

The minutes of the Regular Meeting of the Village of Haverstraw Board of Trustees on Monday, October 1st, 2018, beginning at 7:00 PM.

PLEDGE OF ALLEGIANCE

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

Mayor Kohut: The Mayor opened the floor to the public for the first Public Participation inviting the public to ask questions or make comments.

Stuart Suchotliff, 1413 Round Pointe Drive: Mr. Suchotliff inquired if the construction at Harbors has been stopped and if so, he feels there should be some sort of fencing around the area to deal with safety issues.

Mayor Kohut: The Mayor responded that as far as the Village is concerned it is simply a temporary stoppage and GDC has boarded up the shafts and covered up the rebar, which the Building Inspector is satisfied with at this time. If the stoppage continues for a great deal longer, then the Village will have to see what else GDC can do to secure the site.

Stuart Suchotliff: Mr. Suchotliff informed the Board that there are also holes in the area where the construction team was digging and there is still equipment on the site. He inquired how long it would be before the Village takes any action on the stoppage.

Mayor Kohut: The Mayor stated that it is all a part of the GDC negotiations but if nothing is done by late fall the Village will have to take action of some sort. In the meantime, he suggested to Mr. Suchotliff that the HOA complain to GDC regarding the safety issues in that area.

Mel Post, 1422 Round Pointe Drive: Mr. Post requested an update on the Chair Factory litigation.

Mayor Kohut: The Mayor informed Mr. Post that the litigation is still being appealed and the Board is still awaiting a decision on the appeal.

Mel Post: Mr. Post read something about plans for Stony Point to start building condos, a hotel, etc. and was wondering if that would have any effect on what the Village is trying to accomplish.

Mayor Kohut: The Mayor responded that it might, however, that is not holding things up with the Village development. He mentioned that the Village can move forward with developing, but before starting anything the attorneys are working on all the legal aspects (proper zoning, proper protections, etc.) to be sure they are taken care of before a package is presented to any developers.

Mel Post: Mr. Post then wanted to know about the Special Taxation District that has been levied against the property owners at Harbors and, if GDC actually builds what he was supposed to build, if that will change the ratio of taxes to the Harbors homeowners.

Mayor Kohut: The Mayor stated at this time there is nothing definite and everything depends on the “if” factor.

Richard Pedri, 32 Hillside Avenue: Mr. Pedri wanted to know what is happening at the old Mertzal property (45 Hillside Ave).

Mayor Kohut: The Mayor informed Mr. Pedri that the owner of Green Hills also owns the Mertzal property and is seeking to put an “Adult Day Care Facility” on the lower level of the house where senior citizens would be bused in for socialization and day care activities and then bused home in the evening. Lunch will be provided and on occasion the seniors may be driven to doctor appointments, etc. Upstairs would be offices for the staff. He mentioned that it would not be Green Hills residents; they would continue to stay at the existing facility.

Barbara Pedri, 32 Hillside Avenue: Ms. Pedri believes this was originally zoned for residential purposes and inquired about when the zoning was changed and became business zoned.

Mayor Kohut: The Mayor responded that the zoning did not change and according to the Village Zoning Code, Day Care facilities are permitted in residential zones. He also explained that when the Zoning Code was worked on many years back, there were only “Child” Day Care facilities and no such thing as a “Senior” Day Care facility. The Zoning Code simply reads “day care permitted in residential zones”; nothing more specific. The Village Board is still going through legalities with regard to the environmental reviews, etc. of this proposal.

Lynn Yarosinski, 38 Hillside Avenue: Ms. Yarosinsky has lived directly across from the property being discussed since the original development was built and all the homes were supposed to be single family residences and the people in the neighborhood would like to see it continue that way. She then stated that the condition of the property is disgusting and upsetting to all the neighbors and that they do not consider the owner a good neighbor. For the owner, it is still going to be run as a business with vans, cars and additional traffic going in and out of the neighborhood on a very narrow street. She feels the neighborhood has had to suffer with everything that goes on at Green Hills and now this would be an extra burden for the neighbors to have to put up with.

