

The minutes of the Regular Meeting of the Village of Haverstraw Board of Trustees on Monday, July 9th, 2012, beginning at 8:00 PM.

PLEDGE OF ALLEGIANCE

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

Mayor Kohut: The Mayor opened the meeting with the first Public Hearing regarding a proposed zoning amendment to two land use area maps. He invited Village Planner, Max Stach of the Turner Miller Group to come forward and give an overview of the proposal.

Max Stach: Mr. Stach informed the public that Martin Ginsburg of Ginsburg Development Corp. (GDC) previously inquired about turning the now vacant Sales Center building into a restaurant. Upon investigation of the zoning laws, they found that the zoning would allow for a restaurant, up to 10,000 square feet, in Site A. Initially, the applicant requested a zoning amendment for Land Use area "B", however, that would allow for more development on all three sites; A, B & C. When the Environmental Review was prepared for the entire waterfront development project, it accounted for a 10,000 square foot restaurant on Site A. The applicant never built this restaurant, except for one small space in the Clubhouse, which houses a small snack concession. Rather than allow new uses on Site B, they felt a better solution would be to adjust the boundaries of land use area "A" to encompass the Sales Center. The square footage of this restaurant would count towards the 10,000 square foot total allowed on Site A, where restaurants are allowed, and using additional square footage. GDC is looking to put the restaurant in the Sales Center, which was the option the Planners thought would be in the best interest of the Village and it does not increase the amount of building that is allowed on the site; it would only affect that area. Mr. Stach mentioned that before opening the Public Hearing, the Village Board is required to adopt a "Negative Declaration of Environmental Significance", which essentially means that they have looked at the environmental impact, which remains the same as it was previously. He stressed the fact that restaurants are already permitted in Site A.

Name not given: The gentleman objected to the Board taking a vote before the public has a chance for input on the matter.

Max Stach: Mr. Stach explained that this is a procedural element, which has to take place before the Public Hearing can be opened.

Mel Post, 1422 Round Pointe Drive: Mr. Post questioned the status of the environmental situation on this Brownfield Zone and if it was the same as it was when the project began.

Max Stach: Mr. Stach stated that the site was checked out and approved in 2003 by DEC and remains the same today.

Mayor Kohut: The Mayor informed Mr. Post that all his questions with regard to this matter would be answered during the Public Hearing following the applicant's presentation.

Mel Post: Mr. Post inquired when the last testing was done on the site.

Max Stach: Mr. Stach once again stated that this is merely a procedural step that must be taken before there can be a Public Hearing. He stated if a member of the public brings up an issue with regard to the environmental significance that would affect the determination, the vote can be rescinded and an environmental investigation would be done.

Mayor Kohut entertained a motion to adopt a "Negative Declaration of Environmental Significance".

RESOLUTION #159-2012

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

Mayor Kohut entertained a motion to open the Public Hearing with regard to a proposed zoning amendment to two land use area maps known as Site A and Site B of Harbors development.

RESOLUTION #160-2012

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

Mayor Kohut: The Mayor invited Andrew Maniglia, Representative of GDC to come forward with his presentation.

Andrew Maniglia: Mr. Maniglia spoke about the existing structure in Site B, known as the Sales Center, which has been sitting dormant for the past two to three years. He mentioned that Mr. Ginsburg has received inquiries from several restauranteurs over the years about turning that building into a restaurant since there is no longer a need for a Sales Center. They have not yet selected a restauranteur, however, Mr. Ginsburg is in the process of interviewing many prospects. Mr. Maniglia explained that GDC was not applying for restaurant approval at that meeting, but strictly for a zone change. Approval for a restaurant would come later as part of a separate site plan approval. He explained that the only action that will take place at this meeting would be to make a zone change to Appendix 1 Section 245.21. He explained that this zone change approval will merely allow Mr. Ginsburg to apply to have a restaurant installed within the parameters of the existing Sales Center building. He informed the public that there is already permission for a 10,000 square foot restaurant on Site A without amending any land use area maps. He mentioned that the little café in the Clubhouse occupies approximately 500 square feet, with the Sales Center being approximately 4,100 square feet. It will not become a part of any of the HOAs or anything related to Harbors other than simply allowing that use to occur on Site B. Mr. Maniglia then introduced Paul Simonella, an Environmental Consultant, licensed in the State of New York by the NYS Department of Environmental Conservation. He has been Ginsburg Development's Environmental Consultant for the past 20 years, having done

Phase I and Phase II environmental site assessments on both Site A and Site B of Harbors. Mr. Simonella is responsible for the Brownfields Tax Credit Application, the remedial action work plan and the clean up and testing that was done at the old Rockland Fuel site, which is now Site B. He can address any technical aspects done to this point and anything that may occur in the future.

Mayor Kohut: The Mayor reminded everyone of the procedures for a Public Hearing.

Arti Taub, 3304 Leewood Drive: Mr. Taub believed that this meeting was like a rallying point and that the Board should take stock in who is in the audience. He feels the Board needs to really think hard about any decisions they may make. He then mentioned the need for a second playground at Harbors and that this might be the ideal place for that.

Robert Fertel, 34 Bridge Lane: Mr. Fertel's property directly faces the Sales Center. He wanted to know who controls and owns Section B.

Andrew Maniglia: Mr. Maniglia stated that GDC controls and owns it in its entirety through Admiral's Cove, which is a subsidiary. The ferry and ferry parking lot is leased to Metro North.

Robert Fertel: Mr. Fertel inquired if the ferry had to get Maritime approval to work there.

Andrew Maniglia: Mr. Maniglia responded that they did not need Federal approval, but did require approval from the Department of State under Coastal Zone Consistency.

Robert Fertel: Mr. Fertel inquired if the land along that area is covered by Maritime Law, which does require federal approval to make changes.

Andrew Maniglia: Mr. Maniglia responded that it depends on the type of operation, explaining that Maritime Law covers interstate commerce through the use of shipping vessels, however, does not cover the Hudson River because it is an American Heritage river and is regulated by the Coast Guard for certain aspects, not including the shoreline.

Robert Fertel: Mr. Fertel mentioned that when he first moved in, Mr. Ginsburg said he wanted to bring in cruise ships. He inquired when they would have to get approval for cruise ships.

Andrew Maniglia: Mr. Maniglia explained that docking of cruise ships was for the Main Street Pier and was never considered for Site B.

Robert Fertel: Mr. Fertel inquired how he would get approval for cruise ship docking.

Andrew Maniglia: Mr. Maniglia stated that the Village had actually started the process by studying the bathometrics and the dredging that had to occur to allow a boat that size to dock, which would come under the NYS Department of State Coastal Zone Consistency.

Robert Fertel: Mr. Fertel asked if the Federal Government would have anything to do with this.

Andrew Maniglia: Mr. Maniglia responded that GDC originally wanted to put in special anchorage where there would be moorings for boats out in the river and would have required Coast Guard approval.

Robert Fertel: Mr. Fertel mentioned that at a town meeting the Police Chief stated that Site B was being used for drug dealings and he feels a restaurant will just make the situation worse.

Andrew Maniglia: Mr. Maniglia stated if that is happening, he would hope that they would step up police presence, however, he has no knowledge of any kind of drug abuse in that area. He also mentioned that as the property owner, GDC has not been notified of any drug dealings by any public official and neither has Metro North.

Robert Fertel: Mr. Fertel then inquired how GDC plans to handle the garbage and the smells coming from the restaurant, which will attract rats.

