

TOWN BOARD  
GARNERVILLE, NY  
NOVEMBER 28, 2011

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, November 28, 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**

**394-11 PRELIMINARY BUDGET MEETING OF NOVEMBER 10, 2011 AND TOWN BOARD MEETING MINUTES OF NOVEMBER 14, 2011** submitted by the Town Clerk on motion by Councilman Gamboli, seconded by Councilman Soto, were unanimously adopted.

**PAYMENT OF BILLS**

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

**395-11 RESOLVED**, that bills numbered 4,356 through and including 4,543 in the amount of \$481,234.87 be and they are hereby paid; and Highway Vouchers numbered 632 through and including 684 in the amount of \$32,443.56 audited at this meeting, be and they are hereby paid.

**ACCEPTANCE OF REPORTS**

**No reports were submitted.**

**ADOPTION OF HOMESTEAD ADJUSTED BASE PROPORTIONS FOR THE TOWN OF HAVERSTRAW**

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

**396-11 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF DAVID ADAMS, ASSESSOR, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HERE BY ADOPT THE HOMESTEAD ADJUSTED BASE PROPORTIONS TO BE USED FOR THE 2012 TOWN TAX LEVY.**

**AUTHORIZATION TO SETTLE TAX CERTIORARI JP MORGAN CHASE-GARNERVILLE**

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

**397-11 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 JP MORGAN CHASE (26.09-5-45) LOCATED AT 58 WEST RAMAPO ROAD, GARNERVILLE FOR TAX YEARS 2008-2011 BASED UPON THE FOLLOWING AMOUNTS ON THIS LOCATION:**

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YEAR	ORIGINAL ASSESSMENT	REVISED ASSESSMENT	REDUCTION AMOUNT	% REDUCTION	EST REFUND
2008	450,000	425,000	25,000	6%	\$0
2009	450,000	425,000	25,000	6%	\$275
2010	450,000	420,000	30,000	7%	\$345
2011	450,000	415,000	35,000	8%	\$541
				<b>Total</b>	<b>\$1,160</b>

**AUTHORIZATION TO SETTLE TAX CERTIORARI JP MORGAN CHASE MT. IVY**

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

**398-11 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 JP MORGAN CHASE-MT. IVY (25.19-2-10 & 11) LOCATED AT 349 ROUTE 202 IN MT. IVY FOR TAX YEARS 2007-2011 FOR LOT 11 & LOT 10 BASED UPON THE FOLLOWING AMOUNTS ON THIS LOCATION:**

**LOT 11**

YEAR	ORIGINAL ASSESSMENT	REVISED ASSESSMENT	REDUCTION AMOUNT	% REDUCTION	EST REFUND
2007	493,200	400,000	93,200	19%	\$0
2008	493,200	400,000	93,200	19%	\$981
2009	493,200	400,000	93,200	19%	\$1,023
2010	400,000	360,000	40,000	10%	\$460
2011	400,000	355,000	45,000	11%	\$696
				<b>Total</b>	<b>\$3,160</b>

**LOT 10**

YEAR	ORIGINAL ASSESSMENT	REVISED ASSESSMENT	REDUCTION AMOUNT	% REDUCTION	EST REFUND
2007	187,500	95,000	92,500	49%	\$0
2008	187,500	95,000	92,500	49%	\$974
2009	187,500	95,000	92,500	49%	\$1,151
2010	95,000	85,000	10,000	11%	\$115
2011	95,000	84,000	11,000	12%	\$170
				<b>Total</b>	<b>\$2,410</b>

**AUTHORIZATION FOR TOWN ASSESSOR TO ATTEND CONTINUING EDUCATION SEMINAR**

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

**399-11 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, HEREBY GRANTS PERMISSION TO DAVID ADAMS, ASSESSOR, TO ATTEND A NEW YORK STATE OFFICE OF REAL PROPERTY SERVICES APPROVED SEMINAR ENTITLED, "WHAT IS INCOME," WHICH IS REQUIRED TO MAINTAIN ASSESSOR CERTIFICATION, ON DECEMBER 2, 2011 FROM 9:00 A.M. - 4:00 P.M. AT THE RAMADA INN IN FISHKILL AT A COST OF \$95.00.**

