

The minutes of the Regular Meeting of the Village of Haverstraw Board of Trustees on Monday, October 1, 2012, beginning at 8:00 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL	Trustee Batista	- Present
	Trustee Bueno	- Present
	Trustee Watson	- Present
	Trustee Dominguez	- Present
	Mayor Kohut	- Absent (at conference)

In the absence of Mayor Kohut, Deputy Mayor Francisco Batista presided over the meeting. He 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 was under the impression that the Village took over the Executive Touch property, however, he saw a "For Sale" sign on the building and wanted to know what was happening with that property.

Trustee Watson: Trustee Watson informed Mr. Rappaport that the Village did take over the Executive Touch property by Eminent Domain and then sold it to GDC, who is the current owner.

Larry Levine, 1414 Round Pointe Drive: Mr. Levine again brought up the matter of installing "STOP" signs and a crosswalk on West Street. He is very concerned about the safety issues in that area because people are still speeding and not paying attention to signs when coming off the overpass without consideration for their surroundings. He feels it is really becoming too dangerous a situation to ignore, especially now that school is open.

Trustee Watson: Trustee Watson informed Mr. Levine that the Mayor and George White have looked into the problem and decided a crosswalk does need to be installed on West Street.

Larry Levine: Mr. Levine then stated he still feels "STOP" signs also need to be installed in that area for added protection for all pedestrians and to cut back on the speeding vehicles coming off the overpass.

Magdalena Truchan, 1213 Round Pointe Drive: Ms. Truchan spoke about her concerns with the crosswalks at Harbors. She mentioned that only two crosswalks were installed at the main circle where four were supposed to be installed. She also feels that the "STOP" signs are too small and something needs to be done to rectify the situation. She then mentioned that she had spoken at a recent Board meeting about the possibility of getting the ferry operational on weekends and wanted to know where that stands.

Deputy Mayor Batista: The Deputy Mayor reported that the Board is moving forward with preparing a resolution in support of a weekend schedule for the ferry.

Trustee Dominguez: Trustee Dominguez informed Ms. Truchan that the Board is in the process of preparing a resolution about the ferry, which they hope will be ready for a vote at the next meeting.

Trustee Watson: Trustee Watson would have George White look into the crosswalk situation at Harbors, also mentioning that they agree the “STOP” signs are too small.

Magdalena Truchan: Ms. Truchan thanked the Board for their help in getting these situations at Harbors taken care of.

Mel Post: Mr. Post believes that when the “STOP” signs are replaced, that they should be located further up the road where they will be more visible to traffic.

Catherine Fullam, 1216 Round Pointe Drive: Ms. Fullam informed the Board that the “Speed Limit” sign at that same intersection, is covered by a branch and cannot be seen by drivers.

Andrew Maniglia: Mr. Maniglia also agreed that the “STOP” signs are not the size regulated by the State. The contractor at the time thought that they would be more decorative for the area.

Arthur Taub, 3304 Leewood Drive: Mr. Taub informed the Board that he called the police, faxed Mayor Kohut, Police Chief Miller and Supervisor Howard Phillips a couple of weeks back because he and his wife observed what appeared to be a “drug buy” on the riverfront in the area of Harbors. He mentioned that he was trained by, and worked for, Police Commissioner Kelly as a Customs Inspector and was familiar with transactional dealings. Supervisor Phillips informed Mr. Taub that Police Lieutenant Lund would be in touch with him, and he was, but unfortunately, the following day there was a murder in North Rockland that drew all the police attention. He wanted the Board to know that safety is definitely an issue in that area and that there are constantly cars driving through the Harbors and parking in the area behind the trailer.

Andy Maniglia: Mr. Maniglia inquired if moving the trailer would help alleviate the matter.

Deputy Mayor Batista Mayor Kohut:
REPORTS OF VILLAGE OFFICIALS

VILLAGE ATTORNEY, Jay Hood, Jr.: Counselor Hood requested Andy Maniglia to come forward to present an application to the Village Board for the Riverside Building.

Andrew Maniglia: Mr. Maniglia pointed out on a map the location of the building, which is proposed to be 106 rental units. It is replacing a former plan of building approximately 55 units and then another row of town homes. He explained that this is not a site plan application, but a subdivision application to combine three lots listed in the application, which will enable them to prepare a site plan for this 106 unit building.

Max Stach, Turner Miller Group: Mr. Stach explained that the long form has to show all three steps of the application, therefore, all steps are required to be prepared and completed at the same time for the Environmental Review. He further explained that all three applications did not have to be submitted

at the current time, but when doing the Environmental Review it has to be done as if all three applications were being submitted.

