

The minutes of the Regular Meeting of the Village of Haverstraw Board of Trustees on Monday, April 5, 2021, beginning at 7:00 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL	Trustee Bueno	- Present
	Trustee Carlevaro	- Present
	Trustee Dominguez	- Present
	Trustee Santana	- Present
	Mayor Kohut	- Present

Mayor Kohut: The Mayor opened the meeting with a special presentation to Corrine McGeorge in honor of Women's History Month. Mayor Kohut presented Ms. McGeorge with a plaque from the Village for her many years of dedicated service to the Village and the Haverstraw community at large. He thanked her for all of her work presenting and preserving the history of the Haverstraw area.

The Town of Haverstraw also presented Ms. McGeorge with a plaque and acknowledged her service to the community.

Mayor Kohut continued with the Agenda for the meeting, explaining that our first item would be a Public Hearing regarding a special permit for 85 New Main Street.

Deputy Village Attorney Dennis Michaels representing the Village.

Attorney Frank Phillips, representing the applicant, presented the details of the matter before the Board. He reminded the Board that the Board had given prior approval on a text amendment regarding this property and that the applicant had appeared before the Village Planning Board for their recommendations. The overall project is residential, 6 apartments, over commercial.

Attorney Dennis Michaels spoke regarding the GML review and the recommended modifications. Attorney Michaels stated that the Village Planner, Max Stach, was NOT recommending overrides on the County GML review recommendations numbered 1, 6, 9, 10 and 11.

Discussion ensued between Mr. Phillips and Attorney Michaels. Mr. Phillips was in agreement with not overriding these items and stated that his letter to the Village provided written agreement with the items to be amended.

Mayor Kohut entertained a motion to open the Public Hearing.

RESOLUTION # 63 - 2021

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

Mayor Kohut asked if anyone from the public wanted to address the applicant or the Board with questions or comments.

There were no comments from the public.

Deputy Attorney Michaels explained the resolution to the Village Board and the action that was before them. He informed the Board that no SEQR was

necessary as this was a Type II action. Approval of this special permit constitutes a reuse of residential and commercial uses and, based on Rockland County GML review, the Board could override items 2,3,4,5,7 and 8 as reported on March 17, 2021 and, in addition, the permit could be approved with the conditions that Items # 1,6,9, 10 and 11 are addressed.

Mayor Kohut asked Mr. Phillips if he had anything further to which he responded that the Rockland County GML review Item #4 was regarding parking along Depot Place and that the Village needed to confirm that parking was permitted along this street.

Mayor Kohut stated that people were allowed to park there and the spaces were not designated for anyone in particular.

With no further questions or comments from the floor, Mayor Kohut entertained a motion to close the Public Hearing.

RESOLUTION # 64 - 2021

Motion by: Emily Dominguez

Seconded by: Gil Carlevaro

Motion Carries: All

Mayor Kohut entertained a motion to approve the application of Daniel Freeman and County Rockland Rentals LLC granting a Special Use Permit, regarding the property at 85 New Main Street issued Tax Map Designation 27.53-1-56, as per §245-14(A) and (H) of the Code of the Village of Haverstraw, so as to allow and permit the use and occupancy of the subject property as a mixed use building containing residential dwelling units on the second and third floors above non-residential offices on the first floor, as depicted on, and in accordance with, the site development plan, last dated December 23, 2020, under the signature and seal of Ryan R. Nasher, P.E., and John R. Atzl, L.S., as a NYS licensed Professional Engineer and a NYS licensed Land Surveyor, respectively, consisting of one sheet;

Subject to all of the conditions and requirements set forth in §245-14(H); and which motion includes the following findings of the Board:

1. the subject property is accessible by fire and police protection;
2. light and air are accessible to the subject property and to adjoining properties;
3. traffic conditions are satisfactory;
4. transportation requirements and facilities are satisfactory;
5. the proposed use of the subject property is suitable with the size, type and kind of buildings, uses and structures in the vicinity, including, but not limited to, the safety and convenience of persons who gather there and any decrease or impairment in the market value of said buildings, uses and structures;
6. the general safety, health, peace, comfort and general welfare of the community-at-large will not be detrimentally effected by the proposed use;
7. the location and size of the proposed use, the nature and intensity of the operations involved, the size of the site in relation to the use and the location of the site, with respect to existing or future streets giving access to it, parks and drainage systems, is in harmony with the Village Master Plan and Official Map;
8. the location, nature and height of buildings, walls and fences will not discourage the appropriate development and use of adjacent land, uses, structures and buildings or impair the value thereof;

9. the operations in connection with this Special Use Permit shall not be more objectionable to nearby properties by reason of noise, fumes, vibration or lights than would be the operations of any use permitted by right; and
10. this application is a Type II Action under the State Environmental Quality Review Act (SEQRA), pursuant to SEQRA Regulation §617.5(c)(18), in that this application constitutes a reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted Special Permit Use under the Village's Zoning Code, and is, therefore, exempt from SEQRA environmental review. Additionally, this Board previously adopted an environmental determination of a Negative Declaration, on December 7, 2020, finding that there would be no potential for significant adverse environmental impacts caused by this project, as per SEQRA Regulation §617.7.

This includes, as part of this approval motion to grant the Special Use Permit, a motion to override the Recommended Modifications numbered 2, 3, 4, 5, 7 and 8, set forth in the Rockland County Planning Department's report to this Board, dated March 17, 2021, submitted pursuant to New York State General Municipal Law §239-l and m, for the reasons that:

1. With regard to the County Planning Department's recommended Modification numbered 2, the New York State Department of Transportation does not have any known jurisdiction over the project, and the project site is located approximately 200 feet away from the US Route 9W right-of-way.
2. With regard to the County Planning Department's recommended Modification numbered 3, the Rockland County Department of Health does not have any known jurisdiction over the project.
3. With regard to the County Planning Department's recommended Modification numbered 4, the applicant is not relying on-street parking toward their off-street parking requirement, and is seeking an area variance for off-street parking not provided.
4. With regard to the County Planning Department's recommended Modification numbered 5, parking on Depot Place is not allowed to be counted toward the off-street parking requirement, and the applicant is seeking a an off-street parking area variance accordingly; and the applicant will not be permitted to stripe, improve or utilize the public right-of-way as part of its site development plan.
5. With regard to the County Planning Department's recommended Modification numbered 7, the Zoning Code text amendments to the PO Zoning District have been adopted by the Village Board of Trustees, but are not yet reflected in the online code – this section will be updated, however, this may not be done prior to approval of this Special Use Permit.
6. With regard to the County Planning Department's recommended Modification numbered 8, it was determined that map notes 9 and 10 are not intended for this application, and will be removed prior to approval.
7. All other Modifications set forth in the County Planning Department's 03/17/2021 GML report that are not overridden by the motion, namely, Modifications numbered 1, 6, and 9 through 11, are imposed as Conditions of this approval motion and grant of the Special Use Permit.

RESOLUTION # 65 - 2021

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

Mayor Kohut: The Mayor then announced the next Public Hearing regarding the Village Budget.

Mayor Kohut entertained a motion to open the Public Hearing.

RESOLUTION # 66 - 2021

Motion by: Emily Dominguez
Seconded by: Gil Carlevaro
Motion Carries: All

Mayor Kohut: The Mayor reviewed some of the highlights of the Budget stating that his proposed Budget was for \$10,645,914 which is increased from last year which was \$10,450,591. Items mentioned were salary increases due to contractual obligations with CSEA, liability insurance cost increases, road repair increases and fire hydrant rentals. There had been some savings on electricity because we've been converting to LED lights. Revenue has taken a hit because of COVID related reductions.

Mayor Kohut entertained a motion to open the Public Hearing on Overriding of the Tax Cap, explaining that the Board was not intending to override it but if our calculations were incorrect or changed by the State the end result could be a fine to the Village.

RESOLUTION # 67 - 2021

Motion by: Gil Carlevaro
Seconded by: Emily Dominguez
Motion Carries: All

Mayor Kohut then opened the floor to the public for comments and questions regarding the Budget.