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**AWARD OF BID NO. 12-2011 TO REPLACE ALL 9 SECTIONS OF WOOD SHADOW BOARD FENCE AT 2 MCGOVERN DRIVE**

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

**400-11 RESOLVED, THAT TWO (2) REQUEST FOR PROPOSALS WERE SUBMITTED TO SUPERINTENDENT OF HIGHWAYS FRANK BROOKS TO REPLACE ALL 9 SECTIONS OF A WOOD SHADOW BOARD FENCE AT 2 MCGOVERN DRIVE IN GARNERVILLE, AND BE IT FURTHER**

**RESOLVED, THAT THE TOWN BOARD OF THE TOWN HAVERSTRAW DOES HEREBY AWARD RFP NO. 12-2011 TO ANCHOR FENCE, THE LOW BIDDER OF NANUET, NEW YORK AT A PRICE OF \$2,400.00.**

**AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND NYACK HOSPITAL EMPLOYEE ASSISTANCE PROGRAM**

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

**401-11 RESOLVED, UPON THE RECOMMENDATION OF THE TOWN BOARD OF THE TOWN OF HAVERSTRAW THE SUPERVISOR IS HEREBY AUTHORIZED TO ENTER INTO AN AGREEMENT WITH NYACK HOSPITAL FOR THE PURPOSES OF PROVIDING TO THE TOWN EMPLOYEES AN EMPLOYEE ASSISTANCE PROGRAM, AND BE IT FURTHER**

**RESOLVED, THAT SAID AGREEMENT SHALL COMMENCE ON JANUARY 1, 2012 AND EXPIRE ON DECEMBER 31, 2012, AND BE IT FURTHER**

**RESOLVED, THAT SAID AMENDED AGREEMENT SHALL BE AT A TOTAL COST OF \$7,400.**

**CANCELLATION OF TOWN BOARD MEETING**

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

**402-11 RESOLVED, THAT THERE WILL BE ONLY ONE TOWN BOARD MEETING FOR THE MONTH OF DECEMBER, WHICH WILL BE HELD ON MONDAY, DECEMBER 12, 2011 AT 8:00 P.M., AND BE IT FURTHER**

**RESOLVED, THAT THE SECOND TOWN BOARD MEETING FOR DECEMBER 26, 2011, HAS BEEN CANCELLED IN OBSERVANCE OF THE LEGAL HOLIDAY FOR CHRISTMAS.**

**ADVERTISE FOR BIDS - NO. 11-2011 –SUPPLY AND DELIVER TWO (2) NEW 2011 OR 2012 MODEL YEAR 350/3500 ONE (1) TON DRW FOUR WHEEL DRIVE MASON DUMPS WITH A 9 FOOT WESTERN SNOW PLOW FOR THE TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT**

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

**403-11 RESOLVED, THAT ON THE RECOMMENDATION OF SENIOR MECHANIC, THE TOWN CLERK BE AND SHE HEREBY IS AUTHORIZED TO PUBLISH A NOTICE TO BIDDERS THAT SEALED PROPOSALS WILL BE**

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RECEIVED AT HER OFFICE AT ONE ROSMAN ROAD, GARNERVILLE, NEW YORK, UP TO AND INCLUDING 10:30 A.M. ON THURSDAY, DECEMBER 8, 2011, FOR THE RECEIPT OF BIDS TO SUPPLY AND DELIVER TWO (2) NEW 2011 OR 2012 MODEL YEAR 350/3500 ONE (1) TON DRW FOUR WHEEL DRIVE MASON DUMPS WITH A 9 FOOT WESTERN SNOW PLOW FOR THE TOWN OF HAVERSTRAW HIGHWAY 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.

**APPROVAL OF CHANGE ORDER NO. 1 FOR INSTALLATION OF FENCE AT HAVERSTRAW LANDFILL**

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

**404-11 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF PATRICK BRADY, PE, THE TOWN BOARD HEREBY APPROVES CHANGE ORDER NO. 1 TO AMEND RFP NO.7-2011 FOR INSTALLATION OF FENCE AT HAVERSTRAW LANDFILL WITH HOMESTEAD FENCE IN THE SUM OF \$250.00.**

**PUBLIC PARTICIPATION**

Mel Post, 1422 Roundpoint Drive, Haverstraw stated that at a couple of meetings ago, he asked the Supervisor about the desalinization plant and the residents being reimbursed \$250 from United Water and you did respond to me in a timely fashion saying that they are not allowed to offset the water cost of the bills because the DEC doesn't allow it. My question to you is that considering that the Town of Haverstraw was going to reap the benefit could the Town offset it for the individual resident?

