

The minutes of the Regular Meeting of the Village of Haverstraw Board of Trustees on Monday, February 3<sup>rd</sup>, 2014, beginning at 8:00 PM.

## PLEDGE OF ALLEGIANCE

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

Mayor Kohut: The Mayor opened the meeting with the continuation of the Public Hearing with regard to an application submitted by GDC for proposed development of Riverside Apartments and the waterfront units at the Harbors of Haverstraw. The Mayor indicated that Mark Lucasic of TECTONIC would be standing in for Andy Maniglia, who would normally be representing GDC, however, due to the weather he was unable to cross the TZ Bridge. The Mayor briefly reminded the public that this application had to do with additional buildings to be constructed at the Harbors. He informed the public that Site Plans were available for anyone wanting a copy. He then invited Mark Lucasic to come forward to answer any questions from the public.

### **RESOLUTION #39-2014 & #40-2014 are in the Minutes of the Special Meeting held on February 12<sup>th</sup>.**

Rene' Commack, 33 Harbor Pointe Drive: Ms. Commack informed the Board that she is one of the members of the Harbors Board who signed the letter requesting that the additional units be constructed in the same style and quality as the existing units. She also requested the Village to consider prior storm damage so that the area is engineered properly to protect the area, as well as sufficient parking and traffic flow. Using the site plan maps she pointed out areas and asked questions.

Mark Lucasic: Mr. Lucasic responded to Ms. Commack that the area on the map was the proposed footprint for Building 12. He then pointed out on the map exactly where the locations would be for the parking, explaining that even though there may not be enough in the area of Building 12 that together on the entire project there is sufficient parking for the entire development. He also mentioned that there are a number of public parking spaces available for guest parking, pointing out those locations on the map. He explained that they are not changing the number of public parking spaces, but are changing some of the locations for public parking in the project footprint itself.

Rene' Commack: Ms. Commack showed the Board a copy of the plan the Master Board received on January 22<sup>nd</sup>. She then pointed out to the Village Board the public parking shown on that plan. She mentioned that the Master Board is definitely in favor of completing the development, but it seems they were given a plan to review that differs from the plan being presented for approval, asking why the two plans were different. She also expressed her feelings about the difficulty with parking during the winter season at Harbors.

Mark Lucasic: Mr. Lucasic explained that it is simply two different simulations for the parking. The map that Ms. Commack presented was a sub-division map prepared by the project surveyor, whereas the map presented at both this and the previous Public Hearing represents the entire project, which was previously proposed and approved by the Village Board.

Andy Atzl from the firm of Atzl, Scatassa & Zigler: Mr. Atzl explained that the map Ms. Commack was referring to was a sub-division map that was presented to the Board as a reference to review. The map being displayed at the current meeting was the finalized version of the entire Harbors project. He explained to Ms. Commack that the map she was issued was probably done prematurely as there were still ongoing changes being made at that time, noting that her map does not show parking spaces, but only property lines.

Rene' Commack: Ms. Commack feels that they are being misrepresented, especially as a community supporting this development; this was not what she was expecting.

Andy Atzl: Mr. Atzl stated their intention was not to misrepresent any plans that anyone was given. He believes they were given the old plan before the parking spots were allocated instead of the finalized plan. He also explained that once they discovered the inside building parking would not be sufficient they needed to locate public parking spaces in other areas of the complex, which became the final change made to the plan.

Rene' Commack: Ms. Commack then stated that many of the residents are concerned about the flat rooftops, stating that they were informed the new buildings would be aesthetically fitting with the existing buildings and feels that flat rooftops would not be a fit. She also mentioned that as President of Harbor Town 2, she has a written agreement with GDC that the rest of the development would be finished in the same style. She stated again that flat rooftops do not exist on any of the townhomes. She asked that GDC keep in mind the resident's expectations of what should be happening with the new construction. She asked that they either decrease some of the density or figure out a way to have sufficient parking available for everyone, including residents and public parking.

Mayor Kohut: The Mayor informed Ms. Commack that he spoke with Mr. Maniglia before the meeting who stated that GDC, based upon the concerns brought out at the previous meeting regarding the flat roof, that they would do whatever they had to do to properly mask any of the mechanical devices or equipment that has to be attached to the roof.

Frank Centore, GDC: Mr. Centore explained that even though the roof is flat there will still be peaks and parapets in the front to comply with the height restrictions. He mentioned that Mr. Maniglia has drawings showing what the buildings will look like, which he will get and bring to the Harbors for review by the residents. He did state, however, that the buildings will fit in with the existing structures at Harbors.

Rene' Commack: Ms. Commack stated that if GDC would consider rearranging the roofline it would make the residents much happier with the whole concept.