With no input from the public Mayor Kohut entertained a motion to close the Public Hearing on the Budget and the Override of the Tax Cap.

RESOLUTION # 68 - 2021

Motion by: Rafael Bueno Sr.
Seconded by: Joel Santana
Motion Carries: All

Mayor Kohut entertained a motion to override the tax cap.

RESOLUTION # 69 - 2021

Motion by: Emily Dominguez
Seconded by: Gil Carlevaro
Motion Carries: All

Roll Call Vote:

Trustee Bueno – Yes

Trustee Carlevaro – Yes

Trustee Dominguez – Yes

Trustee Santana – Yes

Mayor Kohut - Yes

Mayor Kohut:

REPORTS OF VILLAGE OFFICIALS

VILLAGE ATTORNEY, Jay Hood, Jr.: Counselor Hood reported that he had sent to the Trustees and Mayor the information on the NY Stretch law and that the Building Inspector needed to be involved with this.

Counselor Hood also reported that the Interim Lease Agreement was received from GDC for the new DPW building. Until there could be an official swap of land from our old DPW site to the new an Agreement was necessary to make sure that everything remained legal and proper, and that insurance coverage was maintained on both sites. There would be a reciprocal lease agreement with GDC for the old DPW site.

Mayor Kohut instructed Counselor Hood to negotiate the reciprocal lease with GDC and one could not be signed without the other.

Mayor Kohut entertained a motion to authorize him to sign the lease agreements with GDC, both for the new DPW building site and a reciprocal agreement for the old DPW site.

RESOLUTION # 70 - 2021

Motion by: Rafael Bueno Sr.

Seconded by: Emily Dominguez

Motion Carries: All

Counselor Hood had nothing further to report.

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

MAYOR'S REPORT, Mayor Kohut: The Mayor reported that the Grand Opening for our new DPW was scheduled for Saturday April 24th from 11 am to 1 pm.

Mayor Kohut entertained a motion to approve the annual maintenance contract with Alpha Fire Suppression Systems for the sprinkler system at the new DPW building for \$375.

RESOLUTION # 71 - 2021

Motion by: Emily Dominguez

Seconded by: Gil Carlevaro

Motion Carries: All

Mayor Kohut entertained a motion to approve a Spring Fair on Sunday June 13th as the start of this year's Farmer's Market.

RESOLUTION # 72 - 2021

Motion by: Gil Carlevaro

Seconded by: Joel Santana

Motion Carries: All

Mayor Kohut entertained a motion to authorize his signature on the annual MS-4 contract with Brooker Engineering at a cost of \$1,200.

RESOLUTION # 73 - 2021

Motion by: Emily Dominguez
Seconded by: Gil Carlevaro
Motion Carries: All

Mayor Kohut entertained a motion to authorize his signature on a modified contract with HDR Engineering at an additional cost of \$4,700, for development of a Telecommunications RFP.

RESOLUTION # 74 - 2021

Motion by: Emily Dominguez
Seconded by: Gil Carlevaro
Motion Carries: All

Mayor Kohut entertained a motion to authorize his signature on a contract with Showtime Dance Band for the June 18th Dancing under the Stars at a cost of \$2,800

RESOLUTION # 75 - 2021

Motion by: Rafael Bueno Sr.
Seconded by: Gil Carlevaro
Motion Carries: All

Mayor Kohut entertained a motion to support the application to the Rockland County Office of Community Development for Community Development Block Grant funding for the installation of restrooms at Emeline Park.

RESOLUTION # 76 - 2021

Motion by: Emily Dominguez
Seconded by: Gil Carlevaro
Motion Carries: All

Mayor Kohut entertained a motion to accept, with regret, the resignation of our long time employee Beverly Swift from the Clerk's Office as Secretary to the Mayor.

RESOLUTION # 77 - 2021

Motion by: Emily Dominguez
Seconded by: Joel Santana
Motion Carries: All

Mayor Kohut entertained a motion to accept, with regret, the resignation of Jose Silverio from the Justice Court position of Court Attendant.