Supervisor Phillips stated that we are hoping that that is what will evolve. If the Town gains this tremendous amount of assessment we may see some type of reflection on the tax bill. You cannot just do single resident owners. All the property owners would have to benefit. Fifty million dollars in new assessment. Who would benefit by it the most? The largest property owners. We will try to accomplish that – I cannot guarantee it. It may not amount to a tremendous amount. The tax rate would decrease and you may not see much of a savings as the larger property owner. The people of Haverstraw should receive some type of host fee.

Mel Post, 1422 Roundpoint Drive, Haverstraw stated that he appreciates it and if you could take that under advisement and just as long as you are working on it I appreciate it. Mr. Post also wanted to know if the Workshop Meetings were open to the public.

Supervisor Phillips stated that people come in and bring in all kinds of concerns to us. We get all types of requests – we actually encourage it. The Workshops begin at 6:00 pm and we do reserve the right to push the time back or move it forward depending if a board member or an appointment is running late.

Mel Post, 1422 Roundpoint Drive, Haverstraw asked if this meeting applies to the New York State Open Meeting Law and would it apply to the Village of Haverstraw.

Supervisor Phillips stated that yes it does apply to the NYS Open Meeting Law and so does the Village meetings.

William M. Stein, Town Attorney stated that you can call the Town Clerk the day of the meeting and she can tell you the time.

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### ANNOUNCEMENTS

We have a wonderful Holiday and Christmas Season coming up. The Wednesday night before Thanksgiving is one of the biggest party nights because everyone is home from school. The Supervisor asked Chief of Police Charles Miller if there were any incidents on that night and he stated that things were fine in the Town of Haverstraw.

Mel Post, 1422 Roundpoint Drive, Haverstraw stated that he neglected to comment on the election and said that I think you all do a very good job.

Supervisor Phillips stated thank you that was very kind of you.

The Town of Haverstraw sponsored a Thanksgiving Dinner at Quisqueya Sports Club. A tremendous amount of meals were served and delivered.

Our 5<sup>th</sup> Annual House Decorating Contest for Christmas and Hanukah will take place again this year. We really appreciate all the businesses donating for the prizes. Anyone interested in participating can call the Town Hall at 429-2200 and ask for Sherri Stila. All names must be submitted by Tuesday, December 20<sup>th</sup>.

Village of West Haverstraw Tree Lighting Ceremony is this Thursday, December 1, 2011 at 6:00 p.m.

The Town's Youth Board went to see the Nutcracker this past Sunday. The show was sold out and the Christmas Show scheduled for Thursday, December 8, at Radio City is also sold out.

A new Subway fast food restaurant will be opening soon in the Rosman Center.

A Shell Gas Station and Convenient store on the corner of Rte. 45 & 202 in Mt. Ivy is under construction and should be ready in the near future.

The Town continues to market the land at Letchworth.

The desalinization pilot plant is moving along. It is up and running. United Water will come to a conclusion by the end of the year and the results are very good so far. The water in the Hudson River has less salt content than they originally thought which, is a good thing.

Supervisor Phillips stated that he was very concerned about the County budget. Right now they are \$52 million in debt not including the \$17 million for 2012. The Legislature is working diligently trying to come up with some type of budget. There could be about 500 layoffs and massive cuts to various departments throughout the County.

### ADJOURNMENT

**405-11** Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Otto Kahlke, Teresita Vasquez, Jason Clase, Seymour Gromer, Anastasia V. Pondi, Nicholas Granome, Antionette B. O'Keefe, Odd Michelesen, Georgina Diaz, Theodore Dahl, Irma Vasquez-DeJesus and Sheila I. Sherrick 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 Gould to adjourn the Town Board Meeting.

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**GINA NISHANIAN**  
Deputy Town Clerk