Andrew Maniglia: Mr. Maniglia's understanding of that situation is that if the garbage is properly contained there will not be a problem and it is definitely something that no-one wants to see happen.

Robert Fertel: Mr. Fertel mentioned that there was a problem with rats when he first moved in and the area had to be fumigated, however, the rats are still there. He then inquired who will be paying the taxes on the restaurant.

Andrew Maniglia: Mr. Maniglia responded that GDC has always paid the taxes on that property.

Robert Fertel: Mr. Fertel inquired who will pay the taxes if the restaurant closes.

Andrew Maniglia: Mr. Maniglia responded GDC does and will continue to pay the taxes.

Robert Fertel: Mr. Fertel then inquired about the smells coming from the restaurant.

Andrew Maniglia: Mr. Maniglia stated that they will be operating according to whatever the Village Ordinance mandates. He again informed the public that right now they could legally put this restaurant on Site A.

Robert Fertel: Mr. Fertel inquired if GDC would require Federal or State approval to move from Site B to Site A, to which Mr. Maniglia responded "No". Mr. Fertel then wanted to know why they would not need Federal or State approval.

Andrew Maniglia: Mr. Maniglia responded that the only thing required is an amendment to the zoning map as it currently stands, which is a village function and approval by any other government agency is not a requirement. If the restaurant would be using the waterway, they would need NYS

Department of State approval, however, they are not utilizing the water in any way.

Max Stach of Turner Miller Group: Mr. Stach mentioned that Mr. Maniglia keeps referring to moving the zoning from Site B to Site A, which he stated is factually incorrect. The ownership stays the same, Admirals Cove, LLC, even if the Board approves it. He referred to a law from the Village Zoning book, which states that land use area "A", which is coterminous with Site A, a person can build up to a 10,000 square foot restaurant. It also states that land use area "B", which is coterminous with Site B, that no restaurant can be built. They are taking Site B and extending the land use permissions to Site A so the 4,100 square foot restaurant will come from the 10,000 sq. ft. allowable in Site A. They are not requesting to be folded into the ownership of Site A and it is all locally regulated, which is why it would not require any approval of the Federal or State governments.

Robert Fertel: Mr. Fertel then inquired why he does not use his prime property, for which he has approval, for the restaurant.

Andrew Maniglia: Mr. Maniglia pointed out that in today's market, there is no possibility of getting \$1,000,000.00 for a condo. It is very difficult to get anyone to build something to sell, which is the reality of the current market and GDC is simply trying to do something good. It will be owned by GDC and GDC pays the taxes on it. The only thing they are trying to do is get an amendment to the zoning map of Site A. They are not going near the water and will only be operating a clean restaurant according to code. He then mentioned that the parking lot and the ferry are being well maintained and has been since 2000, basically, because Metro North is a good tenant and GDC is a good landlord. They have always worked very closely together and if there ever was a problem it would be addressed promptly. Mr. Maniglia explained that he has been a part of Harbors since 1999 and has never walked away from any problems that might occur. He offered to give everyone his e-mail address and his phone number to use if anyone has a problem.

Barry Berman, 21 Broadway: Mr. Berman is completely against opening a restaurant at the Harbors until the DPW is moved to its new location, which was a promise made by GDC. He believes that the Board will be faced with a multitude of summonses once the restaurant is open. People coming from other areas having to pass by the DPW have made many complaints to the Village. He believes that George White will have more complaints and more to deal with than he now has. He feels that GDC should move the DPW in the coming months and once that has been done then the Board can consider their request. He has not seen any of the promises made to the Village come to fruition, therefore, he feels that before the Village approves their request that Mr. Ginsburg has to come through with some of the promises he made.

Dennis McSherry, 3 Edgewater Lane: Mr. McSherry wanted a clearer explanation of the environmental issue that was presented by Max Stach.

Paul Simonella: Mr. Simonella explained that when the original environmental review on the project was done, it was divided into segments; Site A being the Harbors, Site B being Admiral's Cove. He believes that there was a misunderstanding, stating that Site A will always be Site A and

Site B will always be Site B. The plan that was developed when this whole project was conceived and the Village adopted the Waterfront Planned Development Zone (WPD District) was to establish that on Site A they could build a certain number of residential units, a certain square footage for a restaurant, a clubhouse and retail shops. On Site B they established that a marina could be built and there could be a ferry landing, both of which could not be done on Site A. They did this by establishing "land use areas", which are regulated by the Village. All they are trying to do is extend Land Use Area A to include the area of the Sales Center. Currently the café and a restaurant in the Sales Center would lower the square footage of any other restaurants wanting to come into the area.

Dennis McSherry: Mr. McSherry inquired about the environmental aspect and the fact that there was no restaurant designated for Site B and he believes the reason for that was the environmental impact because there are going to be smells and rodents, which will definitely impact the environment if this restaurant is allowed to open.

Paul Simonella: Mr. Simonella has reviewed the environmental documents and explained that the applicant has merely come before the Board with a proposal for a zone change at this point. If approved, they will then be required to hold a Public Hearing for what they want to do with the Sales Center building. He mentioned that the smells, the odors, the rodents can happen at any restaurant anywhere, whether it be on Broadway or near the river, or even in the café in the Clubhouse.

Dennis McSherry: Mr. McSherry stated that this restaurant would be on the precipice of the river and will attract rodents with its smells and everything else associated with a restaurant. He also inquired who will be maintaining the promenade. He explained that he lives directly across from the Sales Center and will have to endure something that he did not expect when he purchased his home. He asked that the Board seriously consider the consequences of a restaurant in this particular area. Mr. McSherry also believes there has to be a better use for the Sales Center building. He does not believe it would be in the best interest of the Harbors community to have a restaurant in that area.

Gil Musinger, 1416 Round Pointe Drive: Mr. Musinger endorsed what Mr. McSherry said, stating that from a pragmatic point of view, Site A will never have a restaurant because there are a number of serious issues that would have to be addressed if the Board decides to approve this plan. He has spoken to many residents at Harbors, who all feel this will increase liability issues for Site A, assuming this restaurant will have a bar for drinking, mentioning that there is a percentage of people who drink heavily and may wander over to the promenade, which is for public use. If an accident should occur, the Village, and probably the owners at Harbors, would be liable and a restaurant will increase the aromas and the amount of noise. He is sure the owners who face that property are not happy about this plan, one of the reasons being it will lower the value of their units, in turn, lowering their assessments, which means lower taxes for both the Village and the Town. From that perspective, it will have an impact on the entire Village. It will also have a negative affect on the café, which the residents of Harbors utilize. He requested the Board consider all these issues before making a decision on this zone change. He feels that many of the residents

of Harbors are involved in the Village and want to see the Village move forward.

Renee Commack, 33 Harbor Pointe Drive: Ms. Commack inquired what the Village is doing as part of the criteria for due diligence in deciding if it is adequate for the Village, the homeowners and the whole community, mentioning that there will be an influx of people into the Village, which will affect the quality of life of the residents. Even though the Harbors residents would not be responsible for maintaining this area through their HOA fees, she inquired how the Village plans on helping the residents with the environmental effects this restaurant would bring. She then stated that this restaurant is not going to increase the value of their homes, but just the opposite, therefore, she inquired how the Board will help increase the value of their homes, so they can maintain their taxes and be able to sell their homes.

Mayor Kohut: The Mayor responded that if this restaurant were to go through, the Village Building Department would be responsible for the monitoring and the Police Department would have to better enforce the noise and drunken behavior.

