

The Minutes of the Regular Meeting of the Village of Haverstraw Board of Trustees on Tuesday February 21, 2023 beginning at 7:00 PM.

PLEDGE OF ALLEGIANCE

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

Mayor Kohut: The Mayor opened the meeting explaining to members of the public that the Board was sitting for the meeting not only as the Village Board but as the Board of Assessment Review and he invited anyone in attendance who was there for tax grievances to please raise their hands and the Board would address them as part of the BAR meeting.

No one in attendance responded to the invitation.

Mayor Kohut continued with the Village Board Agenda, stating that he would be starting with a Public Hearing on the Community Development Block Grant.

Mayor Kohut: The Mayor entertained a motion to open the Public Hearing.

RESOLUTION # 36 - 2023

Motion by: Joel Santana

Seconded by: Rafael Bueno Sr.

Motion Carries: All

Mayor Kohut explained that the Community Development Block Grant program is a federal program that provides community development dollars to municipalities throughout the county. The Village qualifies because the census tracks over the years have shown a significant amount of low to moderate income individuals. Over the years the money has been used for things such as the Façade Program, sidewalk work and road work. The Village will be undertaking a sidewalk program this year on Broadway from Orchard St. to Pratt. In prior years the funding was also used for the installation of bathrooms at Emeline Park and the Fitness Court. This year the Citizens Committee has proposed using the funding for refurbishing the pocket park at the corner of Rockland & Main. This Public Hearing is to provide the public with an opportunity to ask questions or make comments about the program and/or the proposed use of this year's dollars.

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

RESOLUTION # 37 - 2023

Motion by: Gil Carlevaro

Seconded by: Rafael Bueno Sr

Motion Carries: All.

Mayor Kohut continued, explaining that the Board had a carry-over application from several months ago, for the Dowd Street proposal and he invited Mr. Frank Philips to address the Board.

Frank Phillips, Phillips & Millman, on behalf of the applicant, Jose Vargas, for the proposed development on Dowd Street.: Mr. Phillips explained to the public and Board that they had previously been before the Planning, Zoning and Village Boards and that at the last meeting on December 5th the Public Hearing had been closed, a Neg Dec had been approved and the applicant was before the Village Board for the vote on the zoning change on Dowd Street.

Assistant Village Attorney Dennis Michaels confirmed those facts for the Board and further explained that under the law, as the Public Hearing had been closed, that nobody, unless the Village Board allowed all, could be making further comments regarding the application. Mr. Michaels also explained that the Village Board had in their Agenda packet the final draft of the Local Law, drafted by Village Planner Max Stach dated December 5, 2022, which had several blank spaces for filling in various dates if the Board was inclined to adopt the Local Law. He pointed out the blank dates to be noted. Mr. Michaels further confirmed that the SEQR was approved and the proposed development was subject to site plan approval before the Planning Board.

Mayor Kohut entertained a motion to adopt the proposed Resolution and amend Chapter 245 of the Zoning Code to rezone four (4) parcels included in the R-2 Zoning district on the Village Zoning Map; to remove these four (4) parcels from the Mountain Protection Overlay District and to amend the Zoning text and Bulk Tables to create the MF-1 Zoning District. (The four (4) parcel identifications can be found in the official Local Law).

RESOLUTION # 38 – 2023

Motion by: Rich Sena

Seconded by: Rafael Bueno Sr

Roll Call:

Trustee Bueno	Yes
Trustee Carlevaro	No
Trustee Santana	Yes
Trustee Sena	Yes
Mayor Kohut	Yes

Motion Carries: 4-1

Mayor Kohut continued the meeting with the Public Participation portion of the meeting, inviting anyone from the public with questions, concerns or comments to please address the Board.

No comments from the public.

Mayor Kohut:

REPORTS OF VILLAGE OFFICIALS

VILLAGE ATTORNEY, Jay Hood, Jr.: Counselor Hood and Assistant Attorney Dennis Michaels had nothing to report.

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

MAYOR'S REPORT, Mayor Kohut: The Mayor reported that the Village's insurance was up for renewal and they had a presentation from the insurance broker earlier this evening. The proposal to continue with Traveler's insurance with the bulk of the Village insurance needs at a cost not to exceed a cost not to exceed \$245,213 plus an additional \$2,495 for the LOSAP fiduciary portion. The final cost is still subject to some adjustment as the broker is seeking some cost savings.

