

TOWN BOARD  
GARNERVILLE, NY  
FEBRUARY 9, 2009

The Town Board of the Town of Haverstraw held a Public Hearing on Monday, February 9, 2009 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 (Absent)
Councilman	John J. Gould
Councilman	Hector L. Soto

**CONTINUATION OF PUBLIC HEARING - CONSIDERING ADOPTING A LOCAL LAW TO IMPOSE A 25 M.P.H. SPEED LIMIT ON ALL TOWN OWNED ROADS OTHER THAN ROSMAN ROAD AND QUAKER ROAD**

Supervisor Phillips stated that the purpose of this Public Hearing is to continue to discuss considering adopting a Local Law to impose a 25 m.p.h. speed limit on all Town owned roads other than Rosman Road and Quaker Road.

**PRESENTATION BY WILLIAM M. STEIN, TOWN ATTORNEY**

William M. Stein, Town Attorney stated that our prior meeting we closed the Public hearing but we did not move to adopt. The Town Attorney investigated further to impose a 25 m.p.h. speed limit to avoid any legal problems in the Town of Haverstraw. Unfortunately, after talking to counsel from the New York State Department of Transportation any changes to a Town's speed limit must be approved by the NYSDOT. A Town Board may not, under the provisions of the Municipal Home Rule Law § 10, subd. 1-a(6) regulate or establish speed limited on town roads. Any attempt to do so would be inconsistent with provisions of the Vehicle and Traffic Law. There is no authority for a Town Board to fix speed limits on town roads. The DOT has the authority to do so.

The Town would have to make a request to the Local Region of the DOT to make these changes based upon our request. If no study has been performed, the DOT will not go below 30 m.p.h. The Town Board needs to adopt a resolution making a request to the NYSDOT to implement a 25 m.p.h. speed limit and how these changes would affect our area.

Supervisor Phillips stated that he strongly suggests that we move ahead with our request to the NYSDOT to reduce the Town's speed limit to 25 m.p.h.

**PUBLIC PARTICIPATION**

Martin Bagrosky, 20 Oakwood Lane, Thiells stated that this is quite shocking and that the NYSDOT doesn't really appreciate our request. Mr. Bagrosky didn't think that it was in the best interest of the request of the Town to keep the speed limit at 30 m.p.h. There is a 25 m.p.h. sign on Gurnee Avenue in the Village of Haverstraw. This has been going on for a few years and Assemblyman Alex Gromack looked into it and Assemblyman Ken Zebrowski has also looked at this law.

Supervisor Phillips stated that we will make the request to the NYSDOT. The last thing we want to do is pass something that doesn't have any meaning.

**CLOSE HEARING**

**91-09** On motion by Councilman Soto, seconded by Councilman Gould, unanimously adopted, the Public Hearing was closed.

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**ADOPT RESOLUTION**

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

**92-09           RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY REQUESTS THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A SPEED LIMIT OF 25 M.P.H. ON ALL TOWN HIGHWAYS AND STREETS OTHER THAN ROSMAN ROAD AND QUAKER ROAD, AS WELL AS SCHOOL ZONES THAT PRESENTLY HAVE A 15 M.P.H. SPEED ZONE.**

**JOSEPHINE E. CARELLA**  
Town Clerk

TOWN BOARD  
GARNERVILLE, NY  
FEBRUARY 9, 2009

The Town Board of the Town of Haverstraw held a Public Hearing on Monday, February 9, 2009 at 8:05 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 (Absent)
Councilman	John Gould
Councilman	Hector L. Soto

**PUBLIC HEARING – 2009 SENIOR CITIZEN TAX EXEMPTION**

Howard T. Phillips, Jr., Supervisor announced that this is a proforma Public Hearing that is held for the purpose of discussing adopting a local law to amend the Town Code of the Town of Haverstraw, Chapter 152 thereof, entitled, "TAXATION," to change the Senior Citizen exemption.

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

**PRESENTATION BY WILLIAM M. STEIN, TOWN ATTORNEY**

William M. Stein, Town Attorney stated that this public hearing is being held to increase the Senior Citizens Tax Exemptions. New York State and Rockland County have increased the income limit for Senior Citizens Exemptions. Town Board authorization is required for implementation of this increase for eligible owners. The maximum allowable income is being raised by \$1,000 applicable to the 2009 Assessment Roll and an additional \$1,000 for the 2010 Assessment Roll. This is a tremendous benefit to our seniors. The current sliding scale is available in the Town Assessor's Office.

