

TOWN BOARD
GARNERVILLE, NY
OCTOBER 12, 2010

The Town Board of the Town of Haverstraw met at a Regular Meeting on Tuesday, October 12, 2010 at 8:00 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. (Absent) |
| Councilman | Isidro Cancel |
| Councilman | Vincent J. Gamboli |
| Councilman | John J. Gould |
| Councilman | Hector L. Soto |

ADOPTION OF MINUTES

379-10 TOWN BOARD MINUTES OF SEPTEMBER 27, 2010 AND SPECIAL MEETING OF OCTOBER 4, 2010 submitted by the Town Clerk on motion by Councilman Gould, seconded by Councilman Gamboli, were unanimously adopted.

PAYMENT OF BILLS

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

380-10 RESOLVED, that bills numbered 3,404 through and including 3,555 in the amount of \$295,205.70 be and they are hereby paid; and Highway Vouchers numbered 547 through and including 581 in the amount of \$26,893.78 audited at this meeting, be and they are hereby paid.

ACCEPTANCE OF REPORTS

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

381-10 RESOLVED, THAT THE TOWN OF HAVERSTRAW POLICE DEPARTMENT ACTIVITY REPORT FOR THE MONTH OF AUGUST 2010 WAS ACCEPTED BY THE TOWN BOARD.

**PRESENTATION OF TROPHY TO THE 2010 HAVERSTRAW
LITTLE LEAGUE GIRLS ALL STARS SOFTBALL TEAM
CHAMPIONS**

BUDGET ADJUSTMENTS FOR PERIOD ENDING 9/30/10

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

382-10 RESOLVED, THAT THE SUPERVISOR IS AUTHORIZED TO MAKE BUDGET ADJUSTMENTS FROM THE GENERAL FUND (A) IN THE AMOUNT OF \$233,500.00 AND PART TOWN FUND (B) IN THE AMOUNT OF \$5,000.00 AND HIGHWAY FUND (DB) IN THE AMOUNT OF \$40,000.00 PURSUANT TO THE REPORT OF THE DIRECTOR OF FINANCE FOR THE TOWN OF HAVERSTRAW FOR THE PERIOD ENDING SEPTEMBER 30, 2010. (SEE ATTACHED BUDGET ADJUSTMENTS.)

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CLOSE CAPITAL PROJECT – CARPET FOR TOWN HALL

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

383-10 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF MICHAEL COTIER, PARK DIRECTOR, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY CLOSE THE CAPITAL PROJECT FOR CARPET AT TOWN HALL, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE MICHAEL GAMBOLI, DIRECTOR OF FINANCE, TO TRANSFER THE REMAINING FUNDS FROM THE CARPET FOR TOWN HALL PROJECT IN THE AMOUNT OF \$10,168.40 TO THE GENERAL FUND, AND BE IT FURTHER

RESOLVED, THAT THIS CAPITAL PROJECT WAS BUDGETED IN THE AMOUNT OF \$50,000.00. OF WHICH \$39,831.60 WAS EXPENDED TO COMPLETE THE ABOVE MENTIONED PROJECT.

CLOSE CAPITAL PROJECT – HEAT IN PLACE ASPHALT RECYCLING AND MICROPAVING

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

384-10 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF FRANK BROOKS, SUPERINTENDENT OF HIGHWAYS, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY CLOSE THE CAPITAL PROJECT FOR HEAT IN PLACE ASPHALT RECYCLING AND MICROPAVING, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE MICHAEL GAMBOLI, DIRECTOR OF FINANCE, TO TRANSFER THE REMAINING FUNDS FROM THE HEAT IN PLACE ASPHALT RECYCLING AND MICROPAVING PROJECT IN THE AMOUNT OF \$58,763.84 TO THE GENERAL FUND, AND BE IT FURTHER

RESOLVED, THAT THIS CAPITAL PROJECT WAS BUDGETED IN THE AMOUNT OF \$350,000.00. OF WHICH \$291,236.16 WAS EXPENDED TO COMPLETE THE ABOVE MENTIONED PROJECT.

CLOSE CAPITAL PROJECT – NEW FISHING PIER/DOCK AT BOWLINE POINT PARK

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

385-10 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF MICHAEL COTIER, PARK DIRECTOR, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY CLOSE THE CAPITAL PROJECT FOR THE NEW FISHING PIER/DOCK AT BOWLINE POINT PARK, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE MICHAEL GAMBOLI, DIRECTOR OF FINANCE, TO TRANSFER THE REMAINING FUNDS FROM THE NEW FISHING PIER/DOCK PROJECT IN THE AMOUNT OF \$781.10 TO THE PARK MONEY IN LIEU OF LAND, AND BE IT FURTHER

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RESOLVED, THAT THIS CAPITAL PROJECT WAS BUDGETED IN THE AMOUNT OF \$100,000.00. OF WHICH \$99,218.90 WAS EXPENDED TO COMPLETE THE ABOVE MENTIONED PROJECT.

