

The minutes of the Regular Meeting of the Village of Haverstraw Board of Trustees on Monday, May 1<sup>st</sup>, 2017, beginning at 7:00 PM.

## PLEDGE OF ALLEGIANCE

ROLL CALL	Trustee Santana	- Present
	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.

With no input from the public, the Mayor continued with the agenda for that night's meeting, which is a presentation by Jose Vargas and his Architect, Jorge Lopez, for a housing development on Dowd Street.

Jorge Lopez, Architect, 226 North Main Street, New City: Mr. Lopez is the architect for this project. He pointed out that the project consists of a 3 story building that will house 24 apartments with approximately 53 parking spaces including 27 under the building. He stated that 12 of the apartments will be 2 bedroom units measuring 1,053 sq. ft. each, with the remaining 12 apartments being 1 bedroom units measuring 727 sq. ft. each. He then mentioned that there would be 8 units on each of the 3 floors (4 – 2 bedroom units and 4 – 1 bedroom units). Referring to a map of the site, he pointed out different locations on the site; parking, walk-in entrances, stair locations, etc.

Mayor Kohut: The Mayor inquired if there would be any elevators in the building to which Mr. Lopez responded there will be no elevators in the building.

Jorge Lopez: Mr. Lopez informed the Board that the building will have a sprinkler system throughout.

Jose Vargas: Mr. Vargas indicated that the 2 bedroom units are very large with the master bedroom in each unit having its own bathroom and full walk-in closet. The building will have central air conditioning and the apartments will be tastefully completed, which he feels will definitely enhance the neighborhood, both in quality and aesthetics, and also will be in character with the rest of the neighborhood. He then mentioned that he grew up and has lived most of his life in the Village, and felt it was time for him to do something for the Village so he is making 5 of the 1 bedroom units designated for village volunteers only, which will become a part of his contract, if and when the Village approves this project. He also wanted the public, especially everyone from the neighborhood, to know he is not requesting any tax breaks from the Village and wants nothing more than to see the Village succeed in every aspect possible. He also feels this will help to keep some of the young volunteers who have been seeking housing elsewhere due to the high rents, here in the Village. This contract that he will make with the Village for the 5 designated volunteer units will remain the same even if the building is eventually sold.

Emily Dominguez: Deputy Mayor Dominguez inquired what the amount of the rent would be.

Jose Vargas: Mr. Vargas has not yet established the rental amounts for the units; however, they will be priced at market value at the time of rental. There will be 5 – 1 bedroom affordable units, which is approximately 21% of the rental units and those will probably be about 60% to 70% of market value for Village volunteers only.

Mayor Kohut: The Mayor informed Mr. Vargas that this location is a part of the “Residential Inclusionary Zone”, which is a zone that the Board created stipulating that any building done in this zone be required to have a component to accommodate affordable housing units along with market value units.

Jose Vargas: Mr. Vargas requested the Board declare itself Lead Agency on this project and give them a positive referral to the Village Planning Board.

Mayor Kohut: The Mayor clarified that it is not up to the Village Board to grant a positive referral to the Planning Board, but for the Village to declare itself Lead Agency and refer the applicant to both the Planning and Zoning Boards for their review and recommendation, with the Village Board then having the final decision.

Thomas Watson, Jr.: Trustee Watson inquired how many parking spaces would be available.

Jose Vargas: Mr. Vargas responded there would be a total of 53 parking spaces available, which would be above the 2 parking spaces per unit the Village requires. He then mentioned that part of the 53 spaces would be for visitors and the possibility that the 1 bedrooms apartment may only have need for 1 parking space.

Joel Santana: Trustee Santana wanted to know how much of the building would be seen from ground level.

Jose Vargas: Mr. Vargas responded that the parallel parking spots, plus the 3 stories of the building would be visible from above and below. He then mentioned that according to Village Codes, a building is allowed a 45 foot slope at the top of the building, but their building will have a flat roof.

Mayor Kohut: The Mayor advised the public that this is not a Public Hearing but Mr. Vargas was formally presenting this application to the Village Board. The Mayor inquired of Mr. Vargas if he would be willing to answer a few questions from the public at that time.

Jose Vargas: Mr. Vargas was happy to answer questions that night, especially from people in the neighborhood, because he wanted to be open about the entire project.

Mayor Kohut: The Mayor explained again that this is not a Public Hearing, but if anyone would like to make some general inquiries and not about details or specifics, he would allow that.

Mel Post, 1422 Round Pointe Drive: Mr. Post inquired about the exact location of the project.