Renee Commack: Ms. Commack stated that she lives on the end of Harbor Pointe Drive facing Tilcon beach, where there is also a lot of drug activity at night. She has phoned the Police who come and then leave, mentioning that marine units have even been called in to spray water on their grounds because of fires being set, but no-one is aware of any of these problems. She wants the Board to make it clear to the residents how the Village will support and maintain the areas around the restaurant.

Mayor Kohut: The Mayor again stated that it would be done through the Village Building Department, through a request for enforcement from the Police Department and by putting pressure on the landlords, as well as the tenants. The restauranteur would have to appear before the Board for a liquor license, which gets reviewed periodically. The Building Department sends them a list of violations and complaints received by the Police, also, the Board will make recommendations to the Liquor Authority that a license not be renewed if necessary. He explained that it has occurred in the Village, when there were enough complaints received, restaurants have lost their liquor license.

Renee Commack: Ms. Commack inquired if the Board has evaluated what the indirect cost will be to the Village to support this restaurant as part of the Village.

Mayor Kohut: The Mayor responded it would be no different than any other restaurant in the Village.

Max Stach: Mr. Stach stated that when Mr. Ginsburg first came to the Village with his plan to build residential units, restaurants, a promenade, etc., they wanted them on Site C; the Chair Factory site. Also in the plan was a parking deck and ferry at the foot of Main Street, along with more residential units on Site B, restaurants on Site A and a marina on Site B. The applicant was required at that time to do an Environmental Impact Statement, a traffic study, etc. on the entire plan to determine what the impact would be on the area. When they examined the tax implications they

looked at the whole plan and then looked specifically at what would happen on Site A, including a 10,000 square foot restaurant.

Renee Commack: Ms. Commack questioned why someone is not currently reviewing everything that was evaluated in the beginning with the conditions as they exist today. She stated that the residents are now living in an environment that none of them wanted. She requested that the Board review this whole matter as though it was a new plan.

Frank Alteslaben, 21 Edgewater Lane: Mr. Alteslaben questioned the public as to "how many people there wanted this restaurant" with no response from the public. He then asked "how many people do not want this restaurant" to which there was loud applause. He stated, Mr. Ginsburg is the only one that wants this restaurant. He feels the citizens of the Village do not want this restaurant and cannot imagine what benefit the Board would get from approving this request.

Mayor Kohut: The Mayor stated that the benefits to any village is that people would be coming in to dine and shop in the Village, mentioning that the Board would like to see more restaurants in the Village to attract more outsiders. These people would then have the opportunity to spend time in our community with the prospect of hopefully buying homes or opening businesses, to add to the tax base, mentioning that these are the reasons for promoting restaurants and shops in any community.

Frank Alteslaben: Mr. Alteslaben feels that if the Board wants to attract people to this village to enjoy the restaurants, etc. there are other things that need to be addressed. He is hoping this is not a done deal. The Village is getting tax revenue from that building, which is one of the reasons Ginsburg wants to change it; he is taking a loss on this building. He mentioned another item of discontent is the rental apartments. He understands the fact that banks are not lending right now for people to purchase homes, but to make the rental units animal friendly is only adding to the constant cleanup required in the area. He suggested putting a restaurant in the penthouse, giving people a wonderful view, where everything can be contained, but not at the Sales Center. He then requested the Board to give serious consideration to the feelings of the public with regard to this restaurant.

Mel Post, 1422 Round Pointe Drive: Mr. Post, addressing Andy Maniglia, stated that in all his years knowing Mr. Maniglia that he has always been a gentleman and he respected him for that. However, Mr. Ginsburg has totally compromised his stature with everyone from Harbors. He stated that before the residents arrived at Harbors, Mr. Ginsburg made many deals some legal and some questionable.

Andrew Maniglia: Mr. Maniglia stated that there is no truth to that, unless Mr. Post could back up his accusations.

Mel Post: Mr. Post mentioned one of the deals was the special taxation district, where they all spent \$2,500.00 up front, nonrefundable, for the sewer district,. The fact is no-one trusts Mr. Ginsburg any more. Once he has all the necessary permission to create a 35 seat restaurant, what's to stop him from putting in a 110 seat restaurant with outdoor seating, creating a larger amount of noise, a larger amount of odors, etc. He then spoke about the rat traps that are all around the promenade that have been placed

there by GDC. He spoke with someone from the DEC that day, however, was not able to talk with the person who signed off on this particular venue. He was lead to believe that there were approximately 14 oil tanks on the property still to be monitored, which is why he questioned about the last time it was monitored. Addressing the Board, he feels they have taken many steps to improve the Village, with the Quality of Life Committee and the Marketing Committee, both of which have many Harbors members. He hopes the Board sees the cooperation between the people and the Village.

William Shnipper, 31 Harbor Pointe Drive: Mr. Shnipper does not believe the square footage of the Sales Center is anywhere near the size required to operate a restaurant, inquiring what the maximum square footage would be to make this a go.

Mayor Kohut: The Mayor responded the proposal is for the existing footprint of the building and nothing more.

William Shnipper: Mr. Shnipper inquired where the kitchen would be located, as well as the bar and the customer seating. It appears to him to be way to small a space and that it would have to grow to make it functional as a restaurant.

Mayor Kohut: The Mayor explained that the proposal received by the Board was for the existing building and it would be retrofitted to accommodate the kitchen, bar and dining areas.

Andrew Maniglia: Mr. Maniglia mentioned that there are much smaller restaurants on Main Street in the Village. He stated that GDC is not building anything, but strictly using the existing structure as is, mentioning that there are no plans to include the outside area and GDC is simply going to rent out the property as it stands today; 4,200 square feet. Currently there is no operator, therefore, there is no exact plan.

Thomas Ganes, 17 Edgewater Lane: Mr. Ganes mentioned that the Village Ordinance allows for outdoor seating for up to 40 people, therefore, there could be a possibly of an outdoor seating area. He questioned if this has been looked in to.

Andrew Maniglia: Mr. Maniglia once again stated that they currently do not have an operator, therefore there are no set plans. He also stated that there could never be year round outdoor dining.

Thomas Ganes: Mr. Ganes felt during the warmer seasons they could provide outdoor dining according to the Village ordinance. He believes the law states it has to be sidewalk accessible, which would be possible here.

Mayor Kohut: The Mayor believes the outside dining regulations referred strictly to the downtown business district.

Thomas Ganes: Mr. Ganes also feels the quality of life is going to change, and not for the better, if this restaurant is allowed to go through. His property overlooks the Sales Center and he and his wife spend a lot of time outdoors. He mentioned that one of the units in his area just sold for \$435,000.00, close to a \$250,000.00 loss for him. They bought into Harbors for the quality of life, which most people did. This will definitely change

everyone's quality of life. They were never forewarned by GDC that this was in the works and there was no input from the residents of Harbors. He feels the Harbors residents should have been notified before the start of this application process.

Mayor Kohut: The Mayor explained the process for submitting an application for a change in status to any property, stating that the applicant is required to appear before the Planning Board and the Technical Advisory Committee before appearing before the Village Board of Trustees. They both give a positive or negative referral related to site issues, at which point the Village Board is required to hold a Public Hearing allowing input from Village residents. The Zoning Board has no authority over these types of applications and only the Village Board can make that decision.

William Shnipper: Mr. Shnipper felt that was very unusual.

Mayor Kohut: The Mayor explained that with the changes to the zoning law, only publicly elected officials can make those decisions.

Andrew Maniglia: Mr. Maniglia explained that if the Village Board approved this zoning change, he would then have to return to the Village Board with a proposal for Site Plan approval. Again, the Planning Board would have to approve it and refer it back to the Village Board for final approval for a restaurant in that facility.

