

TOWN BOARD
GARNERVILLE, NY
May 29, 2012

The Town Board of the Town of Haverstraw held a Public Hearing on Tuesday, May 29, 2012 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 ADD CHAPTER 125 ENTITLED,
“POSTING OF SIGNS”

Supervisor Phillips stated that the purpose of this Public Hearing is to discuss the consideration of adopting a local law to add Chapter 125 to the Code of the Town of Haverstraw entitled, “POSTING OF SIGNS.” 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 this law pertains to the unincorporated area of the Town of Haverstraw and it does not apply to the Villages of Haverstraw or West Haverstraw. They will be adopting a similar law. The law is a product of the Town of Clarkstown’s Town Code and prohibits the posting of signs within the Public Right of Way, which is 20 feet beyond the edge of the pavement. At one time the Town was inundated with “Going out of Business” signs by a particular company. The law provides exemption and penalties for offenses. In Section 4 of the law the Superintendent of Highways, Building Inspector and authorized employees are authorized to remove signs to keep the area clean and neat.

Supervisor Phillips stated that he has received so many complaints from residents that their site distance is blocked in view of oncoming traffic. This past November during the elections, it was not only a hazard with all the political signs, but aesthetically it looked like a circus was coming to town. We are not restraining anyone’s freedom of speech on their property we are talking about public right of ways that are being abused. It becomes a terrible nuisance.

PUBLIC PARTICIPATION

Burt Singer, 10 Chestnut Drive, Pomona – stated that this is a terrible law and a very, very bad law and asked the Town Board if they would rethink this. Democracy depends on politicians and being able to get your name out there. Name recognition is everything. I realize it’s an imposition. We should try to encourage small businesses like the dentist. If the dentist can’t put a sign up to try and build his business then there are no jobs to be made. Businesses deserve a chance to succeed and to create the jobs. It should be encouraged.

Supervisor Phillips stated that in many ways we understand. We have been the most pro-business Town in Rockland County. Everybody has the right to form their own business. The town sponsors so many different events. When it comes to people running for office I don’t think that yard signs make that much of a difference. Going door-to-door is more effective than a lawn sign. We are not prohibiting people from putting up signs. It has got out of hand and we have received so many complaints. I know people are ready for a change of these lawn signs in the public right of ways. Many of the areas along Route 202 are private property. I think this is a good law and its time has come.

BOARD MEMBERS

Councilman Gamboli stated that you really don't have much room in the right of ways to put signs. If you put them on private property it's not bothering anybody.

Councilman Soto stated that people running for office is not the only reason why we are passing this law.

SEQRA RESOLUTION FOR ADOPTION OF LOCAL LAW NO. 2 OF 2012

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

252-12 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. 2 of 2012 is an unlisted action and will not have a significant impact on the environment.

CLOSE PUBLIC HEARING

253-12 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.

254-12 **RESOLVED**, that the Town Board of the Town of Haverstraw, does hereby unanimously adopt **Local Law No. 2-2012 entitled, "POSTING OF SIGNS."**

RAQUEL VENTURA
First Deputy

TOWN BOARD
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MAY 29, 2012

The Town Board of the Town of Haverstraw met at a Regular Meeting on Tuesday, May 29, 2012 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

255-12 PUBLIC HEARING AND TOWN BOARD MEETING OF MAY 14, 2012

submitted by the Town Clerk on motion by Councilman Cancel, seconded by Councilman Gamboli, were unanimously adopted.

PAYMENT OF BILLS

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

256-12 RESOLVED, that bills numbered 1,692 through and including 1,865 in the amount of \$281,842.31 be and they are hereby paid; and Highway Vouchers numbered 210 through and including 260 in the amount of \$57,005.51 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.

257-12 RESOLVED, THAT THE FOLLOWING POLICE ACTIVITY REPORT HAS BEEN SUBMITTED AND IS HEREBY ACCEPTED: POLICE DEPARTMENT ACTIVITY REPORT FOR THE MONTH OF APRIL 2012.

PRESENTATION OF SCHOLARSHIP CHECKS TO STUDENTS ON THE TOWN OF HAVERSTRAW YOUTH BOARD

OLIVIA ANCIN
MICHAEL SAMBRATO
ANTHONY SOLSEDO

AWARD OF BID NO. 4 -2012 –PURCHASE OF DIVOT MIX

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

258-12 RESOLVED, UPON THE RECOMMENDATION OF CAL FOWX, GREENS KEEPER, AND THE BIDS HAVING BEEN FOUND IN ORDER BY TOWN ATTORNEY, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD BID NO. 04-2012 TO PROVIDE DIVOT MIX TO BE UTILIZED AT THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE DURING THE 2012 GOLF SEASON TO CUSTOM GOLF MATERIALS, INC. OF OLD BETHPAGE, NEW YORK, THE LOW BIDDER AT A PRICE OF \$63.05/YARD.