Jose Vargas: Mr. Vargas responded the location is Dowd Street and Brams Place, which is actually the same street, but the name changes about 1,000 feet up.

Mel Post: Mr. Post then inquired what would constitute a Village volunteer.

Emily Dominguez: Deputy Mayor Dominguez responded to the question that any person serving with the Fire Department or EMS services are considered volunteers.

Richard Ramos, 100 Dowd Street: Mr. Ramos informed the Board that the new traffic light has created numerous problems for the people living on Dowd Street and any additional cars would just add to the existing problem of getting in and out of Dowd Street where there are currently several houses and approximately 72 apartment units. He believes there are currently about 100 vehicles going in and out of that street, especially during rush hours.

Thomas Watson, Jr.: Trustee Watson mentioned that the Board has talked about moving back the STOP line for that light.

Richard Ramos: Mr. Ramos feels that most people ignore the STOP line. He believes a better place for that light would have been before Dowd Street on Route 202, which would have resolved a lot of problems, including the trucks coming up Gurnee Avenue trying to make the right turn onto Route 202. He also mentioned that Dowd Street itself is not wide enough for on-street parking and he is concerned that this will have a big impact on the lives of the people who have lived in this area for a long period of time. He is also concerned that the height of the building will take away from the view of the mountains that the residents have enjoyed for years.

Jose Vargas: Mr. Vargas stated that there are no residences behind the building so the height should not affect the views from the houses on the street and the condominiums are located to the side, therefore, he really does not believe this project will affect anyone's views.

Lisa Campbell, 100 Dowd Street: Ms. Campbell is confused about the location of the project.

Jose Vargas: Mr. Vargas requested Ms. Campbell to come forward and look at the map to get an accurate idea of where the project will be located, which she did.

Lisa Campbell: Ms. Campbell also commented on the issues caused by the traffic light, mentioning that this particular spot is also a heavily used bus stop. She feels this will only make matters worse.

Ellen (last name inaudible), 100 Dowd Street: She also feels there is an issue with the bus stopping repeatedly at this location and has called both the school and the police with regard to the dangerous conditions for children getting on and off the buses in this area. She mentioned that the parents waiting for their children are parked all over the street and she is genuinely concerned about the children.

Mayor Kohut: The Mayor implied that it is her own neighbors that are waiting to pick up their children.

Ellen: She responded that it is a designated bus stop for all the children in the area, not just those living on Dowd Street. She then inquired about the time frame for the project and when it would start.

Jose Vargas: Mr. Vargas responded he is not sure how long the process will be to get approval from the Village but as soon as he receives approval, he will start construction on the project, which he is assuming will take approximately 6 to 12 months to complete.

Barbara Curti, 100 Dowd Street: Ms. Curti asked if Mr. Vargas is the owner of the property, to which he responded "he is the owner", explaining that the previous owner lost the property due to nonpayment of taxes. She is worried about the "Mountain Protection Zone" issues, drainage issues, the number of trees that might be lost, the water and sewer issues, and the whole corridor coming down Route 202 which is becoming a high density area. She feels like there is not enough room for another apartment building.

Jose Vargas: Mr. Vargas informed Ms. Curti that the engineering firm that is handling his project will deal with any drainage issues because one of the requirements of a project is that there be "0" runoff of regular rain water from the site, which will definitely be addressed. With regard to the trees, he is also concerned about the trees and they will try to disturb as few as possible to preserve the trees going up Dowd Street as a buffer so no-one has to look at a building instead of trees. He also informed Ms. Curti that if they have to remove any trees, they will be replacing them with similar trees that will eventually grow, but their intent is not to remove any trees if at all possible. He pointed out that he has sat on the Town and Village Planning Boards and with every project that came before him, he was always in favor of keeping the original trees wherever possible. He then indicated that there will be trees that have to be removed for the project, however, any trees that are removed will be replaced.

Barbara Curti: Ms. Curti inquired if Mr. Vargas has a copy of the Mountainside Protection Clause.

Jose Vargas: Mr. Vargas responded that he does not have a copy, but his engineer should have it and these are issues that will be addressed as the process moves along. He wanted Ms. Curti to know that he is well known in the Community and is not any outsider coming in just to make a buck. He wants the Village to be a better place & benefit from his development.

Mayor Kohut: The Mayor informed Mr. Vargas that once the application goes from the Village Board to the Planning Board, they will involve the Technical Advisory Committee, which consists of the Planning Board Attorney, the Village Engineer and the Building Inspector, who will review the plans with Jorge Lopez (applicant's engineer) to discuss items such as the Mountain Protection District and how that will affect the developable land to see if the project is doable before it gets to the point of a Planning Board hearing.

