

The Minutes of the Regular Meeting of the Village of Haverstraw Board of Trustees on Monday December 19, 2022 beginning at 7:00 PM.

## PLEDGE OF ALLEGIANCE

ROLL CALL	Trustee Bueno	- Absent
	Trustee Carlevaro	- Present
	Trustee Santana	- Present
	Trustee Sena	- Present
	Mayor Kohut	- Present

Mayor Kohut: The Mayor opened the meeting with the first Public Participation of the night inviting anyone with questions or comments to come forward.

Noel Rappaport, 31 New Main St: Mr. Rappaport stated that there is a vehicle on Broadway with no plates, on the street by the nose-in parking near St. Peter's.

Mayor Kohut informed Mr. Rappaport that the area where the car is parking is private parking.

Mr. Rappaport also commented that in all of the years he has been in Haverstraw he has never seen it look so pretty, particularly in front of Village Hall. In addition, Mr. Rappaport stated that there was a recent gun buy-back and he was wondering what the count was. Also, he commented that he recently came down Gurnee Ave and many of the houses looked great with the holiday decorations. He suggested that a Village Trustee go around and pick the best decorated house and he would be interested in contributing \$100 to the prize.

Mayor Kohut expressed thanks for his comments and suggestion regarding the holiday decorations and also stated that approximately 33 guns were turned in at the recent event.

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

Mayor Kohut: The Mayor entertained a motion to open the Public Hearing on the Village's Sign Law which would amend sign requirements in the Highway Business District.

## RESOLUTION # 411 - 2022

Motion by: Gil Carlevaro  
Seconded by: Joel Santana  
Motion Carries: All

Mayor Kohut turned the floor over to Counselor Hood for further explanation.

Village Attorney Hood explained that the Sign Law would amend Chapter 245, which is the Village's Zoning Chapter. Through the years we've discovered that the existing Sign Law was written more for the Village Downtown types of businesses and not the types of businesses

that have been coming into the HB District, like McDonald's, Popeye's and 7-11 etc. The new law addresses issues regarding bigger signs that you would need for a Highway District and other items that wouldn't be allowed like flashing signs and sign illumination from the inside. It's a comprehensive law and is several pages long.

Mayor Kohut: The Mayor then opened the floor to the public for questions, comments or concerns regarding the Sign Law.

Noel Rappaport asked if something could be coordinated with West Haverstraw since they also have a large highway area.

Mayor Kohut stated that the law is jurisdictional and they, in all likelihood, have something similar since they have a greater portion of Route 9W in their Village.

Mayor Kohut entertained a motion to adopt the Negative Declaration for SEQR regarding the amended Sign Law.

RESOLUTION # 412 - 2022

Motion by: Gil Carlevaro

Seconded by: Rich Sena

Motion Carries: All

Mayor Kohut stated that the Public Hearing would remain open until the next Village Board meeting because the 30 day wait period would have to be met for County and surrounding municipal comments.

Mayor Kohut entertained a motion to open the second Public Hearing of the night regarding Marijuana Dispensaries and Sales Text Amendment. The Village did not opt-out of the New York State law allowing the sale, distribution and use of marijuana and this is allowing for the sale and distribution in the Village.

Attorney Hood explained that this was also amending Chapter 245 of the Village Zoning Code to allow adult use cannabis sale and distribution, of importance to note that it does not allow for on-site use so there will be no hanging around of customers partaking in cannabis. This is for all types of cannabis (gummies, edibles etc.) and there have been some interest expressed on growing it in the Village so the law will be helpful in regulating the operators.

Mayor Kohut entertained a motion to open the Public Hearing on Marijuana dispensaries.

RESOLUTION # 413 - 2022

Motion by: Gil Carlevaro

Seconded by: Rich Sena

Motion Carries: All

Cora Carter, 38 Robbins Ct: Ms. Carter asked when the Village "opted in" for this and why the Board didn't "opt out".

Mayor Kohut explained that there was no “opt in” segment to this law so by default they had opted in. The Board felt that since this was legalized in New York State and would be happening around them it would be better to regulate it and benefit from any tax revenue. He also stated that for anyone in the Village who may have been hurt by previous laws regarding marijuana this would be a clean slate for them and possibly allow these folks to benefit from it.

Ms. Carter asked if anyone has done a study regarding the impacts on legalizing marijuana and she stated that communities that have allowed for its legalization are finding that use is picking up and creating more problems. Ms. Carter also believes it would have been better for the State to decriminalize marijuana rather than legalize it and that marijuana is a gateway drug. Ms. Carter remarked that we need to protect our children and we are living in a time of children being very vulnerable.