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**AWARD OF BID NO. 9-2012 -BUS TRANSPORTATION FOR SUMMER
RECREATION PROGRAM - 2012**

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

259-12 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 2012 TO HAVERSTRAW TRANSIT, INC. OF HAVERSTRAW, NEW YORK, THE SOLE BIDDER, AT DAILY BUS ROUTES OF \$168.00 PER DAY AND SPECIAL TRIPS AS MENTIONED IN THE ATTACHED BID SPECIFICATIONS.

**AUTHORIZATION TO BID NO. 12-2012 TEE MARKERS FOR THE PHILLIP J.
ROTELLA MEMORIAL GOLF COURSE - TOWN OF HAVERSTRAW**

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

260-12 RESOLVED, UPON THE RECOMMENDATION OF CAL FOWX, GREENSKEEPER, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE TOWN CLERK 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 FRIDAY, JUNE 8, 2012 FOR THE RECEIPT OF BID NO. 12-2012 FOR THE PURCHASE OF TERRA-TEC™ TEE MARKERS THAT RESEMBLE BRICKS AT THE PHILLIP J. ROTELLA MEMORIAL GOLF COURSE LOCATED ON THIELLS/MT. IVY ROAD IN THIELLS, NEW YORK, 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 FOR SERVICE WINDOW AT TOWN OF
HAVERSTRAW JUSTICE COURT**

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

261-12 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF ACE CONSTRUCTION THE TOWN BOARD HEREBY APPROVES THE CHANGE ORDER IN THE SUM OF \$175.00 TO MOVE THE ELECTRIC WIRING FOR WORK NEEDED FOR THE SERVICE WINDOW AT THE JUSTICE COURT.

ETHICS ANNOUNCEMENT

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

262-12 RESOLVED, THAT IN ACCORDANCE WITH SECTION 12-3B OF THE TOWN CODE OF THE TOWN OF HAVERSTRAW, THE TOWN SUPERVISOR HEREBY ANNOUNCES THAT DISCLOSURE STATEMENTS HAVE BEEN FILED BY REQUIRED TOWN EMPLOYEES WITH THE TOWN CLERK.

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RESOLUTION TO PAY HI TOR ANIMAL CARE CENTER, INC.

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

263-12 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES QUARTERLY PAYMENTS TO BE MADE TO THE HI TOR ANIMAL CARE CENTER, INC. IN THE SUM OF \$5,250.00 PER QUARTER FOR SERVICES RENDERED AFTER THE COMPLETION OF EACH QUARTERLY PERIOD.

APPOINTMENT OF PASQUALE MIELE TO TOWN OF HAVERSTRAW GOLF COMMITTEE

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

264-12 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPOINT PASQUALE MIELE OF POMONA, NEW YORK TO THE TOWN OF HAVERSTRAW'S GOLF COMMITTEE.

AWARD OF NEW YORK STATE BID – REPLACE SWING SET AT BOWLINE POINT PARK

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

265-12 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF MICHAEL COTIER, PARK DIRECTOR THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE PURCHASE OF A SWING SET FOR THE SAND PLAYGROUND AT BOWLINE POINT PARK TO GAME TIME ON A NEW YORK STATE BID CONTRACT NUMBER PC62098 AT A PRICE OF \$1,423.16.

AMEND RESOLUTION NO. 230-12- AUTHORIZATION TO PAVE AROUND CHEESECOTE MOUNTAIN POND IN THE TOWN OF HAVERSTRAW UNDER NEW YORK STATE BID

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

266-12 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF PARK DIRECTOR, MICHAEL COTIER, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AMENDS RESOLUTION NO. 230-12 TO PROVIDE AUTHORIZATION FOR THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH TILCON NEW YORK INC. OF HAVERSTRAW, NEW YORK, UNDER NEW YORK STATE BID #PC64951, TO PAVE CHEESECOTE MOUNTAIN AT A COST NOT TO EXCEED \$60,000.00.

ADDENDUM TO CONTRACT WITH NYACK HOSPITAL EAP PROGRAM

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

267-12 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN ADDENDUM TO CONTRACT WITH NYACK HOSPITAL EAP PROGRAM REGARDING CHANGE IN PROCEDURES.