William Shnipper: Mr. Shnipper's concern is that GDC never came to the Harbors residents expressing his desire to transform the Sales Center into a restaurant to ascertain the feelings of the people.

Mayor Kohut: The Mayor explained that whether or not they notified and spoke with the residents of Harbors, GDC would still have had to go through this process to do anything.

Mel Post: For the record, Mr. Post informed the Board that they sent out notices to everyone about this proposal.

Andrew Maniglia: Mr. Maniglia stated that GDC sent out notices to all the people involved, which is something they have to do by law.

William Shnipper: Mr. Shnipper stated that everyone at Harbors has lost a great deal of money so far and a commercial area is not going to help improve the value of anything, even when there is a financial turnaround. He feels the revenue that would be generated by this project would be a lot less, when the residential area generates so much more for the Village.

Alan Silver, 3118 Leeward Drive: Mr. Silver inquired what would happen to the restaurant if the residents of the Harbors were to boycott it. Has a study been done as to what percentage of their income will come from the Harbors vs. anywhere else.

Andrew Maniglia: Mr. Maniglia's response was there is no business there now, therefore, if the restaurant went "out of business" there would be no business there then.

Alan Silver: Mr. Silver believes whoever the restaurateur will be should be informed that the Harbors residents will be boycotting the restaurant and no-one from Harbors will be dining at that restaurant.

Madeline Zivian, 1413 Harbor Pointe Drive: Ms. Zivian wanted to reiterate what has been said by her Harbors neighbors, adding that the biggest issue is the credibility of GDC at this point. There is an HOA Board on site and she feels it would have been in everyone's best interest if they had been notified of this plan for a restaurant so they could have shared the information with everyone. There is a whole credibility issue and property value issue and she does not see how this is going to help. She suggested, with the additional rental units being built and the additional children coming into Harbors that it might be looked into as a playground area. She feels these are the types of things that will attract people to the rentals and also make the Village grow. She does not see how a 35 seat restaurant can bring any benefit to the Village.

Noel Rappaport, 31 New Main Street: Mr. Rappaport mentioned that he has had a business in the Village for 39 years and is a past president of the Chamber of Commerce. He feels a lot of promises were made by GDC with the original application, which have never come to fruition, including the ball field, the relocation of the DPW, hiring local people and training them to work on the site, revitalizing the downtown area, the Ben Franklin store refurbishing, etc. At this point, Mr. Ginsburg has no credibility with him, especially attempting to put in a restaurant outside the downtown area, which everyone is working so hard to revitalize. He does not want to segregate the Harbors area from the rest of the Village, which is what that restaurant would do.

Lenae Maddonna, 4 Lagoon Lane: Ms. Maddonna spoke about the Sales Center area being maintained by the Village. She and her husband take the ferry during the week and it is clearly visible that it is not being maintained and has been a mess since it was vacated two years ago. She has twisted her leg twice in a hole that still exists in the area of the Sales Center because she comes home late at night and there is no lighting in the area, which they have complained about for years. It is also a drug area. The paint on the bridge has been chipped for years and the wood posts are disintegrating. She feels, except for the beautiful landscaping, the area is a mess. She then mentioned that she bought into the Harbors for her retirement, expecting a peaceful, quiet place to live. Her property is on the lagoon, therefore, she faces the Sales Center. She and her husband enjoy sitting out on their porch on week-ends and this would disrupt the serenity they now enjoy. She then mentioned that she has to put in earplugs some nights when the Elks Club has parties going on. She is saddened by the thought of having more music coming from a place even closer and having to see a restaurant, smell a restaurant and listen to the noise from the restaurant. She feels every resident living on the lagoon will be negatively affected and no longer have the quality of life they expected when buying their homes.

Mayor Kohut: The Mayor inquired who they notified about the hole on the property.

Lenae Maddonna: Ms. Maddonna stated that they spoke to Frank about the hole. They have even requested that the Sales Center back lights be kept

on for the people that are arriving home late at night, especially in the winter when it gets dark early. She also mentioned that in the winter there is always ice and snow on the bridge because it is not being maintained.

Dennis McSherry: Mr. McSherry informed the Board that while listening to WRRCR that morning, there was a discussion with a realtor about Haverstraw, who commented that there are a lot of good things happening in the Village. The commenter stated that he hopes the Village continues on the same path and does not take a misstep. He was really happy to hear the Village portrayed in that way. He is hopeful that this restaurant will not be one of those missteps.

Steve Moetzing, 24 Harbor Pointe Drive: Mr. Moetzing brought up the fact that the building was constructed as a temporary location to house the Sales Center and was never intended to be a permanent structure because it would not meet the Building Codes.

Andrew Maniglia: Mr. Maniglia stated it's temporary arrangement was because it was built on a slab.

Steve Moetzing: Mr. Moetzing also stated that the building has no fire sprinklers, which all the Harbors residences have, because they are permanent structures. He feels that the investment that any applicant would need to make to bring the building up to code seems to be cost prohibitive. The other thing that this building would have to endure if a restaurant is constructed, is tons and tons of grease that will flow into the sewer lines. He inquired if the grease, from this restaurant that was never conceived, is going to pass through the pump station that currently exist for the Harbors and who is going to maintain the expense of getting it to the pump station and beyond.

Mayor Kohut: The Mayor explained that all those issues would be addressed in the Site Plan review and preparation. The Building Codes do required that a restaurant install a grease trap to prevent the grease from getting into the main sanitary sewer system and there is a Building Code for bathrooms in restaurants. The restaurant would have to be fully New York State compliant.

Steve Moetzing: Mr. Moetzing stated that the point of all the initial questioning is the fact that there is already an existing café in Harbors, which will be defunct in September of this year because the leaser was unable to make it work. If she is unable to make a go of it in that facility with the number of people at Harbors, he questioned whether or not this restaurant will endure. To the applicant, at the TAC session Mr. Maniglia made a comment that the Harbors residents were in support of the restaurant. Since there were only 3 or 4 people present at the TAC session, he believes the number of people that showed up and spoke at this Board Meeting was a better sampling of what the residents of Harbors are in favor of and they are definitely not in favor of a restaurant in the Sales Center. He also mentioned that the property in question is not being maintained. As a member of "Keep Rockland Beautiful" and the Harbors of Haverstraw HOA, he picks up trash every week. They called Metro North and complained because there have been vandalism and drug dealings at the site. He has also spoken with the Police Chief and Howard Phillips and nothing has been done. He is very concerned about this, stating the residents of Harbors did

not buy into a mixed use property. Most importantly, the residents of Harbors made an investment into the future and the changes that the Board envisioned for Haverstraw. He wholeheartedly feels this is not the right decision for this building. He suggested turning it into a corporate facility, where people will be there from 9:00 to 5:00, but definitely not a restaurant.

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

RESOLUTION #160A-2012

Motion by: Emily Dominguez

Seconded by: Terence Watson, Jr.

Motion carries: All

Mayor Kohut: The Mayor affirmed that the Board was not prepared to make a decision at this meeting, mentioning that they have several questions they need Mr. Maniglia to respond to in writing. He does not know when a decision will be made, but informed everyone the next regularly scheduled Board Meeting will be held on August 13th. He will let the HOA know if there is a decision made before that time. He thanked everyone for their input, explaining that a Public Hearing gives everyone a chance to express their feelings on a particular subject, which is what democracy is all about. The Mayor called for a five minute break before continuing with the meeting.

The Board reconvened following the break.

