

TOWN BOARD
GARNERVILLE, NY
MAY 23, 2011

The Town Board of the Town of Haverstraw held a Public Hearing on Monday, May 23, 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 – TOWN OF HAVERSTRAW 2010 MS4 ANNUAL REPORT

Supervisor Phillips stated that the purpose of this Public Hearing is to discuss any comments and suggestions regarding the Town's 2011 MS4 Annual Report, which has been prepared pursuant to the New York State Department of Environmental Conservation SPDES General Permit for Storm Water Discharges from Municipal Separate Sewer Systems (MSRS), Permit No. GP-02-02.

**PRESENTATION BY GREGORY LIBERMAN, STERNS & WHEELER,
ENVIRONMENTAL ENGINEERS & SCIENTISTS**

State legislation was enacted a few years ago to protect streams and drainage ways. This is a mandated program that costs the Town approximately \$1 million, which we receive no funding for. Every year, the Town is required to update their annual report. The State of New York requires all municipalities to develop and implement a Stormwater Management Program that includes the following six minimum control measures, which provide the basic framework of the Phase II Stormwater Management Program:

1. Public outreach and education on stormwater impacts.
2. Public involvement and participation.
3. Illicit discharge detection and elimination.
4. Construction site stormwater runoff control.
5. Post construction stormwater management.
6. Pollution prevention and good housekeeping for municipal operations.

PUBLIC PARTICIPATION & BOARD MEMBERS

No Comment.

CLOSE HEARING

221-11 On motion by Councilman Gould, seconded by Councilman Soto, unanimously adopted, the Public Hearing was closed.

**AUTHORIZATION FOR SUPERVISOR TO SIGN THE TOWN OF HAVERSTRAW'S
2011 MS4 ANNUAL REPORT**

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

222-11 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO SIGN THE TOWN OF HAVERSTRAW'S 2011 MS4 ANNUAL REPORT.

JOSEPHINE E. CARELLA
Town Clerk

TOWN BOARD
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MAY 23, 2011

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, May 23, 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

223-11 TOWN BOARD MEETING MINUTES OF MAY 9, 2011 AND SPECIAL MEETING OF MAY 17, 2011; submitted by the Town Clerk on motion by Councilman Cancel, seconded by Councilman Gould, were unanimously adopted.

PAYMENT OF BILLS

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

224-11 RESOLVED, that bills numbered 1,487 through and including 1,670 in the amount of \$532,594.88 be and they are hereby paid; and Highway Vouchers numbered 278 through and including 301 in the amount of \$24,256.66 audited at this meeting, be and they are hereby paid.

ACCEPTANCE OF REPORTS

No Reports.

APPROVAL OF CHANGE ORDER NO. 2 FOR BELGIAN BLOCK CURB IMPROVEMENTS

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

225-11 BASED UPON THE RECOMMENDATION OF JOE CARUSO, PC OF MASER CONSULTANTS, THE TOWN BOARD HEREBY APPROVES CHANGE ORDER NO. 2 WITH C. SCAFFIDI AND SON CONTRACTOR, INC. IN THE SUM OF \$5,650.00 TO CONFIGURE THREE (3) CATCH BASINS AND ONE (1) STORM DRAIN BASIN TO PROVIDE CURB INLETS TO BETTER FACILITATE COLLECTION OF STORM DRAINAGE ON WOODRIDGE DRIVE.

**AGREEMENT BETWEEN NORA KAHERMANES AND THE TOWN OF
 HAVERSTRAW**

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

226-11 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF MICHAEL COTIER, DIRECTOR OF PARKS, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH NORA KAHERMANES FOR OPERATION OF THE FOOD CONCESSION STAND AT BOWLINE POINT PARK FOR THE 2011 AND 2012 PARK SEASONS. THE FEE TO BE PAID FOR 2011 WILL BE \$2,800.00 AND THE FEE TO BE PAID FOR 2012 WILL BE \$2,800.00, AND BE IT FURTHER

RESOLVED, THAT THE TERM OF THIS AGREEMENT SHALL TERMINATE ON SEPTEMBER 20, 2012.

