

The minutes of the Regular Meeting of the Village of Haverstraw Board of Trustees on Monday, August 13th, 2012, beginning at 8:00 PM.

PLEDGE OF ALLEGIANCE

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

Mayor Kohut: The Mayor opened the meeting with the first Public Participation inviting the public to ask questions or make comments on general topics.

Larry Levine, 1414 Round Pointe Drive: Mr. Levine is still concerned about the vehicles exiting the new overpass. He stated that drivers are not paying attention to the newly installed speed limit signs and he feels there is still a need for additional "STOP" signs on Maple Avenue. He also mentioned that there are no lines painted on the road in that area. He is very concerned about safety issues because he, himself, was almost hit while walking in that area. He also requested the Board to have the DPW continue to pick up the garbage around the transfer station and then thanked the Board for everything it has done for the Harbors residents.

Magdalena Truchan, 1213 Round Pointe Drive: Ms. Truchan had previously spoken with the Mayor with regard to getting the ferry to run on weekends. She feels if the ferry were to run on weekends it would bring people to the Village from other areas, whether visiting family/friends or people just spending a day out, who could be future homebuyers in the Village. She would like the Village Board, as well as Rockland and Westchester County Legislators to consider adopting a resolution to make the ferry operational on weekends, especially now that rider-ship is up. She feels it would benefit our community, and Rockland and Westchester counties. She inquired what would be required and how difficult it would be.

Mayor Kohut: The Mayor responded it would probably be very difficult because the ferry operates with heavy subsidies and is not self-sufficient. He explained that for the ferry to expand hours of operation it would require further subsidies to make that happen.

Magdalena Truchan: Ms. Truchan feels that the residents of the County pay more in taxes than they receive in services. She feels it is something that really needs to be looked into because the ferry is a definite asset to the Village. She also mentioned they have gotten over 300 signatures to date to add additional hours for ferry runs on weekends.

Mayor Kohut: The Mayor stated that the Board will work on preparing a resolution to attempt to get the ferry running on weekends. The Board will try to have something prepared for discussion at the next meeting, mentioning that if it is passed in the Village they can then approach both Rockland and Westchester Counties to do the same. He then suggested that Legislator Hood take it to the County level if approved at the Village level.

The Mayor then proceeded with a Public Hearing regarding the Tobacco Product Display Law. He requested Village Attorney, Jay Hood, Jr. to lead the discussion.

Jay Hood, Jr., Esq.: Counselor Hood reminded everyone that the Board had previously passed Local Law #5-2012 in April with regard to publicly advertising tobacco products in businesses where young people might go. It was aimed at removing tobacco advertising from the view of the youth in our community. He then informed everyone that shortly thereafter the Village was served with a lawsuit by several tobacco companies and a convenience store consortium. He then explained that after negotiating with the attorney's for the tobacco industry, it was agreed that the law would be rescinded. Counselor Hood then stated that the Board thoroughly believed in Local Law #5-2012 and what it would mean to our community, however, based on the cost of litigation involved and the fact that a small village could not possibly take on the big tobacco industry, they are being forced to pass Local Law #6-2012, which will rescind Local Law #5-2012.

Mayor Kohut entertained a motion to open the Public Hearing for the reason stated above.

RESOLUTION #188-2012

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

Walter Goldman, Volunteer Coordinator for the American Cancer Society: Mr. Goldman read the following statement to the Board, as requested by the American Cancer Society, regarding Haverstraw's reversal of its ban on point of sale tobacco displays.

Statement from Blair Horner, Vice President for Advocacy,
American Cancer Society of New York & New Jersey

"It's a tale of David vs. Goliath and this time the giant wins. The Village of Haverstraw tried to do the right thing and protect kids from the influence of tobacco product displays in stores. Unfortunately, this small municipal government was faced with the stark reality of expensive litigation by a gigantic opponent with unending financial resources.

The Village's intentions were good. Although many adults are not aware of the effect of in-store tobacco package displays on youth, research shows that exposure to the tobacco marketing in and around retail stores is a primary cause of youth smoking. The most recent Surgeon General's Report concluded: advertising and promotion has caused youth to start smoking and continue to smoke.

Because the retail point of sale is one of the last venues where tobacco companies can reach youth, Big Tobacco spends billions each year to market its deadly products in convenience stores, grocery stores and pharmacies. This marketing includes so-called "POWER-WALLS" of cigarette packages that make tobacco products more visible, more attractive and more alluring to children.