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**AGREEMENT WITH DIRECT ENERGY BUSINESS, LLC AND THE TOWN OF
HAVERSTRAW**

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

268-12 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH DIRECT ENERGY BUSINESS, LLC OF PITTSBURGH, PENNSYLVANIA TO PROVIDE ELECTRIC TO THE TOWN OF HAVERSTRAW'S ACCOUNT AT A FIXED RATE UP TO \$0.06359 PER KWH FOR A 24 MONTH CONTRACT.

**ADVERTISE TO BID – BID NO. 10-2012 BOWLINE POINT PARK LIGHTING
IMPROVEMENTS**

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

269-12 RESOLVED, THAT BASED UPON ON THE RECOMMENDATION OF MICHAEL COTIER, PARK DIRECTOR, 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 10:30 A.M. ON MONDAY, JULY 2, 2012 FOR BOWLINE POINT PARK LIGHTING IMPROVEMENTS, 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.

AWARD OF RFP NO. 4-2012 – SCORECARDS PHILIP J. ROTELLA GOLF COURSE

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

270-12 RESOLVED, THAT THREE (3) RFPs WERE SUBMITTED TO MICHAEL LAUDIEN, GOLF PRO, TO SUPPLY 10,000 6 x 12 YARDAGE CARDS FOR \$1,015.00; 10,000 4x 9 RACK CARDS FOR \$660.00 AND 30,000 6 x 12 SCORECARDS FOR \$1,795.00 FOR USE AT THE PHILIP J. ROTELLA GOLF COURSE, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN HAVERSTRAW DOES HEREBY AWARD RFP NO. 4-2012 TO GOLF ASSOCIATES OF ASHEVILLE, NORTH CAROLINA THE LOW BIDDER, AT A TOTAL PRICE OF \$3,470.00.

AWARD OF RFP NO. 5-2012 – SPRINKLER HEAD TAGGING FOR GOLF COURSE

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

271-12 RESOLVED, THAT TWO (2) RFPs WERE SUBMITTED TO MICHAEL LAUDIEN, GOLF PRO, TO SUPPLY AND INSTALL SPRINKLER HEAD GPS MARKERS AT THE PHILIP J. ROTELLA GOLF COURSE, AND BE IT FURTHER

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RESOLVED, THAT THE TOWN BOARD OF THE TOWN HAVERSTRAW DOES HEREBY AWARD RFP NO. 5-2012 TO BEST APPROACH OF MESA, ARIZONA, THE LOW BIDDER, AT A PRICE OF \$2,000.00 PLUS \$5.00 PER TAGGING EACH SPRINKLER HEAD.

PUBLIC PARTICIPATION

None.

TOWN BOARD MEMBERS & ANNOUNCEMENTS

Supervisor stated that we have been doing an excellent job at the golf course compared to last year when we had a lot of rain. It has just been phenomenal.

Memorial Day services were held on Monday and we would like to thank Bill Mayer of Leo Ladders for all he does. The services began at Haverstraw Town Hall, and then proceeded to Calico Hill, the Villages of Haverstraw and West Haverstraw, the WWII memorial in the Village of Haverstraw and to Mt. Repose Cemetery. There were many people there in attendance.

Tonight at midnight the annual Watch Fire hosted by the Vietnam Vets will take place a Bowline Point Park at 11 p.m. It's an amazing ceremony and unfortunately, it falls on a weeknight which is the traditional Memorial Day.

This Sunday the Town of Haverstraw will host its annual North Rockland Community 3-Mile Run/Walk fundraiser at Bowline Park beginning at 9 am. Three North Rockland families are being honored and they are Brenda Fay, Gabrielle DiCarlo and Krystian Santiago.

The Town of Haverstraw fireworks are scheduled for Tuesday, July 3 and the rain date is Wednesday, July 4th at Bowline Park.

90+ Recognition Day will be held on Monday, June 25th at the Haverstraw Knights of Columbus. There are over 100 people being acknowledged who are 90 years or older.

Supervisor stated that there was an article in the paper about the Champlain Hudson Power Express how they want to take power from Canada and bring it into New York City. I am not against lower electricity cost, but why are we going out of New York State and out of our country to bring power into the lower Hudson Valley? It doesn't make any sense when we have power plants in our own backyard. GenOn, formerly known as Mirant, received permission to build a third natural gas fire plant. It is environmental friendly. We would be creating permanent jobs and construction jobs.

ADJOURNMENT

272-12 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Gennaro J. Montemarano, Doris Cole-Hatchard, Patricia Mancuso, Agnes F. Bain and John F. O'Connor, who recently passed away. Supervisor Phillips and the Town Board members 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