

TOWN BOARD
GARNERVILLE, NY
APRIL 14, 2008

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, April 14, 2008 at 8:05 p.m. in the Meeting Room of the Town Hall, One Rosman Road, Garnerville, New York.

The meeting was opened with the Pledge of Allegiance.

On Roll Call the following members answered to their names:

Supervisor	Howard T. Phillips, Jr.
Councilman	Isidro Cancel
Councilman	Vincent J. Gamboli
Councilman	John J. Gould
Councilman	Hector L. Soto

ADOPTION OF MINUTES

151-08 **REGULAR TOWN BOARD MEETING OF MARCH 24, 2008;** submitted by the Town Clerk on motion by Councilman Gould, seconded by Councilman Soto, were unanimously adopted.

PAYMENT OF BILLS

Councilman Cancel offered the following resolution, which was seconded by Councilman Gamboli, and on roll call unanimously adopted.

152-08 **RESOLVED,** that bills numbered 987 through and including 1,248 in the amount of \$422,130.87; and Highway Vouchers numbered 155 through and including 220 in the amount of \$23,565.98 audited at this meeting, be and they are hereby paid.

ACCEPTANCE OF REPORTS

Councilman Soto offered the following resolution, which was seconded by Councilman Gould, and on roll call unanimously adopted.

153-08 **RESOLVED THAT THE FOLLOWING POLICE REPORTS HAVE BEEN SUBMITTED AND ARE HEREBY ACCEPTED: POLICE DEPARTMENT ACTIVITY YEARLY REPORT FOR 2007; FINGERPRINT CARDS FOR THE MONTH OF MARCH 2008 IN THE AMOUNT OF \$185.00 AND PHOTOCOPY DISPERSALS FOR THE MONTH OF MARCH 2008 IN THE AMOUNT OF \$114.25.**

**PRESENTATION OF PLAQUE TO DANNY KEELY FOR A HIS
WORK AS DIRECTOR OF THE ROCKLAND COMMUNITY
COLLEGE FIELDHOUSE AND ATHLETIC DEPARTMENT**

AGREEMENT WITH THE COUNTY OF ROCKLAND CONCERNING EQUITABLE SHARING OF PROPERTY FORFEITED (RCIC)

Councilman Gould offered the following resolution, which was seconded by Councilman Cancel, and on roll call unanimously adopted.

154-08 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ROCKLAND IN ORDER TO PARTICIPATE IN THE EQUITABLE SHARING OF PROPERTY THAT IS FORFEITED BY THE ROCKLAND COUNTY INTELLIGENCE CENTER.

AWARD OF RFP NO. -3-2008 – SNOW PLOW

Councilman Gamboli offered the following resolution, which was seconded by Councilman Soto, and on roll call unanimously adopted.

155-08 RESOLVED, THAT THREE (3) REQUEST FOR PROPOSALS WERE SUBMITTED TO DIRECTOR OF PARKS, MICHAEL COTIER TO PROVIDE ONE (1) 9 FT. SNOWPLOW FOR THE TOWN OF HAVERSTRAW PARKS DEPARTMENT, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD THE RFP TO D&V OF GARNERVILLE, NEW YORK, THE LOWEST PROPOSAL AT A COST OF \$4,685.00.

AGREEMENT BETWEEN THE COUNTY OF ROCKLAND AND THE TOWN OF HAVERSTRAW FOR OVERTIME FOR COUNTER-TERRORISM TRAINING

Councilman Soto offered the following resolution, which was seconded by Councilman Gould, and on roll call unanimously adopted.

156-08 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ROCKLAND FOR OVERTIME FOR COUNTER-TERRORISM TRAINING WHEREBY THE COUNTY WILL PAY OT THE TOWN THE SUM OF \$4,625.28.

BUDGET ADJUSTMENTS FOR PERIOD ENDING MARCH 31, 2008

Councilman Gould offered the following resolution, which was seconded by Councilman Gamboli, and on roll call unanimously adopted.

157-08 RESOLVED, THAT THE SUPERVISOR IS AUTHORIZED TO MAKE BUDGET ADJUSTMENTS FROM THE GENERAL FUND (A) IN THE AMOUNT OF \$18,450.00; PART TOWN FUND (B) IN THE AMOUNT OF \$200.00; HIGHWAY (DA) IN THE AMOUNT OF \$100.00; HIGHWAY (DB) IN THE AMOUNT OF \$100.00; SEWER (SS) IN THE AMOUNT OF \$3,000.00 PURSUANT TO THE REPORT OF THE DIRECTOR OF FINANCE FOR THE TOWN OF HAVERSTRAW FOR THE PERIOD ENDING MARCH 31, 2008. (SEE ATTACHED BUDGET ADJUSTMENTS.)

