

TOWN BOARD
GARNERVILLE, NY
MARCH 8, 2010

The Town Board of the Town of Haverstraw held a Public Hearing on Monday, March 8, 2010 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 - CONSIDER ADOPTING A LOCAL LAW TO AMEND CHAPTER 137-27- "SPECIFIC POLLUTANT LIMITATIONS"

Supervisor Phillips stated that the purpose of this Public Hearing is to discuss the consideration of adopting a local law to amend Chapter 137-27, entitled, "Specific Pollutant Limitations" of Haverstraw.

PRESENTATION BY HOWARD T. PHILLIPS, JR., SUPERVISOR

William Stein, Town Attorney stated that our consulting engineer, Patrick Brady, has proposed a new local law to limit the amount of various metals and pollutants that can be placed into the Town's sewer system. Mr. Brady has recommended that we adopt this local law to comply with USEPA and NYSDEC.

PUBLIC PARTICIPATION

None.

BOARD MEMBERS

No Comment.

CLOSE HEARING

149-10 On motion by Councilman Soto, seconded by Councilman Gould, 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.

150-10 **RESOLVED**, that the Town Board of the Town of Haverstraw, does hereby unanimously adopt **Local Law No. 2-2010** of the Town Code of the Town of Haverstraw, to amend Chapter 137-27 of the Town Code, entitled, **SEWERS, "Specific Pollutant Limitations."**

RAQUEL VENTURA
First Deputy

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, March 8, 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.
Councilman	Isidro Cancel
Councilman	Vincent J. Gamboli
Councilman	John J. Gould
Councilman	Hector L. Soto

ADOPTION OF MINUTES

151-10 TOWN BOARD MEETING MINUTES OF FEBRUARY 22, 2010 submitted by the Town Clerk on motion by Councilman Gamboli, seconded by Councilman Cancel, were unanimously adopted.

PAYMENT OF BILLS

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

152-10 RESOLVED, that bills numbered 626 through and including 743 in the amount of \$188,992.92 be and they are hereby paid; and Highway Vouchers numbered 87 through and including 105 in the amount of \$15,192.53 audited at this meeting, be and they are hereby paid.

ACCEPTANCE OF REPORTS

No Reports.

AWARD OF BID NO. 14-2009 – RODENT CONTROL TOWN OF HAVERSTRAW SANITARY LANDFILL

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

153-10 RESOLVED, UPON THE RECOMMENDATION OF RON BADONE, OF CONVERSE CONSULTANTS, 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. 14-2009 FOR RODENT CONTROL AT THE SANITARY LANDFILL TO “THE BUG RUNNER” OF SPRING VALLEY, NEW YORK AT AN ANNUAL COST OF \$2,200.

RETAINER AGREEMENT WITH WHITEMAN, OSTERMAN & HANNA, LLP

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

154-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO A RETAINER AGREEMENT WITH THE FIRM OF WHITEMAN, OSTERMAN & HANNA, LLP OF ALBANY, NEW YORK TO PROVIDE LEGAL SERVICES IN REGARD TO THE MIRANT BOWLINE LLC TAX CERTIORARI PROCEEDINGS.

**AUTHORIZATION TO SETTLE TAX CERTIORARI – WEST HAVERSTRAW POST
OFFICE 26.11-1-12.5**

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

155-10 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 WEST HAVERSTRAW POST OFFICE BUILDING (26.11-1-12.5) 71 ROUTE 9W S, FOR TAX YEARS 2004-2008 BASED UPON THE FOLLOWING AMOUNTS ON THIS LOCATION:

TAX YEAR	ORIGINAL ASSESSMENT	REVISED ASSESSMENT	AMOUNT OF REDUCTION
2004	\$ 88,000	\$ 88,000	\$0
2005	88,000	70,000	18,000
2006	1,783,000	1,200,000	583,000
2007	1,783,000	1,300,000	483,000
2008	1,783,000	1,300,000	483,000

ESTABLISH CAPITAL PROJECT – CARPET FOR TOWN HALL

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

156-10 RESOLVED, THAT THE TOWN BOARD HEREBY APPROVES CARPET FOR THE TOWN OF HAVERSTRAW TOWN HALL, AS A CAPITAL PROJECT IN THE AMOUNT OF \$50,000.00, WHICH BE FUNDED THROUGH THE GENERAL FUND.

AWARD OF BID NO. 3-2010 INSTALLATION OF CARPET HAVERSTRAW TOWN HALL

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

157-10 RESOLVED, UPON THE RECOMMENDATION OF MICHAEL COTIER, DIRECTOR OF PARKS, 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. 03-2010 TO SUPPLY AND INSTALL NEW CARPET AT TOWN HALL TO NEW CITY CARPET OF NEW CITY, NEW YORK AT A PRICE OF \$35,000.00 THE SOLE BIDDER.