Mayor Kohut entertained a motion to approve the continuation of the Village's insurance with Traveler's.

RESOLUTION # 39 - 2023

Motion by: Gil Carlevaro

Seconded by: Rafael Bueno Sr.

Motion Carries: All

Mayor Kohut read the Resolution expressing the Village Board's support of the recommended Action Plan relating to the Chair Factory development site into the record and entertained a motion for its approval.

WHEREAS, on or about February 9, 2022, after issuing an RFP, the Village selected Mpart Collective/Penrose (hereafter, "Haverstraw Community Chair Factory, LLC" or "HCCF") as the preferred developer to potentially purchase the waterfront properties currently owned by the Village generally known as the Chair Factory and Damiani Sites ("Chair Factory Development Site") and redevelop the Chair Factory Development Site with a mixed-use project that would serve as an anchor use for the Village's downtown through connectivity and residential, commercial and public waterfront amenities that will attract economic activity year round ("Project");

WHEREAS, the Village and HCCF entered into a Master Development Agreement ("MDA") setting forth the general vision for the Project, review milestones, mutual obligations of good faith cooperation and other duties and rights typical of a public/private partnership; and

WHEREAS, the Village and HCCF also entered into a Purchase and Sale Agreement ("PSA") setting forth the terms of the potential purchase and sale of the Chair Factory Development Site and several small adjacent parcels owned by the Village to HCCF in order to consummate the Project in the event that the Project receives all necessary approvals from the Village and other governmental agencies after the requisite review processes are completed, including, *inter alia*, compliance with the New York State Environmental Quality Review Act; and

WHEREAS, HCCF has prepared a Recommended Action Plan ("RAP"), a copy of which is annexed hereto, that summarizes its initial observations, discoveries and recommendations for the Project, including suggested approaches for zoning amendments to facilitate the type of redevelopment envisioned in the RAP; and

WHEREAS, before preparing formal redevelopment plans, proposed zoning and associated materials necessary to commence the aforementioned review processes, HCCF would like the Village Board to confirm that it supports the concepts and approaches set forth in the RAP.

NOW, THEREFORE BE IT

RESOLVED, by the Village Board, that the Village Board hereby expresses its support for the redevelopment approach and concepts set forth in the RAP, and encourages HCCF to prepare formal redevelopment applications so that the Village may commence the requisite review of the Project.

RESOLUTION # 40 - 2023

Motion by: Gil Carlevaro

Seconded by: Rich Sena

Roll Call:

Trustee Bueno Yes

Trustee Carlevaro Yes

Trustee Santana Yes

Trustee Sena Yes

Mayor Kohut Yes

Motion Carries: All

Mayor Kohut explained that the Village had received a \$15,000 grant through the Empire State Development program to do a Downtown Parking and Complete Streets Feasibility Study. This would be for the Village purpose and the developer and would require the Village to pay for 80% of the study, which will cost \$75,000. Since the developer needs to have some of this study in order to proceed with their proposed plans they will be contributing to the study.

Mayor Kohut entertained a motion to accept the Incentive Proposal from Empire State Development to assist the Village with this undertaking, along with a \$250 application fee.

RESOLUTION # 41 - 2023

Motion by: Rafael Bueno Sr.

Seconded by: Gil Carlevaro

Motion Carries: All

Mayor Kohut entertained a motion to approve the permanent transfer of Laborer Randy Taveras to the position of MEO II position with the salary as stated in the CSEA contract.

RESOLUTION # 42 - 2023

Motion by: Rafael Bueno Sr.

Seconded by: Gil Carlevaro

Motion Carries: All

Mayor Kohut entertained a motion to approve the additional responsibilities of Crossing Guard Eduardo Sanchez to also be a Parking Enforcer, pending Rockland County Personnel approval.

RESOLUTION # 43 - 2023

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

Mayor Kohut entertained a motion to approve the request of Clearwater to use Emeline Park for a Shoreline Education Program for Suffern 3rd grade classes on May 16th, 17th and 22nd through 25th; subject to the group coming back to the Village in the summer and providing the program to the summer camp.

RESOLUTION # 44 - 2023

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

Mayor Kohut entertained a motion to approve the attendance of Carmelina Palumbo to the GFOA annual conference in Albany along with the necessary hotel stay.

RESOLUTION # 45 - 2023

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

Mayor Kohut entertained a motion to approve the request for sponsorship from Keep Rockland Beautiful in the amount of \$1,250.