**AUTHORIZATION TO SETTLE TAX CERTIORARI – GARNERVILLE HOLDING-
 VARIOUS LOTS**

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

227-11 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 GARNERVILLE HOLDING FOR VARIOUS LOTS (SEE BELOW) LOCATED AT 55 RAILROAD AVENUE, WEST HAVERSTRAW FOR TAX YEARS 2006-2010 BASED UPON THE FOLLOWING AMOUNTS ON THIS LOCATION:

YEAR	ORIGINAL ASSESSMENT	REVISED ASSESSMENT	REDUCTION AMOUNT	% REDUCTION	EST REFUND
2006	6,644,200	5,714,200	930,000	14%	\$0
2007	6,644,200	5,714,200	930,000	14%	\$6,110
2008	6,644,200	5,394,200	1,250,000	19%	\$8,881
2009	6,644,200	5,100,000	1,544,200	23%	\$12,698
2010	6,644,200	4,700,000	1,944,200	29%	\$16,506
				Total	\$44,196

The assessment reduction for each tax lot is listed below.

	Current Assessment	Revised Assessment				
		2006	2007	2008	2009	2010
20.18-4-23	400,000	200,000	200,000	200,000	200,000	200,000
20.19-2-1	4,981,700	4,981,700	4,981,700	4,662,960	4,368,760	3,968,760
20.19-2-2	259,300	259,300	259,300	259,300	259,300	259,300
20.19-2-3	75,000	75,000	75,000	75,000	75,000	75,000
20.19-2-9	169,500	20	20	20	20	20
26.06-5-4	105,000	20	20	20	20	20
26.07-1-8	208,600	50,000	50,000	50,000	50,000	50,000
26.07-1-12	446,900	146,900	146,900	146,900	146,900	146,900
	6,646,000	5,712,940	5,712,940	5,394,200	5,100,000	4,700,000

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**AWARD OF BID NO. 7-2011 -BUS TRANSPORTATION FOR SUMMER
RECREATION PROGRAM - 2011**

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

228-11 RESOLVED, THAT UPON THE RECOMMENDATION OF HOWIE TEILL, DIRECTOR OF THE TOWN OF HAVERSTRAW SUMMER RECREATION PROGRAM, AND THE BIDS HAVING BEEN FOUND IN ORDER BY THE TOWN ATTORNEY, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD THE BID FOR THE BUS TRANSPORTATION FOR THE TOWN OF HAVERSTRAW SUMMER RECREATION PROGRAM 2011 TO HAVERSTRAW TRANSIT, INC. OF HAVERSTRAW, NEW YORK, THE SOLE BIDDER, AT DAILY BUS ROUTES OF \$164.00 PER DAY AND SPECIAL TRIPS AS MENTIONED IN THE ATTACHED BID SPECIFICATIONS.

**AWARD OF RFP NO. 7-2011 – INSTALLATION OF FENCE AT HAVERSTRAW
LANDFILL**

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

229-11 RESOLVED, THAT THREE (3) REQUEST FOR PROPOSALS WERE SUBMITTED TO PATRICK BRADY, PE, JOINT REGIONAL SEWAGE BOARD, TO SUPPLY AND INSTALL A 6” HIGH BLACK VINYL CHAIN LINK FENCE WITH TOP RAIL, APPROXIMATELY 240 FT. AT THE SANITARY LANDFILL, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN HAVERSTRAW DOES HEREBY AWARD RFP NO. 7-2011 HOMESTEAD FENCE, INC. OF WEST HAVERSTRAW, NEW YORK, THE LOW BIDDER, AT A PRICE OF \$6,300.00.

**RESCIND RESOLUTION NO. 203-11 AWARD OF RFP NO. 5-2011 – CERTIFICATE
COVERS**

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

230-11 RESOLVED, THAT THE AWARD OF RFP NO.5-2011 TO DEXTER PRINTING SERVICES FOR CERTIFICATE COVERS IS RESCINDED BECAUSE THE MATERIAL PROVIDED DID NOT CONFORM TO THE SPECIFICATIONS.

AWARD OF RFP NO.5-2011 – CERTIFICATE COVERS

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

231-11 RESOLVED, THAT THREE (3) RFPs WERE SUBMITTED TO KAREN HUJUS, SECRETARIAL ASSISTANT II TO PROVIDE CERTIFICATE COVERS FOR DISTINGUISH SERVICE AWARDS FOR TOWN OF HAVERSTRAW, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN HAVERSTRAW DOES HEREBY AWARD RFP NO. 5-2011 TO HAVERSTRAW BAY PRESS OF HAVERSTRAW, NEW YORK AT A PRICE OF \$2,100.00 THE LOWEST CONFORMING BIDDER BECAUSE THE LOW BIDDER STATED HE COULD NOT MEET SPECIFICATIONS.