Barbara Curti: Ms. Curti then informed the Board that across from Dowd Street on Route 202 there is a lot of drug activity, which the Police know about and have made arrests, stating that the area has many low income rentals and houses in foreclosure. She also mentioned that there are people coming and going at all hours making it the perfect spot for drug

activity. She suggested that more rental developments would result in the same activity.

Jose Vargas: Mr. Vargas feels that the landlords in that area did not do the right screening, or any screening at all, for probable tenants ahead of time causing this problem to occur and eventually get out of control. He also mentioned that absentee landlords don't care who is renting in their buildings as long as they are getting their Section 8 money deposited into their accounts. He is not that person.

Lisa Campbell 100 Dowd Street: Ms. Campbell inquired if Mr. Vargas had any 3D drawings, to which Mr. Vargas replied "not yet".

Jay Hood, Jr., Village Attorney: Counselor Hood informed the Board that he has had business dealings with Mr. Vargas in the past and therefore he is conflicted out of this project, announcing that Dennis Michaels, Esq. will be handling anything to do with this project.

Mayor Kohut entertained a motion to accept the application of Jose Vargas and refer it to the Planning and Zoning Boards.

**RESOLUTION #88-2017**

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

Mayor Kohut: The Mayor explained to the public that this application will be referred to the Planning Board and/or the Zoning Board and if there are any informal meetings with regard to this matter that the Building Department Clerk or the Village Clerk will notify Ms. Curti and others of the meetings, however, any formal meetings will be advertised through local media.

Jose Vargas: Mr. Vargas thanked the Board and is sure that all the concerns of the neighborhood will be addressed and taken care of.

Mayor Kohut:

**REPORTS OF VILLAGE OFFICIALS**

**VILLAGE ATTORNEY, Jay Hood, Jr.:** Counselor Hood requested the Board schedule a Public Hearing to set the parameters for parking around the new "Terrace on Hudson" restaurant and catering facility on Route 9W.

Mayor Kohut entertained a motion to schedule a Public Hearing for May 15<sup>th</sup> at 7:05 PM as stated above.

**RESOLUTION #89-2017**

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

Counselor Hood requested the Board the schedule a Public Hearing for June 12<sup>th</sup> at 7:05 PM regarding changes to the Village Zoning Code.

Mayor Kohut entertained a motion to schedule a Public Hearing as stated above.

RESOLUTION #90-2017

Motion by: Emily Dominguez  
Seconded by: Joel I. A. Santana  
Motion Carries: All

Counselor Hood then requested the Board to authorize him to initiate a Nuisance Complaint and take whatever action is necessary against Mi Tierra and MIA Restaurants.

Mayor Kohut entertained a motion allowing Counselor Hood to proceed with initiating nuisance complaints as stated above.

RESOLUTION #91-2017

Motion by: Rafael Bueno  
Seconded by: Thomas 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 requested approval of the Board to schedule the following meetings for the summer months:

Regular Board Meeting	-	June 12 <sup>th</sup> at 7:00 PM
Regular Board Meeting	-	July 10 <sup>th</sup> at 7:00 PM
Regular Board Meeting	-	August 14 <sup>th</sup> at 7:00 PM

Mayor Kohut entertained a motion to change the Regular Board Meetings for June, July and August as stated above.

RESOLUTION #92-2017

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

The Mayor reported receiving a proposal from Orange & Rockland Utilities (O&R) to upgrade the lighting in Village Hall at a cost of \$19,736.00 with an incentive from O&R of \$4,197.00. This lighting upgrade would save the Village approximately \$305.00 per month on utility bills and eventually pay for itself with the savings.

Mayor Kohut entertained a motion to accept the proposal from O&R to upgrade lighting in the Village Hall building as stated above.

RESOLUTION #93-2017

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

The Mayor then reported that it is time for the Annual Storm Water Report and requested approval from the Board to engage Brooker Engineering to provide the services for preparation of this report at a cost of \$1,200.00.

Mayor Kohut entertained a motion to approve Brooker Engineering to prepare the Annual Storm Water Report as stated above.

**RESOLUTION #94-2017**

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

The Mayor requested authorization from the Board to go out to bid for bus transportation for the 2017 Village Summer Camp, with all bids to be returned to the Village Hall by 12:00 PM on June 9<sup>th</sup>.

Mayor Kohut entertained a motion to authorize bidding for summer camp transportation as stated above.