Haverstraw sought to eliminate these "POWER-WALLS". We're not surprised that a small village with a limited budget is being forced to back down, but we remain disappointed, not in the Village, but in a system where deep pockets trump good public health policy."

Mr. Goldman feels that it is the responsibility of all the people to stand up to these huge companies, stating that just because they have money, that should not allow them to take advantage of a small municipality. He mentioned that the American Cancer Society has a responsibility to make sure that young people do not die from this addictive habit.

Mayor Kohut: The Mayor stated that the one good thing that has come out of this, which is also the irony of this situation, is that there is only one store in the Village with a "POWER-WALL", which is commendable to the merchants in the Village of Haverstraw, which the Board hopes will continue.

Alan Cohen, 1314 Round Pointe Drive: Mr. Cohen mentioned that he is involved in major retail and the fact is that cigarettes are being sold, however, there is no promoting of tobacco products in these stores. He wanted to know if there is a federal law with regard to this situation.

Mayor Kohut: The Mayor responded that in this case it is not the verbal advertising, but point of sale advertising, which is the display of tobacco products.

Alan Cohen, 1314 Round Pointe Drive: Mr. Cohen mentioned that in his businesses, tobacco products have to be behind the counter, but do not have to be covered.

Mayor Kohut: The Mayor explained that in many convenience stores, gas stations, etc., there is a display wall behind the counter advertising tobacco products, which is what this law was designed to handle.

Mel Post, 1422 Round Pointe Drive: Mr. Post inquired if anyone from the Village has been in touch with that one store about removing their tobacco advertisements.

Mayor Kohut: The Mayor responded "not as of this point".

Mel Post: Mr. Post then inquired if the Board could have someone contact the owners about removing their tobacco advertising.

Phil Conicsburg, 23-25 Elk Blvd., Queens County, New York: Mr. Conicsburg mentioned that he previously resided in the Village of West Haverstraw and has been following all facets of the tobacco industry for many years. He read about the Village adopting this law and was very pleased. He congratulated the Board for trying to make a difference in the lives of our youth, but fully understands the reasoning for rescinding the law. He mentioned that the tobacco industry recently spent \$47,000,000.00 to beat a tax issue in California. He feels everyone knows they will spend whatever it takes to defeat anything that will stand in their way. Mr. Conicsburg requested that the Board not rescind the law, but perhaps delay it to see if anyone comes forward to assist the Village in tackling this

problem, mentioning that everyone is aware of the power the tobacco industry has.

Mayor Kohut: The Mayor responded that the Board has been hoping that someone would come to the Village's aid with regard to this lawsuit and that perhaps the "Anti-Smoking" groups might have a lawyer that could represent the Village in this matter. However, that was not a possibility and the Village was under time constraints by federal civil practice to respond to the lawsuit, which is why the Board had to take this action at this time to rescind the law.

Marian Breland Oswald, Director of Youth & Family Services for the Village of Haverstraw: Ms. Oswald mentioned that she is also the Chairperson of the Haverstraw Collaborative, who she was representing that night. She stated that the Collaborative is very disappointed that the Village is being forced to rescind this law, but at the same time thanked the Board for trying to take this stand against the tobacco industry to help protect the youth of our community. She also affirmed that the Board is always ready and willing to put forth their resources and time to do whatever is right for our Village, setting a good example for every other municipality. She felt that the Board was afraid that this might be the outcome, however, that did not stop them from moving forward with this law for the well-being of the current and future generations of young people in our community. Ms. Oswald stated she is very proud of the Village Board for making this attempt and is also proud to be a member of the staff of the Village of Haverstraw. She also mentioned that everyone at the Collaborative sends their thanks and appreciation to the Board for their attempts in this matter.

Denise Hogan, Rockland County Department of Health: Ms. Hogan attended the meeting that night to make a presentation to the Board and present them with a plaque that she read, as follows:

POW'R
(Putnam, Orange, Westchester, Rockland)
AGAINST TOBACCO

"Trailblazer Award"

Presented to:
The Village of Haverstraw

POW'R Against Tobacco, Reality Check and
the Haverstraw Collaborative
recognize the Village of Haverstraw
for taking historic and heroic measures
to protect youth
from the harmful effects of tobacco products.