Mayor Kohut: The Mayor announced the next Public Hearing, an application by Jay Hood, Jr., Esq. for a zoning change on Route 9W, explaining that before opening the Public Hearing, the Village Board is required to adopt a "Negative Declaration of Environmental Significance". David Zigler will be representing the applicant.

Mayor Kohut entertained a motion to adopt a "Negative Declaration of Environmental Significance".

RESOLUTION #161-2012

Motion by: Terence Watson, Jr.

Seconded by: Emily Dominguez

Motion carries: All

Mayor Kohut: The Mayor invited David Zigler to come forward with his presentation.

David Zigler of Atzel, Scatassa & Zigler, Engineers & Planners: Mr. Zigler presented, on behalf of the Hood Family, an application for a zone change on two lots owned by the family, located adjacent to the Hood's law office on Route 9W, which is currently zoned as R1 Residential. During his discussion, he pointed out specifics of the area on a map. He mentioned that the corner of Gurnee Avenue and Route 9W is a Mixed Use area with both commercial and residential properties. He also stated that in previous years Walgreen's, Provident Bank and other commercial entities were interested in building on that site, however, nothing ever came to fruition. Without a zone change, there would be no way to allow for a commercial user on those lots. They are now requesting the Village Board to rezone the two lots, known as 50 & 51, which would allow a business to put together a

concept plan and give the Hood's an opportunity to find a commercial user for that property, because if zoned commercial, it will draw a lot of interest. They have met with the Planning Board, who referred them back to the Village Board, at which time this Public Hearing was scheduled. There are currently no users for this property, but there is commercial interest. With a zone change, the Hood's will be able to market the property more aggressively.

Mayor Kohut: The Mayor requested Counselor Laureano to speak about the technical aspects involved with this application. He informed the public at this time that with Counselor Hood being the Village Attorney and Counselor Laureano being the Deputy Village Attorney, but not a member of Counselor Hood's Law Firm, he will be requesting the Board to retain the services of another land use attorney, Counselor Terrence Rice of Suffern, to avoid any conflict of interest. Counselor Rice will review the transcripts of this Public Hearing and give the Board a referral regarding the application, which will put the Village on good legal ground with whatever decision is made. Counselor Laureano would answer any legal questions.

Robert Laureano, Deputy Village Attorney: Counselor Laureano mentioned that this petition was originally filed in November of 2011. He reviewed the petition and determined that it satisfied Section 245-35E of the Village Code. He believes Mr. Zigler came before the Village Board in February of this year and as Deputy Village Attorney, he instructed the applicant to go before the Planning Board, which he did on two separate occasions. A conceptual site plan was presented at the first meeting. At the second meeting, the Planning Board gave a positive recommendation and referred the applicant back to the Village Board.

Mayor Kohut entertained a motion to open the Public Hearing with regard to a proposed zoning change on Route 9W by applicant Jay Hood, Jr., Esq.

RESOLUTION #162-2012

Motion by: Terence Watson, Jr.

Seconded by: Emily Dominguez

Motion carries: All

Mayor Kohut: The Mayor invited the public to ask questions or make comments.

Mel Post: Mr. Post asked to be shown on the map exactly where Gurnee Avenue meets Westside Avenue.

David Zigler: Mr. Zigler, utilizing the map, pointed out and described the location, explaining that it is at the top of Gurnee Avenue where it joins Westside and Route 202.

Mel Post: Mr. Post questioned if that is the same intersection where the Board has been trying to have a traffic light installed. He feels the increased traffic flow would create a worse situation at that particular intersection.

David Zigler: Mr. Zigler explained that there was a traffic study done with the original site plan, including a plan to widen the road and install turning lanes in that area. If this zone change is granted, the site plan would go to the Planning Board, who has a right to ask for a Traffic Report, which is also

a requirement of the Department of Transportation (DOT) as one of the performance items they will be reviewing. Mr. Zigler explained that it does not matter if it is a high type user with a large volume of traffic or a low type user with a lot less traffic going in and out. DOT will analyze the report and if they deem it adequate will issue a permit.

Mel Post: Mr. Post stated that the reasoning for his question was because that intersection is probably the worst intersection in Rockland. He also mentioned that the Mayor and several other Rockland officials have written to the DOT about installing a traffic light in that area because it is such a dangerous intersection. DOT responded that they would try to install a traffic light at that intersection some time in 2013.

David Zigler: Mr. Zigler stated that if this site qualified for a traffic light because of a rating classification of "F", then the current classification on the site would be dropped from E to F and a light required to meet the code. It would then be the responsibility of the applicant to install a traffic light in that area.

Mel Post: Mr. Post mentioned that he spoke with Counselor Hood after finding out that he was Chairman of the Rockland County Safety Committee. He requested Counselor Hood to help with trying to get a traffic light installed in that area by DOT. Counselor Hood did try to get the timeframe moved up for the traffic light installation, however, DOT has still not come back with a response.

Larry Montroy, 289 Westside Avenue: Mr. Montroy pointed out on the map where he lives on Westside Avenue, mentioning that he has also spoken to DOT about a traffic light for that intersection and a survey team did come to do a Feasibility Study. He pointed out that there is a "STOP" sign right in front of his property, however, not everyone stops. If a traffic light is installed at that intersection, three tractor trailer trucks would take up the whole area from Route 9W to Westside Avenue. People are currently backed up in both directions on Westside often throughout the day, but a particularly high volume at prime times. He wanted to know, therefore, how a tractor trailer was going to be able to make that right hand turn onto Westside Avenue from Gurnee. He also mentioned that people currently have a hard time seeing the traffic coming from Gurnee Avenue and other people often are not using their turn signals. He also mentioned that some cars and the big trucks are driving in excess of the 35 MPH speed limit. He feels the whole area is a mess, and putting an entrance and egress onto Gurnee Avenue is not going to solve any problems; it can only make it worse.

Barry Berman, 21 Broadway: Mr. Berman is in favor of the zone change, stating it should have been done years ago because everything in the area is commercial, pointing out several businesses on the map. He feels if there was a small easement, for emergency services only, on Gurnee Avenue it might work. He has seen the County surveying the Route 202 area at least once a month, watching the traffic situation. Pointing at the map, he believes the area should all be zoned commercial. He thinks the Board should allow it to be a commercial zone the entire way down from Westside Avenue to Route 9W, which would also bring in more tax revenue for the Village, regardless of who owns the property.

Noel Rappaport: Mr. Rappaport is also in favor of the zone change, especially since it is currently just a vacant lot. He feels it is something that should be done so the property can be developed.

Mayor Kohut: The Mayor's response was, "that portion of Gurnee Avenue is already commercially zoned; it is the other two adjacent lots they are requesting a zone change for".

Todd McGowan, 173 Gurnee Avenue: Mr. McGowan remarked about the Short Clove Road overpass, which he stated everyone should be proud of, and was proposed because of the safety issues in that area. He has lived his entire life on Gurnee Avenue. He has seen many accidents with injuries and loss of life. He thought this zoning change was a bad idea 10 years ago and believes it is an even worse idea now. He asked the Board to consider that the Short Clove project was done because of public safety issues in order to save lives and prevent accidents. He feels that making this area commercial will not save lives, but will take lives.

Kathy McGowan, 173 Gurnee Avenue: Ms. McGowan stated that currently the site in question is a totally wooded area. She believes the zoning should be left as is, because anything commercial in that area is only going to cause an increase in traffic and bring about even more issues. She mentioned it is almost impossible for her to back out of her driveway with the traffic now. She is asking the Board not to make things worse by approving this zone change.