Mayor Kohut stated that the dispensaries are highly regulated and there are all sorts of safeguards to protect the community. In addition, for the people that need marijuana for “good” uses will have appropriate access to it.

Ms. Carter asked if the Board was going to legalize it, who would be allowed to apply for licensing.

Mayor Kohut stated that New York State would be regulating all of that and the Village Planning Board would be consulted if site plan approval or change of use is necessary.

Jonathan Molave, 26 Harbor Pointe Dr.: Mr. Molave inquired where the new law would be published and what the hours of operations were to be and would all other Village Codes be specified.

Mayor Kohut responded that the law would be published in the Village Code book online once it gets passed through the State process but he could ask the Clerk for a copy and she can supply him with one. Other Village Codes regarding the operation of businesses would be found online as well.

Mayor Kohut entertained a motion to close the Public Hearing on Marijuana dispensaries.

RESOLUTION # 414 - 2022

Motion by: Gil Carlevaro  
Seconded by: Rich Sena  
Motion Carries: All

Mayor Kohut entertained a motion to adopt a Neg Dec for the Marijuana Dispensary law.

RESOLUTION # 415 - 2022

Motion by: Rich Sena  
Seconded by: Gil Carlevaro  
Motion Carries: All

Mayor Kohut entertained a motion to approve the text amendment for Marijuana Dispensaries and Sales.

RESOLUTION # 416 - 2022

Motion by: Gil Carlevaro  
Seconded by: Rich Sena  
Motion Carries: All

Mayor Kohut:

REPORTS OF VILLAGE OFFICIALS

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

VILLAGE TREASURER, Carmelina Palumbo: Ms. Palumbo had nothing further to report.

MAYOR'S REPORT, Mayor Kohut: The Mayor reported that the upcoming meeting dates needed some adjustment because of holidays. The January 16<sup>th</sup> meeting falls on MLK and is to be moved to Tuesday 17<sup>th</sup> and the February 20<sup>th</sup> meeting falls on Pres, Day and is to be moved to Tuesday Feb. 21<sup>st</sup>.

Mayor Kohut entertained a motion to make the changes to the meeting dates as stated above.

RESOLUTION # 417 - 2022

Motion by: Gil Carlevaro  
Seconded by: Joel Santana  
Motion Carries: All

Mayor Kohut entertained a motion to approve the request from the Building Department for the attendance of employees at the NYS Building Officials Conference at a cost of \$300 per person for a total of \$900.

RESOLUTION # 418 - 2022

Motion by: Gil Carlevaro  
Seconded by: Joel Santana  
Motion Carries: All

Mayor Kohut entertained a motion to approve the proposal from SCS Engineering for the annual monitoring & inspection of the Manny Lopez ball field at a cost of \$5,500.

RESOLUTION # 419 - 2022

Motion by: Rich Sena  
Seconded by: Gil Carlevaro  
Motion Carries: All

Mayor Kohut explained that there was a grant application submitted to NYS Senator Elijah Reichlin-Melnick for \$175,000 in assistance to

purchase a new street sweeper for DPW. As part of the grant requirements a motion of support from the Board is needed stating that the balance of funding for the sweeper, which will cost approximately \$215,000, would come out of the DPW Capital Account.

Mayor Kohut entertained a motion to approve the balance of the street sweeper funding to be taken from the DPW Capital Account.

RESOLUTION # 420 - 2022

Motion by: Gil Carlevaro  
Seconded by: Rich Sena  
Motion Carries: All

Mayor Kohut entertained a motion to approve the hiring of Hardvesty & Hanover to provide a Traffic Signal Warrant Analysis at the intersection of Broadway, Samsondale and Westside Avenues, at a cost of \$8,000.

RESOLUTION # 421 - 2022

Motion by: Rich Sena  
Seconded by: Joel Santana  
Motion Carries: All

Mayor Kohut entertained a motion to approve a request from Rachel Aponte of 8 Spring Street for a handicap sign/spot as she has no parking available on her property.

RESOLUTION # 422 - 2022

Motion by: Gil Carlevaro  
Seconded by: Joel Santana  
Motion Carries: All

Mayor Kohut stated that he would continue with the reorganization from the prior meeting and he entertained motions to approve the following:

1. Designate bank depositories within the North Rockland area

RESOLUTION # 423 - 2022

Motion by: Gil Carlevaro  
Seconded by: Rich Sena  
Motion Carries: All

2. Approve the Village Procurement Policy where Purchases over \$20,000 and Services over \$35,000 would require the use of the bidding process.