TOWN BOARD
GARNERVILLE, NY
APRIL 14, 2008

TRAINING SEMINAR FOR TAX COLLECTING OFFICERS

Councilman Soto offered the following resolution, which was seconded by Councilman Cancel, and on roll call unanimously adopted.

158-08 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, HEREBY GRANTS PERMISSION FOR ANN McGOVERN, RECEIVER OF TAXES TO ATTEND THE 2008 TRAINING SEMINAR FOR TAX COLLECTING OFFICERS FROM JUNE 8-11, 2008 AT THE QUEENSBURY HOTEL IN GLENS FALLS, NEW YORK AT A COST NOT TO EXCEED \$1,000.

AGREEMENT BETWEEN THE AMERICAN SOCIETY OF COMPOSERS, AUTHORS & PUBLISHERS (ASCAP) AND THE TOWN OF HAVERSTRAW

Councilman Gamboli offered the following resolution, which was seconded by Councilman Gould, and on roll call unanimously adopted.

159-08 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE AMERICAN SOCIETY OF COMPOSERS, AUTHORS & PUBLISHERS (ASCAP) FOR THE PURPOSE OF PROVIDING A LICENSE AGREEMENT TO THE TOWN OF HAVERSTRAW TO USE MUSIC AND TO ENSURE COMPLIANCE WITH THE COPYRIGHT LAW FOR TOWN FESTIVALS, FIREWORK CELEBRATIONS, ETC. AT AN ANNUAL COST OF \$294.00, COMMENCING ON MAY 1, 2008.

CUMBERLAND FARMS-APPLICATION FOR SPECIAL PERMIT- SEQRA REVIEW

Councilman Cancel offered the following resolution, which was seconded by Councilman Gamboli, and on roll call unanimously adopted.

160-08 IT IS HEREBY RESOLVED, THAT THE TOWN BOARD DECLARES ITSELF LEAD AGENCY SOLELY FOR PURPOSES OF REVIEW OF THE APPLICATION OF CUMBERLAND FARMS FOR A SPECIAL PERMIT FOR THE CONSTRUCTION OF A GASOLINE STATION-ONE STOP FOR THE PROPERTY LOCATED AT 301 ROUTE 202, POMONA, NEW YORK, SOLELY FOR AN UNCOORDINATED REVIEW UNDER THE SEQRA LAW, AND IT IS FURTHER;

RESOLVED, THAT FOR PURPOSES OF SUCH SPECIAL PERMIT, THERE ARE NO ADVERSE ENVIRONMENTAL IMPACTS AND THE ACTION IS AN UNLISTED ACTION.

BE IT THEREFORE RESOLVED, THAT THE TOWN BOARD ISSUES A NEGATIVE DECLARATION UNDER THE SEQRA LAW.

CUMBERLAND FARMS-APPLICATION FOR SPECIAL PERMIT

Councilman Soto offered the following resolution, which was seconded by Councilman Gamboli, and on roll call unanimously adopted.

161-08 THE TOWN BOARD, HEREBY, ISSUES A SPECIAL PERMIT REQUESTED BY CUMBERLAND FARMS FOR THE CONSTRUCTION OF A GASOLINE STATION-ONE STOP FOR THE PROPERTY LOCATED AT 301 ROUTE 202, POMONA, NEW YORK. THE MATTER IS, HEREBY, REFERRED TO THE PLANNING BOARD FOR SITE PLAN REVIEW.

PARTIAL REPEALING BONDING AUTHORITY FOR MIRANT

Roll Call Vote:	Councilman Cancel	Yes
	Councilman Gamboli	Yes
	Councilman Gould	Yes
	Councilman Soto	Yes
	Supervisor Phillips	Yes

162-08 WHEREAS, THE TOWN BOARD ON OCTOBER 3, 2006 AUTHORIZED \$32,000,000 OF SERIAL BONDS TO PAY THE SETTLED CLAIM; AND

WHEREAS, THE TOWN HAS ISSUED \$26,882,395 OF ITS OBLIGATION TO PAY THE SETTLED CLAIM AUTHORIZED BY A RESOLUTION DATED OCTOBER 3, 2006; NOW THEREFORE,

BE IT RESOLVED BY THE TOWN BOARD (THE "TOWN BOARD") OF THE TOWN OF HAVERSTRAW, ROCKLAND COUNTY, NEW YORK (THE "Issuer") (BY THE FAVORABLE VOTE OF NOT LESS THAN A MAJORITY OF ALL THE MEMBERS OF SAID TOWN BOARD) AS FOLLOWS:

SECTION 1. BASED UPON THE REVIEW OF THIS ACTION BY THE ISSUER, THE TOWN BOARD HEREBY DETERMINES THAT IT IS A "TYPE II ACTION" UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (ARTICLE 8 OF THE ENVIRONMENTAL CONSERVATIVE LAW) AND THEREFORE NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED.

