

The minutes of the Regular Meeting of the Village of Haverstraw Board of Trustees on Monday, September 16th, 2013, 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 ask questions or make comments.

Noel Rappaport: 31 New Main Street: Mr. Rappaport inquired if the Board knew what was taking place on the 2nd floor of the stone building.

Mayor Kohut: The Mayor informed Mr. Rappaport that Rockland Community College (RCC) is expanding onto the 2nd floor for an Employment Opportunity program for students. They will also have a 3-D processor available for manufacturing items 3 dimensionally. They will be holding a Grand Opening for this extension in October.

Gil Musinger, 1416 Round Pointe Drive: Mr. Musinger spoke about an article that appeared in the Journal News several days back referring to Stony Point selling cell tower leases for \$2 million. He stated that he remembers some time back the Board approving the installation of a cell tower on a residential building in the Village and asked whether or not the Village of Haverstraw has access to the same type of leases which can generate this amount of money for the Village.

Mayor Kohut: The Mayor informed Mr. Musinger that Stony Point has cell towers on municipal buildings which they lease. He also explained that no provider has ever explored that possibility with the Village; therefore, the Village has no leases that it can sell.

Gil Musinger: Mr. Musinger recalls the Village being approached about installing cell towers in the Village.

Mayor Kohut: The Mayor responded that the Village was never approached about installing towers on Village property.

Gil Musinger: Mr. Musinger felt it was up to the Board to allow or disallow towers on Village property.

Mayor Kohut: The Mayor responded that none of the companies wanted to install cell towers on village property because of the height or whatever other issues were involved, including the fact that the companies want to install towers where they are most advantageous and therefore have specific locations in mind, none of which have been municipal properties. He stated again that the Village has never been approached by any companies to install cell towers on any of its properties.

Gil Musinger: Mr. Musinger feels that with this kind of money being handed out to municipalities that the Village was impractical allowing cell towers to be installed on private properties.

Mel Post: 1422 Round Pointe Drive: Mr. Post spoke about an article he read in the Journal News regarding the installation of a river-gauge to prevent damage from a rising river. He inquired if the Board was familiar with anything like this and, if not, if it would be something the Board could look into that might help to protect the waterfront area of the Village. He is not aware of the cost but suggested that something like this could be done as a joint effort with the Town of Stony Point.

Mayor Kohut: The Mayor responded that he is not familiar with a river-gauge but he assumes it is meant to measure the rising waters of the river and not as a protection from overflowing waters.

Mel Post: Mr. Post feels that this might be something that would at least give the Village potential warnings about what is to come.

Mayor Kohut: At this point the Mayor invited Stu Turner, Village Consultant, to come forward for a presentation about the zoning on Short Clove Road, adjacent to Tilcon.

Stu Turner: Mr. Turner informed the public that the Village is approaching the final stage of the environmental review process for the various activities, starting with the discontinuance of Short Clove Road as a village street, the elimination of the Mountain Protection Zone, and the parcel of land owned by Tilcon, which was used by NYDOT for the newly constructed overpass, which was one of the actions that was analyzed in the environmental review. The second item is minor zoning amendments having to do with the storage of non-combustible materials and the proposal to change the mining operation which is licensed to Tilcon and permitted by the State for mining of the property. The third item was enhanced to limit any process involving hot liquid asphalt within 300 feet of any residential area to ensure that if Tilcon ever wanted to move the asphalt plant that it would be far enough away and cannot do anything of this nature near the south end of Dutchtown. This step simply adds this provision to the zoning code. He also stated that some minor activities were included in the plan such as affordable housing for the site, which everyone has agreed would not be appropriate for residential housing and therefore, the Urban Renewal Plan would be modified to include such housing. The environmental affects for all these areas has been analyzed through the public review process made by the County, plus comments from the public, of the Environmental Impact Statement (EIS). Mr. Turner reported that those findings were all included in the Final Environmental Impact Statement (FEIS), which was accepted and filed and included a 10 day review period for any additional comments. The findings stated that the Village went through the whole review process and that none of the proposals had any significant impact. He did mention, however, that there are some mitigations including if anyone decides to build on that 2½ acre site where the Mountain Protection is being taken off, they would have to meet the erosion control requirements along with any other requirements of the Village. There is also mitigation that the property owner would be obligated to install a barrier across Short Clove Road to prevent anyone from getting to the railroad. Once the Board adopts the FEIS they would then be free to take any actions they deem appropriate with regard to any of the design modifications, making changes to the Urban Renewal Plan, discontinuance of the road, etc. He then mentioned that adoption of the FEIS by the Board would be the final step in this process.

Mayor Kohut: The mayor asked to clarify the above statements. He theorized that the Board would, once adopting the FEIS, have the ability to

vote yes or no to any zoning changes, etc., to which Mr. Turner responded “yes”.

Mel Post: Mr. Post inquired who established that 300 feet is enough distance, if a liquid tar plant were to be built at that site, to alleviate the odors. He feels that whoever established that figure is absolutely wrong.