Mayor Kohut: The Mayor invited Ms. Commack to look at black and white drawings of the units while he continued with the meeting.

Jeff Uotila: Mr. Uotila also spoke about the parking problems at Harbors, especially in the summer and fall and with the addition of these buildings it will only add to the existing parking problems. Mr. Uotila feels that the streets are unacceptable. He then reminded the Board again about his concerns with the vibrations in his building.

Mayor Kohut: The Mayor responded that the streets at Harbors are designed for modern living, but the Board will take his concerns under advisement.

Steven Barshov, 20 Lagoon Lane: Mr. Barshov mentioned that he purchased his property four months ago after being a renter at Parkside and he and his wife are very happy to be owners in the Harbors complex. He just wanted to express his disappointment that a presentation was not made to the residents of Harbors about the new construction. He feels that it is not right that he has to attend a Village meeting to find out what is happening in his development. He is a Land Use and Environmental Lawyer and does this for a living. He is sure that the codes to allow emergency vehicles through the streets of Harbors has been met, however, when cars are parked on both sides of the streets, it is difficult for another car to pass through. He wanted to know if the designers are factoring in the availability of parking for both residents and visitors alike for the proposed buildings. He feels there is not sufficient parking available for the current residents and visitors. His next concern is whether the existing recreation amenities are adequate for the proposed number of people that may be using the pool in particular. He also mentioned that there is not enough seating area surrounding the pool. He thinks that the applicant needs to address this problem if they are not planning to install another pool on site and he is not talking simply buying more chairs for which there is no room.

Frank Centore: Mr. Centore mentioned that he is President of the Master H.O.A. Board and reported that a study was performed two years by American Leisure on pool usage over consecutive days and found that there were only two days out of the season when the pool gets crowded and on week days the pool is almost empty. Reviewing the study, there is always room at the pool. He then explained that all the residents would have to pay for a new swimming pool and it definitely would not be cost effective for them. Mr. Centore also informed everyone that a survey was sent to all the residents, which resulted in only 45 responses being received which were all in favor of a playground over another swimming pool.

Mayor Kohut: If an additional playground is what the residents would like, the Mayor suggested the existing playground be enlarged instead and a new deck constructed by the pool area to provide more seating.

Frank Centore: Mr. Centore, as a Harbors resident, understands everyone's concerns, but feels that there are other possibilities, mentioning an area beyond the fence that is underutilized. He is aware that on weekends, you can go into the pool, but cannot get a seat around the pool, therefore, the peak capacity is what has to be planned for. He was not sure how informed the residents were about their options and who would be paying for what. Mr. Centore then went on to discuss the design itself and believes that the residents really want to see the development completed and Mr. Ginsburg succeed economically with this project since he has carried it for a long period of time.

Steven Barshov, 20 Lagoon Lane: Mr. Barshov believes the survey could be wrong and questioned the accuracy of who would be paying for an additional pool. He also feels that this is a tight, compressed area and the design of the buildings along the waterfront should be of the same integrity and design of the original building. He is not convinced that the different style is an architecturally appropriate design. He has not seen drawings on elevations and details, but would like to see them to better understand the concept. He inquired if the elevation of the land where soil has been added is the final elevation or if it will be going up from there.

Unknown Speaker: He informed Mr. Barshov that additional soil has already been added to the front of the property and is probably close to where the grade level will be.

Steven Barshov: Mr. Barshov stated that looking at what was proposed two years prior vs. what is now being proposed, the elevation will be three feet higher. He then inquired if there is anything being proposed for the other side of Harbors or if it is just this current project that is before the Board.

Mayor Kohut: The Mayor responded that only this proposed project is currently before the Board. There has been nothing brought before the Board with regard to the other side of Harbors.

Steven Barshov: Mr. Barshov inquired if the work on the Brownfields Project has been completed and if it will be landscaped, to which the Mayor responded "yes upon completion".

Artie Taub, 3304 Leeward Drive: With regard to a previous comment, Mr. Taub stated that the survey on the pool with only 45 responses was a flawed poll because it was done at a time when the Assistant Community Manager was leaving. He stated that the residents basically knew that the amenity was going to be done at Riverside because Mr. Maniglia showed the plan to the residents before the change in design. He reiterated that the 45 responses did not represent the feelings of all the residents, adding that the Master H.O.A. does not want to pay for an additional pool.

Emily Dominguez: Trustee Dominguez is aware that homeowners have to pay an association fee, but inquired of Rene' Commack whether or not renters have to pay an association fee.

Rene' Commack: Ms. Commack responded that the issue is currently being discussed.