RESOLUTION # 424 - 2022

Motion by: Rich Sena  
Seconded by: Gil Carlevaro  
Motion Carries: All

3. Designate the Mayor, Village Treasurer and Deputy Treasurer as Purchasing Agents

RESOLUTION # 425 - 2022

Motion by: Rich Sena  
Seconded by: Joel Santana  
Motion Carries: All

4. Authorize the approval of claims by the Board

RESOLUTION # 426 - 2022

Motion by: Gil Carlevaro  
Seconded by: Joel Santana  
Motion Carries: All

5. Adopt the current IRS mileage allowance of \$0.625 per mile as the Village reimbursement rate for those people using their own vehicles for Village business.

RESOLUTION # 427 - 2022

Motion by: Rich Sena  
Seconded by: Gil Carlevaro  
Motion Carries: All

6. Set the official days per week worked for retirement reporting purposes at:
  - o Elected Officials – 5 days per week, 6 hours per day
  - o Appointed Officials – 5 days per week, 6 hours per day
  - o Part-time positions, including the Accountant, Asst. Attorney, Assessor, custodian, parking enforcers etc. – 5 days per week, 7 hours per day

RESOLUTION # 428 - 2022

Motion by: Gil Carlevaro  
Seconded by: Rich Sena  
Motion Carries: All

7. Approve and adopt the Medical, dental & vision benefit eligibility as an employee being eligible after one full month of employment. And, termination of benefits to be immediate if an employee is terminated, and at the end of a month or 30 days, whichever comes first, for employees that resign.

RESOLUTION # 429 - 2022

Motion by: Rich Sena  
Seconded by: Joel Santana  
Motion Carries: All

Mayor Kohut announced that last year the Village had been awarded a \$10M grant called the Downtown Revitalization Initiative and the

committee has spent the past year following the State guidelines for putting projects in place and getting approvals and denials from the State. 13 projects were submitted to the state at a cost of \$13M and New York State has reported back and awarded the projects as follows:

1. Extend the public trail and stabilize the shoreline to support the reuse of Chair Factory site - \$4M
2. Improve connectivity with the construction of a multi-modal ferry station - \$200,000
3. Enhance outside recreation area by community center by moving the basketball courts - \$400,000
4. Restore and expand the Haverstraw Brick Museum by adding 2 floors onto the museum for research and education - \$1.5M
5. Create educational opportunities by installing a statue of Harriet Tubman at the park on Clinton Street - \$201,000
6. Enhance Main Street with the installation of murals - \$180,000
7. Revitalize 49 W. Broad Street with a new mixed-use development with 55 residential units- \$1.677M
8. Establish a group hub in the stone building at 37 W. Broad St. - \$665,000
9. Downtown façade restoration fund - \$577,000
10. Establishing and implementing a branding, marketing and wayfinding initiative - \$300,000

The Mayor read the following adjustments to the 2022-2023 budget year submitted by Shannon Modafferi, Village Accountant:

2022-2023 BUDGET ADJUSTMENTS					
Acct. #	Account Name	Incr. Appr.	Decrease Appr.	Increase Revenue	Description
A.7140.1	Community Ctr Personnel	7,291.67			7/22-9/22 Covid
A.7140.1	Community Ctr Personnel	4,375.00			7/22-9/22 Covid
A.1325.1	Treasurer	500.00			7/22-9/22 Covid
A.1410.11	Clerk	333.33			7/22-9/22 Covid
A.1325.1	Treasurer	333.33			7/22-9/22 Covid
A.1410.11	Clerk	875.00			7/22-9/22 Covid
A.7140.47	COVID Grant	25,345.08			7/22-9/22 Covid
A.1990.4	Contingency	11,727.64			7/22-9/22 Covid
A.9030.8	FICA	1,048.69			7/22-9/22 Covid
A..0489	Federal Aid			51,829.74	7/22-9/22 Covid
A.7310.41	Summer Camp Contractual	14,536.00			Summer Camp over budget
A.7310.12	Camp Personnel		5,527.00		Summer Camp over budget
A.1990.4	Contingency		9,009.00		Summer Camp over budget
A.1440.4	Engineering Contractual	8,000.00			Hardstey & Hanover-Traffic
A.1990.4	Contingency		8,000.00		Hardstey & Hanover-Traffic
A.9901.91	Transfer to Community Development	4,419.00			Emeline Park restrooms ARPA DTM
A..4089	Federal Aid			4,419.00	Emeline restrooms

Mayor Kohut entertained a motion to approve the above budget adjustments.