SECTION 2. THE TOWN HAS ISSUED \$26,882.395 OF ITS OBLIGATIONS TO SETTLE THE JUDGMENT AND CLAIMS ISSUED PURSUANT TO A RESOLUTION DATED OCTOBER 3, 2006 AUTHORIZING \$32,000,000 IN BONDS. THE UNEXPENDED \$5,117,605 OF SUCH AUTHORIZATION IS HEREBY REPEALED AND REVOKED.

SECTION 7. THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

AGREEMENT BETWEEN THE CLUB CAR AND THE TOWN OF HAVERSTRAW

Councilman Cancel offered the following resolution, which was seconded by Councilman Gamboli, and on roll call unanimously adopted.

163-08 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF MICHAEL LAUDIEN, GOLF PRO, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH CLUB CAR, INC. OF BROOKFIELD, CONNECTICUT TO PROVIDE THE PHILLIP J. ROTELLA MEMORIAL GOLF COURSE WITH SEVENTY-FIVE (75) 2008 CLUB CAR DS GASOLINE GOLF CARTS FOR A LEASE TERM OF FIVE YEARS AT SIX MONTHLY PAYMENTS PER YEAR AT A MONTHLY RATE OF \$10,380.00.

APPLICATION FOR FIRE HYDRANTS

Councilman Gould offered the following resolution, which was seconded by Councilman Soto, and on roll call unanimously adopted.

164-08 RESOLVED, THAT THE TOWN BOARD HEREBY AUTHORIZES THE SUPERVISOR TO SUBMIT AN "APPLICATION FOR FIRE HYDRANTS" TO UNITED WATER NEW YORK INC. FOR FOUR (4) FIRE HYDRANTS ALL LOCATED POMONA.

**AUTHORIZATION TO SETTLE TAX CERTIORARI –WEST HAVERSTRAW
IMPROVEMENT CORP.**

Councilman Cancel offered the following resolution, which was seconded by Councilman Gould, and on roll call unanimously adopted.

165-08 RESOLVED, UPON THE RECOMMENDATION OF DAVE ADAMS, TOWN ASSESSOR AND WILLIAM M. STEIN, TOWN ATTORNEY, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SETTLEMENT FOR THE WEST HAVERSTRAW IMPROVEMENT CORP. (20.16-2-6 & 20.20-1-35) IN THE VILLAGE OF WEST HAVERSTRAW FOR TAX YEARS 2003-2006 BASED UPON THE FOLLOWING AMOUNTS ON THIS LOCATION:

TAX YEAR	ORIGINAL ASSESSMENT	REVISED ASSESSMENT	AMOUNT OF REDUCTION
2003	194,700	176,200	18,500
2004	194,700	147,800	46,900
2005	194,700	135,700	59,000
2006	2,322,400	2,322,400	0
20,20-1-35			
2006	863,800	660,000	203,800

AUTHORIZATION TO ATTEND TRAINING COURSE

Councilman Soto offered the following resolution, which was seconded by Councilman Gould, and on roll call unanimously adopted.

166-08 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, HEREBY GRANTS PERMISSION FOR BUILDING INSPECTOR EUGENE BARNUM; SUPERINTENDENT OF HIGHWAYS FRANK BROOKS AND JOSEPH CARUSO, PE OF MASER CONSULTANTS TO ATTEND A ONE DAY TRAINING COURSE FOR STORM WATER MANAGEMENT ON MAY 14, 2008 FROM 9:00 AM – 4:30 PM AT THE FIRE TRAINING CENTER IN POMONA, NEW YORK AT A COST OF \$40.00 FOR MR. BARNUM AND BROOKS AND \$80.00 FOR MR. CARUSO.

AWARD OF RFP NO. 4-2008 INSTALLATION OF A WATER LINE TO THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE CLUBHOUSE

Councilman Cancel offered the following resolution, which was seconded by Councilman Gamboli, and on roll call unanimously adopted.

