

The minutes of the Regular Meeting of the Village of Haverstraw Board of Trustees on Monday, October 17, 2016, beginning at 7:00 PM.

PLEDGE OF ALLEGIANCE

| | | |
|-----------|-------------------|------------|
| ROLL CALL | Trustee Batista | - Vacation |
| | Trustee Bueno | - Present |
| | Trustee Watson | - Present |
| | Trustee Dominguez | - Present |
| | Mayor Kohut | - Present |

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

Noel Rappaport, 31 New Main Street: While Mr. Rappaport was out of town that past week, he noticed "NO PARKING" signage that was posted in both English and Spanish. He thought that would be a great idea for the Village, especially in the downtown area where parking has become such a big problem.

Mayor Kohut: Although the Mayor agreed it would be a great idea, due to the size and the language on the current signage, the signs would end up being much too large and the cost involved to have all the parking signs replaced would be far too expensive for the Village.

Noel Rappaport: Mr. Rappaport then mentioned the handicapped area at 37 Clove Avenue by the Synagogue, where drivers leave their cars parked all day or all night, as well as parking in areas marked as "NO PARKING BETWEEN SIGNS". He suggested that the Mayor speak with the Parking Enforcers about checking out these areas throughout their working hours.

Mayor Kohut: The Mayor advised Mr. Rappaport to call the Village Hall if these problems occur during work hours because he can get the Parking Enforcers right on it. If problems occur over the weekend, he suggested Mr. Rappaport contact either Trustee Bueno or Trustee Dominguez who can get in touch with the Parking Enforcers to make extra runs by the Synagogue to issue tickets if necessary.

Rafael Bueno: Trustee Bueno then informed Mr. Rappaport that the Village is going to be installing "2 HOURS ONLY" signage under the current signage.

Terence Watson, Jr.: Trustee Watson then inquired if Mr. Rappaport noticed any blue markings indicating a handicapped zone at the Clove Avenue location.

Noel Rappaport: Mr. Rappaport replied that there are no lines at all by the handicapped signage he was referring to.

Mel Post, 1422 Round Pointe Drive: Mr. Post requested an update of the GDC Project and if any new applications have been submitted.

Mayor Kohut: The Mayor responded that Mr. Ginsburg has not produced or filed anything to date for further construction. He mentioned that when and if that happens he has told the HOA that he would inform them. He believes something is coming, but nothing has been received to date. The Village is

also awaiting a letter from Mr. Ginsburg to restart settlement negotiations, which hopefully will happen within the next month or so.

Mel Post: Mr. Post then inquired about the Interim Agreement.

Mayor Kohut: The Mayor informed Mr. Post that the Interim Agreement expired several months ago and neither party took any affirmative action to start litigation or anything of that sort. Mr. Ginsburg is preparing to offer the Village a proposed solution and whether the Village is willing to accept that proposal will be discussed with Mr. Ginsburg sometime next month.

Mel Post: Mr. Post inquired if the HOA has mentioned anything to the Board about the "NO PARKING" signs that he previously spoke with the Mayor about. He also pointed out that without signage the Village has no grounds to ticket those vehicles or have them towed. That area also becomes very narrow and cars have a tough time trying to get through.

Mayor Kohut: The Mayor spoke with Renee Comak of the HOA Board that past Friday after she returned from vacation, mentioning to her what Mr. Post had brought to his attention. Ms. Comak she said she would follow up on that issue and get back to the Mayor soon.

Larry Levine, 1414 Round Pointe Drive: Mr. Levine reported that there are 1 or 2 streetlights out on the Short Clove overpass. Also, he requested the Mayor contact Tilcon to see if they can try to do a better job of loading their trucks as there is still a lot of gravel and debris on the roadway every day, which is eventually going to affect tires on vehicles and the roadway itself.

Mayor Kohut: The Mayor responded that Tilcon sweeps that roadway several times a day and Robert Drexler, DPW Superintendent, also stated that the DPW sweeps that area a couple of times a day. The Mayor mentioned that Tilcon now has someone whose job it is to just sweep the roadway in that area.

Mel Post: Mr. Post mentioned that the previous Tilcon manager sent him a letter indicating that after the trucks load up that one of their men would sweep off the back and make sure that the entire back of the truck is covered over, which he does not believe is being done. He also mentioned that one of the cleaning trucks was spreading water on the ground, creating a mess.

With no further input from the public, the Mayor continued with the agenda for that night's meeting announcing a Public Hearing with regard to outdoor patio and sidewalk dining. The Mayor then requested Village Attorney, Jay Hood, Jr., to make this presentation to the public.