With no further public input, Mayor Kohut entertained a motion to close the Public Hearing.

RESOLUTION #189-2012

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

Mayor Kohut entertained a motion to approve Local Law #6-2012, to rescind Local Law #5-2012 restricting tobacco product displays within the Village.

RESOLUTION #190-2012

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

Mayor Kohut: The Mayor then moved forward with the regular meeting agenda.

REPORTS OF VILLAGE OFFICIALS

VILLAGE ATTORNEY, Jay Hood, Jr.: Counselor Hood requested the Board to pass a resolution authorizing the Mayor to sign any necessary documents and also to accept the land that is being offered by GenOn around Bowline Pond, which is being donated, free of charge, to the Village.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #191-2012

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

Counselor Hood then requested approval from the Board to have an appraisal prepared for the above property. He received an estimate from Valuation Plus not to exceed \$7,000.00 to evaluate the entire property.

Mayor Kohut entertained a motion to have an appraisal prepared by Valuation Plus to evaluate the property being donated by GenOn.

RESOLUTION #192-2012

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

Counselor Hood then discussed a new law with regard to signage displayed throughout the Village. He mentioned that the Town of Haverstraw and the Village of West Haverstraw have, or would be, passing a similar law. This law would stop the proliferation of both political and non-political signs posted throughout the Village on the sides of roadways and on telephone poles. He explained that this law would allow the Village to remove all signage immediately, in equal fashion, as stated above. He stated that fines of up to \$1,000.00 would be imposed for posting signs and not removing them in a timely manner, explaining that a first time offender might receive a penalty on the lower end and anyone who continues to post signs would be penalized on the higher end. This law would cover all public areas and private properties where the signs have not been authorized by the property owner.

Mayor Kohut: The Mayor explained that this law does not apply to property owners posting signs on their own property.

Mayor Kohut entertained a motion to approve Local Law #7-2012 amending Section 152 of the Village Code, as stated above.

RESOLUTION #193-2012

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

Counselor Hood had nothing further to report.

VILLAGE TREASURER, Judith Curcio: Ms. Curcio had nothing to report.

MAYOR'S REPORT, Mayor Kohut: The Mayor received a request from Hector Sotomayor of 29 Broadway, to construct a ground floor apartment, underneath his store, to be utilized by his parents. Jorge Lopez represented the applicant. The Mayor stated that this application has been presented to the Zoning Board, who gave it a negative recommendation. He did mention, however, that it is only a recommendation and it is up to the Board whether or not to approve the application. The Mayor also mentioned that the Village has a letter from Mr. Sotomayor stating "in the event the property is sold the apartment would be removed and returned to its original state".

Mayor Kohut entertained a motion to approve the request with the stipulation that if the property is sold, it will be returned to its original condition.

RESOLUTION #194-2012

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

ROLL CALL VOTE

Trustee Batista	- Yes
Trustee Bueno	- Yes
Trustee Watson	- Absent
Trustee Dominguez	- Abstain
Mayor Kohut	- No

The Mayor announced the result of the Roll Call Vote to be 2 in favor, 1 abstention and 1 No vote, with one member of the Board absent. With no majority vote, the application is denied. The Mayor stated, however, that the applicant is welcome to present his application again when there is a full Board available for a vote. He then mentioned that the next meeting is scheduled for September 4th at 8:00 PM.

Emily Dominguez: Trustee Dominguez would like the Board to visit the site at 29 Broadway before taking another vote.

The Mayor informed Mr. Lopez that someone will contact him to make arrangements to inspect the property.

The Mayor then invited Mr. Lopez to come forward to present his second application to the Board.

Jorge Lopez: Mr. Lopez was representing William King of 12 Fairmount Avenue in the Village. Mr. King would like to construct a 600 square foot apartment on the second floor of this house located in the Central Business District (CBD) pending an appearance before the Zoning Board and the Planning Board.

Mayor Kohut entertained a motion to forward the application to the Zoning Board and additionally to the Planning Board, if necessary.

RESOLUTION #195-2012

Motion by: Rafael Bueno

Seconded by: Emily Dominguez

Motion carries: All

The Mayor then invited Dave Zigler to come forward to present an application to the Board.