Mayor Kohut: The Mayor informed Ms. Yarosinski that there will be 1 or 2 Public Hearings on this application before it can move forward and if she is within 300 feet of the property she will be notified of the Public Hearings where her input can officially be heard and recorded. He also informed her that she can request to see the application in the Building Department at her convenience.

Lynn Yarosinsky: Ms. Yarosinsky has already seen the plans and it is not a question of plans or square footage, it’s a question of what it will be turned into and the problems it will cause in the neighborhood. She then requested the Board to look at the pictures she has taken of the property which is in complete disrepair with garbage strewn all over the unkempt yard.

Jay Hood, Esq.: Counselor Hood feels the Mayor should discuss this with the full board to decide who will be the Lead Agency on this application before it can go any further. He informed the public it is still very early in the

process and there are many questions that need to be answered before anything moves forward.

Stuart Suchotliff: Mr. Suchotliff inquired if this would fall under the new ordinance just passed with regard to public assembly, which would make this a legitimate complaint for the neighborhood.

Mayor Kohut: The Mayor doesn't believe so, but he will have Counselor Hood look into it. He explained that the process now involves choosing which Board is going to be the Lead Agency for environmental purposes and then the Planning Board has to hold Public Hearings on the Site Plan. At that time she and the neighbors would be able to officially state their case.

Lynn Yarosinsky: Ms. Yarosinsky inquired if the "day care facility" would be open 7 days a week. Also, she has heard that the owner is looking for a place to have his employees stay overnight.

Mayor Kohut: The Mayor informed Ms. Yarosinsky that the facility would be open 5 days a week Monday thru Friday and would be strictly day care, not an overnight facility. It would be a limited operation. He explained that the process for this application is to decide which Board will act as "Lead Agency" for environmental purposes and then at some point the Planning Board would be required to hold Public Hearings on the Site Plan at which time the neighbors would be able to officially state their case for the record.

Lynn Yarosinsky: Ms. Yarosinsky inquired if there would be any way of researching the original property use proposal by Mr. Mertzell.

Jay Hood, Esq.: Counselor Hood responded that unless specific conditions are listed on the plan itself it would not make any difference.

Barbara Pedri: Ms. Pedri mentioned that she has lived there since 1952 at which time that portion of the street was not yet developed.

Mayor Kohut: The Mayor stated that if it predated the Village Code of 1973 it would have nothing to do with the current situation. He informed the public that he would have the Village Attorney and Building Inspector look further into the Village Code for any deed restrictions during that period.

Mel Post: Mr. Post noticed an article in the Rockland Review about a power company that transfers garbage into fuel and inquired if it is the same company that Stony Point turned down.

Mayor Kohut: The Mayor responded that he and the Supervisor of Stony Point spoke that day with regard to the same thing. As is the Village, the Supervisor was also unaware of that. He believes they were speaking about the Lovett Plant in Tomkins Cove, which deals with a completely different company.

Cat LaBuono, 40 Hillside Avenue: Ms. LaBuono has heard that Green Hills is proposing to expand into the house at 45 Hillside Avenue and inquired if there is a site plan for this facility.

Mayor Kohut: The Mayor informed Ms. LaBuono that the Board has received a proposal for a "Senior Day Care Facility" to be located on the lower level of the building at 45 Hillside Avenue for **non** Green Hills

residents that would be brought to the facility on a daily basis for day care, where meals would be provided and at times the seniors could be taken to doctor visits. He mentioned it would be the same type of facility as the one located on Broadway, which has been functioning successfully for many years. The number of seniors allowed would be limited according to the Village Code. Since Ms. LaBuono was late to the meeting, the Mayor informed her that there would be 2 Public Hearings held; 1 for the Environment Review and 1 for Site Plan Review at which time she could officially be heard. He also informed her that the Village Consultants and the Planning Board had many questions with regard to this proposal and he is not sure if they have gotten any responses back from the applicant. He informed Ms. LaBuono that to date, no Public Hearings have been set.

Lynn Yarosinsky: Ms. Yarosinsky inquired if any other business can be located at that address if this does not work out as planned.

Mayor Kohut: The Mayor responded that if it is not officially set up as a Day Care facility the only thing it could become is a single family home again. The Mayor explained again that one of the permitted uses in a single family home is a "day care facility" which used to be strictly for children, but currently includes seniors because there is no specific designation in the law. He also mentioned that a "Group Home" is a completely different facility than a "Day Care facility".