Jay Hood, Jr., Esq.: Counselor Hood explained that this will amend the Noise Element Law, Section 157-5 by adding a new paragraph regarding outdoor dining, which would limit the hours restaurants can offer outdoor dining in the business district. He read the amendment as follows:

"Outdoor patio dining or sidewalk café dining shall be allowed until 11:00 PM each day unless a site-specific permit for outdoor patio dining or sidewalk café dining issued by the Haverstraw Building Department provides different conditions".

Mayor Kohut entertained a motion to open the Public Hearing.

RESOLUTION #222-2016

Motion by: Terence Watson, Jr.

Seconded by: Emily Dominguez

Motion Carries: All

Noel Rappaport: Mr. Rappaport inquired if tables and chairs would be allowed on the sidewalks in front of the restaurants.

Mayor Kohut: The Mayor responded that it could allow that, however, the businesses would be required to obtain a separate permit from the Building Department for that feature. This law would also allow a restaurant with sufficient property behind it to set up for outside dining (i.e. Union Restaurant and the Brewery, who both have patios behind their buildings).

Noel Rappaport: Mr. Rappaport is worried that with these additional items taking up space on the sidewalks that there will not be enough room for pedestrians to walk by.

Mayor Kohut: The Mayor responded that this would only be allowed if there is enough room for safe passage by pedestrians on the sidewalks (i.e. Anton/McGuires Restaurant had 2 small tables in front of their restaurant which still allowed ample room for pedestrians to pass by).

Mel Post: Mr. Post had a question regarding exactly what would be covered under this amendment.

Mayor Kohut: The Mayor responded that the only thing that would be covered under this amendment is the hours that outside dining would be allowed.

Larry Levine: Mr. Levine inquired if it also includes clean-up of the outside area at the end of the evening.

Mayor Kohut: The Mayor explained that this amendment strictly involves noise issues, mentioning that the clean-up issue is not necessary because all restaurants are required to clean up their areas after closing or be fined. The Mayor pointed out that this is an amendment to the "Noise Ordinance Law" and only has to do with the hours of operation for the businesses, nothing else.

Terence Watson, Jr.: Trustee Watson inquired if the new sidewalks being installed as a part of the Streetscape will all be the same distance from the building to the curb and if that would even provide enough room for outside furnishings for dining.

Jay Hood, Jr., Esq.: Counselor Hood responded that decision would be made by the Building Inspector on an individual basis.

Mayor Kohut: The Mayor reminded everyone that New Main Street and Broadway have wider sidewalks than Main Street, so again, that decision would be in the hands of the Building Inspector. He mentioned again that some of the restaurants have patios behind their buildings so there would be no pedestrian traffic to worry about.

Emily Dominguez: Trustee Dominguez would like to see the hours changed to Sunday thru Wednesday nights till 11:00 PM and Thursday thru Saturday

until midnight. She feels the businesses, especially during the spring, summer and fall, get enough business to warrant the extended hours.

Rafael Bueno: Trustee Bueno feels the hours are too long and should be Sunday thru Wednesday till 10:00 PM and Thursday thru Saturday until 11:00 PM.

Emily Dominguez: Trustee Dominguez does not think those hours would be fair to the businesses.

Rafael Bueno: Trustee Bueno feels it is not fair to the people residing in the downtown area to allow people to eat and especially be drinking outside until 11:00 PM or midnight. Trustee Bueno also feels we have the noise problem right now with loud people on the streets leaving the bars, etc. and this would just add to the problem.

Terence Watson, Jr.: Trustee Watson feels that the kitchens in the restaurants usually close at 10:00 PM so there would not be people eating on the sidewalks or patios at that hour. He feels Sunday thru Thursday should be 11:00 PM and Friday and Saturday 12:00 AM.

Mayor Kohut: The Mayor mentioned that when he managed a restaurant in Nyack there was no time limit for outside dining, which was eventually changed 1:00 AM, at which time the restaurant was required to bring all tables, chairs, etc. inside the restaurant. He also mentioned that it was up to the manager of the restaurant or bar to supervise and control the outside diners and deal with unruly situations so there was no disruption to the residents in the area.

Emily Dominguez: Trustee Dominguez then mentioned that when Antoine McGuires had their outside dining there were no issues because they were always overseeing their outside guests. She feels the Board has to do what is best for both the residents and the restaurants, which are struggling to keep their businesses up and running. She understands what Trustee Bueno is saying, however, she believes the Board has to be considerate of everyone.