**APPROVAL OF CHANGE ORDER NO. 2 FOR HAVERSTRAW VOLUNTEER
AMBULANCE CORP ADDITIONS AND RENOVATIONS WITH AAA
COOLERATION SERVICE INC.**

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

386-10 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF GENOVEESE ASSOCIATES, INC. THE ARCHITECTS, THE TOWN BOARD HEREBY APPROVES CHANGE ORDER NO. 2 FOR THE HAVERSTRAW VOLUNTEER AMBULANCE CORP ADDITIONS AND RENOVATIONS WITH AAA COOLERATION SERVICE INC. FOR THE SUM OF \$925.00.

**ESTABLISH CAPITAL PROJECT – AUTOMATIC IRRIGATION SYSTEM
MODIFICATIONS AT PHILIP J. ROTELLA MEMORIAL GOLF COURSE**

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

387-10 RESOLVED, THAT THE TOWN BOARD HEREBY APPROVES AUTOMATIC IRRIGATION SYSTEM MODIFICATIONS AT THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE, AS A CAPITAL PROJECT IN THE AMOUNT OF \$400,000.00, OF WHICH \$200,000.00 WILL BE FUNDED THROUGH THE GENERAL FUND IN THE 2010 BUDGET AND \$200,000.00 WILL BE FUNDED THROUGH THE GENERAL FUND IN THE 2011 BUDGET.

**AWARD OF BID NO. 16-2010 AUTOMATIC IRRIGATION SYSTEM
MODIFICATIONS AT PHILIP J. ROTELLA MEMORIAL GOLF COURSE**

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

388-10 RESOLVED, UPON THE RECOMMENDATION OF CAL FOWX, GOLF COURSE SUPERINTENDENT AND JAMES BARRETT, IRRIGATION DESIGNER AND CONSULTANT, AND THE BIDS HAVING BEEN FOUND IN ORDER BY TOWN ATTORNEY, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD BID NO. 16-2010 AUTOMATIC IRRIGATION SYSTEM MODIFICATIONS AT THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE IN THE TOWN OF HAVERSTRAW TO NATIONAL LAWN SPRINKLERS OF NORTH WHITE PLAINS, NEW YORK, THE LOW BIDDER AT A SUM OF \$342,800.00.

**APPROVAL FOR TOWN OF HAVERSTRAW JUSTICE COURT TO APPLY
FOR GRANT FUNDS**

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

389-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY APPROVES THE TOWN OF HAVERSTRAW'S JUSTICE COURT TO APPLY FOR GRANT FUNDING THROUGH THE 2010 JUSTICE COURT ASSISTANCE PROGRAM.

RECONSTITUTE RESOLUTION NUMBER 363-10

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

390-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AMENDS RESOLUTION NUMBER 363-10 TO READ THE FOLLOWING:

RESOLVED, THAT THE TOWN OF HAVERSTRAW HEREBY RECOMMENDS THE APPOINTMENT OF P. JOSEPH CORLESS, PE OF POMONA, NY, AS STATE REPRESENTATIVE TO THE JOINT REGIONAL SEWERAGE BOARD FOR A FIVE YEAR TERM COMMENCING EFFECTIVE JANUARY 1, 2010 TO DECEMBER 31, 2014.

ADVERTISE TO BID NO. 17 2010 – SANITARY LANDFILL TESTING

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

391-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE TO ADVERTISEMENT FOR BIDS FOR THE SAMPLING AND ANALYTICAL SERVICES FOR THE GROUNDWATER, LEACHATE DISCHARGE, AND SURFACE WATER MONITORING SYSTEMS AT THE TOWN OF HAVERSTRAW SANITARY LANDFILL FOR A PERIOD OF TWO (2) YEARS (JANUARY 1, 2011 THROUGH DECEMBER 31, 2012), AND BE IT FURTHER

RESOLVED, THAT THE BIDS MUST BE RETURNED TO THE OFFICE OF THE TOWN CLERK OF THE TOWN OF HAVERSTRAW, ONE ROSMAN ROAD, GARNERVILLE, NEW YORK, NO LATER THAN 11:00 A.M. ON TUESDAY, NOVEMBER 16, 2010.