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

RESOLUTION #163-2012

Motion by: Emily Dominguez

Seconded by: Terence Watson, Jr.

Motion carries: All

Mayor Kohut: The Mayor thanked everyone for their comments and stated that the Board will give all comments their utmost consideration before making a decision on this matter. He mentioned again that the next Board Meeting would be held on Monday, August 13th, 8:00 PM, at which time the Board hopes to have a decision.

Mayor Kohut: The Mayor announced the third Public Hearing of the night regarding an amendment to a Proposed Local Law. He invited Village Attorney, Jay Hood, Jr., Esq. to begin his presentation.

Jay Hood, Jr., Esq.: Counselor Hood discussed the amendment to Section 152, Article 2 under Littering and Posting, which he believes is in response to complaints about littering and signs, both political and non-political, such as garage sales, advertisements, etc., along the roadside and on telephone poles. The amendment being proposed is to make illegal the posting of any signage within 10 feet of the end of the pavement, therefore, no public signs will be allowed on any public property along the roadway. He believes this amendment to the Local Law will cut down on the amount of signage posted, including on telephone poles, which actually is not currently allowed. The important part of this law is that it will allow the Superintendent of Public Works, the Building Inspector and any Code Enforcer to issue violations to

people who put signs out and also for the DPW to take the signs down and discard them without any notice to the people who post the signs.

Mayor Kohut entertained a motion to open the Public Hearing.

RESOLUTION #164-2012

Motion by: Emily Dominguez

Seconded by: Terence Watson, Jr.

Motion Carries: All

Noel Rappaport: Mr. Rappaport believes that Stony Point is doing the same thing. He suggested collaborating with them to prepare one law.

Mayor Kohut: The Mayor responded that he believes the Town of Haverstraw and the Village of West Haverstraw are also in the process of creating a signage law. He explained that there are different circumstances in the Towns of Haverstraw and Stony Point, in that the Town of Haverstraw is mostly residential and the homes are set back on most properties. For the most part, that does not exist in the Village of Haverstraw where there are numerous businesses along with residential areas where many homes are located right on the sidewalk. The Village would have to craft their law different than the Town's.

Barry Berman: Mr. Berman's concern is who is going to monitor the signs being put on telephone poles of every event, whatever it may be.

Jay Hood, Jr., Esq.: Counselor Hood stated that the Village has every intention to monitor the signage, which is one of the reasons this law is being proposed.

Barry Berman: Mr. Berman inquired what the fee would be for posting signage.

Jay Hood, Jr., Esq.: Counselor Hood stated it would be a maximum of \$1,000.00.

Mayor Kohut: The Mayor explained that the Village might not always know who puts the sign up if it is for an event and advertised as such. He gave an example of a circus advertisement; they probably did not put up the signs, stating that the person or company posting the signage is who the Village would fine.

Barry Berman: Mr. Berman then asked about the vacant stores where signs are put up randomly.

Jay Hood, Jr., Esq.: Counselor Hood responded they would need permission of the landowner to put up signs and most do not have that permission.

Barry Berman: Mr. Berman inquired when this law would take effect.

Mayor Kohut: The Mayor responded that Local Laws take effect after they are submitted to the State and once the Village receives approval for the law.

Emily Dominguez: Trustee Dominguez informed Mr. Berman that Counselor Hood has reached out to several people that have posted signs on buildings (i.e. Ben Franklin building).

Mel Post: Mr. Post feels this is an excellent law, a long time overdue, and will certainly help to clean up the community and make it look more attractive. He also took this opportunity to thank the Board for their immediate action on the speed signs from the overpass to Harbors and beyond.

Mayor Kohut: The Mayor mentioned that the police have also been very cooperative with setting up speed traps in the area.

Larry Montroy: Mr. Montroy inquired how that will affect the people running for office with their signage and also if signs can still be placed on private property. He also inquired if he could put a sign on his property advertising a garage sale.

Jay Hood, Jr., Esq.: Counselor Hood responded that signage can be posted on private property for garage sales, etc. He then explained that a part of the proposed law was taken from the Town of Clarkstown, who had their law challenged, but it was upheld. The basic part of this law is that everyone is treated the same, whether it be, for example, Rotary Club advertising or political advertising.

Larry Montroy: Mr. Montroy mentioned that on the corner of Gurnee and Westside Avenues, where American Heating is located, there could be up to 15 signs there for everyone running for office.

Jay Hood, Jr., Esq.: Counselor Hood informed Mr. Montroy that whoever is posting signs there would have to have permission from the property owner to do so.

Mayor Kohut: The Mayor stated that on resident's own property they can put up signage for garage sales, election signage, etc. He also mentioned that a lot of absentee owners never know that their property is being used that way. This law would allow the Village to remove those signs, particularly if the Village contacted American Heating and they stated they did not give permission for anyone to post signs on their property.

Larry Montroy: Mr. Montroy also mentioned that not only is it an eyesore with the signage, but it presents a hazard to traffic coming up Gurnee Avenue.

Sherry Copeland, 68 Main Street: Ms. Copeland stated that the old law allowed signage if it is authorized.

Jay Hood, Jr., Esq.: Counselor Hood stated that would remain the same, signage would be allowed if authorized by the property owner.

Sherry Copeland: Ms. Copeland asked about the fairness Counselor Hood spoke of.

Mayor Kohut: The Mayor explained that the law has to be content neutral.

Sherry Copeland: Ms. Copeland understands that, however, wanted to know about a renter.

Mayor Kohut: The Mayor responded if someone is renting an apartment, a sign could be hung in their window or if the property owner gave permission it could be placed on the front property.

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

RESOLUTION #165-2012

Motion by: Emily Dominguez

Seconded by: Terence Watson

Motion Carries: All

Mayor Kohut: The Mayor continued with the regular agenda inviting the public to ask questions or make comments for the first Public Participation.

Barry Berman: Mr. Berman has noticed that Trustee Dominguez has been opening the Farmer's Market every Sunday and is doing a great job. He also stated that Trustee Dominguez is doing a great job with the Village Day Camp.

Judith Curcio, Village Clerk/Treasurer: Ms. Curcio announced that the Farmer's Market needs volunteers to setup and breakdown the market. Setup is between 8:00 and 8:45 AM and breakdown is between 1:00 and 2:00 PM. She stated that people can volunteer for one Sunday or as many as they can make. All efforts are appreciated.

Carmen Waitzies, 144 Hudson Avenue: Ms. Waitzies wrote a letter to the Board requesting a speed bump in her area because of the speeding vehicles. She is concerned with the safety of the children, as well as the adults, because people run the "STOP" signs and then speed away. She believes it would help immensely, especially with all the children playing outside at this time of the year.

Mayor Kohut: The Mayor inquired if people were coming up Tor Avenue or coming from the end of Hudson Avenue.

Carmen Waitzies: Ms. Waitzies replied that they come from all different directions. At 7:00 AM, when she is out walking the dog, she sees the cars speeding and going right through the "STOP" sign. She explained when she first moved in she wrote a letter to the Board requesting "STOP" signs be installed, which they were. But now, something more is needed.

Mayor Kohut: The Mayor inquired if there is a "STOP" sign at Tor and Hudson Avenues and the response from Ms. Waitzies was "YES".

Carmen Waitzies: Ms. Waitzies inquired what else she needed to do to move ahead with the installation of a speed bump.