Mayor Kohut: The Mayor agreed with Trustee Dominguez that the restaurants should be allowed to offer outside dining until 11:00 PM Sunday thru Thursday, because Thursday is a school night, and 12:00 AM Friday and Saturday. He feels it is a fair place to start and if everything works out then the Board can consider expanding the hours for different days.

Emily Dominguez: Trustee Dominguez feels that Thursday through Saturday's are the restaurants busiest nights and they should be allowed the later hours for outside dining.

Terence Watson, Jr.: Trustee Watson feels that the restaurants may be busier those nights with people inside the buildings because not everyone wants to eat outside.

Mayor Kohut: The Mayor feels that in the courtyards behind the buildings if people are not being disruptive, no-one would even realize that there is anything going on outside. If people start causing problems and being disruptive, that would require the Police to be called in. The Mayor would prefer for now that the hours remain at Sunday thru Thursday until 11:00 PM, Friday's and Saturday's until 12:00 AM.

Mel Post: Mr. Post inquired about how the Streetscape is going to affect the restaurants and commercial businesses in the Village now that construction has begun.

Rafael Bueno: Trustee Bueno responded that it is not affecting them at all because the contractors are keeping the entrance areas clean and have ramps leading to the front doors of these establishments.

Mayor Kohut: The Mayor then added that no-one really knows at this point if or how it will impact these businesses.

Mayor Kohut entertained a motion to allow outside dining Sunday thru Thursday until 11:00 PM and Friday's and Saturday's until midnight.

RESOLUTION #223-2016

Motion by: Emily Dominguez

Seconded by: Terence Watson, Jr.

Opposed: Rafael Bueno

Motion Carries: 3 to 1 vote

Mayor Kohut:

REPORTS OF VILLAGE OFFICIALS

VILLAGE ATTORNEY, Jay Hood, Jr.: Counselor Hood requested the Board to set a Public Hearing for the "NO KNOCK" law on November 21st.

Mayor Kohut entertained a motion to schedule a Public Hearing for 7:05 PM on November 21st to review the proposed "NO KNOCK" law regarding peddling and soliciting within the entire Village.

RESOLUTION #224-2016

Motion by: Emily Dominguez

Seconded by: Terence Watson, Jr.

Motion Carries: All

Counselor Hood then referred to the "Dog Day Care" law that has been proposed. He reminded everyone that the Village had previously been declared as the Lead Agency in this matter. This proposed law was referred to the Planning Board at which time they, along with Dennis Michaels, Ass't. Village Attorney reviewed the application returning it to the Village Board with a favorable recommendation and some changes outlined by Dennis Michaels. Counselor Hood informed the Board that a SEQRA "long form" is required for this application, which is much more detailed than the short form, therefore, the Village would need to hire Max Stach of Turner and Associates, to complete this process, with his fee to be paid for by the applicant.

Terence Watson, Jr.: Trustee Watson inquired about the possibility that the applicant does not want to pay the fee.

Jay Hood, Jr., Esq.: Counselor Hood responded that it would then be up to the Board whether or not they want to continue with the process.

Mayor Kohut entertained a motion to authorize Max Stach to prepare the SEQRA form subject to the applicant's agreement to pay the cost of the preparation.

RESOLUTION #225-2016

Motion by: Emily Dominguez

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, Mayor Kohut: The Mayor updated the public on the Streetscape Project reporting that the contractors have progressed with the sidewalk installation to the middle of the block in the vicinity of Rockland and Main Streets. He mentioned that the squares of the sidewalk that have not been completed are the tree pits that will ultimately be planted and have wrought iron tree grates, along with circular footings for the decorative lighting that will run every 70 feet along the way and those items will be placed at a later time. The sidewalk installation is moving along and as the contractors get into the business areas it is taking a little more time because they have to work around problems they might incur. The Mayor reiterated that the entrances to each business or residence has had a ramp installed for their convenience. He then reported that United Water has to replace the water main, which has been held up for a variety of reasons, including permission from DOT to do the replacement, which they should receive within the next couple of weeks. This project should take approximately 1 month to complete and will involve some traffic tie-ups because they will need a working lane where the new water main is to be installed. They are attempting to get the whole process completed before the winter weather arrives.

The Mayor then reported that the Village on the Green paving project is complete, except for striping at the "speed humps".

The Mayor advised the public that a scene for the Showtime series "The Affair" is being filmed in the Village, taking place on Broadway that day. He mentioned there is another production company wanting to utilize some of the downtown area for its production of "Billions" later on in the month.

The Mayor received a request from the Justice Court to approve Esther White and Toni Jones to attend a 1 day Annual Fall SEI Court Clerk Training Seminar on Friday, October 21st, at no cost to the Village.

