

TOWN BOARD  
GARNERVILLE, NY  
SEPTEMBER 22, 2008

The Town Board of the Town of Haverstraw held a Public Hearing on Monday, September 22, 2008 at 8:00 p.m. in the Meeting Room of the Town Hall, One Rosman Road, Garnerville, New York.

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

**PUBLIC HEARING SEWER ASSESSMENT ROLL 2009**

Supervisor Phillips announced that this Public Hearing is being held with respect to the Sewer Assessment Roll for Sewer District No.1, Town of Haverstraw, the acceptance of said Sewer Assessment Roll and the establishment of sewer rent rates for Sewer District No. 1 for the year 2009.

The Town Clerk read proof of publication and presented the Affidavit of Publication to the Board.

**PRESENTATION BY SUPERVISOR HOWARD T. PHILLIPS, JR.**

Supervisor Phillips stated that this is a proforma public hearing that we must hold every year according to state law. The Sewer Assessment Roll lists all of the properties that are being assessed for sewer tax, which is required by law and is available for viewing Monday thru Friday in the Town Assessor's office from 9:00 a.m. - 5:00 p.m. The Town Assessor is here this evening if anyone has any questions.

**BOARD MEMBERS**

**No Comment.**

**PUBLIC PARTICIPATION**

**None**

**CLOSE HEARING**

**292-08** On Motion by Councilman Gould, seconded by Councilman Gamboli, unanimously adopted, the Public Hearing was closed.

**ADOPT RESOLUTION**

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

**293-08** **RESOLVED**, that the Town Board of the Town of Haverstraw, does hereby adopt the Sewer Assessment Roll and the establishment of Sewer Rent Rates for Sewer District No.1 for the year 2009.

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**JOSEPHINE E. CARELLA**  
Town Clerk

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The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, September 22, 2008 at 8:10 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**

**294-08** PUBLIC HEARING AND REGULAR TOWN BOARD MEETING OF SEPTEMBER 8, 2008; submitted by the Town Clerk on motion by Councilman Soto, seconded by Councilman Gould, were unanimously adopted.

**PAYMENT OF BILLS**

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

**295-08** RESOLVED, that bills numbered 3,212 through and including 3,462 in the amount of \$409,381.60; and Highway Vouchers numbered 484 through and including 516 in the amount of \$29,282.50 audited at this meeting, be and they are hereby paid.

**ACCEPTANCE OF REPORTS**

**No Reports.**

**SETTLEMENT OF ASSISTED LIVING AT NORTHERN RIVERVIEW PROCEEDINGS**

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

**296-08** WHEREAS, the Town Board of the Town of Haverstraw (the "Board") has reviewed the provisions of the proposed Stipulation between and among Assisted Living at Northern Riverview Inc. ("Assisted Living"), the Rockland County Industrial Development Agency, the Haverstraw-Stony Point Central School District, the Village of Haverstraw and the Town, upon which all outstanding real property tax certiorari proceedings, Article 78 proceedings and actions for Declaratory Judgment concerning Assisted Living, such proceedings as are set forth in Schedule A to the Stipulation ("Assisted Living Proceedings"), shall be resolved; and

WHEREAS, the Board has determined that the terms embodied in the Stipulation are in the best interests of the Town; and

NOW therefore, at a duly-called meeting of the Town Board of the Town of Haverstraw, be it RESOLVED that:

§1. The Town Supervisor is authorized and directed to execute and deliver, on behalf of the Town, such documents deemed by him, in consultation with counsel, to be necessary and satisfactory to implement the resolution of the Assisted Living Proceedings, consistent with the approvals contained herein.

§2. This resolution shall take effect immediately.

**SETTLEMENT OF NORTHERN RIVERVIEW PROCEEDINGS**

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

**297-08** WHEREAS, the Town Board of the Town of Haverstraw (the “Board”) has reviewed the provisions of the proposed Stipulation between and among Northern Riverview Health Care Center, Inc. (“Northern Riverview”), the Haverstraw-Stony Point Central School District, the Village of Haverstraw and the Town, upon which all outstanding real property tax certiorari proceedings, Article 78 proceedings and actions for Declaratory Judgment concerning Northern Riverview, such proceedings as are set forth in Schedule A to the Stipulation (“Northern Riverview Proceedings”), shall be resolved; and

WHEREAS, the Board has determined that the terms embodied in the Stipulation are in the best interests of the Town; and

NOW therefore, at a duly-called meeting of the Town Board of the Town of Haverstraw, be it **RESOLVED** that:

§1. The terms of the proposed settlement and Stipulation are approved, and the Town Supervisor is authorized and directed to execute and deliver, on behalf of the Town, such documents deemed by him, in consultation with counsel, to be necessary and satisfactory to implement the resolution of the Northern Riverview Proceedings, consistent with the approvals contained herein.