AUTHORIZATION TO SETTLE TAX CERTIORARI – HAVERSTRAW MARINA

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

392-10 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 21.13-1-1./1000) HAVERSTRAW MARINA CORP LOCATED AT 600-620 BEACH ROAD IN THE TOWN OF HAVERSTRAW FOR TAX YEARS 2004-2010 BASED UPON THE FOLLOWING AMOUNTS ON THIS LOCATION:

| YEAR | CURRENT ASSESSMENT | REVISED ASSESSMENT | REDUCTION AMOUNT | % REDUCTION | EST REFUND |
|------|--------------------|--------------------|------------------|--------------|-----------------|
| 2004 | 168,250 | 100,000 | 68,250 | 41% | \$5,170 |
| 2005 | 111,650 | 105,000 | 6,650 | 4% | \$5,963 |
| 2006 | 1,800,000 | 725,000 | 1,075,000 | 60% | \$6,837 |
| 2007 | 1,800,000 | 725,000 | 1,075,000 | 60% | \$11,263 |
| 2008 | 1,800,000 | 725,000 | 1,075,000 | 60% | \$11,167 |
| 2009 | 3,000,000 | 1,750,000 | 1,250,000 | 42% | \$12,516 |
| 2010 | 3,000,000 | 1,750,000 | 1,250,000 | 42% | \$14,940 |
| | | | | Total | \$67,855 |

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**SCHEDULE PUBLIC HEARING – ADOPTION OF LOCAL LAW FOR STORM
WATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL**

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

393-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY SCHEDULE A PUBLIC HEARING TO CONSIDER ADOPTING A LOCAL LAW TO ADD A NEW SECTION PROVIDING FOR THE LOCATION OF HOUSES OF WORSHIP AND OTHER RELIGIOUS USES. SAID PUBLIC HEARING WILL BE HELD ON MONDAY, NOVEMBER 8, 2010 AT 8:00 P.M. AT THE TOWN HALL, ONE ROSMAN ROAD, GARNERVILLE, NEW YORK, AND BE IT FURTHER

RESOLVED, THAT THE TOWN CLERK SHALL PUBLISH SAID NOTICE AND ALL PERSONS ARE INVITED TO ATTEND AND WILL BE HEARD BY THE BOARD.

**AUTHORIZATION TO PURCHASE TWO (2) COMBINATION HEAVY-DUTY DUMP
BODY/SPREADERS FOR THE TOWN OF HAVERSTRAW HIGHWAY DEPT. UNDER
NEW YORK STATE CONTRACT**

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

394-10 RESOLVED, BASED UPON THE RECOMMENDATION OF FRANK BROOKS, SUPERINTENDENT OF HIGHWAYS, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO PURCHASE TWO (2) COMBINATION HEAVY-DUTY DUMP BODY/SPREADERS FOR THE TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT UNDER NEW YORK STATE TO AMTHOR WELDING OF GARDINER, NEW YORK AT A COST OF \$31,400 FOR EACH BODY.

PUBLIC PARTICIPATION

None.

TOWN BOARD MEMBERS

Councilman Soto stated that as we celebrate Hispanic Heritage Month, let us honor and recognize all those Hispanics in this great country of ours who have contributed in sports, medicine, education, social work, press, communication, politics, legal system, and law enforcement amongst other fields. In our own community, let us recognize Ileana Eckert from the School District, Isidro Cancel, Town Councilman; Trustees Batista, Bueno and Dominquez from the Village of Haverstraw, Trustee Lopez from the Village of West Haverstraw; Rafael Escaño; Bolivar Marchand; Luz Dominguez; Jose Silverio; and Quisqueya Sports Club. In our Town we have Raquel Ventura. Let us also honor and recognize our own Hispanic officers in the Town of Haverstraw Police Department, Hispanic officers throughout Rockland County and the Rockland County Police Hispanic Society. Also, in the area of communication, we have the “El Sol” Newspaper and their editor, Ramon Soto, and “El Clarin” and their editor, Rafael Espillat. Let us also recognize veterans and military members and those who sacrificed their lives. God bless them all.

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ADJOURNMENT

395-10 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Frank Rundell, Sr., J. Nelson Hood, Gregg Hession, Leroy Conklin, Kubra Khatoon, Efrain Rodriguez-Lopez, Anna Cuccinello and Philip Anthony Marazita, 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 the Town Board Meeting to adjourn the meeting.

RAQUEL VENTURA
First Deputy