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

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

158-10 RESOLVED, THAT THE TOWN BOARD HEREBY APPROVES THE NEW FISHING PIER/DOCK AT BOWLINE POINT PARK IN THE TOWN OF HAVERSTRAW, AS A CAPITAL PROJECT IN THE AMOUNT OF \$100,000.00, WHICH \$80,000.00 WILL BE FUNDED THROUGH COMMUNITY DEVELOPMENT BLOCK GRANT AND \$20,000.00 WHICH BE FUNDED FROM MONEY IN LIEU OF PARKLAND.

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AWARD OF BID NO. 4-2010 SUPPLY AND INSTALL ALUMINUM FRAME WOOD DECK (DOCK) SYSTEM FOR BOWLINE POINT PARK

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

159-10 RESOLVED, UPON THE RECOMMENDATION OF MICHAEL COTIER, DIRECTOR OF PARKS, 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. 04-2010 TO SUPPLY AND INSTALL ONE (1) ALUMINUM FRAME WOOD DECK (DOCK) SYSTEM AT BOWLINE POINT PARK TO SULLIVAN FLOTATION SYSTEM OF WARWICK, NEW YORK AT A PRICE OF \$71,522.00 THE SOLE BIDDER.

ESTABLISH CAPITAL PROJECT – CHEESEECOTE ACCESS ROAD, PAVING AND GUIDERAILS

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

160-10 RESOLVED, THAT THE TOWN BOARD HEREBY APPROVES THE THE PAVING AND GUIDERAILS FOR THE CHEESEECOTE EMERGENCY ACCESS ROAD AT CHEESEECOTE MOUNTAIN IN THE TOWN OF HAVERSTRAW, AS A CAPITAL PROJECT IN THE AMOUNT OF \$100,000, WHICH BE FUNDED THROUGH NYS GRANT ECONOMIC DEVELOPMENT ASSISTANCE PROGRAM.

AWARD OF BID NO. 5-2010 SUPPLY AND INSTALLATION OF GUIDERAIL AT CHEESEECOTE MOUNTAIN

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

161-10 RESOLVED, UPON THE RECOMMENDATION OF MICHAEL COTIER, DIRECTOR OF PARKS, 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. 05-2010 TO SUPPLY AND INSTALL A NEW BOX BEAM GUIDERAIL AT CHEESEECOTE MOUNTAIN TO CHEMUNG SUPPLY CORP. OF ELMIRA, NEW YORK, THE LOW BIDDER, AT A PRICE OF \$48,807.00.

AWARD OF RFP NO. 1-2010 POOL COVER FOR BOWLINE POOL

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

162-10 RESOLVED, THAT THREE (3) REQUEST FOR PROPOSALS WERE SUBMITTED TO DIRECTOR OF PARKS, MICHAEL COTIER TO PURCHASE ONE (1) LOOP LOC GREEN SWIMMING POOL COVER FOR THE POOL AT BOWLINE POINT PARK, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD THE RFP TO SWIFT RIVER TEXTILES OF BEALLSVILLE, MD, THE LOWEST PROPOSAL AT A COST OF \$15,532.00.

RFP NO. 2-2010 HANDICAP POOL RAMP AT BOWLINE PARK

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

163-10 RESOLVED, THAT THREE (3) REQUEST FOR PROPOSALS WERE SUBMITTED TO DIRECTOR OF PARKS, MICHAEL COTIER TO PURCHASE ONE (1) AQUATREK POOL RAMP AT BOWLINE POINT PARK, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD THE RFP TO RECREONICS, INC. OF LOUISVILLE, KENTUCKY, THE LOWEST PROPOSAL AT A COST OF \$4,877.80.

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

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

164-10 RESOLVED, THAT THE ACCEPTANCE OF BIDS FOR BID NO. 8-2010 FOR HAVERSTRAW TOWN HALL PARKING LOT IMPROVEMENTS HAVE BEEN POSTPONED FROM MARCH 12, 2010 AT 10:30 A.M. TO MARCH 26, 2010 AT 10:30 AM.

AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND CORNELL COOPERATIVE EXTENSION

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

165-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH CORNELL COOPERATIVE EXTENSION TO PROVIDE EDUCATIONAL SERVICES FOR THE 2010 PHASE 2 STORMWATER EDUCATION PROGRAM, EFFECTIVE APRIL 1, 2010 THROUGH MARCH 31, 2011.

