

TOWN BOARD
GARNERVILLE, NY
NOVEMBER 14, 2011

The Town Board of the Town of Haverstraw held a Public Hearing on Thursday, November 14, 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 Gould
Councilman	Hector L. Soto

PUBLIC HEARING - REAL PROPERTY RENTAL UNITS

Supervisor Phillips announced that this Public Hearing is being held to consider adopting a Local Law to amend Chapter 128 of the Town Code of the Town of Haverstraw entitled, "REAL PROPERTY RENTAL UNITS."

Town Clerk read proof of publications and presented the Affidavits of Publication to the Board.

PRESENTATION BY TOWN ATTORNEY, WILLIAM M. STEIN

William M. Stein, Town Attorney stated that throughout the Town people who take a one family house and try to make it into a two or three family - it will be unlawful for any person to make changes such as making them into illegal apartments. Fines will be issued to any person who violates the provisions of this Article. The fines can range anywhere from \$2,000-5,000 or imprisonment.

Supervisor Phillips stated that we are trying to dissuade anyone from doing illegal acts – when you lose your zoning, you lose your neighborhood.

Gene Barnum, Building Inspector stated that last year the Town issued 400 violations and this year 300. In Garnerville, single family homes are being changed into apartments – they are changing their basements into apartments. The Building Dept. has conducted over 700 municipal searches.

William M. Stein, Town Attorney stated that the judge has the option to make the landlord pay back the rent.

PUBLIC PARTICIPATION

None.

SEQRA RESOLUTION FOR ADOPTION OF LOCAL LAW NO. 7 OF 2011

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

379-11 Resolved, that the Town Board of the Town of Haverstraw declares itself lead agency pursuant to the State Environmental Quality Review Act (SEQRA); and be it further

Resolved that the proposed Local Law No. 7 of 2011 is an unlisted action and will not have a significant impact on the environment.

TOWN BOARD
GARNERVILLE, NY
NOVEMBER 14, 2011

CLOSE PUBLIC HEARING

380-11 On motion by Councilman Cancel and seconded by Councilman Soto, unanimously adopted, the Public Hearing was closed.

ADOPT RESOLUTION

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

381-11 **RESOLVED**, that the Town Board of the Town of Haverstraw, does hereby unanimously adopt **Local Law No. 7-2011 entitled, 'REAL PROPERTY RENTAL UNITS.'**

JOSEPHINE E. CARELLA
Town Clerk

TOWN BOARD
GARNERVILLE, NY
NOVEMBER 14, 2011

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, November 14, 2011 at 8:05 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 Soto offered the following resolution, which was seconded by Councilman Gould, and on roll call unanimously adopted.

382-11 RESOLVED, that bills numbered 4,150 through and including 4,355 in the amount of \$406,620.92 be and they are hereby paid; and Highway Vouchers numbered 567 through and including 631 in the amount of \$34,424,65 audited at this meeting, be and they are hereby paid.

ACCEPTANCE OF REPORTS

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

383-11 RESOLVED THAT THE FOLLOWING POLICE ACTIVITY REPORT HAS BEEN SUBMITTED AND IS HEREBY ACCEPTED: POLICE DEPARTMENT ACTIVITY REPORT FOR THE MONTH OF SEPTEMBER 2011.

AUTHORIZATION TO SETTLE TAX CERTIORARI – SUMMERSET CONDOMINIUMS

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

384-11 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 SUMMERSET CONDOMINIUM (25.15-1-16./100-25.15-1-24./1220) LOCATED AT 1-146 BUCKINGHAM COURT IN POMONA FOR TAX YEARS 2007-2011 BASED UPON THE FOLLOWING AMOUNTS ON THIS LOCATION:

YEAR	ORIGINAL ASSESSMENT	REVISED ASSESSMENT	REDUCTION AMOUNT	% REDUCTION	EST REFUND
2007	42,472,400	42,472,400	0	0%	\$0
2008	42,472,400	42,472,400	0	0%	\$0
2009	40,344,200	38,326,990	2,017,210	5%	\$0
2010	36,315,900	34,500,105	1,815,795	5%	\$8,343
2011	36,315,900	34,500,105	1,815,795	5%	\$9,399
					<u>\$17,742</u>

**AUTHORIZATION TO SETTLE TAX CERTIORARI – CEDAR RIDGE II
 CONDOMINIUMS**

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

385-11 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 CEDAR RIDGE II CONDOMINIUM (25.15-1-21./4520-5300) LOCATED AT 452-530 COUNTRY CLUB LANE IN POMONA FOR TAX YEARS 2008-2011 BASED UPON THE FOLLOWING AMOUNTS ON THIS LOCATION:

