

TOWN BOARD
GARNERVILLE, NY
OCTOBER 24, 2011

The Town Board of the Town of Haverstraw met at a Regular Meeting on Tuesday, October 24, 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

PAYMENT OF BILLS

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

360-11 RESOLVED, that bills numbered 3,951 through and including 4,149 in the amount of \$385,331.33 be and they are hereby paid; and Highway Vouchers numbered 563 through and including 564 in the amount of \$224.18 audited at this meeting, be and they are hereby paid.

ACCEPTANCE OF REPORTS

No Reports.

**SCHEDULE PUBLIC HEARING – TO OVERRIDE THE TAX LEVY LIMIT
ESTABLISHED IN GENERAL MUNICIPAL LAW 3-c**

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

361-11 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY SCHEDULE A PUBLIC HEARING TO CONSIDER ADOPTING A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-c. SAID PUBLIC HEARING WILL BE HELD ON THURSDAY, NOVEMBER 10, 2011 AT 8:15 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.

Supervisor Phillips stated that we are scheduling this public hearing to override the 2% tax cap that was put in place by the State. In order for us to get the tax levy down to 2.9%, we would have to cut another \$1.5 million, which translates into laying off 9-10 police officers, closing Bowline pool in the summertime and cutting services back at the Highway Dept. This would be extremely hard on some of the residents and new businesses. Bowline is utilized by so many different organizations. The average increase is approximately \$46 per household. We will continue to work on the budget. In addition, the State placed a 2% tax cap yet passed on mandated bills that exceed the 2%. The whole point of the 2% tax cap was to cost the taxpayers less money.

SET DATE FOR PUBLIC HEARING ON 2012 PRELIMINARY TOWN BUDGET

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

362-11 RESOLVED, THAT THE TOWN CLERK BE AND SHE HEREBY IS AUTHORIZED TO PUBLISH A NOTICE THAT A PUBLIC HEARING SHALL BE HELD ON THE PRELIMINARY TOWN BUDGET FOR THE TOWN OF HAVERSTRAW FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2012, AT THE TOWN HALL, ONE ROSMAN ROAD, GARNERVILLE, NY, ON THURSDAY, NOVEMBER 10, 2011, AT 8:20 P.M., AND THAT ALL INTERESTED PARTIES ARE INVITED TO ATTEND AND SHALL BE HEARD BY THE BOARD, AND BE IT FURTHER

RESOLVED, THAT PURSUANT TO THE PROVISIONS OF THE TOWN LAW THE PROPOSED ANNUAL SALARIES ARE HEREBY SPECIFIED AS FOLLOWS:

SUPERVISOR..... \$103,855.57

COUNCILMAN (EACH).....\$19,663.83

TOWN CLERK.....\$86,065.19

HIGHWAY SUPERINTENDENT \$99,273.70

AUTHORIZATION TO SETTLE TAX CERTIORARI – P.T. MACS LLC (McGUIRE 27.46-2-17)

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

363-11 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 THE P.T. MACS LLC PROPERTY (ANTOINE McGUIRE RESTAURANT LOT 27.46-2-17), LOCATED AT 19 MAIN STREET IN THE VILLAGE OF HAVERSTRAW FOR TAX YEARS 2009-2011 BASED UPON THE FOLLOWING AMOUNTS ON THIS LOCATION:

TAX YEAR	ORIGINAL ASSESSMENT	REVISED ASSESSMENT	REDUCTION AMOUNT	EST REFUND
2009	600,000	510,000	90,000	\$0
2010	600,000	510,000	90,000	\$769
2011	600,000	510,000	90,000	\$1,014
			Total	\$1,783

AUTHORIZATION TO SETTLE TAX CERTIORARI – SIX KAYS LLC

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

364-11 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 THE SIX KAYS LLC PROPERTY (27.53-1-4), LOCATED AT 63 NEW MAIN STREET (OFFICE BUILDING) IN HAVERSTRAW FOR TAX YEARS 2010 AND 2011 BASED UPON THE FOLLOWING AMOUNTS ON THIS LOCATION:

TAX YEAR	ORIGINAL ASSESSMENT	REVISED ASSESSMENT	REDUCTION AMOUNT	EST REFUND
2010	502,900	300,000	202,900	\$1,734
2011	502,900	300,000	202,900	<u>\$2,285</u>
			TOTAL	\$4,019

APPROVAL OF EMERGENCY RETRIEVAL OF BRIDGE AT PHILIP J. ROTELLA GOLF MUNICIPAL GOLF COURSE - HOLE #16

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

365-11 BASED UPON THE RECOMMENDATION OF CALVIN FOWX, GREENS KEEPER, THE TOWN BOARD HEREBY APPROVES THE EMERGENCY RETRIEVAL OF BRIDGE FROM STREAM ON HOLE #16 AT THE PHILIP J. ROTELLA MUNICIPAL GOLF COURSE DUE TO HURRICANE IRENE, WHICH WAS PERFORMED BY McGANNON EXCAVATING, LLC OF GARNERVILLE, NEW YORK AT A COST OF \$3,400.

