

TOWN BOARD
GARNERVILLE, NY
MARCH 22, 2010

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, March 22, 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:

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

ADOPTION OF MINUTES

178-10 TOWN BOARD MEETING MINUTES OF FEBRUARY 22, 2010 AND MARCH 8, 2010 submitted by the Town Clerk on motion by Councilman Gamboli, seconded by Councilman Soto, were unanimously adopted.

PAYMENT OF BILLS

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

179-10 RESOLVED, that bills numbered 744 through and including 972 in the amount of \$476,329.34 be and they are hereby paid; and Highway Vouchers numbered 106 through and including 148 in the amount of \$139,437.32 audited at this meeting, be and they are hereby paid.

ACCEPTANCE OF REPORTS

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

180-10 RESOLVED THAT THE FOLLOWING POLICE ACTIVITY REPORT HAS BEEN SUBMITTED AND IS HEREBY ACCEPTED: POLICE DEPARTMENT ACTIVITY REPORT FOR THE MONTH OF JANUARY 2010.

RETAINER AGREEMENT WITH GATEWAY ENVIRONMENTAL SERVICES CONCERNING BABCOCK PROPERTY

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

181-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO RETAIN THE SERVICES OF GATEWAY ENVIRONMENTAL SERVICES OF STONY POINT, NEW YORK TO DO AN ENVIRONMENTAL ASSESSMENT FOR THE BABCOCK PROPERTY LOCATED ON CALL HOLLOW ROAD AT A COST OF \$1,200.

TOWN BOARD
GARNERVILLE, NY
MARCH 22, 2010

**INTERMUNICIPAL AGREEMENT TRANSFER OF SHARED FUNDS WITH THE
TOWN OF HAVERSTRAW AND THE COUNTY OF ROCKLAND**

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

182-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE HOWARD T. PHILLIPS, JR., SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ROCKLAND FOR REIMBURSEMENT TO THE TOWN FOR POLICE OFFICERS ASSIGNED TO ROCKLAND COUNTY INTELLIGENCE CENTER COMMENCING JANUARY 1, 2005 – DECEMBER 31, 2008 IN THE SUM OF \$327,918.00.

AWARD OF BID - BID NO. 02-2010 FOR CHEMICALS, FERTILIZER AND GRASS SEED FOR THE PHILIP J. ROTELLA GOLF COURSE

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

183-10 RESOLVED, UPON THE RECOMMENDATION OF CAL FOWX, GREENSKEEPER, AND THE BIDS HAVING BEEN FOUND IN ORDER BY THE TOWN ATTORNEY, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD THE BID FOR THE PROVISIONS OF FERTILIZER, CHEMICALS AND GRASS SEED FOR THE PHILIP J. ROTELLA GOLF COURSE FOR THE 2010 GOLF SEASON TO THE FOLLOWING COMPANIES:

| | | |
|--------------------------------------|--|--------------------|
| <u>METRO TURF SPECIALISTS</u> | CLEARY 3336 PLUS | \$4,500.00 |
| | AFFIRM WDG | \$13,125.00 |
| | FERROMEC AC | 725.00 |
| | PROXY | \$2,340.00 |
| | QUALI PRO DACORIL | \$4,260.00 |
| | SCIMITAR | \$2,112.00 |
| | CHIPCO 266T | \$5,750.00 |
| | QUALI PHITE | \$1,496.50 |
| <u>MATRIX TURF SUPPLY</u> | DIMENSION LEW | \$1,614.50 |
| | HEADWAY | \$8,100.00 |
| <u>TERRE CO. INC.</u> | CHIPCO SIGNATURE | \$ 5,170.00 |
| | TARTAN | \$11,650.00 |
| | PRIMO MAXX | \$16,500.00 |
| | FAIRWAY FERT. 21-3-16 @ 32.11/BAG | \$6,422.00 |
| <u>HARRELLS</u> | INSTRATA | \$7,690.00 |
| | SUBDUE MAXX | \$4,990.00 |
| | BANNER MAXX | \$2,490.00 |

TOWN BOARD
GARNERVILLE, NY
MARCH 22, 2010

**ESTABLISH CAPITAL PROJECT BELGIUM BLOCK CURB IMPROVEMENTS IN
THE TOWN OF HAVERSTRAW**

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

184-10 RESOLVED, THAT THE TOWN BOARD HEREBY APPROVES BELGIUM BLOCK CURB IMPROVEMENTS FOR OAK STREET, TULIP TREE DRIVE, HAVERVALE STREET, ELM STREET, SYCAMORE STREET, LOCUST STREET AND WOODRIDGE DRIVE IN THE TOWN OF HAVERSTRAW, AS A CAPITAL PROJECT IN THE AMOUNT OF \$300,000.00, WHICH BE FUNDED THROUGH THE GRANT NYS CAPITAL ASSISTANCE PROGRAM.

