

The Minutes of the Regular Meeting of the Village of Haverstraw Board of Trustees on Monday March 20, 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 that there would be a presentation by Frank Phillips regarding a Public Hearing on a proposal for 45 Hillside Ave – Hudson Senior Day Care. He then entertained a motion to open the Public Hearing.

RESOLUTION # 65 - 2023

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

Frank Phillips, Phillips & Millman, attorney for the applicant, Hudson Senior Day Care Center, Principle Mark Sanchez: Mr. Phillips explained that he was joined at this meeting by Ramya Ramathan of Atzl Nasher & Zigler and Melissa from Jorge Lopez Architectural. Mr. Phillips went on to explain that the application had been before the Board in 2018/2019 and has since been amended, with the current proposed plan to be a Senior Social Day Care as this is a new regulation set forth in New York State. The footprint of the building will not change and this is not an adult home where people will live. Based on the new state regulations, the facility has to give the current residents a choice of facilities to go to for certain programs. The applicant is seeking a Special Use Permit for a Senior Social Day Care. The property is in an R1 District at the northeast corner of Fairmount and Hillside Aves. This project fulfills a need in Rockland County as there is only 1 senior care center in the Village and it is for predominantly Spanish speakers.

Mr. Phillips continued, explaining again that the plan was to convert the building into a senior center and that there will be no change in the footprint. He stated that since the June 2018 proposed plan they had included a 1,500 sq. foot pavement for parking, additional drainage has been added as requested by the Village Engineer, and it will be ADA compliant. In July 2018 there were recommendations by Brooker Engineering that were taken into effect and from a Planning Board meeting in September of 2018, recommendations for modifications from the Rockland County Department of Planning were taken into effect.

Mr. Phillips stated that they had submitted a narrative describing the operation and parking, that there would be 4 full time employees, the hours of operation would be 8 am to 5 pm with 2 session each day – 1 in the morning and 1 in the afternoon. They were working on this project in partnership with the Office for the Aging and it would operate separately from Green Hills. It would be open to seniors in the

community and have a variety of programs. There would be no entrance on Hillside Ave and there would be enhanced fencing and landscaping. Concerns were raised regarding the drop-off of clients is addressed by eliminating the entrance on Hillside Ave. This center would be licensed by the New York State Department of Health and in full compliance with MLTCPs (Managed Long Term Care Program). Nobody would be living there overnight and the clients would be attending on a fixed time frame. Mr. Phillips explained that prior issues brought forth regarding the project had to do with Green Hills and he wanted to remind everyone that issues with Green Hills are being addressed on an ongoing basis. Also, the population of Green Hills has been reduced from 164 residents to 120 residents with a move toward more assisted living.

Ramya Ramadan, Atzl Nasher & Zigler: Ms. Ramadan explained that the site plan had been updated from the prior application to address the comments they received from the GML Review which included addressing the parking and the drainage.

Mayor Kohut invited members of the public to come forward and address the Board.

Ted Jarosinsky, 38 Hillside Ave: Mr. Jarosinsky stated that he lives across the street from the proposed facility and was interested in what Special Use provision in the Village Code was being considered.

Mr. Phillips responded that the code was §245-14G.

Mr. Jarosinsky further explained that his understanding was that when this was last discussed on February 14, 2019 Mr. Hood had stated that the particular section referenced didn't cover this type of proposal. Although he believes there is a need for this type of establishment in the Village, this is an R1 district, and this is a commercial facility with a much more comprehensive use than single family. He believes that this doesn't belong in this quiet residential community and, further, this is a single family home that they are proposing to convert into a business establishment with up to 40 people attending each session. This is more appropriate for the business district. Mr. Jarosinsky further stated that Green Hills has not been responsive to the issues raised by the neighbors and he feels that Mr. Sanchez has not been a good steward of the existing property and this should be considered when considering how he would manage an additional facility. He presented the Board with various pictures of issues surrounding Green Hills.

Lauren & Keith O'Hara, 19 Conger Ave.: Ms. O'Hara explained that the entrance to their home is around the back alley and not on Route 9W. She presented pictures of the garbage that they pass everyday going into their home. It's filthy, since 2018 when they removed the existing residents, they put out mattresses, furniture, food etc. to the curb and it stayed there for months. Ms. O'Hara further stated that there are unsafe areas in the alleyway because of this, people are urinating & defecating outside, the area is disgusting and this is not a place that people can walk around in the neighborhood. She expressed that it is not her intention to sound mean or cruel but this is their home and the Green

Hills owner has made it clear he is not a good steward of the property. In addition, she stated that DPW does a great job of keeping the alleyway clean. She also invited the Board to come to her home and take a look.