**RESOLUTION #95-2017**

Motion by: Emily Dominguez  
Seconded by: Joel I. A. Santana  
Motion Carries: All

The Mayor made the following announcements:

- 1) Community Shredding Day - Saturday, May 6<sup>th</sup> from 8:00 AM to 12:00 PM at the Town Hall.
- 2) Community Shredding Day - June 11<sup>th</sup> at the Village of Haverstraw Farmers Market.
- 3) Friday, June 16<sup>th</sup> - "Dancing under the Stars" featuring music by "Spectrum". All invited to attend.
- 4) Saturday, June 17<sup>th</sup> - the "Juneteenth Celebration" at the Clinton Street African/American Park.

The Mayor received a request from the owners of the new "Terrace on the Hudson" to install a fence that will provide some privacy for their neighbors, however, they have very little room on their property and the Village has a right-of-way on what is considered an extension of Tor Avenue. The Mayor requested approval of the Board to allow "Terrace on the Hudson" to install a privacy fence on the Village's right-of-way.

Mayor Kohut entertained a motion to that effect.

**RESOLUTION #96-2017**

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 of fire activity for the month of April, 2017, submitted by Fire Chief Thomas Price:

Total Alarms	-	10
General Alarms	-	7

Special Calls	-	2
Mutual Aid Calls	-	1
Structure Fires	-	0
Cooking Fires	-	3
Gas Leaks	-	2
Hazardous Conditions	-	1
Good Intent/Misc.	-	3
False Alarms	-	1

Total Manpower Responding - 225 members

Trustee Bueno had nothing further to report.

**PUBLIC WORKS, BUILDINGS & GROUNDS – Trustee Terence Watson:**

Trustee Watson read the following report submitted by Robert Drexler, Jr., Superintendent of Public Works, as of May 1<sup>st</sup>, 2017:

- 1) All staff of the Haverstraw DPW and several DPW staff from the Town of Haverstraw and the Village of West Haverstraw received a safety training course on confined spaces, bucket truck and flagging. The course was given at the Village DPW site.
- 2) Repaired the damaged fence at the Haverstraw Center.
- 3) Picked up 4 pallets of yard waste bags from Rockland Solid Waste.
- 4) Installed new benches at the Division Street Park.
- 5) SCS Engineering inspected the Manny Lopez Baseball Field.
- 6) Crew did some landscaping throughout the Village, including Village properties.
- 7) Crew replaced faded street signs.

Trustee Watson had nothing further to report.

**YOUTH & FAMILY SERVICES - Trustee Joel I. A. Santana:**

Trustee Santana read the following report of activities at the Community Center for the period of April 17<sup>th</sup> thru May 1<sup>st</sup>, 2017:

- 1) The Haverstraw Collaborative continues to meet monthly at the Center.
- 2) Jump Program/Big Brothers, Big Sisters: This program meets every Tuesday night and is run in conjunction with the school calendar.
- 3) The Spanish Speaking Parents Group: This group will meet on Wednesday May 3<sup>rd</sup>, 6:00 PM at the Haverstraw Elementary School.
- 4) Strengthening Families Program: This program started on March 16<sup>th</sup> and ended on April 27<sup>th</sup>, with a total of 13 families participating.
- 5) Monthly Youth Celebration/Caught Being Good: This celebration was held on April 26<sup>th</sup> with awards given for those “caught being good”.
- 6) National Prescription Drug Take Back Day: Staff from the Center took part in this program, which was held on April 29<sup>th</sup> from 10:00 AM to 2:00 PM at the CVS Pharmacy in Garnerville.

Trustee Santana had nothing further to report.

At this time, the Mayor informed the Board that he would be attending a meeting the following night at Rockland Community College with regard to “Shared Services Initiative” given by the County Executive. This meeting

must be attended by officials from all the County municipalities in order to initiate a shared services plan for Rockland County.

**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 April 16th thru April 28<sup>th</sup>, 2017:

Rental registrations	-	0
Miscellaneous inspections	-	93
Complaints	-	2
Municipal searches	-	3
Construction inspections	-	6
Violations/Tickets	-	13
Building Permits & C.O.'s	-	6

Fines collected at court - \$1,500.00

Deputy Mayor Dominguez mentioned that during a recent visit by the Liquor Authority, they alluded to the fact that Ruben Berrios, Village Building Inspector, should be given Noise Meter Certification. This would require him to attend a Noise Certification class, which is scheduled to be held from June 3<sup>rd</sup> thru June 8<sup>th</sup> at Rutgers University at a cost of \$550.00. She requested approval from the Board for the Building Inspector to attend this class.

Mayor Kohut entertained a motion to approve attendance at a “Noise Certification” class for the Building Inspector, as stated above.