APPROVAL OF EMERGENCY REPAIR OF FENCE AT PHILIP J. ROTELLA GOLF MUNICIPAL GOLF COURSE

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

366-11 BASED UPON THE RECOMMENDATION OF CALVIN FOWX, GREENS KEEPER, THE TOWN BOARD HEREBY APPROVES THE EMERGENCY REPAIR OF BLACK CHAIN LINK FENCE AT THE PHILIP J. ROTELLA MUNICIPAL GOLF COURSE DUE TO HURRICANE IRENE, WHICH WAS PERFORMED BY HOMESTEAD FENCE, INC. OF WEST HAVERSTRAW, NEW YORK AT A COST OF \$9,945.00.

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**APPROVAL OF EMERGENCY REPAIR OF SEWER LINE AT THIELLS
ELEMENTARY SCHOOL**

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

367-11 **BASED UPON THE RECOMMENDATION OF PATRICK BRADY, PE, THE TOWN BOARD HEREBY APPROVES THE EMERGENCY REPAIR TO A BROKEN SEWER LINE NEAR THIELLS ELEMENTARY SCHOOL ALONG THE MINISCEONGO DUE TO HURRICANE IRENE, WHICH WAS PERFORMED BY VICTOR P. ZUGIBE, INC. OF GARNERVILLE, NEW YORK AT A COST OF \$13,243.75.**

**APPROVAL OF EMERGENCY CLEANING OF DEBRIS AND REALIGNMENT OF
SEWER LINE AT LANGSCHUR COURT**

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

368-11 **BASED UPON THE RECOMMENDATION OF PATRICK BRADY, PE, THE TOWN BOARD HEREBY APPROVES THE EMERGENCY CLEANING OF DEBRIS AND REALIGNMENT OF SEWER LINE AT LANGSHUR COURT DUE TO HURRICANE IRENE, WHICH WAS PERFORMED BY VICTOR P. ZUGIBE, INC. OF GARNERVILLE, NEW YORK AT A COST OF \$8,096.88.**

**APPROVAL OF SURVEY FOR EMERGENCY REPAIR OF FAIRWAY AT PHILIP J.
ROTELLA MEMORIAL GOLF COURSE**

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

369-11 **BASED UPON THE RECOMMENDATION OF CALVIN FOWX, THE TOWN BOARD HEREBY APPROVES A SURVEY FOR EMERGENCY REPAIR AND/OR MITIGATION OF POSSIBLE CHANGES OF DAMAGE TO FAIRWAY ON HOLE 16 AT THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE DUE TO HURRICANE IRENE, WHICH WAS PERFORMED BY ATZL, SCATASSA & ZIGLER, PC OF NEW CITY, NEW YORK AT A COST OF \$9,470.00.**

SURPLUS CELL PHONES TOWN OF HAVERSTRAW

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

370-11 **RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY DECLARES THE FOLLOWING SIX (6) CELL PHONES AS SURPLUS CELL PHONES FOR THE TOWN OF HAVERSTRAW:**

- 1. KYOCERA KX444S- H#-37BD5198 & D#05512407192**
- 2. MOTOROLA V860 – HEX MEID#-A0000015F3F05A**
- 3. MOTOROLA V860- HEX MEID#-A00000221FBAB4**
- 4. MOTOROLA V860- HEX MEID#-A00000221F01B2**
- 5. MOTOROLA V860- HEX MEID#-A00000221EE7716**
- 6. SAMSUNG- HEX#-A100000045BOBC**

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RESOLUTION TO DONATE USED CELL PHONES TO SOLDIERS

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

371-11 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE TOWN CLERK'S OFFICE TO DONATE THE FOLLOWING USED CELL PHONES TO SOLDIERS AT WAR:

- 1. KYOCERA KX444S- H#-37BD5198 & D#05512407192**
- 2. MOTOROLA V860 – HEX MEID#-A0000015F3F05A**
- 3. MOTOROLA V860- HEX MEID#-A00000221FBAB4**
- 4. MOTOROLA V860- HEX MEID#-A00000221F01B2**
- 5. MOTOROLA V860- HEX MEID#-A00000221EE7716**
- 6. SAMSUNG- HEX#-A100000045BOBC**

