

Sloatsburg Village Board

Regular Meeting & Public Hearing – August 26, 2008

The Regular Meeting of the Village Board of Trustees was called to order at 7:30 PM by the Honorable Carl S. Wright, Mayor in the Conference Room of the Sloatsburg Municipal Building, 96 Orange Turnpike, Sloatsburg, New York.

Trustees Present - J. Mark Reimer
Barbara Berntsen
John Bonkoski
Brian Nugent

Village Clerk & Treasurer – Thomas F. Bollatto, Jr. – Present

Village Attorney – Joel Grossbarth – Absent

Interested Citizens Attending: Laurie Smyla, Lynn DelDuca, Dan O’Leary, Marino Fontana

Pledge to Flag – J. Mark Reimer

Minutes

- a. Regular Meeting, July 22, 2008

On a motion by Trustee Reimer, seconded by Trustee Bonkoski to accept the minutes of the regular meeting of 7/22/08. All in favor, motion carried.

Upcoming Events

- a. School Opening 9/3/08
- b. Rockland County Volunteer Firemen’s Convention Parade 9/6/08, 2 PM, Suffern, New York
- c. Village’s Annual Golf Outing 9/8/08 – West Point Golf Course – Benefiting Needy Children’s Fund
- d. 2008 911 Program, Thursday, 9/11/08 Community Field 7:30 PM
- e. 50th Anniversary Train Wreck in Sterlington, October 2008

Mayor Wright asked for any comments or questions, none received. He then requested the following action:

On a motion by Trustee Reimer, seconded by Trustee Nugent to recess the regular meeting at 7:33 PM. All in favor, motion carried.

On a motion by Trustee Reimer, seconded by Trustee Nugent to reconvene the regular meeting at 7:42 PM. All in favor, motion carried.

At this time Mayor Wright asked for any comments or questions. Laurie Smyla asked what precipitated the need for this proposed Local Law. Trustee Reimer responded that a lot of other communities were having problems with PODS being left in driveways and eventually being used as sheds. There have been complaints within the Village about residents keeping them for over 14 months. The PODS are meant to be temporary storage units and the law will help to regulate it. After a brief discussion, Mayor Wright called for the Public Hearing.

On a motion by Trustee Reimer, seconded by Trustee Nugent to call the Public Hearing to order at 7:45 PM. All in favor, motion carried.

7:45 PM Public Hearing – Proposed Amendment to Local Law 6 of 1997

Re: PODS

Note for the Record: Attached hereto and made a part of these minutes are the Notice of Public Hearing and the Affidavit of Publication.

Trustee Reimer reviewed the proposed Local Law regarding Portable on Demand Storage (PODS). Mayor Wright asked for any comments. Trustee Nugent reminded the audience that anything said prior to 7:45 PM is not on the record for the purposes of the Public Hearing.

Marino Fontana asked if the law applies to a container located on a large track of land or not seen from the front. Trustee Reimer indicated the law would still apply and a permit would be required. Trustee Nugent provided comments relative to the law. Marino Fontana then asked if the Village can remove PODS from the property if it is owned by a separate company. Trustee Nugent responded that it would be a last resort and an extreme situation where the homeowner refused to comply with any provisions. The removal decision would ultimately be after consultation with the Village Attorney. The Village would have the power to do so if it is an active law. It would not be a matter of seizing it and keeping it, but a matter of removing it from the property. The company would then be able to retrieve the unit and the homeowner would have to make arrangements to get their personal belongings out. Trustee Reimer commented on an incident where the homeowner had a badly deteriorated garage that was a danger to the community. The Village had to demolish it for them and then bill for it on their taxes.

Laurie Smyla commented on the fees involved and asked if the primary concern was to generate revenue. Trustee Reimer indicated the primary concern is to regulate the length of time that a portable container can remain on a residential or business property. Trustee Berntsen questioned why there is a charge and asked if it is because of a permit. Trustee Reimer indicated that it is due to time and processing paperwork which incurs cost to the Village. Laurie Smyla then asked if they anticipate a lot of people using PODS within the Village. Trustee Reimer commented there have only been one or two complaints. Laurie Smyla commented that it is very brave in an election year.

Dan O'Leary provided comments and asked if the fee could be tied into a building permit in a construction situation. There was further discussion and Trustee Reimer indicated that building permits must be in effect to obtain the permit. He then commented that there should be a provision for people that are using them for moving rather than just building permits. The existing building permit application could be modified to reflect whether a PODS unit will be used. Dan O'Leary then commented on a provision for possible set back requirements.

There was a brief discussion regarding the status of the Public Hearing. Trustee Nugent commented on revisions to the proposed Local Law as well as the intent of the ordinance. Mayor Wright asked for any comments, none received.

On a motion by Trustee Reimer, seconded by Trustee Nugent to close the Public Hearing at 8:02 PM. All in favor, motion carried.

Disposition Proposed Local Law Amendment PODS

No action taken at this time.

Mayor Wright indicated that revisions will be made to the Local Law and a new Public Hearing set. He asked for any other comments or questions.

Trustee Bonkoski noted the tractor trailer was parked in the lot again and a brief discussion followed.

Trustee Berntsen asked for a report on the Brook Street meeting. Thomas Bollatto provided an update on the Nakoma Brook improvement project. The representatives from the Rockland County Drainage Agency reviewed the work done on the Nakoma Brook. They were invited because of the poor product as a result of the work undertaken. They believe they constructed the project according to the plan and what is seen there is the end product. Dennis Letson is to write a letter to the Chairman of the Drainage Agency requesting that additional work be done to the outflow culvert pipe. It was also suggested that the Board contact the Legislators and invite them to see the project and the way that it was left. They felt that the fabric they put down and the saplings were sufficient to hold the bank back.

Trustee Berntsen suggested contacting the County Engineer. Mayor Wright indicated that the county appropriated \$800,000 for the project and half was spent; the other half should be used to complete the project correctly. The Village Engineer will follow up. Trustee Reimer asked if the silt removal was addressed. Thomas Bollatto indicated they discussed the water coming out of the pipe they installed and that it is stagnating; the removal of silt in the brook and that they did not have DEC permission to remove the silting. Mayor Wright then commented that they seemed to think it was the responsibility of the homeowners to take certain steps; this would involve the DEC and place a lot of burden on the homeowner.

Mayor Wright asked for any comments or questions, none received. He thanked all for coming and called for the following action:

On a motion by Trustee Reimer, seconded by Trustee Nugent to adjourn to executive session at 8:10 PM to discuss personnel and litigation. All in favor, motion carried.

On a motion by Trustee Reimer, seconded by Trustee Nugent to come out of executive session at 8:45 PM. All in favor, motion carried.

Adjourn

On a motion by Trustee Nugent, seconded by Trustee Reimer to adjourn at 8:45 PM. All in favor, motion carried.

Respectfully submitted,

Thomas F. Bollatto, Jr.
Village Clerk Treasurer

TFB:ds