: Mr. Musinger stated that there would no longer be duplication, as in having two court systems. He once again stated that something has to be done with duplication of services, because the voters are eventually going to be forced to sign a petition to have the village dissolved.

Mayor Kohut: The Mayor stated that there would be an increased burden on the town court and they would have to hire more people. The Mayor agreed that something needs to be done, stating that the biggest problems in New York State are the mandates handed down to municipalities from Albany.

Gil Musinger: Mr. Musinger then asked about the bond.

Mayor Kohut: The Mayor replied that there is still some additional language required, but that they have been working on it and hopefully will have some resolutions at the next meeting. He then mentioned that board meetings have now returned to the regular schedule, every first and third Monday of the month, with the next meeting being held on September 20<sup>th</sup>. With no further business to be conducted by the Board, the Mayor entertained a motion to adjourn the meeting.

RESOLUTION #181-2010

Motion by: Rafael Bueno

Seconded by: Emily Dominguez

Motion Carries: All

Respectfully submitted,  
Beverly A. Swift  
Senior Steno Clerk