AUTHORIZATION FOR BUILDING INSPECTOR II AND FIRE SAFETY INSPECTOR TO ATTEND NYSDEC-ROCKLAND COUNTY SWCD-EROSION & SEDIMENT CONTROL REQUIRED TRAINING

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

372-11 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, HEREBY GRANTS PERMISSION FOR EUGENE BARNUM, BUILDING INSPECTOR II AND FRED VIOHL, FIRE SAFETY INSPECTOR TO ATTEND THE NYSDEC-ROCKLAND COUNTY SWCD-EROSION & SEDIMENT CONTROL REQUIRED TRAINING CONFERENCE TO BE HELD AT THE ROCKLAND COUNTY FIRE TRAINING CENTER LOCATED IN POMONA, NEW YORK ON NOVEMBER 15, 2011 AT A COST OF \$95.00 PER PERSON.

AUTHORIZATION TO SIGN MEMORANDUM OF AGREEMENT FOR TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT

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

373-11 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO SIGN AND RATIFY THE MEMORANDUM OF AGREEMENT WITH THE IBEW ON BEHALF OF THE TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT FOR THE PERIOD COMMENCING JANUARY 1, 2010 THROUGH DECEMBER 31, 2011.

ADVERTISE FOR BIDS NO. 10-2011 – FOUR (4) NEW PORTABLE LIGHT TOWERS

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

374-11 RESOLVED, THAT ON THE RECOMMENDATION OF CHIEF CHARLES MILLER, THE TOWN CLERK BE AND SHE HEREBY IS AUTHORIZED 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 10:00 A.M. ON WEDNESDAY, NOVEMBER 23, 2011, FOR THE RECEIPT OF BIDS TO PURCHASE FOUR (4) NEW PORTABLE LIGHT TOWERS, WHICH WILL BE PAID THROUGH SEIZURE FUNDS RECOVERED BY

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THE TOWN OF HAVERSTRAW POLICE DEPARTMENT, 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.

PUBLIC PARTICIPATION

Lynn Teger, 5 Simenovsky Drive, Haverstraw asked how she can get a copy of the tentative budget and an explanation on the cuts.

Supervisor Phillips stated that you can go to the Town Clerk's Office Monday-Friday – the tentative budget is free. The cuts are pretty much across the board.

Bruce Leach, 22 N. Wayne, West Haverstraw stated that the Town did a really good job at the Highway Open House. They keep the equipment up really well. The kids had a lot of fun. Nice to see small USA.

Supervisor Phillips stated that he had parent weekend at his son's college in Oswego and could not attend the open house. The guys at the Highway Dept. keep the equipment in great shape and the Parks Dept. the same. It's a real combined effort. It's a reflection of all the employees that deserve a lot of the recognition and praise.

Frank Brooks, Superintendent of Highways stated that the oldest truck is from 1985 and is still used for snowplowing. We are getting out buck out of the equipment. The Town began leasing some of the equipment because it cost less and it has been a great way to keep and maintain equipment.

Supervisor Phillips stated that people have been pleased with the new playground equipment at Bowline. The new playground is a forest/jungle theme. The equipment was obtained through a \$50,000 grant and at no cost to the taxpayers. We were able to put in a new dock at Bowline, kiddie pool, water spray area, gazebo, pavilion and four new handicap accessible bathrooms all at no cost to the local taxpayer. All of these amenities were obtained through federal grants. Also included in these services are Belgium block curbs and road resurfacing. If we do not secure these grants, some other municipality will.

ANNOUNCEMENTS

Halloween House Decorating Contest will take place again this year. We would like to thank Tilcon and Haverstraw Marina who will provide the gifts for this year's winners of the house decorating contest. First prize is \$150 gift card; second is \$125 gift card; and third and fourth is \$100 gift card.

Town of Haverstraw Halloween Festival is on Saturday, October 29, 2011 from 12 pm-4 pm at Bowline Park. Children must be 12 and under, accompanied by an adult and North Rockland residents only. There will be a haunted hayride, costume contest, inflatable rides and refreshments. Supervisor thanked all of the businesses that contributed to the Halloween Festival to help offset the cost. Rain date is Sunday, October 30 same time and place.

The Town of Haverstraw Youth Board has trips planned to see the Lion King, The Nutcracker and the Radio City Christmas Show. Please call Town Hall at 429-2200 and asked for Lorraine Arocena, Youth Board Coordinator as tickets are going fast!

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ADJOURNMENT

-11 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Angelina Diaz; Nancy J. Miller-Klubnspies; Joseph Casella; Stanley Wainauski; Rampattie Kowaldhari; Claire Wargo; Sophia Long; Barbara Beyer; Carmen M. Teron; Margaret "Peggy" Ludwiczak and Antonio Dominquez 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 the Town Board Meeting.

RAQUEL VENTURA
First Deputy