With no further input from the public, the Mayor continued with the agenda for that night's meeting.

Mayor Kohut:

REPORTS OF VILLAGE OFFICIALS

VILLAGE ATTORNEY, Jay Hood, Jr.: Counselor Hood had nothing further to report.

VILLAGE TREASURER, Judith Curcio: Ms. Curcio gave the following Treasurers Report for the months of June, July and August 2018:

Total Disbursements	-	\$2,200,030.00
Total Revenue	-	\$7,756,491.00

Ms. Curcio had nothing further to report.

MAYOR'S REPORT, Mayor Kohut: The Mayor reported that there was a water main break on Leonard Street to which Suez Water has done some temporary repairs, but will have to replace the water main since it has broken many times prior.

The Mayor received a request from Judy Curcio to approve a GFOA Webinar for herself and her assistant, Rolanda Sand, at a cost of \$55.00.

Mayor Kohut entertained a motion to approve Webinar training as stated above.

RESOLUTION #193-2018

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

The Mayor received a request from the Justice Court to hire Joseph Drexler to the position of Court Attendant, part-time, at a salary of \$20.00 per hour.

Mayor Kohut entertained a motion to hire Joseph Drexler as stated above.

RESOLUTION #194-2018

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

Mayor Kohut entertained a motion to approve submission of an ad to the "Keep Rockland Beautiful Journal" for their upcoming event, in the amount of \$350.00.

RESOLUTION #195-2018

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

Mayor Kohut then entertained a motion to approve an ad to be published in the "Rockland Economic Development Corporation Journal" in the amount of \$600.00.

RESOLUTION #196-2018

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

The Mayor then announced that the North Rockland art students will be painting the windows in the downtown business district with Halloween designs on Friday, October 12th. He also announced that the Farmer's Market will continue on Sunday mornings until the 3rd week in November, weather permitting.

The Mayor had nothing further to report.

Mayor Kohut:
REPORTS OF STANDING COMMITTEES

FIRE & ORDINANCES – **Trustee Rafael Bueno:** Trustee Bueno read the following report of fire activity for the month of September, 2018, submitted by Fire Chief Thomas Price:

Total Alarms	-	21
General Alarms	-	13
Special Calls	-	4
Mutual Aid Calls	-	4
Structure Fires	-	0
Cooking Fires	-	2
Electrical Fires	-	1
Vehicle Fires	-	1

Trash/Rubbish Fires	-	1
Gas Leaks	-	4
CO Alarms	-	2
Elevator Rescue	-	1
Good Intent/Misc.	-	3
False Alarms	-	2

Total Manpower Responding - 407 members

Trustee Bueno had nothing further to report.

PUBLIC WORKS, BUILDINGS & GROUNDS – Trustee Terence Watson:

In the absence of Trustee Watson, Mayor Kohut read the following report submitted by Robert Drexler, Superintendent of the Department of Public Works, as of October 1st, 2018:

- 1) Repaired damaged fence at basketball court.
- 2) Repaired damaged signs on Warren Avenue, Broad Street and Allison Avenue.
- 3) Cut and trimmed abandoned property at 61 Clove Avenue and the Greenway Trail.
- 4) Replaced dead tree in front of 43 New Main Street.
- 5) Removed all water bags from trees in the downtown area.
- 6) Installed signs at Greenway Trail and Antonelli Way.
- 7) Installed guard rails on Lot #17 adjacent to Chair Factory property.
- 8) Sewer work at Don Coqui Restaurant in Emeline Park.
- 9) Began working on plow and sanders for upcoming winter season.
- 10) Replaced summer banners throughout the Village with fall banners.
- 11) Cleaned sewer stations at Harbors and also Warren Avenue.
- 12) Water main break between Hudson Avenue & Leonard Street.

There was nothing further to report.

YOUTH & FAMILY SERVICES - Trustee Joel Santana: No report was given due to the absence of Trustee Santana.