Mayor Kohut entertained a motion to approve the above staff members to attend the Fall Training Seminar as stated above.

RESOLUTION #226-2016

Motion by: Emily Dominguez

Seconded by: Terence Watson, Jr.

Motion Carries: All

The Mayor received a proposal from Huntington Power, who has installed an emergency generator at the Maple & Fairmount Avenue firehouse, to

provide a "Scheduled Maintenance Program" for the generator system at a cost of \$780.00 for the year.

Mayor Kohut entertained a motion to accept the proposal from Huntington Power as stated above.

RESOLUTION #227-2016

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

The Mayor then presented the following amendments to the 2016 Budget submitted by Joseph Modafferi, Village Accountant:

| <u>Acct. #</u> | <u>Acct. Name</u> | <u>Increase Appropriations</u> | <u>Decrease Appropriations</u> |
|----------------|----------------------|--------------------------------|--------------------------------|
| A1440.0410 | Engineer Ferry Grant | \$ 4,000.00 | |
| A1990.0401 | Contingent | | \$ 4,000.00 |

Mayor Kohut entertained a motion to approve the above amendments.

RESOLUTION #228-2016

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

The Mayor then announced the following events that will be taking place in the Village and Town:

- 1) Friday, October 28th: The Rotary Club will be hosting a Spaghetti Dinner at the Central Presbyterian Church from 5:30 PM to 8:00 PM. The proceeds from this dinner are used to fund scholarships for graduating seniors attending North Rockland High School.
- 2) Friday, November 4th: The 42 Club, a ladies organization that helps fund charitable events in the North Rockland area, will be holding a Roast Beef Dinner at the Knights of Columbus.
- 3) Friday, October 21st: Cosgriff Hose Company #4 will be hosting a "Wing Night" at the Elks Club.
- 4) Saturday, October 22nd: The Atonement Lutheran Church in Garnerville will be hosting an Oktoberfest.
- 5) Saturday, November 5th: The Haverstraw Elks is honoring Trustee Emily Dominguez as "Citizen of the Year" at a dinner in her honor. Congratulations to Trustee Dominguez on this distinguished tribute.

The Mayor had nothing further to report.

Mayor Kohut:

REPORTS OF STANDING COMMITTEES

FIRE & ORDINANCES – Trustee Rafael Bueno: Trustee Bueno had nothing to report.

PUBLIC WORKS, BUILDINGS & GROUNDS – Trustee Terence Watson:

Trustee Watson read the following report submitted by Robert Drexler, Superintendent of Public Works, as of October 17th, 2016:

- 1) Trimmed trees in alleyways.
- 2) Cut grass on abandoned properties.
- 3) Painted lines throughout Village on the Green following road paving.
- 4) Blacktopped potholes and alleyways.
- 5) Repaired damaged catch basins on Broadway, Gurnee Avenue and adjacent to the Village Hall.

Trustee Watson had nothing further to report.

YOUTH & FAMILY SERVICES - Trustee Francisco Batista: In the absence of Trustee Batista, Trustee Dominguez read the following report of activities conducted at the Haverstraw Center for the period of October 3rd through October 17th, 2016:

STRENGTHENING FAMILIES: This program began on Thursday, October 6th 2016, with a total of 14 Families.

HAYERSTRAW COLLABORATIVE: The Collaborative continues to meet monthly at the Center to plan and promote activities for the betterment of the Community. The Collaborative received an award together with 2 other Villages from the County for the work they do throughout the County.

CELEBRATING FAMILIES: The Center's staff, in conjunction with the Department of Social Services, will be starting this program on October 26th.

DRUG TAKE BACK DAY: This will take place at the CVS Pharmacy in Stony Point on October 22nd from 10:00AM to 2:00PM. Staff from the Center will be there to hand out literature on the Center's programs and answer questions from the public.

STAFF PERSONNEL: Tim Sanders will be honored by Keep Rockland Beautiful on Saturday, November 19th, at the Pearl River Hilton for all the volunteer work he does with KRB throughout the year. Congratulations Tim on this well deserved honor.

Basketball Clinic: On Friday, October 14th, Tim Sanders held a basketball clinic in conjunction with Coach Ryan, Varsity Coach, and members of the NRHS Varsity team. Approximately 65 youth attended.

JUMP PROGRAM: This program started on October 11th and is still in dire need of Spanish speaking mentors. Anyone willing to volunteer some of their time should speak with Pete Fata, Ass't. Director, at the Youth & Family Services Center.