Andrew Maniglia: Mr. Maniglia expects that the Environment Review will be done at site planning, however they will prepare the EAF and submit it to the TAC Committee for review, after which they will present all three at the next Planning Board meeting.

Max Stach: Mr. Stach then informed Mr. Maniglia that after presenting the application to the Planning Board, a traffic analysis, tax analysis for school/child numbers, and other items done in the past with this type of application, will have to be done.

Jay Hood, Jr., Esq., Village Attorney: Counselor Hood inquired if the Board needs to declare "Lead Agency" on this particular project or are they considered "Lead Agency" on the whole waterfront project.

Max Stach: Mr. Stach explained that in this situation the Board could declare that they are "Lead Agency" in an unlisted action.

Jay Hood, Jr., Esq.: Counselor Hood requested the Board accept the application presented by Mr. Maniglia.

Deputy Mayor Batista entertained a motion to accept the application for the Riverside Building.

RESOLUTION #238-2012

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

Jay Hood, Jr., Esq.: Counselor Hood then requested the Board declare "Lead Agency" for SEQRA purposes.

Deputy Mayor Batista entertained a motion to declare the Village as "Lead Agency" as stated above.

RESOLUTION #239-2012

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

Jay Hood, Jr., Esq.: Counselor Hood then requested the Board to forward the application to the Planning Board for review and recommendations.

Deputy Mayor Batista entertained a motion to forward the application to the Planning Board as stated above.

RESOLUTION #240-2012

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

Mel Post, 1422 Round Pointe Drive: Mr. Post mentioned that when Mr. Maniglia submitted his application for the Parkside Building it was short four

parking spaces and wanted to know if those four spaces have been accounted for on the new site. He also mentioned that Harbors is short on parking spaces all around.

Andrew Maniglia: Mr. Maniglia does not believe that Harbors is short on parking spaces, but that the street parking and other parking is misused. He stated that there are 175 public parking spaces and that many of the residents of the town houses do not use their garages for parking their cars. They put one in the driveway and the other on the street, stating that if the people used their garages there would not be a shortage of parking. With regard to the four spaces from Parkside, they were actually from Bayside. He explained that Parkside had the right amount of parking and some of that parking was deeded to Bayside residents when they purchased their units and the Village has an easement to clean and plow those streets.

Mel Post: Mr. Post requested again to know where the four parking spots went that were short in the planning of one of those two buildings. He believed they were supposed to be in the area of the Riverside Building.

Andrew Maniglia: Mr. Maniglia did not remember that ever being mentioned, but explained that street parking became a part of the Bayside units and was deeded to them upon purchase.

Mel Post: Mr. Post remembered the meeting precisely because Mr. Maniglia stated that the spots would be moved to the new building and he even asked permission of the Board to do that. His comment, at the time, was if and when there is a new building and he stated Mr. Maniglia agreed to that.

Andrew Maniglia: Mr. Maniglia stated that the subsequent meeting to that was what Mr. Post was referring to, with the spaces that would be located on the street and became a part of Bayside. Mr. Maniglia believes there was a shortage of spaces on the Bayside Building and when they closed on those units they deeded part of the street over to the people who had the units in the Bayside Building.

Max Stach: Mr. Stach remembered there being a shortage of spaces, however, he believed they were in Parkside and not Bayside. He does not believe the newest building had all the parking that was required, which was the reasoning for on-street parking between Parkside and Bayside at the end of that road, which is why the Village did not take that over.

Andrew Maniglia: Mr. Maniglia stated that Parkside is all rental units, therefore, would not be deeded.

Max Stach: Mr. Stach believed the authority to park in those spaces is reserved for Parkside residents. He thought they were assigned to units, which is the reason the Village could not take them over.

Andrew Maniglia: Mr. Maniglia stated that if they were assigned to anybody, they were assigned to the residents in Building B.

Max Stach: Mr. Stach pointed out that those spots are necessary to meet the parking requirements for Building B, so rather than having those units forwarded, which would not have been acceptable from the Planning or

Village Board's standpoint, they would use the on-street parking to satisfy the parking requirement.

Mel Post: Mr. Post stated that this matter should be in the minutes of that meeting, but to his recall it was exactly four spaces that were supposed to be moved into the new area, if and when, those buildings are constructed.

Andrew Maniglia: Mr. Maniglia pointed out on the map what Mr. Stach was referring to, showing the boundary, and explaining that is why the Village did not get that deeded over. He does not remember the spots being committed to individual units because there was no ownership.

Max Stach: Mr. Stach mentioned that there was some discussion about parking being provided that would serve Building B. If parking for Building A could also serve Building B than those four parking spaces could become on-street public parking in the future.