Frank Centore: Mr. Centore explained GDC's role in the HOA fees and informed everyone that the Master H.O.A., together with Mr. Ginsburg, are in the process of drafting an offering plan that will lay out how the rental buildings will pay for the use of the amenities.

Rene' Commack: Ms. Commack stated that the H.O.A. Board did have a meeting with Mr. Maniglia where he mentioned the idea of an additional pool. At that time it was understood that the cost for that pool would be on the Master H.O.A upon installation. Having the current residents be liable for the cost and maintenance of an additional pool that is not yet complete would be a burden to the residents. The H.O.A. asked that another consideration be given, at which time the idea of an additional playground was brought up and she was one of the 45 who responded to the survey. They still felt the pool was an issue, however, they did not want to have to contribute to the installation of another pool, plus the maintenance fees. She has never had a problem swimming in the pool, but definitely agrees that there is a need for more seating in the pool area.

Emily Dominguez: Trustee Dominguez inquired what the occupancy numbers are in the Parkside unit.

Frank Centore: Mr. Centore responded approximately 90% of the 110 units.

Steve Barshov: Mr. Barshov mentioned the kind of fees the renters in Harbor pay besides their rent, including garage space for indoor parking, trash removal

and a per unit fee for use of any of the on-site amenities, which are listed as separate line items on their account every month. He interpreted that as paying his pro-rata share of using the gym, pool, etc. He never questioned the amenities fee because that was one of the reasons for him and his wife moving to Harbors, therefore, they had no problem paying the additional fees.

Mayor Kohut: The Mayor inquired if he would still have had to pay for the amenities even if he did not intend to use them.

Joseph Modafferi, Village Accountant: Mr. Modafferi did inquire when he was looking to rent there and yes the renters have to pay for the amenities whether or not they intend to use them; there was no alternative.

William Shnipper, 31 Harbor Pointe Drive: Mr. Shnipper was under the impression that when this application was originally presented there would only be one building constructed with 130 units, which was when the vote was taken to install a playground. He does not believe the additional 50 units in a building on the waterfront were taken into consideration when that decision was made.

Mayor Kohut: At that time GDC was not proposing completion of the site, but just the addition of the one building.

William Shnipper: Mr. Shnipper believes that with the additional buildings there would be a greater demand for an additional pool.

Frank Centore: Mr. Centore stated they would have to ask Mr. Ginsburg, but he believes that a pool can be put back into the plan, however, this would involve a Site Plan change.

William Shnipper: Mr. Shnipper then referred back to the Site Plan indicating that he believes there could be better use made out of the available space at Parkside.

Steve Moetzing, 24 Harbor Pointe Drive: Mr. Moetzing spoke about the removal of public parking spaces in lieu of dedicated spaces for the new development. Pointing out specific areas on the map, he indicated those spots are completely full during the entire winter season with no enforcement whatsoever, which leaves approximately 25 vehicles in limbo during those months. He also mentioned that most units have more than two vehicles, but only two parking spots are assigned to each unit.

Emily Dominguez: Trustee Dominguez inquired about those units in Edgewater where they can park in their driveways and not have to utilize other parking areas.

Steve Moetzing: Mr. Moetzing believes that most of the residents would prefer to park in their driveways, however there is a general consensus of concern associated with density issues and not only with the new building, but beyond what was anticipated as the population that would be moving into the complex. He also mentioned that on any given evening, as well as, holidays, game days, etc., families would be inviting people to their homes who would have a hard time finding parking. He has no solution for the problem but does know there is significant concern among all the residents about the parking for the new building and the density issues previously discussed. He requested the Board take all these issues into consideration and perhaps revert back to a lower density.

Michael Bakel, 32 Harbor Pointe Drive: Mr. Bakel agreed with the previous comments, stating that the original proposal was for townhomes and now with these rental units the difference in population is substantial. He stated that everyone wants Mr. Ginsburg to do well, but, there is also a need to protect the homeowners who have invested in these properties. He feels that lowering one floor on the waterfront building could solve the elevation problem, the roof could be put back to the original format, it would cut down on the density and resolve the parking problems.

Emily Dominguez: Trustee Dominguez inquired what the intended use is for the space at the Sale Center.

Frank Centore: Mr. Centore responded it would be landscaped with a walkway to the ferry and will stay that way until the next building is erected.

Emily Dominguez: Trustee Dominguez inquired if that area could be made into parking spaces.

Mayor Kohut: The Mayor responded that would be a temporary solution.

Name not given: The gentleman stated that would not be fair to people buying in one area and having to park in another area far from their units.

Steve Barshov: Mr. Barshov inquired if anything is being planned by Mr. Ginsburg to move forward with the promenade (going south) or will it end where it currently ends.