Mr. O'Hara added that the residents of Green Hills are the same people who will be using the Social Day Center. These are people who wander on their property, have alcohol issues, leave garbage on the property, roam around swinging large sticks etc. Also, the traffic in the alleyway will only worsen with the addition of the Social Center.

Jessie Stone, 40 Hillside Ave: Mr. Stone stated that he moved into his home in 2018 and got to know the neighbors. They've learned about the neighborhood and there's something really special here. There's family growth in the area with a lot of kids playing outside. He feels that with the rapid growth in Rockland there should be an effort to preserve this area which is an R1 zone. He also questioned what the legality of this proposed use and he believes this is a business opportunity for the owner which he wants to maximize without regard for the impact on the area. Mr. Stone explained that his wife works for the Office of the Aging and they are very aware of, and sympathetic to, the needs of the aging population and the mentally challenged. However, on a regular basis he witnesses a Green Hills resident with his pants down peeing in the street, a Green Hills resident was recently evicted and her belongings were thrown out on the street where they remained for weeks. There was no humanity shown here and the woman lived in the pile of trash and belongings for several weeks. He adamantly supports this type of project but in a more appropriate location. Additionally he wants assurance that this is legal in this area and that it's not just a stretch of the code to make it fit.

Barbara Pedri, 32 Hillside Ave: Ms. Pedri explained that her parents built this house in 1952 and that she had resubmitted her letter from 2019 expressing her displeasure with the project. She's lived here most of her life and has seen many changes in Haverstraw, some good – some not. This proposed project is not a benefit to the neighborhood, it will create a lot of traffic, will have a negative impact on the social and physical character of the neighborhood and it will bring many unknown persons to the area. There are already existing issues with the owner of Green Hills and the residents there. Ms. Pedri read her letter from 2019.

Edwidge Forcane, 49 Hillside Ave: Ms. Forcane explained that, in her opinion, Green Hills is a dangerous place. She proceeded to relay a story to the Board about a day she returned home from shopping and, while emptying her vehicle, a Green Hills resident got into her car with his pants down. She called the police who removed the man but this is not a safe situation in the neighborhood. The proposed project does not fit in the neighborhood, plus the building is on stilts so how are they going to get elderly people in and out.

Matt Uppenbrink, 26 Hillside: Mr. Uppenbrink remarked that he and his family moved to Haverstraw before the pandemic started and they have been amazed at this beautiful river town. One of the aspects of living on Hillside Ave is the foot traffic; there are kids, dogs families etc. He

inquired if a traffic study had been done on this proposed project. In addition, Mr. Uppenbrink stated that he worked in long term care for 13 years and he is shocked at the way Green Hills is managed. It is not a top-notch facility and it is not run effectively.

Jeanette Lemus, 42 Hillside Ave: Ms. Lemus explained that she moved to Hillside Ave in 2014 and she and her family have witnessed many things over the years. She told a story of a man from Green Hills getting in her father's car and she expressed her opinion that things will get worse if this project is approved. Since 2023 started they have had 3 incidents with Green Hills residents coming onto their property and that is a safety concern and they are worried they will have no peace.

Mayor Kohut invited Mr. Phillips to respond to the issues raised by the Hillside neighborhood residents.

Frank Phillips, Phillips & Millman: Mr. Phillips remarked that all of the comments were valid comments regarding the proposed project and he understands that this is a residential neighborhood. He commented that the proposal is not for housing like Green Hills is. There are limitations to what the owner of Green Hills can do with their residents in terms of where they go and what they do. For example, the eviction matter and the belongings being left on the street was a Sheriff's Office matter. The number of attendees to the Social Day Care is limited to approximately 12 and if the submitted proposal says otherwise than that was an error. The traffic issue is a legitimate concern. Anytime you have a situation where people are being picked up or dropped off it will result in some issues and they (the applicant) will be willing to comply with a traffic study. They will also be happy to address a list from the neighbors of issues that need to be addressed.