YEAR	ORIGINAL ASSESSMENT	REVISED ASSESSMENT	REDUCTION AMOUNT	% REDUCTION	EST REFUND
2007	23,606,700	23,606,700	0	0%	\$0
2008	23,606,700	22,898,499	708,201	3%	\$0
2009	22,428,800	21,755,936	672,864	3%	\$2,553
2010	20,190,200	19,584,494	605,706	3%	\$2,783
2011	20,190,200	19,584,494	605,706	3%	\$3,135
					<u>\$8,471</u>

**AUTHORIZATION TO SETTLE TAX CERTIORARI – CEDAR RIDGE I
 CONDOMINIUMS**

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

386-11 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 CEDAR RIDGE I CONDOMINIUM (25.15-1-21./4010-4510) LOCATED AT 401-451 COUNTRY CLUB LANE IN POMONA FOR TAX YEARS 2008-2011 BASED UPON THE FOLLOWING AMOUNTS ON THIS LOCATION:

YEAR	ORIGINAL ASSESSMENT	REVISED ASSESSMENT	REDUCTION AMOUNT	% REDUCTION	EST REFUND
2007	15,614,200	15,614,200	0	0%	\$0
2008	15,809,300	15,335,021	474,279	3%	\$0
2009	15,021,300	14,570,661	450,639	3%	\$1,710
2010	13,521,400	13,115,758	405,642	3%	\$1,864
2011	13,521,400	13,115,758	405,642	3%	\$2,100
					<u>\$5,673</u>

**AUTHORIZATION TO SETTLE TAX CERTIORARI – TARA HEIGHTS
 CONDOMINIUMS**

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

387-11 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 TARA HEIGHTS CONDOMINIUM (26.11-2-51./100-7000) LOCATED AT 199A THROUGH 209P RAMAPO ROAD IN GARNERVILLE FOR TAX YEARS 2008-2011 BASED UPON THE FOLLOWING AMOUNTS ON THIS LOCATION:

YEAR	ORIGINAL ASSESSMENT	REVISED ASSESSMENT	REDUCTION AMOUNT	% REDUCTION	EST REFUND
2007	17,604,500	17,604,500	0	0%	\$0
2008	17,604,500	16,724,275	880,225	5%	\$0
2009	16,726,100	15,889,795	836,305	5%	\$2,428
2010	15,055,200	14,001,336	1,053,864	7%	\$2,613
2011	15,055,200	14,001,336	1,053,864	7%	\$4,093
					<u>\$9,134</u>

**APPROVAL OF CHANGE ORDER NO. 1 FOR HAVERSTRAW VOLUNTEER
 AMBULANCE CORP. WITH VARDON, INC. PLUMBING**

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

388-11 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF GENOVEESE ASSOCIATES, INC. THE ARCHITECTS, THE TOWN BOARD HEREBY APPROVES CHANGE ORDER NO. 1 WITH VARDON, INC. PLUMBING OF TOMKINS COVE, NEW YORK TO INSTALL A SUMP PUMP IN ELEVATOR SHAFT IN NEW ADDITION AT THE HAVERSTRAW AMBULANCE BUILDING IN THE SUM OF \$1,226.78.

**AUTHORIZATION TO SIGN COLLECTIVE BARGAINING AGREEMENT FOR
 TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT**

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

389-11 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE IBEW ON BEHALF OF THE TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT FOR A PERIOD COMMENCING JANUARY 1, 2010 THROUGH DECEMBER 31, 2011.

TOWN BOARD
GARNERVILLE, NY
NOVEMBER 14, 2011

**AWARD OF RFP NO. 10-2011 – RE-INSTALL CONTROL CABINET AND CONDUITS
& CONDUCTORS AT PUMP STATION ON BEACH ROAD**

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

390-11 RESOLVED, THAT TWO (2) REQUEST FOR PROPOSALS WERE SUBMITTED TO SUPERINTENDENT OF HIGHWAYS TO RE-INSTALL CONTROL CABINET AND RECONNECT ALL CONDUITS AND CONDUCTORS AT THE PUMP STATION LOCATED ON BEACH ROAD IN HAVERSTRAW, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN HAVERSTRAW DOES HEREBY AWARD RFP NO. 10-2011 TO DE LEONARDIS ELECTRIC, THE LOW BIDDER OF GARNERVILLE, NEW YORK AT A PRICE OF \$1,950.00.

AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH nCOURT

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

391-11 RESOLVED, THAT THE TOWN BOARD HEREBY AUTHORIZES THE SUPERVISOR AND/OR TOWN JUSTICES TO ENTER INTO AN AGREEMENT WITH nCOURT FOR THE TOWN OF HAVERSTRAW JUSTICE COURT TO RECEIVE PAYMENTS ONLINE OR BY PHONE AT NO COST TO THE TOWN.