BUILDINGS & CODE ENFORCEMENT – Deputy Mayor Emily Dominguez:

The Deputy Mayor read the following report submitted by the Building Inspector, Ruben Berrios, for the period of September 17th thru September 28th, 2018:

Rental registrations	-	9
Miscellaneous inspections	-	56
Complaints	-	10
Municipal searches	-	10
Construction inspections	-	5
Violations/Tickets	-	17

Fines collected at court - \$700.00

Deputy Mayor Dominguez also informed everyone that the Building Department has begun sending out Rental Inspection letters.

Deputy Mayor Dominguez had nothing further to report.

MINUTES: The Mayor presented the minutes of the Regular Meetings of August 20th and September 4th for approval by the Board.

Mayor Kohut entertained a motion approve the above stated minutes with 1 correction to the dollar amount in the September 4th minutes.

RESOLUTION #197-2018

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

Mayor Kohut:

OLD BUSINESS

None.

Mayor Kohut:

NEW BUSINESS

None.

Mayor Kohut:

2nd PUBLIC PARTICIPATION

Stuart Suchotliff: Mr. Suchotliff wanted to know what “Rental Registrations” are.

Mayor Kohut: The Mayor responded that this is a program that was started approximately 6 years ago where all rental properties in the Village are to be inspected by the Building Department, whether it is in a single family house or an apartment complex, to determine if they meet health and safety requirements.

Stuart Suchotliff: Mr. Suchotliff informed the Board that there are owners in the Harbors that rent out their apartments and he wondered if they are obligated to report those owners that rent out to other individuals.

Mayor Kohut: The Mayor informed Mr. Suchotliff that letters did go out Village wide to known landlords and yes anyone renting their home or apartments must notify the Building Department so an inspection can be done. The Mayor inquired if the Harbors HOA is notified of rentals to which Mr. Suchotliff responded “yes”.

Emily Dominguez: Deputy Mayor Dominguez then inquired if the Building Department can get the rental information they require from the Harbors HOA.

Stuart Suchotliff: Mr. Suchotliff responded “yes” and he will get in touch with the HOA Board and the Harbors Manager.

Mayor Kohut: The Mayor will have a copy of the letter for rental registrations forwarded to the Harbors HOA Board.

Barbara Pedri: Ms. Pedri informed the Board that the road is badly damaged between Fairmount Avenue & Route 9W and trying to make a right turn there is very dangerous.

Mayor Kohut: The Mayor reminded everyone that a couple of years prior the Village wanted to take care of the problem, but NYSDOT forbid the Village to do so as Route 9W is a State highway. He mentioned that 2 weeks prior to this meeting the DOT informed him that the contractors for the utilities would be there to make repairs where they dug up the roadway. From what he could see, sidewalk work has been done just north of that area, which is a precursor to the repaving of the roadway. He stated that sometime within the next few weeks one of the utility company's should be there to repair the area from New Main Street up to Terrace on the Hudson. The Village wanted to resolve the problem immediately, but was told they could not touch it.

Lynn Yarosinski: Ms. Yarosinsky also mentioned that the entrance/exit areas at Green Hills is also a dangerous spot to get in and out of when trying to make a right turn onto Route 9W, and there are also clients standing there in the evening hours that can't be seen by cars and presents another dangerous situation.

Mayor Kohut: The Mayor and the Board also have concerns about Green Hills and have been informed that they have gotten rid of the more difficult and problematic patients and have also done some refurbishing inside the building to upgrade the facility to be more like an "Assisted Living Facility" or an "Adult Home", but everyone is aware that there is a lot more work to be done to bring it up to that level with different clientele.

Cat LaBuono: From what Ms. LaBuono has seen, there is absolutely no supervision at all over the patients at Green Hills, which is disturbing and dangerous to everyone involved. She feels that if it is changed to something like what the Mayor describes it might be easier to maintain in all areas.

Lynn Yarosinski: Ms. Yarosinsky sees no reason why Green Hills cannot keep the area clean of garbage and debris right now, which is scattered all over both places making it unhealthy and unpleasant for the neighboring area.

Mayor Kohut: The Mayor informed the public that the Building Inspector has sent out violation notices to Green Hills and that they have got to do better in all aspects to even begin to be a welcomed part of the community.

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

RESOLUTION #198-2018

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

Respectfully submitted by,

Beverly A. Swift, Senior Steno Clerk