RESOLUTION # 430 - 2022

Motion by: Rich Sena  
Seconded by: Joel Santana  
Motion Carries: All

The Mayor had nothing further to report.

**Mayor Kohut:**

**REPORTS OF STANDING COMMITTEES**

**FIRE & ORDINANCES** – Trustee Rafael Bueno Sr.: Trustee Bueno was absent and no report was given.

**PUBLIC WORKS, BUILDINGS & GROUNDS:** Deputy Mayor Carlevaro reported that the Village street sweeper's blower mechanism is cracked rendering the sweeper inoperable. He asked for a motion to purchase a replacement blower assembly at a cost of \$15,247.

Mayor Kohut entertained the motion as stated above.

Resolution # 431 – 2022

Motion by: Gil Carlevaro  
Seconded by: Joel Santana  
Motion Carries: All

Deputy Mayor Carlevaro also read the following Task List submitted by Robert Drexler, Jr., Commissioner of Public Works, as of December 19<sup>th</sup>:

- Put up barricades for FBI's Most Wanted Series
- Trimmed trees on Village streets and alleys
- Removed old garbage cans throughout Village and replaced with new cans
- Performed MS4 preventive maintenance throughout Village
- Installed a sander and plow on Truck # 3-12
- Salted village streets on 12/11
- Cleaned trucks after storm
- Fixed damaged meter on Main Street
- Set up gun buy back for Haverstraw PD etc
- Clean out basement at Village Hall
- Cut out ornaments for community center decorations

Deputy Mayor Carlevaro had nothing further to report on DPW.

**YOUTH & FAMILY SERVICES** - Trustee Rich Sena: Trustee Sena reported on the following activities at the Community Center:



Trustee Sena asked for a motion to hire Blythe Robbins as a Counseling Aide for 24 weeks at 10 hours per week, salary of \$21.89 per hour, pending Rockland County Personnel approval.

Mayor Kohut entertained a motion to approve the above.

RESOLUTION # 432 - 2022

Motion by: Rich Sena  
Seconded by: Gil Carlevaro  
Motion Carries: All

Trustee Sena also requested a resolution to approve the Mayor's signature on the Rockland County Contract for the 2023 Youth Bureau employment program.

RESOLUTION # 433 - 2022

Motion by: Rich Sena  
Seconded by: Gil Carlevaro  
Motion Carries: All

Trustee Sena asked for approval for the purchase of a shed for the food pantry program from Cedarbrook Construction at a cost of \$4,400 with funding to come from COVID money.

RESOLUTION # 434 - 2022

Motion by: Rich Sena  
Seconded by: Gil Carlevaro  
Motion Carries: All

Trustee Sena had nothing further 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 December 5<sup>th</sup> through December 15<sup>th</sup> 2022:

Rental registrations	-	0
Miscellaneous inspections	-	64
Complaints	-	5
Municipal searches	-	4
Construction inspections	-	49
Violations/Tickets	-	7
Building Permits & C.O.'s	-	3

Fines collected at court - \$0

Trustee Santana had nothing further to report.

**MINUTES**: The Mayor presented the minutes of the Regular Meetings of November 21, 2022 for approval by the Board.

Mayor Kohut entertained a motion to that effect.

RESOLUTION # 435 - 2022

Motion by: Gil Carlevaro  
Seconded by: Rich Sena  
Motion Carries: All

Mayor Kohut:  
**OLD BUSINESS**  
None.

Mayor Kohut:  
**NEW BUSINESS**  
None.

**Mayor Kohut:**  
**2<sup>nd</sup> PUBLIC PARTICIPATION**

Noel Rappaport asked if the Village would be purchasing a new street sweeper.

Marianne LaSalle, 43 Sharp Street: Ms. LaSalle asked the Board to reconsider a previous denial of a handicap spot because the driveway cannot be widened to accommodate her mother's handicap access and there isn't enough clearance for her to get in and out of her car.

Mayor Kohut explained that there are 2 other spots on the street for handicap parking and every time they add more handicap spots it's taking away from other residents parking.

Deputy Mayor Carlevaro suggested that Ms. LaSalle get her neighbors to possibly sign a petition of some kind agreeing to this then the Board would reconsider it. Ms. LaSalle agreed.

Mayor Kohut and Attorney Hood announced that the Board was going into Executive Session for the purpose of legal counsel on a possible lawsuit.

Upon exiting Executive Session the Mayor entertained a motion to adjourn the meeting.

**RESOLUTION # 436 - 2022**

Motion by: Gil Carlevaro  
Seconded by: Joel Santana  
Motion Carries: All

Respectfully submitted by,  
Judith Curcio