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**AMENDMENT TO THE AGREEMENT BETWEEN THE COUNTY OF ROCKLAND
NARCOTICS TASK FORCE AND THE TOWN OF HAVERSTRAW DATED
DECEMBER 29, 2010**

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

232-11 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE HOWARD T. PHILLIPS, JR., SUPERVISOR TO AMEND THE ROCKLAND COUNTY TASK FORCE AGREEMENT DATED DECEMBER 29, 2010 WITH THE COUNTY OF ROCKLAND FOR REIMBURSEMENT OF A POLICE OFFICER ASSIGNED TO ROCKLAND COUNTY NARCOTICS TASK FORCE FOR THE YEAR 2010 FOR THE ADDITIONAL SUM OF \$20,455.00.

RESCIND RESOLUTION NO. 219-11- AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND JULY 4 EVER COMPANY

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

233-11 RESOLVED, THAT THE TOWN BOARD HEREBY RESCINDS RESOLUTION NO. 219-11 AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH JULY 4 EVER COMPANY TO PERFORM THE 2011 FIREWORKS SINCE JULY 4 EVER HAS LOST ITS BATF LICENSE.

**PRESENTATION OF CHECK TO JAMES COSTIN & ALEXUS HUERTAS
FOR FIRST LITTLE LEAGUE HOMERUN**

Supervisor Phillips and the Town Board members presented checks for \$100.00 each to James Costin and Alexis Huertas for hitting the first Haverstraw Little League's Homerun.

PRESENTATION OF CHECK TO YOUTH BOARD SCHOLARSHIP

Supervisor Phillips and the Town Board members presented the Town of Haverstraw Youth Board Scholarship check to William Phillips, who is a member of the Youth Board.

PUBLIC PARTICIPATION

Gil Musinger, 1416 Roundpointe Drive, Haverstraw, NY asked if the Town Board ever followed through on placing individual water meters on multifamily homes under new construction because eventually, water will be a local problem.

Supervisor Phillips stated that all single family homes have individual water meters. The greater concern comes with multifamily. We have not had any new applications come forward for water meters or multifamily – we have not had any type of plans come before us. We would have instituted this at the Letchworth property if we were to develop it into housing. We are taking your advice into consideration.

Mel Post, 1422 Roundpointe Drive, Haverstraw, NY stated that he received a copy of a letter regarding Gurnee Avenue from Village of Haverstraw Mayor Kohut and was wondering if there was any response on that letter.

Supervisor Phillips stated that Mayor Kohut is the catalyst behind making Rt. 202 one way to Gurnee Ave. down to Rt. 9W so the traffic does not have to move southeast. We have been sending a number of letters to DOT about road work and signage.

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Mel Post, 1422 Roundpointe Drive, Haverstraw, NY stated that the recent school budget has become quite an issue. I thought that we live in America and this was a democracy and fail to understand the mechanics involved with voting down the budget and the school board instituted the same budget. It's very disconcerting to vote because we feel our vote doesn't matter.

Supervisor Phillips stated that the school board had the right to do it. Public opinion is strongly against it. It's unsustainable. You cannot keep up the spiraling increase or decrease. This year Stony Point's property values went down. It's unsustainable. We cannot continue down the path where the assessments are dropping. We can't continue to raise taxes. The school taxes makeup 70% of your property tax. 72%-73% of their budget is salary and benefits. The Town's policing costs are \$800,000. The Town's problem is binding arbitration. We have been begging the State about binding arbitration. The Town Board members and I have been back and forth to Albany. The damage that was done in the school budget was not done by the current administrator. We are paying for the sins of their former superintendent. I was also extremely upset by a member of the school board, Elliot Gillies who said, "The only reason the budget went down is because they publicized the budget." He is saying the voters solely made the decision of what the Supervisor said. The people of North Rockland can speak for themselves. He owes the people an apology. Superintendent Ileana Eckert sat down to meet with us. She had inherited a very difficult job. The two past superintendents created this mess.

Mel Post, 1422 Roundpointe Drive, Haverstraw, NY stated that he was happy to see that Supervisor Phillips disseminated information to the public and he was very happy to read that information.

Lynn Teger, 5 Simenovsky Drive, Haverstraw stated that she would like to know if Supervisors Phillips and Sherwood plan on getting with the school board again to try and get them to use more reserves.