Mayor Kohut: The Mayor explained that the Board is trying to balance out the neighborhoods with speed bumps and, unfortunately, there cannot be a speed bump on every street in the Village, mentioning that the Board is receiving more and more requests for speed bumps. He explained that the

Board has been reviewing all the requests, but mentioned the fact that she is here voicing her concerns, expresses to the Board the seriousness of her concerns.

Terence Watson, Jr.: Trustee Watson informed Ms. Waitszies that he and George White will take a look at the area to see what can be done.

Mel Post: Mr. Post stated that he visited the Farmer's Market that previous Sunday and noticed a numerous amount of people walking to the market. He believes that many of the walkers were from lower income families. He suggested targeting those people and giving them a coupon for a certain dollar amount off their purchases.

Mayor Kohut: The Mayor informed Mr. Post that there is already a program for that purpose called "SNAP", which supplies coupon dollars to families that they can use to shop at the Farmer's Market.

Noel Rappaport: Mr. Rappaport informed the Board that there has been a tractor trailer parked on West Broad Street for about a week and questioned whether or not that was legal.

Mayor Kohut: The Mayor responded that he did not believe it was there that long, but he will instruct the Parking Enforcers to check it out.

Noel Rappaport: Mr. Rappaport wanted an update on the signage at the entrance to the Village at the top of New Main Street.

Emily Dominguez: Trustee Dominguez informed Mr. Rappaport that the Committee has just approved the sign and she would be calling the firm the following day to start the final design, which she said should take approximately six weeks. She mentioned that both the top and bottom pieces are in and will be hung as soon as possible.

Larry Montroy: Mr. Montroy asked for an update on the Streetscape.

Mayor Kohut: The Mayor responded that it is moving along. All the paperwork has been submitted to the State agency who has to review it and approve it. The Board is hoping to get the funding and go out to bid this fall to move forward with the project in 2013. With no further input from the public, the Mayor moved forward with the regular agenda.

Mayor Kohut:

REPORTS OF VILLAGE OFFICIALS

VILLAGE ATTORNEY, Jay Hood, Jr.: Counselor Hood informed everyone that the Village has been served by several tobacco companies in a lawsuit regarding the newly adopted Local Law to restrict tobacco product displays in all stores in the Village that are accessible to minors. He has been in contact with three other attorneys and discussed the need for more time to put together a defense team from other agencies who might be willing to help the Village. The tobacco companies have asked the Village to delay the law from taking effect by six months, moving the timeframe from October, 2012 to April, 2013.

Mayor Kohut entertained a motion to delay the timeframe for the law to take effect by six months as stated above.

RESOLUTION #166-2012

Motion by: Rafael Bueno

Seconded by: Emily Dominguez

Motion Carries: All

Counselor Hood stated that he will continue to update the Board on whatever defense team can be found or whatever avenues the Village will have to take.

Counselor Hood mentioned that there was recently a drug bust throughout much of the county, totaling 37 indictments, 12 of which were listed as being Village residents, however, some of the addresses were wrong. He wanted to let the public know that the Village is taking a proactive role with this problem by sending letters, which he will draft, to the landlord's where these people live informing them that there has been an arrest and illegal activity taking place at their premises. He feels some of the landlord's may not even know what is happening on their premises. This will keep everyone informed and the landlords can take the necessary actions to make the Village a safer place.

Terence Watson, Jr.: Trustee Watson just wants to be sure that the letter does not have any accusatory wording.

Counselor Hood stated the letter will just be an informational type of letter to let the landlord's know that there has been an arrest and indictment made against a tenant.

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 the Haverstraw Committee for Free Thanksgiving & Christmas Dinners. They are asking for approval to use Emeline Park to hold their "2nd Annual Back to School Backpack Program" for the children of the Village, on Sunday, August 19th, with a rain date of Sunday, August 26th from 2:00 to 5:00 PM. There will be music, arts & crafts, hamburgers, hot dogs and soft drinks for all those attending. Last year they provided over 200 children with filled backpacks to start the new school year.

Mayor Kohut entertained a motion to approve the use of Emeline Park as stated above.

RESOLUTION #167-2012

Motion by: Terence Watson, Jr.

Seconded by: Rafael Bueno

Abstain: Emily Dominguez

Motion Carries

The Mayor received a request from the Palisades Credit Union, headquartered in Pearl River, to set up a mobile branch in the Village at the Knights of Columbus parking lot. They are trying to gauge an interest for a Credit Union within the Village. He mentioned that in Hispanic and Caribbean countries the people, for the most part use, Credit Unions instead of traditional banks. This will give the Village an opportunity to get another financial institution back into the Village. They are looking to come in a couple of days of week to start. They met with representatives from the Credit Union at a workshop and after a thorough discussion, the Board approved having them come in on a temporary basis for approximately one year, at which time the Credit Union will make a decision whether or not it would be practical for them to open a full service branch in the Village. They will be limited to certain days when there is nothing going on at the Knights of Columbus, such as bingo, Seniors meetings, etc., which take place on Monday's. The Board will speak with their representative to figure out the days they will be able to utilize the Knight's parking lot. They will be charged for the number of parking spaces they utilize.

Mayor Kohut entertained a motion to allow the Palisades Credit Union, to set up a mobile branch as stated above.

RESOLUTION #168-2012

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

The Mayor informed the public that the Village has recently put out three pieces of surplus equipment for sale no longer needed by the DPW. It was put on Public Surplus, which is a website where they hope to obtain the best prices for the equipment listed as follows:

1997 Ford Utility Truck	-	\$2,400.00
1995 GMC Suburban	-	\$ 500.00
1997 Peterson Trailer	-	\$1,825.00

Mayor Kohut entertained a motion to sell the equipment as stated above.

RESOLUTION #169-2012

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

The Mayor informed the public that the Village has gone out to bid for the 2012 Curb & Sidewalk Program, which is a two-part bid. The first part is for replacement of the sidewalks along Westside Avenue just up from Gurnee Avenue and Conklin Avenue up to the railroad tracks on Westside Avenue, which would require the removal of three trees, grounding stumps and new curbs and sidewalks installed. The second part, which is dependent upon the bids received for the first part, was to repair the sidewalk on Leonard Street, between Conklin Avenue and Sharp Street. Bids were received from Genrose Corp., Bella Vista Construction and Victor P. Zugibe. As per the bid specifications, the low bid for the Westside Avenue Project was from Genrose Corp. at a cost of \$51,235.00, with a bid for the Leonard Street Project at a cost of \$19,451.00 for a total cost for both projects of \$70,686.00.

Mayor Kohut entertained a motion to award the bid to Genrose Corp. as stated above.

RESOLUTION #170-2012

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

The Mayor received a request from Kings Daughters Library, who recently replaced two air conditioners in the building, for which a Building Permit was obtained by the contractor. The contractor was unaware of the Village's policy not to charge another municipality for a Building Permit, therefore, they are requesting that the fee of \$110.00 be waived and the money be refunded.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #171-2012

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

The Mayor informed the public that the Village together with three other communities in Rockland County, have received a Healthy Communities Grant. A portion of the 2011 grant, in the amount of \$25,000.00, was used to install playground equipment as a part of Phase 1 of the playground project at the Community Center. The Village is now ready for Phase 2 of that playground project, which includes a climbing wall, exercise platforms and a mural, for which a motion is required to utilize \$10,000.00 of that grant money for the completion of that playground and to give the Mayor the authority to sign the agreement with the County for the grant.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #172-2012

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

The Mayor mentioned that between Spring Street and Gurnee Avenue, behind several houses, there are several large trees that have been losing their branches and are too overgrown. It is time for those trees to be taken down to protect the neighboring properties. The Board has received three estimates for this project, with Northern Tree Service coming in with the lowest bid of \$3,500.00.