Mark Sanchez, owner of Green Hills and applicant for Special Use Permit: Mr. Sanchez explained that Green Hills is a Congregate Care Facility. They are not a SNF (Skilled Nursing Facility) or an Assisted Living Facility. They get paid for taking care of the residents, making their appointments, providing room & board, medication reminders and basically giving them 3.5 hours of care per week. For this they get paid \$44 per day, \$1,373 per 31 days of care. Green Hills is a Medicaid facility and there are limitations to what they can do, ie: they cannot lock the residents in or restrain them chemically or physically. The Department of Health checks them annually and, although they haven't had any violations, if they were given any citations they have to be addressed. There is a process they have to follow when evicting people; the woman spoken about earlier was evicted because she was starting fires in her room. When the Fire Marshalls came she refused them, and the police, from accessing her room. Unfortunately she had to be evicted. We wanted to move her stuff but she wouldn't let anyone touch her belongings so the Sheriff's Dept. had to be called in. Mr. Sanchez understands that there are sometimes issues with the residents but once he takes in a resident he can't just terminate them without going through an involved process. The resident might present great at their interview but then become a problem and when there are issues they try to evict them as quickly as possible. With the deregulation in New York State residents have the right to choose their location for adult social

programs. The Office of the Aging is trying to create more senior centers in Spring Valley and Haverstraw and the proposed social center is to be geared for seniors in the community. They will be similar to Centro de Amigos but for non-Spanish speaking individuals. There would be 12 people per session at the social center. Mr. Sanchez further explained the improvements they had done on the property since acquiring it.

Mr. Phillips commented that §245-14G allows for child day care and in this instance it would be senior citizens. He also expressed that they would entertain the issues of the neighbors and are requesting that the Board continue the Public Hearing.

Jessie Stone: Mr. Stone asked the Board if there was a large shortage of commercial space in the area. He further remarked that there were more studies that should be done and this seemed like an opportunistic issue rather than one of need in the community.

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

Mayor Kohut: The Mayor entertained a motion to close the Public Hearing on 45 Hillside Ave – Hudson Senior Day Care.

RESOLUTION # 66 - 2023

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

At the request of Deputy Mayor Carlevaro, Mayor Kohut entertained a motion to deny the application for a Special Use permit.

RESOLUTION # 67 - 2023

Motion by: Gil Carlevaro
Seconded by: Rich Sena

Roll Call:

Trustee Bueno	-	Abstain
Trustee Carlevaro	-	Yes
Trustee Santana	-	Yes
Trustee Sena	-	Yes
Mayor Kohut	-	Yes

Motion Carries: 4-0-1

Applause and several "thank you" from the public.

Trustee Sena expressed that he would be happy to meet with the residents and Mr. Sanchez to discuss the issues surrounding Green Hills. He suggested having the state representatives participate because dealing with the mental health issues in the communities is of utmost importance and something has to be done.

Mayor Kohut:

REPORTS OF VILLAGE OFFICIALS

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

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

MAYOR'S REPORT, Mayor Kohut: The Mayor reported that the Board had received a letter from Patrick Brady, the Executive Director of the Joint Regional Sewer Board, requesting the Village Board make a recommendation for an appointment to the JRSB by resolution.

Deputy Mayor Gil Carlevaro made a motion to recommend Michael Kohut as the representative to the JRSB.

RESOLUTION # 68 - 2023

Motion by: Gil Carlevaro
Seconded by: Rafael Bueno Sr.
Abstaining – Mayor Kohut
Motion Carries

Mayor Kohut announced that this is Budget season and he had submitted, as required by law, his proposed budget to the Trustees. Dates needed to be set for the Public Hearing on the Budget and a Public Hearing on the Tax Cap Override, in the event that they needed to exceed the tax cap.

Mayor Kohut entertained a motion to set the Public Hearing for both on April 3rd at 7:00 and 7:05 PM.

RESOLUTION # 69 - 2023

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

Mayor Kohut explained that there were bids sought for creating a "Zoom" room at the community center which would allow for better conferencing abilities. An SAPT grant had also been awarded to the Village that would cover \$10,000 of the cost of this. The lowest bid came in at \$10,937.50 from Teletech Security & Communications to install Logitech Rally Plus.

Mayor Kohut entertained a motion to approve the expenditure of the above and noted that the additional \$937.50 would come out of the department's Training & Material budget line.

RESOLUTION # 70 - 2023

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

Mayor Kohut entertained a motion to approve the request from Cosgriff Hose #4 for a carnival in the Knights of Columbus parking lot July 6th through July 9th.