Andrew Maniglia: Mr. Maniglia pointed out on the map where they are looking to provide parking.

Deputy Mayor Francisco Batista: The Deputy Mayor stated that he did recall the issue with regard to parking on the street and that the Village would have to make some accommodations for the DPW to plow the streets.

Max Stach: Mr. Stach stated that there are two spots that are next to the pump station that are supposed to be Riverside. They are in the Master Parking Plan that GDC originally submitted.

Trustee Terence Watson, Jr.: Trustee Watson stated that when the plans are presented the Boards will make sure that the spots are not double counted or moved back.

Andrew Maniglia: Mr. Maniglia will send the Board a Parking Plan to review. He also requested the Board to schedule a TAC meeting prior to the Planning Board meeting.

Jay Hood, Jr., Esq.: Counselor Hood requested the Board to discontinue the Bond on Building B, which has been completed. He is preparing a letter to follow up on that with a resolution, which is required for the Bond to be released.

Deputy Mayor Batista entertained a motion to release the Bond on Building B as stated above.

RESOLUTION #241-2012

Motion by: Emily Dominguez

Seconded by: Terence Watson, Jr.

Motion Carries: All

Jay Hood, Jr., Esq.: Counselor Hood then requested the Board to authorize him to sign a Real Estate Listing Agreement for the Chair Factory property. He mentioned that he has met with Jim Damiani, of Rand Commercial Services, who is going to help the Village with the marketing of the property for a six month period with a six month renewal period upon the consent of

both parties. He mentioned that the agreement did not list a price for lease or sale as he did not want to limit the Village to a specific price, with the usual compensation of 5% of whatever is received by the Village.

Deputy Mayor Batista entertained a motion to authorize the Village Attorney to sign an agreement as stated above with regard to the Chair Factory property.

RESOLUTION #242-2012

Motion by: Rafael Bueno

Seconded by: Emily Dominguez

Motion Carries: All

Jay Hood, Jr., Esq.: Counselor Hood reported that there is an appeal pending on a Building Code Violation that is being handled by Robert Laureano, Esq. Counselor Laureano will now have to handle the appeal and is seeking compensation in the amount of \$250.00 per hour. Counselor Hood recommended hiring Counselor Laureano to represent the Village in this matter.

Deputy Mayor Batista entertained a motion to hire Counselor Laureano, with an hourly rate to be negotiated by the next meeting.

RESOLUTION #243-2012

Motion by: Emily Dominguez

Provided the amount stays under the cap discussed.

Seconded by: Terence Watson, Jr.

Motion Carries: All

Counselor Hood had nothing further to report.

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

MAYOR'S REPORT: In the absence of Mayor Kohut, Deputy Mayor Francisco Batista read his report as follows:

Deputy Mayor Batista announced that the Village received only one bid for the purchase of two trucks for the DPW. The bid was from Schultz Ford in the amount of \$97,800.00.

Deputy Mayor Batista entertained a motion to award the bid to Schultz Ford and that it not surpass the agreed upon amount.

RESOLUTION #244-2012

Motion by: Terence Watson, Jr.

Seconded by: Rafael Bueno

Motion Carries: All

Deputy Mayor Batista then informed everyone of the road improvement project for the year 2012, which will include improvements to Jefferson Street, Rockland Street, Hoover Avenue, Lakeview Court, Harding Avenue, Archer Street and Springstein Avenue.

Deputy Mayor Batista entertained a motion to award the roadwork project to the lowest bidder, Tilcon.

RESOLUTION #245-2012

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

Deputy Mayor Batista then entertained a motion to accept a grant in the amount of \$18,000.00 for the Community Center.

RESOLUTION #246-2012

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

Deputy Mayor Batista then mentioned that the Justice Court is having problems with the door opening and closing on the left side of the building, which has been repaired on several occasions, only to return to the same problem. They are requesting to have the door replaced with a steel door to be paid for with funding from a 2012 grant that they received. The cost for the installation, including a new steel door with new keyed cylinder and handle, painting, debris removal, a new cylinder type overhang and two new concrete footings, will be \$4,950.00.

Deputy Mayor Batista entertained a motion to approve the installation of a steel door in the Justice Court as stated above.

RESOLUTION #247-2012

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

Deputy Mayor Batista entertained a motion to allow the Justice Court Grant to apply for a grant for 2013.

RESOLUTION #248-2012

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

Deputy Mayor Batista reported that the Justice Court is due for their annual audit, therefore, he entertained a motion to approve RFP to prepare the annual audit of the Justice Court.