**AWARD OF BID NO. 7 – 2010 BELGIUM BLOCK CURB IMPROVEMENTS IN THE
TOWN OF HAVERSTRAW**

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

185-10 RESOLVED, UPON THE RECOMMENDATION OF JOSEPH CARUSO, MASER CONSULTANTS, AND THE BIDS HAVING BEEN FOUND IN ORDER BY TOWN ATTORNEY, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD BID NO. 07-2010 BELGIUM BLOCK CURB IMPROVEMENTS IN THE TOWN OF HAVERSTRAW TO DRIVEWAY DOCTOR OF PEARL RIVER, NEW YORK, THE LOW BIDDER AND BE IT FURTHER

RESOLVED, THAT IN ACCORDANCE WITH THE BID SPECIFICATIONS, THE TOWN BOARD HEREBY SELECTS OAK STREET TO BE IMPROVED AT A COST NOT TO EXCEED \$27,550.00, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD FURTHER RESERVES THE RIGHT TO SELECT OTHER STREETS SET FORTH IN THE BID SPECIFICATIONS AT THE PRICE PER STREET AS SET FORTH IN THE BID OF DRIVEWAY DOCTOR.

**ANNUAL 2010 SOCIAL SERVICES, HOME RELIEF, ADMINISTRATION,
ECONOMIC AND RECREATIONAL CONTRACT**

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

186-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPROVE THE GARNERVILLE ARTS PROJECT GALLERY (GAGA) CONTRACT THE FISCAL YEAR 2010 IN THE AMOUNT OF \$2,500.00.

**POSTPONEMENT OF BID NO. 8-2010 - HAVERSTRAW TOWN HALL PARKING
LOT IMPROVEMENTS**

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

187-10 RESOLVED, THAT THE ACCEPTANCE OF BIDS FOR BID NO. 8-2010 FOR HAVERSTRAW TOWN HALL PARKING LOT IMPROVEMENTS HAVE BEEN POSTPONED FROM MARCH 26, 2010 AT 10:30 A.M. TO APRIL 7, 2010 AT 10:30 AM.

TOWN BOARD
GARNERVILLE, NY
MARCH 22, 2010

**RESCIND RESOLUTION NO. 162-10 AWARD OF RFP NO. 1-2010 POOL COVER
FOR BOWLINE POOL**

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

188-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY RESCINDS RESOLUTION NUMBER 162-10 ENTITLED, "AWARD OF RFP NO.-2010 POOL COVER FOR BOWLINE POOL.

**ADVERTISE TO BID NO. 10-2010 REPLACEMENT OF POOL COVER AT BOWLINE
POINT PARK**

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

189-10 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 FRIDAY, APRIL 23, 2010 FOR THE RECEIPT OF BID NO. 10-2010 – REPLACEMENT OF POOL COVER FOR BOWLINE POINT PARK POOL 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.

**ADVERTISE TO BID NO. 11-2010 REPAINTING OF STEEL SLIDE TOWER AT
BOWLINE POINT**

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

190-10 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 11:15 A.M. ON FRIDAY, APRIL 23, 2010 FOR THE RECEIPT OF BID NO. 11-2010 – REPAINTING OF STEEL SLIDE TOWER 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.

TOWN BOARD
GARNERVILLE, NY
MARCH 22, 2010

**CONTINGENT PERMANENT APPOINTMENT OF MICHAEL VIOHL, JR. POLICE
OFFICER FULL TIME**

The following resolution was approved by all of the Town Board Members.