§2. This resolution shall take effect immediately.

**CREATE POSITIONS - COURT ATTENDANT**

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

**298-08** RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY CREATE THREE (3) POSITIONS OF COURT ATTENDANT PART TIME, FOR THE TOWN OF HAVERSTRAW JUSTICE COURT, AS APPROVED BY THE COUNTY OF ROCKLAND, DEPARTMENT OF PERSONNEL.

Supervisor Phillips stated that two of these positions will be used as substitute court attendants. Presently, we have two and will use them as fill-ins if someone cannot make it.

**APPOINTMENT OF COURT ATTENDANTS**

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

**299-08** RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPOINT THE FOLLOWING INDIVIDUALS TO THE POSITION OF PART TIME COURT ATTENDANT WITH THE TOWN OF HAVERSTRAW JUSTICE COURT EFFECTIVE IMMEDIATELY, AS NEEDED PER SCHEDULE AT AN HOURLY RATE OF \$15.98:

JOSEPH HOYER  
VINCENT RYAN  
STEPHEN REYNOLDS

AND BE IT FURTHER

RESOLVED, THAT THIS APPOINTMENT IS SUBJECT TO THE RULES AND REGULATIONS OF THE ROCKLAND COUNTY DEPARTMENT OF PERSONNEL.

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**AWARD OF CONTRACT FOR PAVING TO TILCON, INC.**

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

**300-08 RESOLVED, THAT THE TOWN BOARD HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO A CONTRACT WITH TILCON, INC. OF WEST NYACK, NEW YORK TO PERFORM PAVING ON CHEESECOTE MOUNTAIN ROAD IN THE TOWN OF HAVERSTRAW AT A COST OF \$115,720.55 PURSUANT TO THE NEW YORK STATE CONTRACT #20826 TO BE PAID FROM A NEW YORK STATE GRANT.**

**WITHDRAW NOTICE TO BID RESOLUTION NO. 290-08 – TO DEMOLISH AND INSTALL NEW HANDICAPPED ACCESSIBLE BATHROOM AT BOWLINE POINT PARK**

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

**301-08 RESOLVED, THAT THE TOWN BOARD HEREBY WITHDRAWS BID NO. 9-2008 TO DEMOLISH AND INSTALL A NEW HANDICAP ACCESSIBLE BATHROOM AT BOWLINE POINT PARK IN THE TOWN OF HAVERSTRAW, RESOLUTION NUMBER 290-08.**

Supervisor Phillips stated that this project will be at no cost to the local taxpayer because the Town has received grant money.

**REBID NO. 9-2008 - CONSTRUCT NEW HANDICAP ACCESSIBLE BATHROOM AT BOWLINE POINT PARK**

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

**302-08 RESOLVED, UPON THE RECOMMENDATION OF MICHAEL COTIER, DIRECTOR OF PARKS, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE TOWN CLERK TO PUBLISH A NOTICE TO BIDDERS THAT SEALED PROPOSALS WILL BE RECEIVED AT HER OFFICE AT ONE ROSMAN ROAD, GARNERVILLE, NEW YORK, UP TO AND INCLUDING 11:00 A.M. ON THURSDAY, OCTOBER 16, 2008 FOR THE RECEIPT OF BID NO. 9-2008 TO CONSTRUCT A NEW HANDICAPPED BATHROOM AT BOWLINE POINT PARK, LOCATED IN THE TOWN OF HAVERSTRAW, IN ACCORDANCE WITH THE SPECIFICATIONS ON FILE IN THE OFFICE OF THE TOWN CLERK, COPIES OF WHICH, TOGETHER WITH FORM OF PROPOSAL, MAY BE OBTAINED AT HER OFFICE. THE TOWN RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS. BIDS RECEIVED LATER THAN THE DATE AND TIME SPECIFIED WILL NOT BE CONSIDERED AND WILL BE RETURNED TO THE BIDDER UNOPENED. ALL BIDDERS MUST FILE A STATEMENT OF NON-COLLUSION WITH THEIR BIDS.**

**AWARD OF RFP NO. 9-2008 – REPAIR OF TOWN VEHICLE**

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

**303-08 RESOLVED, THAT THREE (3) REQUEST FOR PROPOSALS WERE RECEIVED BY MICHAEL COTIER, DIRECTOR OF PARKS FOR THE REPAIR OF A TOWN VEHICLE, AND BE IT FURTHER**

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**RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD THE RFP TO DAVE'S AUTO BODY OF GARNERVILLE, NEW YORK, AT A COST OF \$1,856.25, THE LOW BIDDER TO BE REIMBURSED BY STATE FARM INSURANCE.**

**PRESENTATION BY CABLEVISION – ROBERT HOCH, DIRECTOR OF GOVERNMENT AFFAIRS**

Mr. Hoch stated that he was here at tonight's meeting at the request of the Haverstraw Town Board regarding changes that occurred over the last few months concerning government and access channels. Cablevision is in the process of improving our service by offering digital channels. There is a demand for more digital channels and to improve the quality, we are moving channels. Converter boxes are needed for these digital channels. More than 89% of our customers are already receiving digital service and the company still maintains 60 of the most popular cable networks and local broadcast stations.

