

TOWN BOARD
GARNERVILLE, NY
SEPTEMBER 26, 2011

The Town Board of the Town of Haverstraw held a Public Hearing on Monday, September 26, 2011 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
TO CONSIDER ADOPTION OF LOCAL LAW TO AMEND CHAPTER 33-3

Supervisor Phillips stated that the purpose of this Public Hearing is to discuss amending Chapter 33-3 of the Code of the Town of Haverstraw entitled, "PROCUREMENT POLICY."

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

PRESENTATION BY WILLIAM STEIN, TOWN ATTORNEY

Mr. Stein, Town Attorney stated that the purpose of this Public Hearing is to amend Chapter 33-3 which will state that all purchases of supplies or equipment in the fiscal year or public works contracts shall be formally bid pursuant to General Municipal Law 103. All estimated purchases of less than \$20,000, but greater than \$3,000 will require a written request for proposal; estimated purchases of less than \$3,000 but greater than \$1,000 will require an oral or fax quote from two vendors.

PUBLIC PARTICIPATION

None.

BOARD MEMBERS

No Comment.

CLOSE HEARING

334-11 On motion by Councilman Gamboli, seconded by Councilman Gould, unanimously adopted, the Public Hearing was closed.

ADOPT RESOLUTION

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

335-11 **RESOLVED**, that the Town Board of the Town of Haverstraw, does hereby unanimously adopt **Local Law No. 4-2011** of the Town Code of the Town of Haverstraw, to amend Chapter 33 of the Town Code, entitled, "**Procurement Policy.**"

RAQUEL VENTURA
First Deputy

TOWN BOARD
GARNERVILLE, NY
SEPTEMBER 26, 2011

The Town Board of the Town of Haverstraw held a Public Hearing on Monday, September 26, 2011 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
Councilman	John J. Gould
Councilman	Hector L. Soto

PUBLIC HEARING SEWER ASSESSMENT ROLL 2012

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 2012.

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.

BOARD MEMBERS

No Comment.

PUBLIC PARTICIPATION

None.

CLOSE HEARING

336-11 On Motion by Councilman Gamboli, seconded by Councilman Cancel, unanimously adopted, the Public Hearing was closed.

ADOPT RESOLUTION

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

337-11 **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 2012.

RAQUEL VENTURA
First Deputy

TOWN BOARD
GARNERVILLE, NY
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The Town Board of the Town of Haverstraw held a Public Hearing on Monday, September 26, 2011 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
Councilman	John J. Gould
Councilman	Hector L. Soto

PUBLIC HEARING
TO CONSIDER ADOPTION OF LOCAL LAW TO AMEND CHAPTER 128

Supervisor Phillips stated that the purpose of this Public Hearing is to discuss amending Chapter 128 of the Code of the Town of Haverstraw entitled, "REAL PROPERTY RENTAL UNITS."

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

PRESENTATION BY WILLIAM STEIN, TOWN ATTORNEY

Mr. Stein, Town Attorney stated that his recommendation would be to adjourn tonight's public hearing and reschedule for the first meeting in November, which would be Monday, November 14, 2011. Mr. Steve Silverberg, the Town's Planning Attorney reviewed the changes to this proposed law and felt that the local law should be circulated to the county SEQRA involved agencies and to give them the full 30 day notification. This local law is also being adopted by the two villages in the Town.

PUBLIC PARTICIPATION

None.

BOARD MEMBERS

No Comment.

ADJOURNMENT OF PUBLIC HEARING

338-11 Motion was made by Councilman Gamboli and seconded by Councilman Gould to adjourn the public hearing and to reschedule for Monday, November 14, 2011.

RAQUEL VENTURA
First Deputy

TOWN BOARD
GARNERVILLE, NY
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The Town Board of the Town of Haverstraw held a Public Hearing on Monday, September 26, 2011 at 8:15 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
TO CONSIDER ADOPTION OF LOCAL LAW TO AMEND CHAPTER 167-102A

Supervisor Phillips stated that the purpose of this Public Hearing is to discuss amending Chapter 167-102A of the Code of the Town of Haverstraw entitled, "ZONING" of the Town Code of the Town of Haverstraw.