Supervisor Phillips stated that he did not think that using more reserves is the answer. That is a fool's game. Accurately estimating expenditures and revenues is the answer and controlling expenditures. Supervisor Phillips then asked Ms. Teger if he was being recorded.

Lynn Teger, 5 Simenovsky Drive, Haverstraw stated that you are being recorded and it's a public meeting. I was told its ok. You are not going to be meeting with the school board to get more money to reduce the taxes.

Supervisor Phillips stated I think it would be common courtesy to inform the Board members and myself that you are recording us. Especially, if you are then putting the recording on YouTube. Don't you think so? I think the school board knows what they have to do.

Lynn Teger, 5 Simenovsky Drive, Haverstraw stated yes.

Supervisor Phillips stated that he did not see a recorder. How are we being recorded?

Lynn Teger, 5 Simenovsky Drive, Haverstraw stated by her phone – it is on my chair.

Lynn Teger, 5 Simenovsky Drive, Haverstraw asked what plans are there if you know to reduce the expenses so that we don't have a 7% tax increase.

Supervisor Phillips stated that I think you have to go to the school board and ask them that. We did, we sat down with the Superintendent.

Lynn Teger, 5 Simenovsky Drive, Haverstraw said you are not going to be meeting with the school board again?

Supervisor Phillips stated that if they want to meet with us I am more than willing to meet with them on ways to reduce their expenditures.

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Lynn Teger, 5 Simenovsky Drive, Haverstraw asked what the Town has in reserves.

Supervisor Phillips stated that we built up a \$6 million tax stabilization fund. At the same time that the Mirant tax certiorari hit we had to take over 22 officers from the Village of Haverstraw Police Department because the Village disbanded their Police Department. In addition, we also had the revaluation going on. However, because we planned we were able to reduce the tax levy by 4% and the following year we kept it at a zero increase to our residents. It was proper planning that allowed us to achieve this.

Michael Gamboli, Director of Finance stated that over the last two years we have budgeted \$2 million of the reserve.

Rose Barberis, 7 Central Highway asked how in the school taxes we can abolish this austerity program. We have no say at all.

Supervisor Phillips stated that only the school board can do that. The people have to go to the school board meetings.

Rose Barberis, 7 Central Highway stated that they didn't even consider the taxpayers. I find it insulting.

Supervisor Phillips stated that it's unsustainable. What's going to happen next year? Are we going to go through the same identical thing? They have to address the real problem – the constant loss of assessment and the fact that almost 75% of their budget is salary and benefits.

Rose Barberis, 7 Central Highway stated that something is wrong here. They're closing schools but raising taxes.

Mel Post, 1422 Roundpointe Drive, Haverstraw, NY asked are the school board meetings open to the public and when is the next one.

Supervisor Phillips stated that the meetings are the first of every month and are held at the district office or high school. You can call 942-3000 and ask.

Rose Barberis, 7 Central Highway said thank you to Supervisor Phillips and the Town Board for going to the school board and fighting for us.

Supervisor Phillips stated that's our job.

ANNOUNCEMENTS

This Sunday the Vietnam Vets will be hosting the Watch Fire at Bowline Park. The fire begins at 12:00 am (Monday).

Memorial Day services will be held at Calico Hill at 11:00 am. In case of rain the services will be held at Town Hall.

Youth Board has a trip planned to the Spirit of New York Cruises scheduled for Sunday, June 12 at 10:00 am. The trip is sold out.

The 3 Mile Fun/Run Walk will be held on Sunday, June 5 at Bowline. Registration begins at 7:30 am. The kiddie pool and spray area will be open that day only.

Golf course is doing well – best greens around!

Hopefully, the K-9 Unit will be on duty for the Town's July 4th fireworks celebration at Bowline on July 2, 2011.

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Open air concerts will begin on Thurs., July 7th and every Thursday thereafter at 7:30 pm at Bowline Park and last through Labor Day. The concerts are free and open to the public.

ADJOURNMENT

234-11 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Henry Gould, Frances Regina Leon, Kathryn B. McCleery, Janet Chatterton, James Fleming, Wallace King, Sr., Joseph Hewitt, Sr. and Mary Ellen Natale, 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 Gould, seconded by Councilman Gamboli the Town Board Meeting to adjourn the meeting.

JOSEPHINE E. CARELLA
Town Clerk