In an effort to help consumers through this, Cablevision is offering one free set top box which would enable customers to continue to receive the access channels. The offer is still in effect through October 16, 2008. The number to call to receive one free box is 1-800-353-9821 option #3. The box can either be installed free or picked up.

Supervisor Phillips asked if you have a digital TV and an analog TV, do you have to get a box for the second TV.

Robert Hoch, Cablevision in order to continue receiving the access channels, you will need a box on both TVs. If you have a digital TV, the free box is only available for analog customers only.

Martin Bagrosky, Thiells how much will it cost? \$6.50 a month plus \$5.95 for digital service. What kind of discount is that? I receive terrible reception and the picture breaks up. The senior citizens can't pay. Can you be a little more generous? It will cost about \$120-130 per year.

Supervisor Phillips this has been taken out of the local government's hands and put into the New York State Cablevision Commissioner hands. This is a completely deregulated market!

Martin Bagrosky stated that it's a great win fall for Cablevision. A lot of people can't afford Cablevision.

Supervisor Phillips does the customer have to buy a digital box from Cablevision if their TV is digital ready.

Robert Hoch stated that there are different kinds of digital TVs. It depends on two things. The QAM Tuner. The box is acting as a tuner for the TV; and a cable card. Some TVs accept a cable card. This is an equipment issue. You cannot buy an analog TV because it's all digital. We are not completely cutting off analog customers.

Michael Bodnar, Haverstraw asked if the one free box would always remain no charge.

Robert Hoch stated that in May of 2007 10 channels were moved to digital, which you got a free box and remote for one year.

Al Arlitz, 17 Hillside Drive, Haverstraw stated that Optimum service is \$129.85 per month. If you want to upgrade, its \$6.50 a month for additional boxes.

Robert Hoch stated that he will look at the franchise agreement.

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Tom Gannon, 10 Chestnut Drive mentioned bundle service, such as the computer and phone. Basic cable is \$52.65 and he never received an offer for a box back in May.

Robert Hoch stated that he would be happy to look into it.

Regina DeCara, Stony Point asked if Mr. Hoch could give her a reason why we have not been given the Catholic EWTN Channel.

Robert Hoch stated that he didn't know why she did not receive it. I can ask both Supervisors of Stony Point and Haverstraw to contact me about the issue.

Regina DeCara, Stony Point stated to please look into keeping the Catholic Channel. Haverstraw, Stony Point and Garnerville don't have it. Other areas in Rockland County do!

Supervisor Phillips thanked Mr. Hoch for coming to the Town Board meeting and answering questions. We really appreciate that you came tonight. Many people thought the meeting was Friday night because it was reported in the newspaper that way. After the meeting, Mr. Hoch will take your name and number and get back to you on your questions. Thank you so much for coming tonight.

**PUBLIC PARTICIPATION**

Bruce Leach, N. Wayne Ave., W. Haverstraw thanked the Supervisor for giving him and his club the opportunity this past Saturday at the Sanitary Landfill for the demonstration of the model airplanes. Approximately two dozen members were there with their planes.

Supervisor Phillips stated that you did a great job and the views were spectacular at the landfill. The Councilmen were there and they really enjoyed the airplane demonstration.

Councilman Gould stated that the demonstration was excellent. We should really get more people involved.

Noel Rappaport, 7 Lewis Drive, Garnerville asked the Supervisor what the status was on the upgrade to the Haverstraw Ambulance Building.

William Stein, Town Attorney stated that the bids were received and came in a \$635,000. Town Board wants to make sure that the members of the Haverstraw Ambulance look at the bids.

Supervisor Phillips announced that the Town's Halloween Festival will be held on Saturday, October 25, 2008 from 12 noon – 4:00 pm at Bowline Point Park. The Supervisor thanked Noel Rappaport and all of the businesses that contribute to the Halloween Festival. Every year Barr Labs contributes \$5,000 to the festival. We are hoping with the economy they will be able to do so again this year.

On Sunday, September 29, 2008 the street dedication for Manny Lopez will be held at 2:30 pm on Orchard Street in the Village of Haverstraw.

**ADJOURNMENT**

**304-08** Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Veronica Antonelli; Ella Louise Belle, Philip Norfleet; Evelyn Mae Everson; Rebecca Vaughn; Dorothea Mary Coyne and Concetta Maura, 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 Soto, seconded by Councilman Gould to adjourn the Town Board Meeting.

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**JOSEPHINE E. CARELLA**  
Town Clerk