RESOLUTION # 46 - 2023

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

Mayor Kohut entertained a motion to approve the request for sponsorship from the United Latin Festival in the amount of \$1,500 and to take out a full page ad in their journal.

RESOLUTION # 47 - 2023

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

Mayor Kohut announced that Monday February 27th the Quisqueya Club would be celebrating Dominican Independence Day by raising the Dominican flag outside Village Hall at 5 pm along with honoring several people from the community.

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

2022-2023 BUDGET ADJUSTMENTS						
Acct. #	Account Name	Incr. Appropri.	Decrease Appropri.	Increase Revenue	Decrease Revenue	Description
A.1440.420	Engineer Escrow	3,653.00				Check # 1079 & 1080 Escrow Brooker and Nelson Pope & Voorhis
A.1440.420	Engineer Escrow	257.50				Check # 1079 & 1080 Escrow Brooker and Nelson Pope & Voorhis
A..1289	Other Gen Dept Income			3,653.00		Check # 1079 & 1080 Escrow Brooker and Nelson Pope & Voorhis
A..1289	Other Gen Dept Income			257.50		Check # 1079 & 1080 Escrow Brooker and Nelson Pope & Voorhis
A9901.910	Transfer To CD	154.14				Emeline park Balance needed ARPA
A.4089	Federal Funds			154.14		Emeline park Balance needed ARPA
A.1325.410	Treasurer Escrow	500.00				Wire transfer to Depository Trust
A..1289	Other Gen Dept Income			500.00		Wire transfer to Depository Trust
A.1940.200	Land Purchase	205.00				Mckenzie Property
A.1990.400	Contingency		205.00			Mckenzie Property
A.9950.900	Transfer Capital	172,490.09				Check # 47008 & 47062 Tilcon Gurnee from ARPA
A..4089	Federal Funds			172,490.09		Check # 47008 & 47062 Tilcon Gurnee from ARPA
a7110.400	Repair Docks		39,862.50			Correct 6/21/22 Budget adjustment repairs posted to other account
A..4089	Federal Funds				39,862.50	Correct 6/21/22 Budget adjustment repairs posted to other account
A.8140.400	Storm Sewers	4,050.00				Increase Budget
A.1990.400	Contingency		4,050.00			Increase Budget

2022-2023 BUDGET ADJUSTMENTS						
Acct. #	Account Name	Incr. Apprpr.	Decrease Apprpr.	Increase Revenue	Decrease Revenue	Description
A.1110.400	Justice Contractual	4,500.00				Windows- Got grant \$ last fiscal year
A.1990.400	Contingency		4,500.00			Windows- Got grant \$ last fiscal year
A.1110.400	Justice Contractual	6,560.00				Interpreter/Ticket service more than budgeted for
A.1990.400	Contingency		6,560.00			Interpreter/Ticket service more than budgeted for
A.1410.400	Clerk Contractual	600.00				Minutes costing more than budgeted for
A.1990.400	Contingency		600.00			Minutes costing more than budgeted for
A.1420.400	Law Contractual	48,000.00				Anticipating needing more money before YE
A.1990.400	Contingency		48,000.00			Anticipating needing more money before YE
A.1440.400	Engineer Contractual	58,300.00				Anticipating needing more money before YE
A.1990.400	Contingency		58,300.00			Anticipating needing more money before YE
A.1620.410	Bldg Fuel DPW Garage	15,400.00				Anticipating needing more money before YE
A.1990.400	Contingency		15,400.00			Anticipating needing more money before YE
A.1620.450	Water	5,000.00				Anticipating needing more money before YE
A.1990.400	Contingency		5,000.00			Anticipating needing more money before YE
A.1640.400	Central Garage	13,000.00				Anticipating needing more money before YE
A.1990.400	Contingency		13,000.00			Anticipating needing more money before YE
A.1660.400	Central Stockroom	4,000.00				Anticipating needing more money before YE
A.1990.400	Contingency		4,000.00			Anticipating needing more money before YE
A.1680.400	Central Data Processing	4,000.00				Anticipating needing more money before YE
A.1990.400	Contingency		4,000.00			Anticipating needing more money before YE
A.1920.400	Municipal Union Dues	2,818.00				Anticipating needing more money before YE
A.1990.400	Contingency		2,818.00			Anticipating needing more money before YE
A.3320.100	On street Parking Pers service	9,200.00				Anticipating needing more money before YE
A.1990.410	Contingency OT		9,200.00			Anticipating needing more money before YE
A.5010.100	Street Maint Person Serv		1,000.00			COVID bonus posted wrong account
A.5010.110	Clerk Full time	1,000.00				COVID bonus posted wrong account
A.5010.130	DPW Comp Time Overtime	13,408.00				COMP TIME buy out budgeted wrong account
A.5110.140	Buyouts		13,408.00			COMP TIME buy out budgeted wrong account
A.5110.400	Street Maint Contractual	42,400.00				Anticipating needing more money before YE
A.1990.400	Contingency		42,400.00			Anticipating needing more money before YE
A.5110.410	Street Maint Clothing	3,900.00				Anticipating needing more money before YE
A.1990.400	Contingency		3,900.00			Anticipating needing more money before YE
A.5110.420	Street Repair	8,600.00				Anticipating needing more money before YE
A.1990.400	Contingency		8,600.00			Anticipating needing more money before YE
A.5182.400	Street Lights Contractual	13,800.00				Anticipating needing more money before YE
A.1990.400	Contingency		13,800.00			Anticipating needing more money before YE
A.7140.420	Community Center Fuel	3,600.00				Anticipating needing more money before YE
A.1990.400	Contingency		3,600.00			Anticipating needing more money before YE
A.8020.400	Planning & Zoning Contractual	1,950.00				Anticipating needing more money before YE
A.1990.400	Contingency		1,950.00			Anticipating needing more money before YE
A.8140.400	Storm Sewers	4,100.00				Anticipating needing more money before YE
A.1990.400	Contingency		4,100.00			Anticipating needing more money before YE