RESOLUTION #249-2012

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

Deputy Mayor Batista requested authorization from the Board for the Mayor to sign an agreement with Morwood Oaks Management for a gross receipts audit.

Judith Curcio: Ms. Curcio explained that this company will do an audit of utility taxes paid to the Village to make sure the Village is getting everything they are supposed to from the utility companies. She also mentioned that Morwood would receive 50% of any refunds they find are due to the Village during the first year and 25% of any incremental increase over the next two years.

Deputy Mayor Batista entertained a motion to authorize the Mayor to sign the contract with Morwood Oaks Management as stated above.

RESOLUTION #250-2012

Motion by: Emily Dominguez

Seconded by: Terence Watson, Jr.

Motion Carries: All

Deputy Mayor Batista then mentioned a request received from Beverly Swift for assistance in funding the Holiday/Santa Festival in the amount of \$350.00. He reported that the festival will be held on Saturday, December 1st in conjunction with the Chamber of Commerce and local merchants who will have holiday specials throughout the day and will also include the concert by the Rockland County Concert Band held at the Presbyterian Church, followed by the Village Tree Lighting at 4:30 PM.

Deputy Mayor Batista entertained a motion to approve the above request.

RESOLUTION #251-2012

Motion by: Rafael Bueno

Seconded by: Emily Dominguez

With the stipulation not to go over budget.

Motion Carries: All

Deputy Mayor Batista made the following announcements:

- 1) Haverstraw Craft Fair – Saturday, October 13th from 10:00 AM to 5:00 PM at the Stone Building adjacent to the Village Hall.
- 2) Brickyard 5000 Race – Sunday, October 14th

Deputy Mayor Batista had nothing further to report.

Deputy Mayor Batista:

REPORTS OF STANDING COMMITTEES

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

Total Alarms	-	10
General Alarms	-	9
Special Calls	-	1
Mutual Aid Calls	-	0
Structure Fires	-	0

Cooking Fires	-	3
Trash/Rubbish Fires	-	1
Brush Fires	-	0
Vehicle Fires	-	0
Electrical Fires	-	1
Extrication Calls	-	0
Boat Calls	-	0
Gas Leaks	-	0
C.O. Alarms	-	0
Pump Outs	-	1
Good Intent/Miscellaneous	-	2
False Alarms	-	2
Total Manpower Responding		- 264 members

Trustee Bueno mentioned that Relief Hose Company #3 celebrated their 100th Anniversary during the month of September.

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 October 1, 2012:

- 1) Worked the Haverstraw Street Fair.
- 2) Installed the Jay Hood Cannon Monument at Emeline Park.
- 3) Contractors worked on installing sidewalks on Leonard Street and Westside Avenue.
- 4) With the help of the West Haverstraw DPW, relieved a blockage in a catch basin on the corner of Maple Avenue and Lincoln Street.
- 5) Fred Cook serviced the sewer lines at Lincoln Street, West Broad Street, Maple Avenue, Main Street, Rockland Street, New Main Street, Pratt Street, Harrigan Lane, Robbins Court and Conklin Avenue. They also cleared the sewer blockage at Halgren Crescent.
- 6) The DPW crew cut down trees on Halgren Crescent.
- 7) Started Simenovsky drainage project.
- 8) Billy King resurfaced the trench on Fairmount Avenue between Clove and Hudson Avenues.

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 from for the two week period ending September 28th:

Reachout Counseling Services – The staff held counseling sessions for 21 individuals and their family members for group and/or family canceling.

Homework Program – The Center continues its Homework Program, with approximately 75 children attending per day.

DMI (Drug Market Initiative) Program – Trustee Dominguez mentioned that their next meeting would be held on Thursday, October 4th, 7:30 PM, at the Community Center.

Trustee Dominguez had nothing further to report.

BUILDINGS & CODE ENFORCEMENT - Trustee Francisco Batista: Trustee Batista read the following report submitted by Building Inspector, Ruben Berrios for the period of September 17th through September 28th, 2012:

Rental property inspections	-	5
Municipal searches	-	1
Miscellaneous inspections	-	91
Construction inspections	-	10
Complaints	-	7
Violations & tickets	-	9
Permits	-	9

Trustee Batista commended the Code and ticket violation staff for the great job they are doing and the manner in which they perform their duties.

Trustee Batista had nothing further to report.

MINUTES: Deputy Mayor Batista presented the minutes of the regular meeting of August 13th, 2012 for approval by the Board.

Deputy Mayor Batista entertained a motion to approve the above minutes as written.

RESOLUTION #252-2012

Motion by: Emily Dominguez

Seconded by: Terence Watson, Jr.