191-10 RESOLVED, THAT UPON THE RECOMMENDATION OF CHARLES MILLER, CHIEF OF POLICE, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPOINT MICHAEL VIOHL, JR. OF GARNERVILLE TO THE POSITION OF POLICE OFFICER, FULL TIME, CONTINGENT PERMANENT FOR THE TOWN OF HAVERSTRAW, EFFECTIVE IMMEDIATELY, AND BE IT FURTHER

RESOLVED, THAT MR. VIOHL HAS BEEN CLEARED ON ALL PRE-EMPLOYMENT TESTS BY THE ROCKLAND COUNTY DEPARTMENT OF PERSONNEL, AND BE IT FURTHER

RESOLVED, THAT THIS APPOINTMENT IS SUBJECT TO THE RULES AND REGULATIONS OF THE ROCKLAND COUNTY DEPARTMENT OF PERSONNEL, AND MR. VIOHL SHALL SERVE A PROBATION PERIOD OF TWO (2) YEARS.

**AUTHORIZATION TO PERFORM SOIL BORINGS AT TOWN OWNED LAND ON
BEACH ROAD IN THE UNINCORPORATED AREA OF THE TOWN OF
HAVERSTRAW**

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

192-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO GRANT PERMISSION TO UNITED WATER TO PERFORM SOIL BORINGS AT TOWN OWNED LAND ON BEACH ROAD.

**AUTHORIZATION FOR ASSESSOR TO RETAIN CASSON VALUATION SERVICES,
LLC FOR PRELIMINARY APPRAISAL OF HAVERSTRAW MARINA**

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

193-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES DAVE ADAMS, TOWN ASSESSOR TO RETAIN THE PROFESSIONAL SERVICES OF CASSON VALUATION SERVICES, LLC OF PORT JERVIS, NEW YORK TO CONDUCT A PRELIMINARY APPRAISAL OF THE HAVERSTRAW MARINA AT A COST OF \$7,500.

**ESTABLISH CAPITAL PROJECT – HEAT AND PLACE ASPHALT RECYCLING AND
MICROPAVING FOR \$350,000**

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

194-10 RESOLVED, THAT THE TOWN BOARD HEREBY APPROVES THE HEAT IN PLACE ASPHALT RECYCLING AND MICROPAVING OF THE FOLLOWING ROADS IN THE TOWN OF HAVERSTRAW, AS A CAPITAL PROJECT IN THE AMOUNT OF \$350,000, WHICH WILL BE FUNDED THROUGH THE GENERAL FUND:

CINDER ROAD, MADISON AVENUE, ROSMAN ROAD, BRISMAN ROAD, VALLEY COURT, VALLEY DRIVE, MOHAWK LANE, PALISADES COURT AND SAGAMORE CIRCLE

TOWN BOARD
GARNERVILLE, NY
MARCH 22, 2010

**AUTHORIZATION FOR THE SUPERVISOR TO ENTER INTO AN AGREEMENT
WITH HIGHWAY REHAB**

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

195-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH HIGHWAY REHAB OF BREWSTER, NEW YORK TO PERFORM HEAT AND PLACEMENT SERVICES ON CINDER ROAD, MADISON AVENUE, ROSMAN ROAD, BRISMAN ROAD, VALLEY COURT AND VALLEY ROAD ON COUNTY BID NOT TO EXCEED \$150,000.

**RETAIN THE SERVICES OF NEW YORK BITUMINOUS PRODUCTS
CORPORATION FOR MICROPAVING OF ROADS**

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

196-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH NEW YORK BITUMINOUS PRODUCTS CORPORATION OF CHESTER, NEW YORK TO PERFORM MICROPAVING ON THE FOLLOWING ROADS: CINDER ROAD, MADISON AVENUE, ROSMAN ROAD, BRISMAN ROAD, VALLEY COURT, VALLEY DRIVE, MOHAWK LANE, PALISADES COURT AND SAGAMORE CIRCLE ON A STATE BID NOT TO EXCEED \$230,000.

**AUTHORIZATION FOR SUPERVISOR TO ENTER INTO AN INTERMUNICIPAL
AGREEMENT BETWEEN THE VILLAGE OF WEST HAVERSTRAW AND THE
TOWN OF HAVERSTRAW**

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

197-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF WEST HAVERSTRAW FOR REPAIR AND CONSTRUCTION OF SIDEWALKS AND CURBING ALONG CINDER ROAD, PARTIALLY IN THE TOWN AND PARTIALLY IN THE VILLAGE AND BE IT FURTHER

RESOLVED, THAT THE TOWN OF HAVERSTRAW AND VILLAGE OF WEST HAVERSTRAW SHALL SHARE EQUALLY IN THE TOTAL COST OF THE PROJECT.

**AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND STERNS &
WHEELER, LLC**

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

198-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH STERNS & WHEELER, LLC OF CAZENOVIA, NEW YORK FOR THE PURPOSE OF PROVIDING PROFESSIONAL SERVICES FOR THE STORMWATER PHASE II GENERAL PERMIT REQUIREMENTS FOR MS4s ON AN HOURLY BASIS NOT TO EXCEED \$66,000.

CREATION OF TRAFFIC ADVISORY BOARD

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

199-10 RESOLVED, THAT THE TOWN BOARD HEREBY DESIGNATES THE TOWN BOARD MEMBERS, CHIEF OF POLICE CHARLES MILLER AND SUPERINTENDENT OF HIGHWAYS FRANK BROOKS AS MEMBERS OF THE TRAFFIC ADVISORY BOARD TO MAKE RECOMMENDATIONS ON COUNTY, STATE AND TOWN ROADS.

MARY ELLEN PESCI SPEAKING REGARDING BRAIN INJURY AWARENESS MONTH

Mary Ellen Pesci, a Traumatic Brain Injury (TBI) survivor, spoke at the Town Board Meeting to promote the month of March as brain injury awareness. Ms. Pesci spoke about her experience that occurred more than 11 years ago that left her with a brain injury. Ms. Pesci informed the public of the causes of brain injury, the impact on their families and ways of prevention - such as wearing helmets when bike riding. She has a wonderful husband who has stayed by her side. Mary Ellen works at Haverstraw Middle School and volunteers more than 30 hours a week to brain injury causes. She has used her experience as a social worker to get through her ordeal. Barry Dain, a representative from Helen Hayes Hospital, who is a member of the Brain Injury Association, accompanied Ms. Pesci.

PUBLIC PARTICIPATION

Helena Donohue, Haverstraw stated to the Board that she was concerned about the vendors who sell flowers during the holidays on state roads. Ms. Donohue feels that there is no need for vendors to go out in the middle of Rte. 9W to sell flowers. She stated that she pays taxes and employees local people. The vendors do not pay any taxes. Permits should not be issued to them when they are on State highways. The Town of Clarkstown removed all vendors along their sidewalks and roads 20 years ago. These vendors are not paying taxes or contributing anything to the Town. Ms. Donohue said that this upsets her.

Supervisor Phillips stated that a hawking and pedaling license is needed. Legislation was passed that vendors have to move 100 ft. every hour.

Chief Miller stated that the police move vendors immediately if we see them or receive complaints.

Supervisor Phillips stated that we need to bring this to the attention of the Mayors of the Villages of Haverstraw and West Haverstraw.

BOARD MEMBERS

Supervisor Phillips stated that we are anxious to open the golf course. Opening day maybe postponed due to the heavy rains we have been having.

Supervisor wished all of our Jewish friends a very holy and wonderful Passover, and to all of our Catholic friends a Happy Easter and Holy week.

The weekend of April 17 & 18 the Haverstraw Marina will be hosting a striped bass fishing contest. The winner could win \$100,000 if you catch a 48" and 50 lb. bass. A fishing license is needed and the Town Clerk's office will have extended hours for the event.

The Town of Haverstraw's Youth Board continues to go on trips to sold out events.

The Parks Dept. is getting Cheesecote ready.

Town of Haverstraw Air Show will take place on Saturday, August 21, 2010.

The Town has several Capital Projects coming up. We will continue to improve and maintain the Town at no cost to the taxpayers.

The North Rockland High School Bowling and the Boys Cross Country track team celebrated their championship on Saturday with a parade that started at Hi Tor Bowling and ended at the high school. Nick Hughes was the 2009-2010 Cross Country Champion.

ADJOURNMENT

200-10 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Kathleen Vetter, Donald Aramini, Theodore F. Loblanco, Sr., Robert E. Lohe, Maura White, Barbara Ceriale, Elizabeth Hansen, Rose LeRoy, Irene Bednar, Dominic Santantasio, Ronald E. Bolson, Rita Fortunato, Eileen T. McGrath and Roberta Ann McIsaac, 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 Gamboli, seconded by Councilman Gould the Town Board Meeting was adjourned.

JOSEPHINE E. CARELLA
Town Clerk