PUBLIC PARTICIPATION

Former Mayor Bud Wassmer made a presentation of a World War II Memorial that will be placed across from the Village Hall in Haverstraw. The monument will be unveiled on December 7th at 2:00 pm on Pearl Harbor Day. The Rotary Club of North Rockland is the leading force to build the six foot tall monument. The Rotary Club is accepting donations for the project through the sale of bricks on the paving in front of the memorial. If anyone is interested in buying a brick, please call Mr. Wassmer at 222-3402 for further information.

Supervisor Phillips stated that last Thursday a presentation the Town Budget was made by the Director of Finance. The meeting was open to the public. As a courtesy, we will go through the presentation one more time so our residents here tonight know exactly what has been going on and the problems that we have faced.

Michael Gamboli, Director of Finance stated that the Town's total increase in the tax levy is over \$2 million. The Town's increase over the 2% tax cap is \$1.3 million. The mandated increases to the Town are police salaries and retirement, employee retirement, health insurance, and an increase in workers compensation insurance, which is approximately \$1.58 million. To meet the NYS tax cap the allowable increase for total Town levy is approximately \$740,000, yet we are being hit with \$1.5 million in additional costs. For the 2012 Town Budget, there will be an average total tax increase of 2.9% or an average in dollars of \$46.54. Approximately \$1,145,000 increase in police salaries retirement and other police benefits. The Town used \$1.8million from the tax stabilization fund to offset taxes and there will be a 2% increase to non-union employee's salaries. There is also an increase in debt service for the Mirant tax certiorari of \$750,000, which will be paid over a three years of \$250,000 by using a portion of the tax stabilization fund. In the 2012 budget there will be no increase in garbage collection in the unincorporated area. The Town is paying in full the police (\$2,350,000) and employee (\$735,000) retirement bills and we will not amortize or finance the cost because this would add additional cost to taxpayers in future years. The total increase in the Town budget is \$1,475,000 and a decrease of \$93,000 for other Town costs. For the 2012 budget 61% of the general fund is the cost of police because of binding arbitration. The average salary for a police officer in

TOWN BOARD
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NOVEMBER 14, 2011

Rockland County in the Towns of Ramapo and Clarkstown are anywhere from \$115,000 and \$135,000 a year. After five years, a police officer with the Town of Haverstraw makes \$103,000 a year with 2 ½ months off. We are not knocking the police and the job they do but it is an incredible burden for the taxpayers.

Debra Rubin, 326 Country Club Lane, Pomona asked what are all the other costs.

Supervisor Phillips stated that Highway is \$2,000 and Townwide is \$5,500. The other costs are gas, diesel fuel, leaf bags from the Highway Dept., boots, safety gear, etc. from Highway.

John Piperato, Rosman Road, Thiells stated that homestead is a \$48.00 increase for the average family. What is the non-homestead percentage?

Supervisor Phillips stated that it's very difficult on non-homestead to come up with an average. Give us about two weeks for the exact rate.

John Piperato, Rosman Road, Thiells stated that the biggest percentage of the police force is in the Village of Haverstraw. I am sure the Town is split up in different areas. If the villages require additional police, why doesn't the village get charged?

Supervisor Phillips stated that you cannot charge them for additional service that is existing. If they asked for services that were unique we can then go to a contract with them if they requested the K-9 Unit or extra foot patrol.

John Piperato, Rosman Road, Thiells stated that he should not have to pay for what goes on in the Villages.

Supervisor Phillips stated that this is the same argument with the senior citizens who do not have any kids – why should they have to pay school taxes if they don't have kids? John, there is no perfect system.

John Piperato, Rosman Road, Thiells stated that he should be entitled to the same protection as those businesses in the Village are receiving. I feel left out up there.

Supervisor Phillips stated for Mr. Piperato to meet with Chief of Police Miller to discuss his problem.

ANNOUNCEMENTS

Leo Lader's Veteran's Day Ceremony was on Thursday for Veteran's Day.

In the Village of Haverstraw, Mayor Kohut had a memorial service for Manny Lopez by dedicating the baseball fields in his memory.

The Haverstraw Brick Museum hosted a Veteran's Day Ceremony on Sunday.

Supervisor Phillip thanked Director of Finance, Michael Gamboli for doing a great job presenting the budget.

TOWN BOARD
GARNERVILLE, NY
NOVEMBER 14, 2011

ADOPTION OF TOWN BUDGET FOR THE YEAR 2012

The following resolution was adopted by all of the Town Board members.

392-11 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY ADOPT THE TOWN OF HAVERSTRAW 2012 PRELIMINARY BUDGET.

ADJOURNMENT

393-11 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Agnes Frances Henderson, Jose Guzman, Ethel I. Schuler, Ramona Canals, Lionel Denis, Daniel James Sullivan, Antoni Zmuda, Donald J. Decker and Raymond Russell, 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 Cancel to adjourn the Town Board Meeting.

JOSEPHINE E. CARELLA
Town Board