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

PRESENTATION BY WILLIAM STEIN, TOWN ATTORNEY

Mr. Stein, Town Attorney stated that the purpose of this Public Hearing is to amend Chapter 167-102A entitled, "Penalties or Offenses" for any person who shall fail to comply with a written order from the Building Inspector. Mr. Stein discussed this matter with Gene Barnum, Building Inspector and the fine structure for the Town of Haverstraw appears to be low. It would be more expensive for the homeowner to pay this fine. The new fines range anywhere from \$500 and \$7,500. By increasing the amounts it may be a very good deterrent to keep illegal apartments from occurring.

PUBLIC PARTICIPATION

None.

BOARD MEMBERS

No Comment.

CLOSE HEARING

339-11 On motion by Councilman Gould, seconded by Councilman Soto, unanimously adopted, the Public Hearing was closed.

ADOPT RESOLUTION

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

340-11 **RESOLVED**, that the Town Board of the Town of Haverstraw, does hereby unanimously adopt **Local Law No. 5-2011** of the Town Code of the Town of Haverstraw, to amend Chapter 167-102A of the Town Code, entitled, "**Zoning.**"

RAQUEL VENTURA
First Deputy

TOWN BOARD
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The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, September 26, 2011 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

341-11 TOWN BOARD MEETING MINUTES OF SEPTEMBER 12, 2011 submitted by the Town Clerk on motion by Councilman Soto, seconded by Councilman Gamboli, were unanimously adopted.

PAYMENT OF BILLS

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

342-11 RESOLVED, that bills numbered 3,631 through and including 3,821 in the amount of \$409,715.28 be and they are hereby paid; and Highway Vouchers numbered 521 through and including 546 in the amount of \$28,663.27 audited at this meeting, be and they are hereby paid.

ACCEPTANCE OF REPORTS

No Reports.

CHANGE OF MEETING DATE - COLUMBUS DAY

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

343-11 WHEREAS, THE FIRST MEETING OF THE TOWN BOARD OF THE TOWN OF HAVERSTRAW IN OCTOBER, IS SCHEDULED FOR MONDAY, OCTOBER 10, 2011, THE LEGAL HOLIDAY FOR THE OBSERVANCE OF COLUMBUS DAY, NOW, THEREFORE, BE IT

RESOLVED, THAT THE TOWN CLERK IS AUTHORIZED TO PUBLISH A NOTICE THAT SAID MEETING IS HEREBY RESCHEDULED FOR TUESDAY, OCTOBER 11, 2011, AT 8:00 P.M.

**APPROVAL OF CHANGE ORDER NO. 12 FOR HAVERSTRAW VOLUNTEER
AMBULANCE CORP. WITH HVS, LLC ELECTRICAL & CONSTRUCTION
SERVICES**

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

344-11 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF GENOVEESE ASSOCIATES, INC. THE ARCHITECTS, THE TOWN BOARD HEREBY APPROVES CHANGE ORDER NO. 12 WITH HVS, LLC ELECTRICAL & CONSTRUCTION SERVICES FOR THE SUM OF \$1,225.97.

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**RETAINER AGREEMENT WITH WHITEMAN, OSTERMAN & HANNA, LLP AND
THE TOWN OF HAVERSTRAW**

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

345-11 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO RETAIN THE SERVICES WHITEMAN, OSTERMAN AND HANNA, LLP OF ALBANY, NEW YORK TO PROVIDE LEGAL SERVICES FOR UNITED WATER PURCHASE AND OPTION AGREEMENT.

**APPROVAL OF CHANGE ORDER NO. 1 – PHILIP J. ROTELLA MEMORIAL GOLF
COURSE IRRIGATION SYSTEM**

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

346-11 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF CALVIN FOWX, GREENS KEEPER AND JAMES BARRET, ARCHITECTS, THE TOWN BOARD HEREBY APPROVE CHANGE ORDER NO. 1 WITH NATIONAL LAW SPRINKLERS, INC. FOR THE PURPOSE OF ROCK REMOVAL FROM TRENCHES FOR HOLES NO. 1, 2, 7, 9, 10 & 14 IN THE SUM OF \$13,050.00.

**APPROVAL OF CHANGE ORDER NO. 2 – PHILIP J. ROTELLA MEMORIAL GOLF
COURSE IRRIGATION SYSTEM**

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

347-11 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF CALVIN FOWX, GREENS KEEPER AND JAMES BARRET, ARCHITECTS, THE TOWN BOARD HEREBY APPROVE CHANGE ORDER NO. 2 WITH NATIONAL LAW SPRINKLERS, INC. FOR THE PURPOSE OF ROCK REMOVAL FROM TRENCHES FOR HOLES NO. 13 & 16 IN THE SUM OF \$2,900.00.