Dave Zigler of Atzel, Scatazza & Zigler, Engineers & Planners: Mr. Zigler was representing Junior Castro and Castro Landscaping, presenting a site plan for Mr. Castro's business at the site of the old Servco Building on Samsondale Avenue; a commercial space that was destroyed by a fire. The property was then purchased by Ginsburg Development to construct an apartment building, which never came to fruition and is currently for sale. Mr. Castro would like to purchase the property for his landscaping business. Mr. Zigler explained that the property is located on the edge of two zones; an industrial zone and a residential zone and instead of applying for a zone change, they are processing the application as a Zoning Board of Appeals Use Change, to be used precisely for the landscaping business and nothing else. If purchased, Mr. Castro also could not sell the property to be utilized as a body shop, as it was originally. It would be a clean operation and would not affect the quality of life in the area. The problem is that it needs a Use Variance and to obtain that he has to appear before the Zoning Board. He requested the Village Board to forward this application to both the Zoning and Planning Boards for their review and possible recommendation. Mr. Zigler mentioned that there is a timeframe involved with signing the contract, therefore, they need to appear before the Zoning Board for the Use Variance as quickly as possible before purchasing the property. They would notify the neighbors in the area and mitigate their concerns. Mr. Zigler pointed out on a map where Mr. Castro would like to construct a buffering wall in the same style as Mr. Champeau's storage facility.

Emily Dominguez: Trustee Dominguez wanted to know the timeframe involved for signing the contract.

Dave Zigler: Mr. Zigler responded 45 days, which would be some time in September.

Mayor Kohut: The Mayor stated that the application would have to be reviewed by the TAC Committee, which may or may not be in time to appear before the Zoning Board by the September deadline.

Mayor Kohut entertained a motion to forward the application to the TAC Committee for review and then to the Zoning Board for a Use Change.

RESOLUTION #196-2012

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

The Mayor reported that the concession stand at the Cpl. Manny Lopez Ball Field is in the process of being completed. As part of that process, it is time to install a security system, both fire and burglary. The Village has received a proposal from Rappaport Alarms in the amount of \$8,050.00 to install the system.

Mayor Kohut entertained a motion to award Rappaport Alarms the project to install a security system as stated above.

RESOLUTION #197-2012

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

The Mayor reported that the Village has been contacted by First Energy Choice Group soliciting the Village's electric business for the coming year. He received a proposal from them to provide electricity at 7.5¢ per kilowatt hours, which is less than the 8.5¢ the Village is currently paying. This would be a savings to the Village of approximately \$14,700.00 for a twelve month period.

Mayor Kohut entertained a motion to accept the proposal from First Energy Choice Group to provide the Village with electricity, as stated above.

RESOLUTION #198-2012

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

The Mayor received a request from St. Peter's Church to put up banners on both New Main Street and Samsondale Avenue, prior to the start of the school year on September 4th. The banners will promote the schools 150th Anniversary, making it the oldest Catholic school in Rockland County.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #199-2012

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

The Mayor mentioned that two Public Hearings were held at the previous Board Meeting. The first was for a commercial zone change on Gurnee Avenue, adjacent to the Hood Law Office. He reported that the minutes from that meeting have been forwarded to an outside attorney for review to be sure everything is in order with the application. To this date, that

attorney has not gotten back to the Board, therefore, the Board will not make any decision on this matter until they hear from that attorney.

The Mayor mentioned that the same night there was an application from Ginsburg Development (GDC) for a zone map change putting the Sales Center into Site A from Site B, allowing for a restaurant to be constructed inside that building. At the applicant's request that has been tabled for the present time and no decision would be made.

The Mayor reported that the Village Assessor has reached a settlement on a small claims assessment review matter with Fernando Pena on property located at 105 Hudson Avenue, reducing the assessment from \$14,400.00 to \$10,400.00.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #200-2012

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

The Mayor reported it is time to go out for paving bids, which require authorization by the Board to have the engineers prepare spec's for the project. The following are some or all of the streets that would be involved: Jefferson Street, Rockland Street, Hoover Avenue, Harding Avenue, Orchard Street, West Broad Street, Lincoln Court, Springsteen Avenue.

Mayor Kohut entertained a motion to authorize preparing of specifications for bid documents for the street paving project by the village engineers.

RESOLUTION #201-2012

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

The Mayor reported that the Village Accountant, Joseph Modafferri, who is also a member of the Ethics Committee, attended an Ethics Conference the previous week in Cohoes, at the request of the Mayor. The fee for the NYCOM Ethics Conference was \$25.00.