**PUBLIC PARTICIPATION**

A resident asked why we don't get an exemption from our school tax for people who have lived in the same house for over 50 years?

Supervisor Phillips stated that the state legislators have to adopt this law. A local municipality cannot do that. I strongly recommend that you get in touch with Senator Morahan and Assemblyman Zebrowski. Unless they adopt the law, we cannot do anything about it. It's a good idea.

**CLOSE HEARING**

**93-09** On motion by Councilman Gould, seconded by Councilman Soto, unanimously adopted, the Public Hearing was closed.

**ADOPT RESOLUTION**

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

**94-09** **RESOLVED**, that the Town Board of the Town of Haverstraw, does hereby unanimously adopt Local Law No. 1 of the Town Code of the Town of Haverstraw, to amend Chapter 152 of the Town Code, entitled ***TAXATION, to change the Senior Citizen exemption.***

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**JOSEPHINE E. CARELLA**  
Town Clerk

TOWN BOARD  
GARNERVILLE, NY  
FEBRUARY 9, 2009

The Town Board of the Town of Haverstraw held a Public Hearing on Monday, February 9, 2009 at 8:10 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 (Absent)
Councilman	John Gould
Councilman	Hector L. Soto

**PUBLIC HEARING - EXEMPTIONS FOR HOMEOWNER'S WITH DISABILITIES**

Howard T. Phillips, Jr., Supervisor announced that this is a proforma Public Hearing and is held every year for the purpose of discussing adopting a local law to amend the Town Code of the Town of Haverstraw, Chapter 152 thereof, entitled TAXATION, to change the Exemptions for Homeowner's With Disabilities.

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

**PRESENTATION BY WILLIAM M. STEIN, TOWN ATTORNEY**

William M. Stein, Town Attorney stated that this public hearing is being held to increase the tax exemptions for Homeowner's With Disabilities. Town Board authorization is required for implementation of this increase for eligible owners. New York State and Rockland County have increased the income limit for Exemptions for Homeowner's With Disabilities by \$1,000 applicable to the 2009 Assessment Roll and an additional \$1,000 for the 2010 Assessment Roll. The current sliding scale is available in the Town Assessor's Office.

**PUBLIC PARTICIPATION**

Alvin Arlitz, 17 Hillside Drive, Thiells asked why is the Town limiting the disability to physical.

Supervisor Phillips stated that New York State developed the criteria for eligibility. It's the State that puts the limits into place, not the Town.

**CLOSE HEARING**

**95-09** On motion by Councilman Gould, seconded by Councilman Cancel, unanimously adopted, the Public Hearing was closed.

**ADOPT RESOLUTION**

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

**96-09** **RESOLVED**, that the Town Board of the Town of Haverstraw, does hereby unanimously adopt Local Law No. 2 of the Town Code of the Town of Haverstraw, to amend Chapter 152 of the Town Code, entitled **TAXATION**, to **change the Exemption for Homeowner's with Disabilities**.

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**JOSEPHINE E. CARELLA**  
Town Clerk

TOWN BOARD  
GARNERVILLE, NY  
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The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, February 9, 2009 at 8:15 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 (Absent)
Councilman	John J. Gould
Councilman	Hector L. Soto

**ADOPTION OF MINUTES**

**97-09** TOWN BOARD MINUTES OF JANUARY 26, 2009 AND SPECIAL MEETING OF FEBRUARY 2, 2009 submitted by the Town Clerk on motion by Councilman Soto, seconded by Councilman Gould, were unanimously adopted.

**PAYMENT OF BILLS**

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

**98-09** RESOLVED, that bills numbered 398 through and including 531 in the amount of \$255,693.91 and Highway Vouchers numbered 47 through and including 79 in the amount of \$19,969.93 audited at this meeting, be and they are hereby paid.

**ACCEPTANCE OF REPORTS**

**No Reports were submitted.**

**NOMINATE PETER CONNOLLY POLICE OFFICER FULL TIME**

The following resolution was moved by the full Town Board.

**99-09** RESOLVED, THAT UPON THE RECOMMENDATION OF CHARLES MILLER, CHIEF OF POLICE, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY NOMINATE PETER CONNOLLY OF WEST HAVERSTRAW, NEW YORK TO THE POSITION OF POLICE OFFICER, FULL TIME FOR THE TOWN OF HAVERSTRAW, AND BE IT FURTHER

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

**NOMINATE MICHAEL ROSA POLICE OFFICER FULL TIME**

The following resolution was moved by the full Town Board.