167-08 RESOLVED, THAT THREE (3) REQUEST FOR PROPOSALS WERE SUBMITTED TO BUILDING INSPECTOR II, EUGENE BARNUM TO INSTALL A DEDICATED 4" WATER LINE, APPROXIMATELY 307 FEET, FOR A SPRINKLER SYSTEM FROM THIELLS MT. IVY ROAD TO THE GOLF COURSE CLUBHOUSE, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD THE RFP TO RAINES & WELSH & SONS OF WEST HAVERSTRAW, NEW YORK, THE LOWEST PROPOSAL AT A COST OF \$18,650.00.

TOWN BOARD
GARNERVILLE, NY
APRIL 14, 2008

AGREEMENT BETWEEN CITICAPITAL COMMERCIAL LEASING COPR. AND THE TOWN OF HAVERSTRAW

Councilman Gamboli offered the following resolution, which was seconded by Councilman Gould, and on roll call unanimously adopted.

168-08 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO A LEASE AGREEMENT WITH CITICAPITAL COMMERCIAL LEASING CORP. FOR A FIVE YEAR TERM TO LEASE 75 GOLF CARTS FOR THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE AT A COST OF \$9,791.10 PER MONTH FOR THE MONTHS OF APRIL THROUGH SEPTEMBER.

PUBLIC PARTICIPATION

Jacqueline Smith, 3 Oak Tree Lane stated how dangerous it is to cross Route 202 and how crowded it is at the Shop Rite shopping center. Ms. Smith also spoke about the need for a traffic light on Main Street and Broadway in the Village of Haverstraw.

Supervisor Phillips stated that concerning the traffic light on Main Street, the Town of Haverstraw does not have control in the Village of Haverstraw. You would have to contact the Village Hall.

There is a great deal of traffic at Shop Rite and the owner is considering an underground parking garage. Since the new Super Stop & Shop has opened, it has alleviated some of the congestion at Shop Rite.

Ms. Smith also inquired about the youth in our community and asked if there were any cultural activities for the youth.

Councilman Cancel stated that the Town of Haverstraw has a Youth Board for the kids in our community to attend trips to Broadway plays, sporting events, etc.

BOARD MEMBERS

Councilman Cancel reviewed the yearly report from the Police Department and was amazed that the Haverstraw Ambulance had 2,533 calls and that the volunteers from the Ambulance Corp. should be recognized. Mr. Cancel appreciates their service and they have proved to be a workforce in our community.

Councilman Soto stated that on March 25th, the Supervisor and Board Members met in the Village of Haverstraw at Village Hall to meet the public. We also held our "Meet Your Elected Officials" on Saturday, April 5th at the new Stop & Shop in West Haverstraw. Our next meeting will be held at the Met Shopping Center on Route 9W in Haverstraw. We are trying to reach out to the public if they have any concerns or questions.

Supervisor Phillips the Town of Haverstraw Youth Police Academy commenced on April 11, 2008 at the Justice Court.

UPCOMING EVENTS & PROJECTS

June 1, 2008 at 9:00 am - 3 Mile Run/Walk at Bowline Point Park. Proceeds benefit North Rockland residents Lisa Pulcino and Shelia Corbett. Registration begins at 7:00 am; Children's Fun Races begin at 8:30 am; 9:00 am the 3 Mile Run begins and at 10:30 am the Award's Ceremony will commence. Refreshments will be served and musical entertainment will be provided by DJ Fred Hardin. Please log onto the Town's website at www.townofhaverstraw.us for further information.

TOWN BOARD
GARNERVILLE, NY
APRIL 14, 2008

June 14, 2008 – Multi-Cultural Festival at Bowline Point Park.

Philip J. Rotella Memorial Golf Course is open. Golf Registration is ongoing. The addition to Sonoma Grille is completed.

The Haverstraw Marina Restaurant is progressing nicely and should be completed soon.

The American Legion Way Bridge project (Overpass Road Bridge) should be finishing up shortly.

ADJOURNMENT

169-08 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of William C. William; Virginia L. Guerra; Robert Shuler; Lawrence Backman; Michael Timothy Danforth; Beverly J. Ginder; Shirley Ann Rose; Lawrence Walter; Michael P. Randles; Kenneth Rose and Steven McGuire, who recently passed away. Supervisor Phillips, the Town Board members and the Elected Officials further extended their condolences and sympathy to the families. Thereafter, a motion was made by Councilman Gould, seconded by Councilman Soto, and the Town Board Meeting was adjourned.

JOSEPHINE E. CARELLA
Town Clerk