Mayor Kohut entertained a motion to pay the cost of \$25.00 for the conference.

RESOLUTION #202-2012

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

The Mayor received a request from the Building Inspector Ruben Berrios to attend a NYS Building Officials Conference in Vernon, New York from September 11th to the 14th. Since Mr. Berrios is a member of the NYS Building Officials, the cost of the conference will be reimbursed to the Village by NYSBOC.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #203-2012

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

The Mayor then requested approval to attend a Main Street Economic Development Conference in Syracuse, New York, entitled Beyond Bricks and Mortar, Rebuilding Communities Block by Block, from September 30th to October 2nd. The conference will cover several items including quality of life, combating economic issues, abandoned buildings and vacant storefronts in distressed communities, etc. The cost of the conference will not exceed \$535.00, which includes the conference and hotel.

Mayor Kohut entertained a motion to approve his attendance at a conference as stated above.

RESOLUTION #204-2012

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

The Mayor reported that the Village's annual contract with Big Brothers/Big Sisters is up. They provide mentoring services to our youth at the Community Center through a JUMP grant of \$5,000 for one year starting July 1st, 2012 through June 30th, 2013.

Mayor Kohut entertained a motion to approve the contract for another year.

RESOLUTION #205-2012

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

The Mayor reported that the Village always hires four young people through a contract with AmeriCorp, allowing them to work with the DPW on various projects throughout the summer. He explained that through a glitch in the system only three people were approved, therefore, the necessary paperwork requires correction authorizing the four people.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #206-2012

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

The Mayor reported that there is a resolution that has been circulated to municipalities in Rockland to support the Tappan Zee Bridge Project. He mentioned that there are several issues that still remain unresolved, however, the current bridge has far exceeded its vehicle capacity, as well as exceeding its 50 year life expectancy and there shouldn't be any more delays in moving forward with this project.

Mayor Kohut entertained a motion to support the Tappan Zee Bridge Project.

RESOLUTION #207-2012

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

The Mayor mentioned the next Board Meeting would normally be the first Monday of September, which this year is Labor Day and the Village Hall will be closed. He requested approval to reschedule the meeting to Tuesday, September 4th at 8:00 PM.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #208-2012

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

The Mayor then mentioned that the Village has begun the process for the design of the Henry Hudson Quadracentennial Park Promenade, which will run from Emeline Park north to Warren Avenue. The Selection Committee has chosen McClarin Engineering to design the promenade. The committee will also be assisting in the design and the Board has decided to expand the committee by two members, recommending George White, Department of Public Works Superintendent and Virginia Norfleet of Clinton Street, who has taken a lot of interest in that area and whose property adjoins the area.

Mayor Kohut entertained a motion to award the design process of the above mentioned project to McClarin Engineering.

RESOLUTION #209-2012

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

The Mayor then announced upcoming events as follows:

- 1) 2nd Dancing Under The Stars on Friday, August 24th on Maple Avenue adjacent to the Village Hall.
- 2) 2nd Annual Backpack Event presented by the Haverstraw Committee for Holiday Dinners on Sunday, August 19th at 2:00 PM. Backpacks filled with school supplies will be distributed to all children going to school in September. Refreshments will be served along with arts and crafts for the children. The Mayor also mentioned that any and all donations would be welcome and anyone wishing to help with the event can contact Trustee Dominguez.
- 3) Annual Street Fair to take place on Sunday, September 23rd.
- 4) 1st Annual Holiday Craft Fair to take place on Saturday, October 13th in the stone building adjacent to the Village Hall. Anyone

interested in being a vendor can speak to anyone in Village Hall for further information.

The Mayor had nothing further to report.

Mayor Kohut:
REPORTS OF STANDING COMMITTEES

FIRE & ORDINANCES – Trustee Rafael Bueno: Trustee Bueno read the following report submitted by Fire Chief Patrick McNamee for the month of July, 2012:

Total Alarms	-	18
General Alarms	-	17
Structure Fires	-	0
Cooking Fires	-	2
Trash/Rubbish Fires	-	1
Brush Fires	-	2
Vehicle Fires	-	0
Special Calls	-	1
Boat Calls	-	1
Mutual Aid Calls	-	0
Extrication Calls	-	0
Gas Leaks	-	3
False Alarms	-	5
Good Intent/Miscellaneous	-	9
Total Manpower Responding	-	441 members

Trustee Bueno had nothing further to report.