**APPROVAL OF CHANGE ORDER NO. 3 – PHILIP J. ROTELLA MEMORIAL GOLF
COURSE IRRIGATION SYSTEM**

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

348-11 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF CALVIN FOWX, GREENS KEEPER AND JAMES BARRET, ARCHITECTS, THE TOWN BOARD HEREBY APPROVE CHANGE ORDER NO. 3 WITH NATIONAL LAW SPRINKLERS, INC. FOR THE PURPOSE OF REPLACING DEFECTIVE WIRING IN THE IRRIGATION SYSTEM AROUND THE GREENS, TEES AND FAIRWAYS IN THE SUM OF \$2,002.75.

**APPROVAL OF CHANGE ORDER NO. 4 – PHILIP J. ROTELLA MEMORIAL GOLF
COURSE IRRIGATION SYSTEM**

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

349-11 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF CALVIN FOWX, GREENS KEEPER AND JAMES BARRET, ARCHITECTS, THE TOWN

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BOARD HEREBY APPROVE CHANGE ORDER NO. 4 WITH NATIONAL LAW SPRINKLERS, INC. FOR THE PURPOSE OF REPLACING DEFECTIVE IRRIGATION PIPING ACROSS BRIDGE BY HOLE NO. 1 IN THE SUM OF \$4,200.00.

PUBLIC PARTICIPATION

Gil Musinger, 1416 Roundpointe Drive, Haverstraw, NY asked if the Supervisor would consider a county-wide police force. The time has come and I would appreciate any action on your part.

Supervisor Phillips stated that we are awaiting a study and are hoping it will show a cost savings for a county-wide Police Department. It would offer greater police protection. The force would be much larger and it would reduce overtime. We need more Police Departments on board. More and more people are realizing that the cost is unsustainable at this time.

Mel Post, 1422 Roundpoint Drive, Haverstraw thanked the Supervisor for coming down to the Harbors. Mr. Post inquired about the 100 million dollar ratable for the desalinization plant.

Supervisor Phillips stated that it would be built in three phases. The ratable would be approximately 100 million dollars.

Mel Post, 1422 Roundpoint Drive, Haverstraw asked if it could offset our water bills instead of taxes.

Supervisor Phillips stated that he wasn't sure and would ask United Water if it was allowed. United Water must sell a new type of supply to Rockland County. Our conservation is one of the best in the state of New York. The people and businesses are conserving water. The people of Rockland County are smart. United Water is under a great mandate to provide greater water resources. Reservoirs, toilet to tap and desalinization are alternatives. United Water believes that desalinization is the most cost effective and the most sustainable and dependable.

Mel Post, 1422 Roundpoint Drive, Haverstraw stated that it was a fabulous experience at the open house at the Desalinization Plant last week. It was extremely interesting and led you to believe that the increase to the homeowner would be \$200-\$250 a year.

Supervisor Phillips stated that any clean ratable we can bring to the Town we are trying to do.

ANNOUNCEMENTS

A number of Youth Board events are being scheduled for the fall and winter. The Nutcracker, Radio City Christmas Show and the Lion King are just a few. Check the Town's website for more listings or call Town Hall at 429-2200 and ask for Lorraine Arocena, the Youth Board Director.

Halloween Festival will be held on Saturday, October 29, 2011 from 12 pm-4pm at Bowline Point Park. The event is for children 12 years and under and for North Rockland residents only. Rain date is Sunday, October 30, 2011.

This Friday the ribbon cutting ceremony for the new NY Sports Club will take place at 1:00 pm at the club. We are looking forward to the club opening.

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Columbus Day Parade will be held on Sunday, October 9, 2011. Step off from Pfizer's parking lot will be at 2 p.m. and go through Main Street in Nanuet and end at Macy's parking lot at the old Nanuet Mall.

ADJOURNMENT

350-11 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Juan Llanos, Carmen Ortiz, James T. Wheeler, Joe L. Jamison, Dionisio Lopez, John Kwiecinski, John Milton Hunt, Barbara A. Motisi and Raymond S. Joyce 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 Gamboli to adjourn the Town Board Meeting.

RAQUEL VENTURA
First Deputy