Mayor Kohut: The Mayor responded that was the figure that was found to be safe as a part of the report.

Stu Turner: Mr. Turner mentioned that this has been a part of the report and no-one made any comments on that when it was presented. He also mentioned that this figure is already of part of the zoning code, but that the additional items mentioned were added.

Terence Watson, Jr.: Trustee Watson informed Mr. Post that this is simply further advancing the existing Village Code to put further restrictions on Tilcon that an asphalt plant could not be installed within 300 feet of a residential zone.

Mel Post: Mr. Post feels it should be more than 300 feet because the odors do travel with the breezes.

Mayor Kohut: The Mayor stated that this is not going to completely do away with all the issues, but if adopted, the Village does not want any of that type of industry located within 300 feet of that type of zone. The Mayor went on to explain that these are the environmental findings and when the Board decides to adopt the findings of the final report, that number can be changed at that time.

Mel Post: Mr. Post made a recommendation to the Board to increase the footage in that particular paragraph to make it in excess of 300 feet. He then asked if the report included responses to the comments made by the public. He also inquired if Tilcon has made any decisions as to what they intend to do with the property.

Stu Turner: Mr. Turner responded that the report did include responses to the comments that were made by the public. He also informed Mr. Post that Tilcon has yet to make a decision on their intent for that piece of property.

Emily Dominguez: Trustee Dominguez explained to Mr. Post that all the Board is doing at this point is adopting the findings of the environmental review.

Mayor Kohut entertained a motion to adopt the findings of the FEIS.

RESOLUTION #166-2013

Motion by: Emily Dominguez

Seconded by: Francisco Batista

Motion Carries: All

Stu Turner: Mr. Turner just wanted to make everyone aware that when a municipality adopts documents such as the FEIS, they do not always know what a property owner is going to do with that property. He informed the public that Tilcon is in an industrial zone and the only thing owned by the Village is the road.

Mayor Kohut:

REPORTS OF VILLAGE OFFICIALS

VILLAGE ATTORNEY, Jay Hood, Jr.: Counselor Hood requested the Board to authorize him, as Village Attorney, to engage a law firm schooled in personnel matters to help with a personnel issue that is currently before the Board.

Mayor Kohut entertained a motion to authorize Counselor Hood to engage a law firm, if necessary, as stated above.

RESOLUTION #167-2013

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

Counselor Hood had nothing further to report.

VILLAGE TREASURER, Judith Curcio: Ms. Curcio gave the following report for June and July, 2013:

Disbursements	\$ 1,053,000.00
Revenue	\$ 6,450,000.00

Ms. Curcio had nothing further to report.

MAYOR'S REPORT, Mayor Kohut: The Mayor requested the Board pass a resolution, required by the New York State Comptrollers Office, to adopt a standard workday for elected and appointed officials as follows:

ELECTED OFFICIALS

Trustee Francisco Batista	-	7½ days per month
Trustee Emily Dominguez	-	10 days per month

APPOINTED OFFICIALS

Village Attorney, Jay Hood, Jr.	-	12.37 days per month
Edye McCarthy, Village Assessor	-	1.5 days per month
Acting Village Justice, Luis Torres	-	1.67 days per month
Zoning Board Chairman Edwin Rivera	-	.3 days per month
Architectural Review Board Member Yolanda Lopez	-	.3 days per month

Mayor Kohut entertained a motion to adopt the above stated standard workdays for the elected and appointed officials stated above.

RESOLUTION #168-2013

Motion by: Terence Watson, Jr.
Seconded by: Rafael Bueno
Abstention by: Emily Dominguez
Motion Carries: All

The Mayor requested authorization to purchase banners for the Greenway Trail, under the New York State Health Department Creating Healthy Places Grant, similar to those purchased by the Village of West Haverstraw. The cost of the banners is approximately \$175.00 per banner, including the brackets.

Mayor Kohut entertained a motion to

RESOLUTION #169-2013

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

The Mayor requested authorization for the Justice Court to apply for the 2014 grant from the Office of Court Administration, for computer hardware, a security system, construction of an emergency exit door from the court room and for some office furniture. The grant does not exceed \$30,000.00.

Mayor Kohut entertained a motion to authorize the Justice Court to apply for a grant as stated above.

RESOLUTION #170-2013

Motion by: Emily Dominguez
Seconded by: Terence Watson, Jr.
Motion Carries: All

The Mayor reported that recently funds became available to allow municipalities who have been hard hit by various storms to apply for emergency generators for their critical buildings, including the Village Hall, firehouses, police stations, etc. The Village has gotten preliminary approval to proceed with applying for the grant. He is, therefore, asking for authorization to hire Sylvia Welch, Grant Writer, to help the Village through the application process.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #171-2013

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

The Mayor received letters from both the New City and Congers Fire Districts, with a map of the boundary lines for each of their respective districts. It is their intention to file the map with the County and the Town of Clarkstown. They need proof that the Village has received this information and will not file any objections to their proposed maps.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #172-2013

Motion by: Emily Dominguez
Seconded by: Terence Watson, Jr.
Motion Carries: All

The Mayor had nothing further to report.