PUBLIC WORKS, BUILDINGS & GROUNDS – Trustee Terence Watson: In the absence of Trustee Watson, the Mayor read the following report submitted by George White Superintendent of Public Works as of August 13th, 2012:

- 1) Worked at the Latin Festival.
- 2) Removed the guardrail on Old Short Clove Road.
- 3) Started installing a guardrail across from Hornicks.
- 4) Improved the landscaping in front of the Community Center.
- 5) Cleared a major sewer blockage on Coolidge Street, as well as on New Main Street that day.
- 6) Cleaned up after various rain storms.
- 7) Continued maintenance at the baseball field.
- 8) Installed more playground equipment at the Community Center.

- 9) Billy King completed the Route 9W and Hudson Avenue sewer problem.
- 10) The AmeriCorp workers assisted with the Community Center, Catholic Charities and the Food Depot on Clove Avenue.
- 11) Repaired the playground equipment at Emeline Park and Jefferson Street Park.

Trustee Watson had nothing further to report.

YOUTH & FAMILY SERVICES - Trustee Emily Dominguez: Trustee Dominguez reported on activities at the Community Center as follows:

Reachout Counseling Services – The staff held counseling sessions for 39 individuals and their family members for group and/or family canceling.

Day camp – Summer camp has gone well and is in its last week with approximately 150 children attending each day.

Trustee Dominguez thanked the DPW for their help with the playground, which is almost complete and they are still doing some landscaping and finishing the mural, which is grant funded.

Trustee Dominguez reported that an Oasis Comprehensive Review of the Counseling Program was recently completed and went very well.

The center received \$18,000.00 from the Youth Bureau for the Court Diversion Program for ages 16 to 21, in conjunction with Judge Grant from the Town of Haverstraw. The program has begun and will help young people to develop skills to keep them out of trouble and have more productive lives.

Trustee Dominguez again thanked the DPW for the landscaping in front of the Community Center.

Trustee Dominguez then requested approval to use the Knights of Columbus Parking Lot for the Community Center's 2nd Annual Recovery Picnic & BBQ, scheduled for September 15th. The center hosts the event, which includes food, motorcycle rides, entertainment and will be open to the entire community.

Mayor Kohut entertained a motion to allow the use of the Parking Lot adjacent to the Knights of Columbus from 10:00 AM to 4:00 PM on Saturday, September 15th as stated above.

RESOLUTION #210-2012

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

Trustee Dominguez had nothing further to report.

BUILDINGS & CODE ENFORCEMENT - Trustee Francisco Batista:

Trustee Batista read the following report submitted by Building Inspector, Ruben Berrios for the period of July 9th through August 10th, 2012:

Municipal searches	-	7
Miscellaneous inspections	-	188
Construction inspections	-	11
Complaints	-	5
Violations & tickets	-	26
Permits	-	11
Certificate of Re-Occupancy	-	4

Trustee Batista had nothing further to report.

Mayor Kohut: The Mayor mentioned that the Building Inspector has taken several property owners to court that have installed illegal apartments in their buildings. In one case, a gentleman from Village on the Green went to trial and was found guilty of an illegal apartment in one of his townhouses and was fined \$15,000.00 by Judge DeCaprio. In another case, a landlord on Fairmount Avenue had an illegal apartment in his basement and Judge Torres found him guilty and fined him \$5,000.00. The Mayor wanted everyone to know how seriously the Village takes these illegal apartments and other issues going on in the Village, which will, hopefully, be a warning to anyone else not abiding by Village Codes and Laws. He commended the Building Department for a job well done.

MINUTES: The Mayor presented the minutes of June 4th and June 18th, 2012 for approval by the Board. Trustee Dominguez mentioned that she has read the minutes of the June 4th meeting, which she approved, but has not yet had the opportunity to read the June 18th minutes.

Mayor Kohut entertained a motion to approve the Board Minutes for the meeting of June 4th, 2012 as written.

RESOLUTION #211-2012

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

Mayor Kohut:

OLD BUSINESS

None.