Motion Carries: All

Deputy Mayor Batista then mentioned the project at the entrance to the Village at top of New Main Street. The Village is waiting for the electrician to complete his portion of the project, at which time the landscaper will begin the landscaping. He then requested Counselor Hood to speak about the rededication of the cannon.

Jay Hood, Jr., Esq.: Counselor Hood reported that the Revolutionary War Monument, including the cannon, was rededicated that past Saturday at Emeline Park. The event was very successful with approximately 100 people in attendance. He mentioned that the cannon was donated by the Hood family in memory of his father, Jay Hood, Sr., who served as Village Attorney for many, many years and was devoted to relocating and replacing

the stolen cannon and plaques. Counselor Hood thanked everyone who helped make his father's dream a reality.

Emily Dominguez: Trustee Dominguez took this opportunity to invite anyone with any kind of building expertise to join them at the ballpark where they are trying to complete the concession stand. Any and all volunteers are welcome and any time given will be greatly appreciated.

Deputy Mayor Batista:

OLD BUSINESS

None.

Deputy Mayor Batista:

NEW BUSINESS

None.

Deputy Mayor Batista:

2nd PUBLIC PARTICIPATION

Joel Commack, 33 Harbor Pointe Drive: It is Mr. Commack's understanding that the construction vehicles that will be used in connection with the new Riverside building would be using the main road for access to the site during the 1½ to 2 years of the construction phase. He inquired if it would be at all possible to install a temporary access road coming off Riverside Avenue, perhaps through the Tilcon property, so the main road of Harbors would not have to be utilized to haul equipment, etc. to and from the site, especially since it is a residential area and the road will be destroyed.

Andrew Maniglia: Mr. Maniglia feels that Tilcon would not want the liability that would be involved in vehicle movement during the construction phase. He will explore the issue with Tilcon to see if there could be a way of carving out a temporary roadway, but he believes that Mr. Ginsburg had already made the same inquiry back in August. He stated that GDC is responsible for the roads in Harbors, mentioning also that the Village holds a \$25,000.00 bond in case the roads are damaged.

Noel Rappaport: Mr. Rappaport reported that the Chamber of Commerce, together with the Village held another successful Street Fair. He also wanted to remind everyone that their will be a walking tour of historical houses in the Village on Saturday October 20th, being held by the Historical Society. He also mentioned that the Village of Haverstraw, according to historical records in Albany, was the only place that had two different ethnic Chambers combined into one.

Mel Post: Mr. Post stated that everyone would like to bring new businesses to the Village, which is now getting a good reputation as being a "Restaurant Row" with the addition of our many new successful restaurants. He mentioned that he has discussed this with his son, whose father-in-law is the North American President of Restaurant Associates, which is a major restaurant group. He would like for the Board to put together a package to make it easier, with licensing, taxes, etc., for any restaurateur to open an establishment in our Village. After a package is put together, his son's father-in-law would contact the President of the Culinary Institute to make

an appointment for a delegation from the Village to meet to discuss what the Village can do to entice their graduates, or past graduates who already have restaurants to open a second one in our Village. His son thought it was a great idea and he hopes the Board will move forward with his idea.

Emily Dominguez: Trustee Dominguez also thought it was a great idea, she would recommend giving a restaurateur tax breaks for our Village, however, she mentioned the Village could not do anything about the School Tax or the State & County Tax.

Mel Post: Mr. Post stated that however it can be done; he would like the help of the whole Board to accomplish this undertaking.

Terence Watson, Jr.: Trustee Watson stated that the Board would be more than willing to discuss this idea at a workshop and invited Mr. Post to join them for this discussion.

Larry Levine: Mr. Levine wanted to know if there are existing requirements for a new business coming into the Village.

Emily Dominguez: Trustee Dominguez stated that a new business would normally work with the IDA (Industrial Development Association) in Pearl River.

Francisco Batista: Deputy Mayor Batista believed that Mr. Levine was referring to local requirements and what the Board can do to facilitate a new restaurant in the Village.

Mel Post: Mr. Post feels that the Board has to be very aggressive in its actions to bring more businesses into the Village.

Madga Truchan, 1213 Round Pointe Drive: Ms. Truchan feels that the Board needs to do more marketing with regard to our village being a historic riverfront community.

Emily Dominguez: Trustee Dominguez mentioned that the Marketing Committee is working on a slogan for the Village and once that slogan is created they are looking to brand it for the Village, which will be seen everywhere; the website, the entry sign, etc.

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

RESOLUTION #253-2012

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

Respectfully submitted by,

Beverly A. Swift
Senior Steno Clerk
October 15th, 2012