2022-2023 BUDGET ADJUSTMENTS					
Acct. #	Account Name	Incr. Appr.	Decrease Appr.	Increase Revenue	Description
A.9045.800	Life Ins	2,380.00			Anticipating needing more money before YE
A.1990.400	Contingency		2,380.00		Anticipating needing more money before YE
A.9730.700	BAN Interest	39,061.00			BAN Interest
A.1990.400	Contingency		39,061.00		BAN Interest

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

RESOLUTION # 48 - 2023

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

The Mayor, after explaining the Length of Service Awards Program and the required number of points to attain by firefighters on the list, entertained a motion to approve the 2022 Service Award Program Firefighters Record.

RESOLUTION # 49 - 2023

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

Mayor Kohut commented that earlier in the night, in recognition of Black History month, the Board had honored Rev. Raymond Caliman for his 24 years of service in Haverstraw, to his congregants and to the community.

The Mayor had nothing further to report.

Mayor Kohut:

REPORTS OF STANDING COMMITTEES

FIRE & ORDINANCES – Trustee Rafael Bueno Sr.: Trustee Bueno had no report.

PUBLIC WORKS, BUILDINGS & GROUNDS: Deputy Mayor Carlevaro read the following TASK LIST submitted by Robert Drexler, Jr., Commissioner of Public Works, as of January 21st:

- Fixing damaged catch basin on Feeney Pl and Dowd St
- Putting up traffic bollards on all corners in downtown area
- Finishing up cleaning grates in downtown area
- Fixed damaged grate at 48 Broadway
- Fixed damaged grate at 37 Broadway

- Fixed traffic car due to overheating problem
- PM service Building Inspector car#2 also, Fire Chief's car#4-3
- Removed graffiti from different locations in Village
- Fixed potholes in all lots, alleys, and roadways throughout the Village
- Started spring cleanup on Village properties

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:

- Food pantry continues on Saturdays from 10 am to 1 pm
- NARCAN training in Spanish on Feb. 7th with 30 participants
- Feb. 7th – Life Skills held with 8 participants
- 30 participated in Late Night Friday
- 2/15 – English NARCON training with 10 participants
- Spanish speaking parents group – next meeting is scheduled for March 7th
- Feb. 22nd – RCC, Haverstraw Center and WDB will be sponsoring a Trade Show presentation to assist participants in finding quality employment within the trade workforce.

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 February 6th through February 17th 2023:

Rental registrations	-	0
Miscellaneous inspections	-	69
Complaints	-	4
Municipal searches	-	2
Construction inspections	-	68
Violations/Tickets	-	12
Building Permits & C.O.'s	-	4

Fines collected at court - \$2,000

Trustee Santana asked that the Board continue the discussions started in workshop regarding store fronts and business decals.

Trustee Santana had nothing further to report.