**100-09** RESOLVED, THAT UPON THE RECOMMENDATION OF CHARLES MILLER, CHIEF OF POLICE, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY NOMINATE MICHAEL ROSA OF THIELLS, NEW YORK TO THE POSITION OF POLICE OFFICER, FULL TIME FOR THE TOWN OF HAVERSTRAW, AND BE IT FURTHER

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

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**RENEWAL OF AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND VJ NETWORKS, INC.**

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

**101-09 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO RENEW AGREEMENT OF SERVICES TO PROVIDE TECHNICAL SUPPORT FOR THE COMPUTER NETWORK AT THE TOWN OF HAVERSTRAW POLICE STATION AT A COST OF \$1,500 A MONTH FOR A PERIOD OF ONE (1) YEAR COMMENCING MARCH 1, 2009 THROUGH FEBRUARY 28, 2010.**

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

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

**102-09 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 \$305.00, COMMENCING ON APRIL 30, 2009.**

**AWARD OF BID NO. 04-2009 - DEEP DRILL AERIFICATION - GOLF COURSE**

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

**103-09 RESOLVED, UPON THE RECOMMENDATION OF CAL FOWX, GREENSKEEPER, AND THE BIDS HAVING BEEN FOUND IN ORDER BY WILLIAM M. STEIN, TOWN ATTORNEY, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD BID NO. 04-2009 FOR DEEP DRILL AERIFICATION AT THE PHILIP J. ROTELLA GOLF COURSE FOR THE 2009 GOLF SEASON TO AER-CORE, INC. OF POTTSTOWN, PENNSYLVANIA AT A PRICE OF \$.50 PER SQUARE FOOT, THE LOWEST CONFORMING BIDDER.**

**AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND BPA-HARBRIDGE**

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

**104-09 WHEREAS, IT IS NECESSARY FOR THE TOWN OF HAVERSTRAW TO OBTAIN ACTUARIAL SERVICES FOR COMPLIANCE WITH GASB STATEMENT NO. 45 (ACCOUNTING AND FINANCIAL REPORTING BY EMPLOYERS FOR POST EMPLOYMENT BENEFITS OTHER THAN PENSION) FOR FISCAL YEAR ENDING DECEMBER 31, 2009 AND DECEMBER 31, 2010, AND**

**WHEREAS, BPA-HARBRIDGE, ONE LINCOLN CENTER, SYRACUSE, NY IS AN ACTUARIAL CONSULTING FROM PROVIDING SERVICES TO PUBLIC ENTITIES RELATED TO BENEFIT PLANS, GASB 45, AND**

**WHEREAS, MICHAEL GAMBOLI, DIRECTOR OF FINANCE, HAS REVIEWED THE PROPOSAL REFERRED TO HEREIN AND RECOMMENDED ACCEPTANCE OF SAME;**

**NOW, THEREFORE, BE IT**

**RESOLVED, THAT THE SUPERVISOR HOWARD T. PHILLIPS, JR. IS HEREBY AUTHORIZED TO ENTER INTO AN AGREEMENT FOR TWO YEARS WITH BPA-HARBRIDGE IN A FORM ACCEPTABLE TO THE TOWN ATTORNEY, AT A COST NOT TO EXCEED \$9,300, FOR 2009 AND \$2,500 FOR 2010, WITH AN OPTIONAL TWO-YEAR PERIOD FOR A COST OF \$9,800 FOR 2011 AND \$2,500 FOR 2012.**

**ESTABLISH CAPITAL PROJECT – INSTALL NEW HANDICAPPED ACCESSIBLE RESTROOM AT BOWLINE POINT PARK**

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

**105-09 RESOLVED, THAT THE TOWN BOARD HEREBY APPROVES TO INSTALL NEW HANDICAPPED ACCESSIBLE RESTROOM AT BOWLINE POINT PARK IN THE TOWN OF HAVERSTRAW, AS A CAPITAL PROJECT IN THE AMOUNT OF \$450,000., WHICH \$250,000 WILL BE FUNDED THROUGH THE NYS DORMITORY AUTHORITY AND THE NY ECONOMIC DEVELOPMENT PROGRAM; \$100,000 FROM MONEY IN LIEU OF PARKLAND MONIES AND \$100,000 FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT.**