APPOINTMENT OF DETECTIVE – EDWARD DEVOE

The full Town Board unanimously adopted the following resolution.

166-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPROVE THE APPOINTMENT OF POLICE OFFICER EDWARD DEVOE TO THE POSITION OF DETECTIVE FOR THE TOWN OF HAVERSTRAW POLICE DEPARTMENT, EFFECTIVE IMMEDIATELY.

AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND TROY & BANKS CONSULTANTS, LLC

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

167-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH TROY & BANKS CONSULTANTS, LLC OF BUFFALO, NEW YORK TO CONDUCT A CABLE TELEVISION FRANCHISE FEE COMPLIANCE AUDIT.

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EXTENSION AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND HI-TOR ANIMAL CARE CENTER, INC.

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

168-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO A TWO-YEAR EXTENSION AGREEMENT WITH THE HI-TOR ANIMAL CARE CENTER, INC. AT AN ANNUAL COST OF \$21,000.

ACCEPTANCE OF LETTER OF RESIGNATION FOR JOSEPH GREENLEAF, BINGO INSPECTOR

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

169-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY ACCEPT THE LETTER OF RESIGNATION FROM JOSEPH GREENLEAF, BINGO INSPECTOR, EFFECTIVE IMMEDIATELY.

APPOINTMENT OF BINGO INSPECTOR

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

170-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY APPOINTS GINGER TERILLI OF HAVERSTRAW, NEW YORK TO FILL THE UNEXPIRED TERM OF BINGO INSPECTOR, FOR THE TOWN OF HAVERSTRAW, COMMENCING IMMEDIATELY AND TERMINATING DECEMBER 31, 2010.

AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND JULY 4 EVER COMPANY

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

171-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH JULY 4 EVER CO., OF WALDEN, NEW YORK FOR THE PURPOSE OF PROVIDING A FIREWORKS DISPLAY ON FRIDAY, JULY 2, 2010, WITH A RAIN DATE OF SATURDAY, JULY 3, 2010, AT BOWLINE POINT PARK, AND BE IT FURTHER

RESOLVED, THAT THE COST OF SAID AGREEMENT SHALL NOT EXCEED \$40,000.

ADJOURNMENT OF REGULAR TOWN BOARD MEETING

172-10 A motion was made by Councilman Gamboli, seconded by Councilman Soto to adjourn the Regular Town Board Meeting.

CONVENE TO A MEETING OF THE SANITATION COMMISSION

173-10 A motion was made by Commissioner Soto, seconded by Commissioner Gould to convene to a Meeting of the Sanitation Commission.

The Town Board of the Town of Haverstraw met at a Meeting of The Sanitation Commission of the Town of Haverstraw on Monday, March 8, 2010 at 8:30 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:

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

APPROVAL OF LICENSE FOR GARBAGE REMOVAL FOR INTERSTATE WASTE SERVICE, INC.

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

174-10 RESOLVED, THAT THE SANITATION COMMISSION OF THE TOWN OF HAVERSTRAW HEREBY APPROVES THE APPLICATION FOR A LICENSE FOR CLARKSTOWN CARTING CO. INC., TO EXPIRE ON DECEMBER 31, 2010.

ADJOURNMENT OF THE SANITATION COMMISSION MEETING

175-10 On motion by Commissioner Soto, seconded by Commissioner Gould, unanimously adopted, the Sanitation Meeting was adjourned.

176-10 RECONVENE TO REGULAR TOWN BOARD MEETING

On motion by Councilman Gamboli, seconded by Councilman Cancel the Regular Town Board Meeting was reconvened.

PUBLIC PARTICIPATION

Bruce Leach, West Haverstraw mentioned that Town of Haverstraw Air Show is scheduled for August 21, 2010.

TOWN BOARD MEMBERS

Supervisor Phillips stated that everything is moving along smoothly. We have a number of Capital Projects that we will be commencing soon. The Parks Dept. and Highway Dept. are getting ready for the warmer weather. The Town Hall parking lot will be repaved and new sidewalks will be installed this year. The Town was able to secure grants for these Capital Projects and some of the projects are at no cost to the taxpayers.

Golf registration will begin on Monday, March 15, 2010 at Town Hall, Monday – Friday from 1:00 p.m. – 4:00 p.m. daily. Saturday mornings and Wednesday evenings will commence the week of April 3, 2010. Morning hours will be 10:00 am – 12:00 pm and evening hours will be 6:00 pm – 8:00 pm. Please call Town Hall for further information.

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ADJOURNMENT

177-10 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Maria Rios, William David Chapman and Sharon Ann Lawrence, 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 the Town Board Meeting was adjourned.

RAQUEL VENTURA
First Deputy