MINUTES: The Mayor presented the minutes of the Regular Meetings of January 3rd and 17th 2023 and the Special Meeting of January 10, 2023 for approval by the Board.

Mayor Kohut entertained a motion to that effect.

RESOLUTION # 50 - 2023

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

Mayor Kohut:

OLD BUSINESS

Frank Phillips, Phillips & Millman, on behalf of Hudson Senior Daycare and owner/applicant Mark Sanchez. Mr. Phillips reminded the Board that this application, 45 Hillside Ave, in the R-1 district, was before the Board in February 2019. The application process was started in June of 2018 and the owner was seeking a Special Permit for a Senior Daycare Center. Since that time it has evolved into a Senior Social Daycare Center. The Village code under which this application would proceed is §245-14G, the property is .44 acres and is located at the northeast corner of Fairmount Ave. This project is similar to a childcare center but is for seniors. The application submitted is to convert the existing structure and there will be no change in the footprint. Similar to the application of 2018-2019 there will be additional pavement for parking and drainage. The Planning Board undertook the application in September 2018 and Rockland County Planning reviewed the plan, did not disapprove the project but asked for modifications and those were made. Brooker Engineering reviewed the parking and the increasing of the alleyway, and there was a review by Max Stach, Village Planner, for being an adult daycare facility. All of their recommendations were taken into account. Hours of operation would be Monday through Friday from 8 am to 5 pm and there would be 4 full time employees. The originally proposed entrance from Hillside Ave has been removed and the downstairs would be servicing senior citizens with the center's programming and the upstairs would be for offices. The Public Hearing closed on the matter in January 2019 because there were issues regarding the neighboring Green Hills facility and the application was withdrawn. The applicant has returned to put this back on because of modifications to the plan. New York State now requires that residents of adult homes must be allowed a choice in programs to attend and the applicant is intending to make this a more community based setting by updating the facility and offering more social activities. There would be 2 sessions; one in the morning and one in the afternoon. The residents of Green Hills can now have a choice of attending a different social center and this provides the possibility of having Green Hills residents attend in the morning and other community residents attend in the afternoon. There is no other facility in the Village like this; Centro de Amigos only provides services in Spanish and this center would provide services in English and Spanish.

Mr. Phillips continued explaining that they had received a positive recommendation, with the changes, from the Planning Board in January 2019, it had been reviewed by the various agencies and they would like to pick up where they left off and schedule a Public Hearing so they could hear the feedback from the neighbors.

Assistant Village Attorney Dennis Michaels questioned that there would be only internal program changes at this point and there were no further changes to the building or the zoning.

Mr. Phillips confirmed this and stated that it also changed the application into a Social Daycare rather than the previous application.

Attorney Michaels stated that from a Zoning standpoint there was no change in the application and the Public Hearing should be re-noticed.

Trustee Sena asked how the programs would be funded.

Mark Sanchez, owner of 45 Hillside, 1 South Route 9W: Mr. Sanchez explained that under the original application the participants were from MLTC (Managed Long Term Care) Programs and, if they qualified, it was funded by Medicare based. The modification opens up alternative funding sources including Office of the Aging, Social Services, and Medicaid etc.

Deputy Mayor Carlevaro questioned the need to bus participants into the program.

Mr. Sanchez explained that depending on the participant's qualifications they (the facility) would be responsible for picking participants up, similarly to Centro de Amigos.

Discussion followed regarding participant's private insurance, Medicare eligibility for funding and funding through the Office for the Aging, along with who the participants would be and how they would arrive at the facility.

Trustees and Mayor Kohut asked several questions regarding who should be noticed for the Public Hearing, training of employees, programming and lighting of walkways.

Mayor Kohut entertained a motion to set a Public Hearing on the application for 45 Hillside Ave for Monday March 20, 2023 at 7:05 PM.

RESOLUTION # 51 – 2023

Motion by: Gil Carlevaro

Seconded by: Rafael Bueno Sr.

Motion Carries: All

Mayor Kohut:

NEW BUSINESS

None.

Mayor Kohut:

2nd PUBLIC PARTICIPATION

None

Mayor Kohut: With no further business to be conducted by the Board, the Mayor entertained a motion to adjourn the meeting, in memory of Yolanda Lopez Hatala.

RESOLUTION # 52 - 2023

Motion by: Gil Carlevaro

Seconded by: Joel Santana

Motion Carries: All

Respectfully submitted by,
Judith Curcio