Mayor Kohut:

NEW BUSINESS

Trustee Dominguez took this opportunity to thank the DPW for the wonderful work they did on the entrance sign to the Village. She also thanked Billy King who has done an amazing job on the project. She reported that the sign should be complete within the next week. She also thanked the DPW for the great job they did maintaining the Cpl. Manny Lopez Baseball Field, which she mentioned is being utilized by many teams and organizations. She also mentioned that volunteers are needed the following week to put up sheetrock in the Concession Stand.

Mayor Kohut:

2nd PUBLIC PARTICIPATION

Mel Post: Mr. Post inquired if the Village was able to get any publicity on finding the illegal apartments and bringing the landlords to court.

Mayor Kohut: The Mayor responded that there was nothing published about the findings and results, but it is something that the Board will circulate and continue to make public, because once word gets out that landlords are being prosecuted it should help deter other landlords from putting in illegal apartments.

Mel Post: Mr. Post wanted to know if the Village is still the Lead Agency for the Ginsburg project and exactly what that means.

Mayor Kohut: The Mayor requested the Village Attorney, Jay Hood, Jr. to respond to that question.

Jay Hood, Jr., Esq.: Counselor Hood responded that on a project of that scope and size, projects are referred to the Zoning and Planning Boards for recommendation, however, anything that has to be voted on rests with the Village Board, who is the Lead Agency, unless it is something trivial, like a minor variance.

Mel Post: Mr. Post inquired if the Ginsburg application has been forwarded to the Rockland County Planning Department and if it is sent with a recommendation from the Village.

Mayor Kohut: The Mayor informed Mr. Post that the Village does not send applications to the County with recommendations. The Village can make comments, but it is up to the County to make a decision on the project.

Mel Post: Mr. Post inquired if the County would then hold a hearing on the proposed project.

Mayor Kohut: The Mayor responded that the County does not hold hearings on a proposed project. He then explained that the Rockland County Planning Department can only give a positive or negative recommendation. He explained if a project comes back with a negative recommendation, the municipality would then need a super majority to override the County Planner's recommendation.

Gil Musinger, 1416 Round Pointe Drive: Mr. Musinger mentioned to the Board that the overwhelming feeling of the residents of the Harbors is negative toward the restaurant project and he is hoping that nothing sneaky will be done to move this project forward. In addition, he requested the Board to help promote a county-wide police force. He believes that Rockland County is currently in a very poor financial situation and property owners are having additional fees and taxes imposed upon them. He also feels that there is no reason why the County cannot promote more efficiency and greater savings by having a county police force. He understands that there are local police forces that want to retain their independence, however, it is the overwhelming feeling of the majority of the people he has

spoken to that this county-wide police force must be pushed forward and he feels now is the time.

Mayor Kohut: The Mayor feels that everyone would like to see a county-wide police force, mentioning that four of the five townships have been pushing for that, plus the vast majority of elected officials and municipalities would agree wholeheartedly. If the time came for a vote from the Village, it would be in favor of a county-wide police force.

Mel Post: Mr. Post spoke about an article he read in a Scarsdale newspaper about one of Ginsburg's million dollar developments, which stated that the residents are very upset with GDC because things were either left undone or incomplete. The article also mentioned that the residents are very unhappy with the restaurant in one of the buildings due to the noise, the smells, etc. and being open until 1:00 AM. Those residents spoke with the restaurateur who had a negative attitude towards their concerns. He then mentioned that Mr. Ginsburg sent a letter to the residents of Harbors stating that in this particular Scarsdale development all the residents were very happy to have that particular restaurant downstairs in their building, which contradicts everything in the newspaper article. He attached a copy of that letter to the newspaper article, which he wanted all the members of the Board to see. He gave the article and the letter to Trustee Dominguez to pass on to the other Trustees, which she will do.

Alan Cohan: Mr. Cohan inquired when Mr. Ginsburg would next have to appear before the Board with regard to the restaurant he wants to construct in the Sales Center.

Mayor Kohut: The Mayor informed Mr. Cohan that the application will not be presented to the Board until Mr. Ginsburg requests the Board to once again review his application. The Mayor stated that when and if he finds out Mr. Ginsburg once again wants to bring this application to the Board, he will inform the members of the Harbors Homeowners Association so they can get the word out to all the residents.

Mayor Kohut: With no further business to be conducted by the Board, the Mayor entertained a motion to adjourn the meeting.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #212-2012

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

Respectfully submitted by,

Beverly A. Swift
Senior Steno Clerk
August 28, 2012
Tape # 87