**RESOLUTION #97-2017**

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

Deputy Mayor Dominguez then requested approval from the Board for Ruben Berrios, Building Inspector to attend the Annual ICC Conference as a delegate. This year’s conference will be held in Ohio from September 9<sup>th</sup> thru September 13<sup>th</sup>. As a delegate, all costs for this conference are covered by the Chapter. This conference will also certify the Building Inspector with all the credits he needs.

Mayor Kohut entertained a motion to approve attendance by the Building Inspector at the Annual ICC Conference as stated above.

**RESOLUTION #98-2017**

Motion by: Rafael Bueno  
Seconded by: Joel I. A. Santana  
Motion Carries: All

Deputy Mayor Dominguez had nothing further to report.

**MINUTES:** The Mayor presented the minutes of the Regular Meetings of February 21<sup>st</sup>, March 6<sup>th</sup> and March 20<sup>th</sup>, 2017, as well as Grievance Meeting Minutes of February 21<sup>st</sup>, 2017 for approval by the Board.

Mayor Kohut entertained a motion to approve all minutes stated above.

RESOLUTION # 99-2017

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

Mayor Kohut:

**OLD BUSINESS**

None.

Mayor Kohut:

**NEW BUSINESS**

None.

**Mayor Kohut:**

**2<sup>nd</sup> PUBLIC PARTICIPATION**

Mel Post, 1422 Round Pointe Drive: Mr. Post informed the Board that Andy Maniglia was at the Harbors recently to address the residents with regard to GDC's future plans for their Site "B" Project. Mr. Post was hoping that things came to fruition with the Village to the extent that the Mayor would talk about it from the Village's point of view. He feels that GDC is not particularly good with public relations and he certainly didn't sound like Mr. Vargas, who he felt sounded like a very legitimate person and also an excellent salesman. He requested the Mayor address where the project stands at this point from the Village's point of view so he can pass the information on to other interested residents at Harbors.

Mayor Kohut: The Mayor responded that GDC would like to continue their build out and resolve their outstanding financial issues with the Village. He explained that the first issue that has to be addressed has to do with trying to get Rockland County IDA benefits, which includes a tax pilot program and sales & mortgage tax abatements. This requires the cooperation and agreement of the Village, the Town, the County and the school district, with the biggest driver being the Town, because if they do not come to an agreement, no-one will. He reported that currently there is no agreement on the Tax PILOT. If that does not occur, Mr. Ginsburg will have to alter his plans; only then will the development go further.

Mel Post: Mr. Post remarked that many of the residents look at this in terms of having 300 to 400 homeowners who have lived at the Harbors and paid taxes for many years, who do not want to be hurt any further by anything any municipality would do in terms of an agreement with Mr. Ginsburg for tax abatements, etc. He feels the new buildings, numbering approximately 425 units....

Mayor Kohut: The Mayor corrected Mr. Post stating there would be 225 units in Site "B" and the remainder in Site "A".

Mel Post: Mr. Post believes that it has been Mr. Ginsburg's intention to start construction at Site "B", with all rental units, some of which will be very small apartments, but will have all the usual amenities, which will be in competition with any current residents who wish to rent or sell their units. Most have been there from the beginning and are already feeling the

anguish of the competition that will develop between GDC and the current homeowners, which would be so extreme that no one would be able to sell or rent their units. He feels anyone purchasing or renting in the new project should share in the "special taxation district" where the current owners are hit with an additional \$500.00 per year or for the Village to lower the taxes on the original homes that were built, especially now that those homes are worth a lot less than when they were originally purchased. He and his fellow Harbor residents would like to know that they have the cooperation of both the Village and Mr. Ginsburg.

Mayor Kohut responded that he understood Mr. Post's and other Harbor's residents' concerns. As of the present time however, there is no agreement in place that warrants further movement on the project.

Mayor Kohut: With no further business to be conducted by the Board, the Mayor entertained a motion to adjourn the meeting in memoriam. Trustee Santana announced the names of those to be memorialized as follows:

- 1) William Tolley - a firefighter in Queens who died falling off the roof of a building while fighting a fire.
- 2) Emily Henriquez - a 16 year old young lady from North Rockland who succumbed to her health issues.
- 3) Maria Idalia Martinez - the grandmother of Trustee Santana who brought her family to the Village 50 years ago, raising them to love and respect this village they called "home".

The Mayor requested a moment of silence to honor the 3 people mentioned above.

RESOLUTION #100-2017

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

Respectfully submitted by,

Beverly A. Swift, Senior Steno Clerk