**AWARD OF BID NO. 1-2009 – INSTALL NEW HANDICAPPED ACCESSIBLE RESTROOM AT BOWLINE POINT PARK**

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

**106-09 RESOLVED, UPON THE RECOMMENDATION OF JOSEPH CARUSO, LLP, OF MASER CONSULTANTS, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD THE BID NO. 1-2009 TO INSTALL NEW HANDICAPPED ACCESSIBLE RESTROOM AT BOWLINE POINT PARK, TO HELMER-CRONIN CONSTRUCTION, INC. OF STONY POINT, NEW YORK, AT A COST OF \$378,800.00.**

**TOWN OF HAVERSTRAW 2009 SUMMER CONCERT SERIES**

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

**107-09 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE FOLLOWING BANDS FOR THE PURPOSE OF PROVIDING MUSICAL ENTERTAINMENT FOR THE TOWN OF HAVERSTRAW'S 2009 SUMMER CONCERT SERIES AT BOWLINE POINT PARK:**

**THE BRONX WANDERERS – THURSDAY, JULY 9, 2009 – 7:30 P.M. – 9:00 P.M. AT A COST OF \$1,000.00**

**REMINISCE - THURSDAY, JULY 30, 2009 – 7:30 P.M. – 9:00 P.M. AT A COST OF \$900.00**

**CLOUD NYNE - THURSDAY, AUGUST 13, 2009 - 7:30 PM - 9:00 PM AT A COST OF \$800.00**

**TRACER – SUNDAY, SEPTEMBER 6, 2009 – 5:00 P.M. – 7:00 P.M. AT A COST OF \$800.00**

**SPECTRUM - SUNDAY, SEPTEMBER 6, 2009 – 7:30 P.M. – 9:00 P.M. AT A COST OF \$1,000.00**

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**AUTHORIZATION FOR BUILDING INSPECTOR AND CHIEF FIRE SAFETY  
INSPECTOR TO ATTEND EDUCATIONAL TRAINING**

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

**108-09 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, HEREBY GRANTS PERMISSION FOR EUGENE R. BARNUM, BUILDING INSPECTOR II AND FRED VIOHL, CHIEF FIRE SAFETY INSPECTOR TO ATTEND THE NYSBOC-ROCKLAND SPRING 2009 SEMINAR TO BE HELD ON MAY 5 – 7, 2009 AT THE ROCKLAND COUNTY FIRE TRAINING CENTER IN POMONA, NEW YORK AT A COST OF \$300.00 PER PERSON.**

**PUBLIC PARTICIPATION**

**None.**

**BOARD MEMBERS**

Supervisor Phillips stated that this past week one of our Police Officer, Officer Mathew Galvin responded to a domestic in the Village of Haverstraw. A call came in that the father was coming to physically abuse the mother. Officer Galvin was jumped by the father and his brother. They were beating him with his flashlight. He did an outstanding job of fighting them off. The two suspects may have gone after the mother if Officer Galvin did not intervene. Our thoughts and prayers go out to Officer Galvin. He did a very courageous job.

Town Hall will be closed this coming Thursday for Lincoln's Birthday and on Monday, February 16<sup>th</sup> for President's Day.

The Town's golf course will be celebrating our 25<sup>th</sup> anniversary at the Philip J. Rotella Memorial Golf Course this year. We will try to do something special for our golfers to celebrate this event.

Town of Haverstraw Youth Board has several trips planned for the spring that include Madame Tussauds Wax Museum, Medieval Times, Broadway play West Side Story at the Palace Theatre, the Intrepid Sea, Air and Space Museum and Six Flags Great Adventure in May. Please check our website or call Youth Leader, Lorraine Arocena at 429-2200 for further details.

**ADJOURNMENT**

**109-09** Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Genevieve Ferrara, Rose Luzi, Letha Makara, Henry "Harry" Reilly, Dr. Ernest J. Stedge, III, Louis DeLouise, Anna Murphy, Frederick Thomas Bender, Kenneth P. Romeo, Donald R. DiBari, Laura Mertinez, Nancy Russell, and George B. Mulligan 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 Cancel, seconded by Councilman Soto to adjourn to Workshop.

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**JOSEPHINE E. CARELLA**  
Town Clerk