Mayor Kohut entertained a motion to award the project to Northern Tree Service at a cost of \$3,500.00.

RESOLUTION #173-2012

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

The Mayor mentioned that the DPW is in need of some small equipment for the ball field. They have received a price for a Red Max Backpack Blower, a weed-whacker and a lawnmower for a total cost of \$12,069.97. Through the manufacturer, there is a 48 month, 0% financing, on the lawnmower, which is an \$11,000.00 item. The Village is looking to purchase this equipment with the 0% financing to be paid over a period of four years.

Mayor Kohut entertained a motion to that effect.

RESOLUTION #174-2012

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

The Mayor received a request from the Haverstraw Fire Department for permission to host the Rockland County Fire Department Convention and Parade scheduled for September 12th & 13th, 2014, mentioning that this event could draw hundreds of people to the Village for that weekend.

Mayor Kohut entertained a motion to approve the Fire Department's request to host the annual convention and parade in 2014.

RESOLUTION #175-2012

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

The Mayor received a request from the Rotary Club for permission to host a carnival at the Knights of Columbus parking lot from Tuesday, August 7th through August 12th.

Mayor Kohut entertained a motion to grant permission for the carnival pending verification of the dates by the Mayor with the President of the Rotary and receipt of the proper insurance certificate.

RESOLUTION #176-2012

Motion by: Emily Dominguez
Seconded by: Terence Watson, Jr.
Motion Carries: 3 Yes – 1 No

The Mayor had nothing further to report.

Mayor Kohut:

REPORTS OF STANDING COMMITTEES

FIRE & ORDINANCES – **Trustee Rafael Bueno**: Trustee Bueno submitted the following application(s) for acceptance to the Haverstraw Fire Department as follows:

Frank J. Francabandera -	Rescue Hook & Ladder Co. #1
Ronny A. Pena -	Rescue Hook & Ladder Co. #1

Both applications are complete and in order.

Mayor Kohut entertained a motion to accept both applicants into their chosen fire company.

RESOLUTION #177-2012

Motion by: Rafael Bueno

Seconded by: Terence Watson, Jr.

Motion Carries: All

Trustee Bueno then read the following report submitted by Fire Chief Patrick McNamee for the month of June, 2012:

Total Alarms	-	18
General Alarms	-	16
Structure Fires	-	0
Special Calls	-	1
Boat Calls	-	2
Mutual Aid Calls	-	2
Extrication Calls	-	1
False Alarms	-	5
Good Intent/Miscellaneous	-	2
Vehicle Fire	-	1
Brush Fire	-	1
Trash/Rubbish Fire	-	1
Cooking Fires	-	5
Gas Leaks	-	0

Total Manpower Responding - 350 members

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 July 9th, 2012:

- 1) Started up the Gurnee Avenue fountain.
- 2) Started installing a sidewalk and block pavers at the Community Center.
- 3) Cut down the high brush at the Greenway Trail.
- 4) Repaired playground equipment at Emeline Park and Jefferson Street.
- 5) Repaired the guardrail at the Community Center.
- 6) Continued working at the sewer line by Green Hills.
- 7) Orange & Rockland milled and paved Samsondale Avenue and Westside Avenue.
- 8) TAM installed a new sewer pump at the Riverside Avenue pump station due to the failure of a 32 year old pump.

YOUTH & FAMILY SERVICES - Trustee Emily Dominguez: Trustee Dominguez reported on the following activities at the Haverstraw Center:

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

Homework Program – Ended following the end of the school year.

Daycamp – Began today (7/9) with approximately 160 children. It was a great first day with the children getting acquainted with the counselors and everyone is hoping for a fun, exciting six weeks of camp. She submitted the summer camp employee log to the Village Clerk.

Mayor Kohut entertained a motion to approve the counselor/life guard list.

RESOLUTION #178-2012

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

Trustee Dominguez had nothing further to report.

BUILDINGS & CODE ENFORCEMENT - Trustee Francisco Batista: The Mayor mentioned that Trustee Batista is away and has been transferred to another school due to the closing of Neary Elementary School. In his absence, the Mayor read the following report submitted by Building Inspector, Ruben Berrios for the period of June 18th through July 6th:

Municipal searches	-	1
Miscellaneous inspections	-	192
Construction inspections	-	12
Complaints	-	11
Violations & tickets	-	33
Permits	-	11

There was nothing further to report from the Building Department.

Mayor Kohut:

OLD BUSINESS

Emily Dominguez: Trustee Dominguez gave an update on the Concession Stand at the Cpl. Manny Lopez Ball Field, stating that the siding is going on, windows and doors are in. She thanked all the volunteers who have given their time and energy during these hot summer days. She also invited everyone to the Farmer's Market on Sunday's from 9:00 AM to 1:00 PM.

Mayor Kohut:

NEW BUSINESS

None.

Mayor Kohut:

2nd PUBLIC PARTICIPATION

Noel Rappaport: Mr. Rappaport suggested that instead of parking the mobile trailer for the Palisades Credit Union that it be parked somewhere in the downtown business district.

Mayor Kohut: The Mayor stated that mobile units are not allowed in the downtown business district, along with the fact that the unit is too big and if the Board allows one mobile unit to set up in the downtown area then they have to allow other mobile units to also set up in the downtown area.

Larry Montroy: Mr. Montroy suggested using the old doctor's office across from the Knights of Columbus.

Mayor Kohut: The Mayor stated it is private property, however, if the owner would allow, that property could be developed.

Mel Post: Mr. Post was wondering if there was any interest in the bank building to date.

Mayor Kohut: Counselor Hood informed Mr. Post that it is up for auction. He also mentioned that there is a local businessman that may be interested in the building, he is not sure of the purpose, but it is a marquis building in the Village and would be nice to once again have it occupied. He then mentioned that the other bank building will probably become vacated in the near future.

Linda Montroy: Ms. Montroy wanted to know the procedure involved to be put on a list to repair their sidewalks or have new sidewalks installed in her area of Westside Avenue, where the sidewalks are in terrible condition.

Mayor Kohut: The Mayor mentioned that he had a long discussion with one of her neighbors on Westside Avenue. He informed that gentleman at the time that it is a state road, therefore, the State controls everything that happens on that roadway. The Mayor mentioned that they were on the list for sidewalks and drainage and then the State pulled that area off the list. They did pave the area, which was an improvement, and the Village has been fighting for the State to improve the conditions of the sidewalks. They will continue to stress the need for these improvements to the State or see if there is something that the Village can do. The problem with that would be if sidewalks were installed without drainage it would just ruin the sidewalks. Counselor Hood has also tried to convince the State that something needs to be done to no avail. Howard Phillips and David Carlucci have made appeals to the State as well. The Mayor tried before the paving to have the State work on the whole area, including the roadway, the drainage and sidewalks and the traffic light, but only the paving was done.

Larry Montroy: Mr. Montroy suggested making Westside Avenue from the cemetery to the corner of Gurnee a dead-end street. He wanted to also mention that the residents of Harbors are not the only people who have lost money on their homes.

Mayor Kohut: The Mayor mentioned that he and Mr. Montroy have spoken about the dead-end street and he feels it is a good idea, however, he does not believe the State would think highly of the idea.

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

RESOLUTION #179-2012

Motion by: Emily Dominguez

Seconded by: Terence Watson, Jr.

Motion Carries: All

Respectfully submitted by,

Beverly A. Swift
Senior Steno Clerk
August 6, 2012