RESOLUTION # 71 - 2023

Motion by: Rafael Bueno Sr.
 Seconded by: Rich Sena
 Motion Carries: All

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	Increase Appropri.	Decrease Appropri.	Increase Revenue	Decrease Revenue	Description
A.1640.2	Central Garage Equip.	\$395				Addition of diesel care
A.1990.4	Contingency		395			Addition of diesel care
A.1670.41	Printing Escrow	354				Ck # 1001 Journal News
A..1289	Other General Govt.		354			Ck # 1001 Journal News
A.1440.42	Engineering Escrow	637				Ck 47291 – Brooker Eng.
A..1289	Other General Govt.		637			Ck 47291 – Brooker Eng.
A.1440.42	Engineering Escrow	320				Nelson Pope
A..1289	Other General Govt.		320			Nelson Pope

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

RESOLUTION # 72 - 2023

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

The Mayor had nothing further to report.

Mayor Kohut:
REPORTS OF STANDING COMMITTEES

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

PUBLIC WORKS, BUILDINGS & GROUNDS: Deputy Mayor Carlevaro read the following Task List submitted by Robert Drexler, Jr., Commissioner of Public Works, as of March 20, 2023

- Finished all parking bollards in Village

- Moved two heaters from Community Center
- Fixed windows in courts
- Fixed damaged sidewalk at Halgren-Ferracane
- Fixed damaged catch basin at 141 Coolidge St
- Called men into salt 3/10/23 for storm
- Men out salting on 3/14/23
- Put shelves up at Village Hall
- Took tree down at Community Garden
- Cleaned trucks after storms on 3/10/23 and 3/14/20

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:

- 2023 Summer Camp will begin on July 5th and ends August 18th. There is a need to raise the camp fee this year to \$500 per child for Village residents and \$750 per child for non-residents. The reason for the increase is to help cover the cost of the many trips that are included as well as the child gets breakfast and lunch, making this an all-inclusive fee. The after-camp program is going to be \$250 per child for a 6.5 week program.

Mayor Kohut entertained a motion to raise the camp fees as stated by Trustee Sena.

RESOLUTION # 73 - 2023

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 March 6th through March 17th 2023:

Rental registrations	-	0
Miscellaneous inspections	-	83
Complaints	-	3
Municipal searches	-	5
Construction inspections	-	18
Violations/Tickets	-	11
Building Permits & C.O.'s	-	2

Fines collected at court - \$1,500

Trustee Santana had nothing further to report.

Mayor Kohut:

OLD BUSINESS

None.

Mayor Kohut:

NEW BUSINESS

None.

Mayor Kohut:

2nd PUBLIC PARTICIPATION

Gabriella Guzman, 11 Broadway: Ms. Guzman explained to the Board that she has been a business owner in the downtown for many years and a problem that she, and her colleagues, are having is the parking. There is not enough parking and she is proposing that the metered parking between Broadway and Broad Streets be made available to business owners from 10 am to 7 pm Monday through Saturday. She suggested that the business owners would be willing to pay a fee for this and that money can be used for camp and the low income kids that want to go to camp. She presented a petition from the business owners to encourage the Board to make this change.

Trustee Santana stated that the Board recognizes that there is are parking issues downtown and they had talked about an employee designated area for parking. As far as a charge for this, the money collected should go towards a parking solution.

Trustee Bueno remarked that the business owners' park right in front of their stores and that causes a problem. He explained that a while back there had been conversations with the business owners regarding parking in various areas and leaving the street parking open for their customers but they continue to park in front of their stores. The proposed use of the parking lots can only work if the owners don't park on the street.

Discussion continued between Ms. Guzman and the Board regarding solutions and commitments from the business owners.

John Keahon, Beach Road, KER Services & Repairs: Mr. Keahon is currently available to fix fire trucks and he is also a parts dealer for valves, etc. He stated that he will drop off his business cards.

Cora Carter, 38 Robbins Court: Ms. Carter inquired about the Community Power Program and stated that she is confused because she did not receive the "Opt Out" letter but she had received another letter from Solar Simplified. She is hearing several different interpretations from different people so she wants to understand.

Mayor Kohut explained that there are 2 separate programs. One is Solar Simplified and you need to "Opt In" for that program. The second, Community Choice Aggregation (CCA) program, is an "Opt Out" program. If you don't opt out of CCA you're automatically enrolled in it and it provides green power at somewhat of a discount from Orange & Rockland. The Solar Simplified program gives you a share in a solar

farm and at least a 10% discount from O & R electric rates. You can get the benefit of both programs but for the solar program you have to opt in. The two exist because the CCA program had lapsed for a time and, while it was lapsed, the other company approached the Village to offer the solar option.

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

RESOLUTION # 74 - 2023

Motion by: Rich Sena

Seconded by: Gil Carlevaro

Motion Carries: All

Respectfully submitted by,
Judith Curcio