Mayor Kohut:
REPORTS OF STANDING COMMITTEES

FIRE & ORDINANCES – Trustee Rafael Bueno: Trustee Bueno read the following report for the month of August, 2013, submitted by Fire Chief Al Lynch:

Total Alarms	-	22
General Alarms	-	16
Special Calls	-	4
Mutual Aid Calls	-	2
Structure Fires	-	0
Cooking Fires	-	6
C O Alarms	-	0
Electrical	-	2
Gas Leaks	-	0
Brush Fires	-	0
Good Intent/Miscellaneous		4
False Alarms	-	4
Vehicle Fires	-	1
Extrication Calls	-	1
Boat Calls	-	1
Total members responding	-	510

Trustee Bueno had nothing further to report.

PUBLIC WORKS, BUILDINGS & GROUNDS – Trustee Terence Watson: Trustee Watson read the following report submitted by George White, Superintendent of Public Works, as of September 16th, 2013:

- 1) Installed a speed bump on West Street.
- 2) Moved everything from trailer back into place at the DPW garage.
- 3) Cleaned up village following the recent rain storm.
- 4) Cleared sewer blockage at 17 Dowd Street.
- 5) Built a new bus shelter in Dutchtown.
- 6) Filled potholes throughout the Village with blacktopping.
- 7) Cut overgrown vegetation at Dutchtown Park.
- 8) Cleared sewer blockage at Clove Avenue alley.

Trustee Watson had nothing further to report.

YOUTH & FAMILY SERVICES - Trustee Emily Dominguez: Trustee Dominguez gave the following report of activities at the Community Center:

Homework Program – The Center has started its After School Homework Program with approximately 60 children attending daily and that volunteers are still needed to help with the program. She mentioned that there are currently 2 student interns working at the program.

Trustee Dominguez had nothing further to report.

BUILDINGS & CODE ENFORCEMENT - Trustee Francisco Batista:

Trustee Batista read the following report submitted by the Building Inspector, Ruben Berrios, for the period of August 19th through September 13th, 2013:

Rental property inspections	-	0
Municipal searches	-	6
Miscellaneous inspections	-	248
Construction inspections	-	8
Complaints	-	17
Violations & tickets	-	62
Permits & C.O.'s	-	9

Trustee Batista also reported that the Village has hired a new Parking Attendant, who is currently in training, but will be on his own as of Thursday.

Trustee Batista had nothing further to report.

Mayor Kohut:

OLD BUSINESS

None.

Mayor Kohut:

NEW BUSINESS

Francisco Batista: Trustee Batista requested a meeting be scheduled with the Village Attorney to discuss the roles of each Trustee. The Mayor suggested Tuesday, September 24th at 6:00 PM. Trustee Batista feels all the Trustees and the Mayor should be present at this meeting.

Mayor Kohut: The Mayor requested a Special Meeting be scheduled for Monday, September 23rd at 5:00 PM to award the Greenway Trail Repair bid.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #173-2013

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

Mayor Kohut:

2nd PUBLIC PARTICIPATION

Mel Post: Mr. Post inquired how the Village is proceeding with the promenade going north to Main Street and south of the ferry parking lot.

The Mayor informed Mr. Post that there is nothing new going south of the ferry parking lot, and repairs will be starting within the month at the Harbors. The project has been awarded to the contractor that will be working on the sidewalk project, which is scheduled to begin this week. He is not sure if they will be worked on concurrently or independently.

Mel Post: Mr. Post then inquired whether or not the Village received the award from FEMA.

Mayor Kohut: The Mayor responded that the Village received permission to apply for a grant for generators.

Mel Post: Mr. Post then inquired about the funds to repair Harbors and the other sites along the river.

Mayor Kohut: The Mayor explained that the Village will be reimbursed for the repairs, however, the Village has to give FEMA estimates for the repairs. Repairs will be made and then the Village will receive a reimbursement from FEMA.

Mel Post: Mr. Post inquired how much the Village might be eligible for.

Mayor Kohut: The Mayor was unsure about the amount of funds that it will be reimbursed, mentioning that the repairs to the DPW amounted to approximately \$100,000.00, the promenade was \$125,000.00 and also Emeline and the Greenway Trail are in need of repair.

Mayor Kohut: The Mayor reminded everyone that the following Sunday is the Annual Street Fair in the Village, inviting everyone to attend from 11:00 AM to 5:00 PM along with the Farmers Market. He also mentioned on Sunday, October 6th the Village will be holding its Craft Fair at the Community Center.

Mayor Kohut: With no further business to be conducted by the Board, the Mayor entertained a motion to adjourn the meeting in memory of Dr. Thomas Zugibe and George Cobb who passed away over the past few weeks. He asked for a moment of silence in honor of these gentlemen.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #174-2013

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

Respectfully submitted by,

Beverly A. Swift
Senior Steno Clerk
September 23rd, 2013