RESOLUTION # 78 - 2021

Motion by: Emily Dominguez
Seconded by: Rafael Bueno Sr.
Entire Board seconds the motion
Motion Carries: All

Mayor Kohut entertained a motion to authorize his signature on the 2021 Rockland County contract for Celebrating Families for a grant amount of \$34,950.

RESOLUTION # 79 - 2021

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

Mayor Kohut announced that he had sent a letter to the Metropolitan Transportation Authority expressing our desire to get the Ferry back up and running.

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 March 2021, submitted by Fire Chief John “Bart” Gordon.:

The following is a summary of activity of the Haverstraw Fire Department for the month of March 2021.

- Total Alarms— 15
- General Alarms-- 9
- Special Calls— 5
- Mutual Aid Calls— 1
- Structure Fire— 3
- Cooking Fires-- 5
- Vehicle Fires—1
- Brush Fires-- 2
- Trash/Rubbish Fires- 1
- Gas Leaks— 1
- Pump Outs/Water Leaks— 1

Total Manpower Responding—331 members.

Trustee Bueno had nothing further to report.

PUBLIC WORKS, BUILDINGS & GROUNDS – Deputy Mayor Emily Dominguez: Deputy Mayor Dominguez read the following report submitted by Robert Drexler, Jr., Commissioner of Public Works, as of April 5, 2021.

- Replaced 2 damaged guardrails at Jefferson Street.
- Repaired 5 damaged catch basins throughout the village.
- Cleaned Out Brush at New DPW and removed damaged fence, replaced with a wooden guardrail.
- Filled potholes throughout the Village alleyways with millings.
- Filled potholes throughout the Village Streets with Cold Patch.
- On 3/30/21 we moved into the New DPW Garage located at 115 Bowline Plant Road, Haverstraw NY 10927.
- Put up new Flags throughout all Village Properties.
- Moved swing set at Jefferson St. Park to a new location.
- Truck #6 is out of service with a transmission problem that we are in the process of repairing.

Deputy Mayor Dominguez had nothing further to report.

Mayor Kohut announced that the statue of Harriet Tubman would be on display in the Village, at the Clinton Street Park, for 6 to 8 weeks and the work mentioned in the DPW report was to prepare the park for this.

YOUTH & FAMILY SERVICES - Trustee Gil Carlevaro: Trustee Carlevaro had nothing to report.

BUILDINGS & CODE ENFORCEMENT – Trustee Joel Santana: Trustee Santana read the following report submitted by the Building Inspector, Ruben Berrios, for the period of March 15th through April 2nd 2021:

Rental registrations	-	0
Miscellaneous inspections	-	105
Complaints	-	8
Municipal searches	-	22
Construction inspections	-	9
Violations/Tickets	-	7
Building Permits & C.O.'s	-	12

Fines collected at court - \$ 0

Trustee Santana also expressed thanks on behalf of the Board for the fire departments that came to the Village for coverage during the Jared Lloyd's funeral.

Trustee Santana had nothing further to report.

MINUTES: The Mayor presented the minutes of the Regular Meetings of February 3rd and 16th and the Board of Assessment Review Minutes of Feb. 16, 2021 for approval by the Board.

Mayor Kohut entertained a motion to that effect.

RESOLUTION # 80 - 2021

Motion by: Emily Dominguez
Seconded by: Gil Carlevaro
Motion Carries: All

Mayor Kohut:

OLD BUSINESS

Trustee Carlevaro asked for an update on the CSX repairs at New Main Street.

Mayor Kohut responded that when the asphalt plants open they are expecting to get back here to the Village for complete repairs.

Mayor Kohut:

NEW BUSINESS

None.

Mayor Kohut:
2nd PUBLIC PARTICIPATION

Mayor Kohut: The Mayor opened the floor to the public inviting people to ask questions or make comments.

No comments from the public.

Mayor Kohut: With no further business to be conducted by the Board, the Mayor entertained a motion to adjourn the meeting. The meeting was adjourned with a moment of silence in memory of Jared Lloyd.

RESOLUTION # 81 - 2021

Motion by: Emily Dominguez
Seconded by: Joel Santana
Motion Carries: All

Respectfully submitted by,
Judith Curcio, Clerk/Treasurer