Mayor Kohut: The Mayor responded that it will probably end where it is now but explained that GDC is under obligation to Tilcon to purchase eleven acres of Estuary Park land, which was to be a buffer between the two sites. He believes his plans are more towards a trail rather than a promenade.

Frank Centore: Mr. Centore informed the Mayor and the public that after the completion of the next building the work on the promenade would resume extending behind the Riverside building and possibly cutting into the Estuary Park.

Mayor Kohut: The Mayor did not feel the Board was ready to render a decision at this point and wanted to take everyone's comments into consideration and discuss them with GDC before a decision is made.

Mayor Kohut entertained a motion to close the Public Hearing.

#### RESOLUTION #41-2014

Motion by: Emily Dominguez

Seconded by: Francisco Batista

Motion Carries: All

The Mayor then opened the floor to the public for the first Public Participation inviting the public to ask questions or make comments. With no input from the public, the Mayor continued with the Regular Meeting Agenda.

Mayor Kohut:

**REPORTS OF VILLAGE OFFICIALS**

**VILLAGE ATTORNEY, Jay Hood, Jr.:** Counselor Hood was absent from the meeting, therefore, no report was given.

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

**RESOLUTION #42-2014 is a part of the Regular Meeting Minutes of February 18<sup>th</sup>.**

**MAYOR'S REPORT, Mayor Kohut:** The Mayor received a request from George White, Superintendent of Public Works, to hire Frank Morales as a part-time seasonal employee for his department.

Mayor Kohut entertained a motion to approve the hiring of Frank Morales as stated above.

**RESOLUTION #43-2014**

Motion by: Rafael Bueno

Seconded by: Emily Dominguez

Motion Carries: All

The Mayor received a letter from Haverstraw Transit with regard to a problem the buses have with parking on Partition Street. They requested a "No Parking from Here to Corner" sign be installed to alleviate the problems facing the bus drivers daily.

Mayor Kohut entertained a motion to having a sign made and installed as requested above to alleviate parking conditions for buses on Pratt Street.

**RESOLUTION #44-2014**

Motion by: Rafael Bueno

Seconded by: Emily Dominguez

Motion Carries: All

The Mayor had nothing further to report.

**Mayor Kohut:**

**REPORTS OF STANDING COMMITTEES**

**FIRE & ORDINANCES – Trustee Rafael Bueno:** Trustee Bueno read the following report for the month of January, 2014, submitted by Fire Chief Al Lynch:

Total Alarms	-	25
General Alarms	-	19
Special Calls	-	6
Mutual Aid Calls	-	1
Structure Fires	-	3
Cooking Fires	-	3
Vehicle Fires	-	2

Pump Outs	-	3
Water Conditions (No pump out required)		5
Electrical	-	1
Gas Leaks	-	2
Carbon Monoxide	- 1	
Good Intent/Miscellaneous		2
False Alarms	-	3

Total Manpower Responding - 607 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 February 3<sup>rd</sup>, 2014:

- 1) Installed signs throughout the Village.
- 2) Cleared major blockage on a 30 inch sew main at Maple Avenue and West Street.
- 3) Snow removal and salting the roads.
- 4) Pothole repairs throughout the Village.
- 5) Performed maintenance on all snow equipment.

Trustee Watson had nothing further to report.

**YOUTH & FAMILY SERVICES - Trustee Francisco Batista:**

Trustee Batista gave the following report of activities at the Community Center for the period of January 16<sup>th</sup> through January 29<sup>th</sup>, 2014:

Reachout Counseling Services – Counseling sessions were held for 55 individuals and their family members for group and/or family canceling.

Homework Program – The Center continues with its after school Homework Program for children in grades 3 through 12, with approximately 65 students attending on a daily basis.

Trustee Batista had nothing further to report.

**BUILDINGS & CODE ENFORCEMENT - Trustee Emily Dominguez:**

Trustee Dominguez read the following report submitted by the Building Inspector, Ruben Berrios, for the period of January 20<sup>th</sup> through January 31<sup>st</sup>, 2014:

Rental registrations	-	0
Municipal searches	-	19
Miscellaneous inspections	-	3
Construction inspections	-	1
Complaints	-	2
Violations & tickets	-	1
Permits/Certs. of Occupancy	-	5

Trustee Batista had nothing further to report.



Mayor Kohut:  
**OLD BUSINESS**  
None.

Mayor Kohut:  
**NEW BUSINESS**  
None.

**Mayor Kohut:**  
**2<sup>nd</sup> PUBLIC PARTICIPATION**  
None.

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

Mayor Kohut entertained a motion to that effect.

**RESOLUTION #45-2014**

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

Respectfully submitted by,

Beverly A. Swift  
Senior Steno Clerk  
March 17<sup>th</sup>, 2014