Trustee Dominguez then mentioned that the Center has recently lost some funding from a State Grant, which was used for Student Worker payroll. She explained that the Center has 15 high school students that assist the staff with the afterschool programs at the Center, which is an enormous help to the staff. She then reported that Counselor Hood has reached out to the County to see why this funding has been discontinued and if there is anything that can be done to keep these students on payroll through the end of the year. She requested the Board to also help to keep these student workers employed through the end of the year, which would cost the Village

approximately \$8,500.00. She pointed out that the funds could come from those that were budgeted for a now vacated position in the department, which would keep everything status quo for the year.

Mayor Kohut entertained a motion to allow these student workers to continue working to help the staff with all the afterschool programs through the end of the year, as stated above.

RESOLUTION #229-2016

Motion by: Emily Dominguez

Seconded by: Terence Watson, Jr.

Motion Carries: All

Trustee Dominguez 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 October 3rd through October 15th, 2016:

| | | |
|---------------------------|---|-----|
| Rental registrations | - | 5 |
| Miscellaneous inspections | - | 148 |
| Complaints | - | 18 |
| Municipal searches | - | 4 |
| Construction inspections | - | 33 |
| Violations/Tickets | - | 19 |
| Building Permits & C.O.'s | - | 9 |

Trustee Dominguez had nothing further to report.

Mayor Kohut:

OLD BUSINESS

None.

Mayor Kohut:

NEW BUSINESS

None.

Mayor Kohut:

2nd PUBLIC PARTICIPATION

Noel Rappaport: Mr. Rappaport inquired if there will be a Halloween Parade in the Village this year.

Mayor Kohut: The Mayor responded that the Halloween Parade will take place on Monday, October 31st starting at the Community Center at 5:00 PM. He also mentioned that the Board judged the 40 window displays that past Friday, which were painted by 75 art students from both North Rockland High School and Fieldstone Middle School.

Judith Curcio: The Village Clerk pointed out that Vito's Pizzeria donated 5 pizzas for the art students and Noel Rappaport handed out mini cakes, which the students all enjoyed.

Mel Post: Mr. Post inquired if there would be any disruption to the Village water system during the sidewalk replacement project.

Mayor Kohut: The Mayor informed Mr. Post that the contractors did not mention anything to him about such a problem so he assumes there is none. He pointed out that normally they abandon the old system when they put the new one into service so it would only be a temporary interruption, if any, during the switch over period. He also advised the public that the contractors will be replacing the current 8 inch line with a 12 inch line and if there will be any major disruptions the contractors are obligated to inform the Village.

Larry Levine: Mr. Levine remarked that he never sees anything in the news media with regard to events going on in the Village and he feels something needs to be done to get information about Village events to the media.

Mayor Kohut: The Mayor informed Mr. Levine that the Board simply announces events at the meetings that people or organizations inform the Board about and the Library does a mailing every 2 weeks or so listing all their activities and events. He agrees with Mr. Levin that it would be an advantage to the Village to advertise, however, he again pointed out that the Village does not have a PR person, enough staff or the resources to put in hours of work each week on publicity, etc. He believes that important events are getting out to social media through the North Rockland Facebook Page and Trustee Dominguez sends out a lot through social media. He mentioned that the Food Crawl was held the previous day in the Village and there were approximately 700 people who participated in the event, so word does get out one way or the other.

Emily Dominguez: Trustee Dominguez mentioned that she has a blog that she sends out once a week.

Larry Levine: Mr. Levine asked when a property owner is required to obtain a permit for doing work either inside or outside of their property. He also inquired how the dollar amount is determined for a permit and if there is a minimum dollar amount required.

Mayor Kohut: The Mayor informed Mr. Levine that the property owner is supposed to come to the Village for a permit before starting a project in or on their property. The amount of the Building Permit is determined by the estimated cost of construction. It is based more on the type of work that is being performed, explaining that landscaping work does not require a permit, but putting up a deck, a roof, etc. does and the fee for the permit is based on the cost of the project.

Larry Levine: Mr. Levine then inquired if the Building Inspector has to approve the work once it has been completed.

Mayor Kohut: The Mayor responded that depending on the type of work being done, the Building Inspector does have to at least do a visual inspection.

Joel Santana, 100 Halgren Crescent: Mr. Santana expressed his thanks to the Mayor and the Board for all the work the DPW did at Village on the Green. He also wanted to inform the Board that there may be a Halloween Party at the VOG Park and if so they may need to borrow some barricades from the DPW.

Mayor Kohut: The Mayor and Board were ok with lending the barricades to VOG for their Halloween Festival as they have done in the past.

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

RESOLUTION #230-2016

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

Respectfully submitted by,

Beverly A. Swift, Senior Steno Clerk