

TOWN BOARD  
GARNERVILLE, NY  
AUGUST 13, 2012

The Town Board of the Town of Haverstraw held a Public Hearing on Monday, August 13, 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 (Absent)
Councilman	John J. Gould
Councilman	Hector L. Soto

**PUBLIC HEARING**  
**TO CONSIDER ADOPTION OF LOCAL LAW NO. 3 OF 2012 AMENDING THE**  
**TOWN ZONING CODE**

Supervisor Phillips stated that the purpose of this Public Hearing is to discuss the consideration of adopting a local law to amend chapters 167 and A176 of the Town Code of the Town of Haverstraw entitled, "ZONING" and "SUBDIVISION OF LAND" by making minor corrections. The Town Clerk read proof of publication and presented the Affidavit of Publication to the Board.

**PRESENTATION BY STEVEN SILVERBERG, ATTORNEY FOR PLANNING AND**  
**ZONING BOARDS OF THE TOWN OF HAVERSTRAW**

Steven Silverberg, Attorney stated that this Local Law was being adopted to make corrections to inconsistencies in the Town Zoning Ordinance. Mr. Silverberg stated that there are two resolutions to be approved.

**PUBLIC PARTICIPATION**

No Comment.

**SEQRA RESOLUTION FOR ADOPTION OF LOCAL LAW NO. 3 OF 2012**

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

**336-12** Resolved that the proposed Local Law No. 3 of 2012 is an unlisted action and will not have a negative impact on the environment. This notice has been prepared in accordance with Article 8 (State Environmental Quality Review Act) of the New York State Environmental Conservation Law; and be it further

Resolved, that the Town Board of the Town of Haverstraw, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Proposed Local Law No. 3 of 2012

**SEQRA Status:** Type 1

**Conditioned Negative Declaration:** No

**Description:** Proposed local law to enact minor amendments to the subdivision regulations and zoning ordinance.

**Location:** Town of Haverstraw, Rockland County, New York.

**Reasons Supporting This Determination:**

In order to address the lack of definition of fences in the zoning ordinance, eliminate a provision in the subdivision regulations which creates a hardship for applicants, without providing any benefit to the Town, eliminate inconsistencies in procedural requirements between New York Town Law and the zoning ordinance and correct minor inconsistencies among uses in business/industrial districts which serve no apparent purpose.

**CLOSE PUBLIC HEARING**

**337-12** On motion by Councilman Gould and seconded by Councilman Soto, unanimously adopted, the Public Hearing was closed.

**RESOLUTION ADOPTING PROPOSED LOCAL LAW NO. 3 OF 2012**  
**AMENDING THE TOWN ZONING CODE**

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

**338-12** WHEREAS, currently the Town subdivision regulations call for expiration of a subdivision, even when the plat has been filed, if no work is performed and even if there has been no change in circumstances, and

WHEREAS, it was brought to our attention that this created a hardship for someone who has gone to the time and expense of the subdivision process,

WHEREAS, the first part of this amendment addresses this issue with the subdivision regulations, but leaves open the requirement for modification of a subdivision if certain changes in regulations have occurred after the original approval, and

WHEREAS, the amendments to the Zoning Ordinance address minor deficiencies or inconsistencies which are (a) that there currently is no definition of fence in the Zoning Ordinance; (b) several procedural requirements for the zoning board are inconsistent with current Town Law, thus making them unenforceable and (c) there is an inconsistency in permitted uses among the industrial/business districts which should be corrected, NOW THEREFORE,

BE IT RESOLVED, that the Town Board declares itself lead agency pursuant to the State Environmental Quality Review Act (SEQRA) and finds this to be a TYPE I action under SEQRA, and

BE IT FURTHER RESOLVED, that the Town Board hereby adopts the annexed SEQRA Negative Declaration finding that the proposed amendment requires no further environmental review, and

BE IT FURTHER RESOLVED, that for the foregoing reasons the Town Board hereby adopts Local Law No. 3 of 2012 as proposed.

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**RAQUEL VENTURA**  
First Deputy

TOWN BOARD  
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The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, August 13, 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 (Absent)
Councilman	John J. Gould
Councilman	Hector L. Soto

#### **ADOPTION OF MINUTES**

**339-12 PUBLIC HEARING AND TOWN BOARD MEETING OF JULY 16, 2012** submitted by the Town Clerk on motion by Councilman Cancel, seconded by Councilman Soto, were unanimously adopted.

#### **PAYMENT OF BILLS**

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

**340-12 RESOLVED**, that bills numbered 2,515 through and including 2,898 in the amount of \$837,992.54 be and they are hereby paid; and Highway Vouchers numbered 349 through and including 429 in the amount of \$73,268.44 audited at this meeting, be and they are hereby paid.

#### **ACCEPTANCE OF REPORTS**

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

**341-12 RESOLVED, THAT THE FOLLOWING POLICE ACTIVITY REPORT HAS BEEN SUBMITTED AND IS HEREBY ACCEPTED: POLICE DEPARTMENT ACTIVITY REPORT FOR THE MONTH OF JUNE 2012.**

#### **ESTABLISH CAPITAL PROJECT- BELGIAN BLOCK CURB IMPROVEMENTS – CASTLE COURT, PINE DRIVE AND HEMLOCK LANE**

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

**342-12 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY APPROVES THE BELGIAN BLOCK IMPROVEMENTS FOR CASTLE COURT, PINE DRIVE AND HEMLOCK LANE, IN THE TOWN OF HAVERSTRAW AS A CAPITAL PROJECT IN THE AMOUNT OF \$110,000.00, WHICH WILL BE FUNDED FROM THE GENERAL FUND.**

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**AWARD OF BID NO. 11-2012 BELGIAN BLOCK CURB IMPROVEMENTS – CASTLE COURT, PINE DRIVE AND HEMLOCK LANE**

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

**343-12 RESOLVED, UPON THE RECOMMENDATION OF JOSEPH CARUSO, PE OF MASER CONSULTANTS, PA, AND THE BIDS HAVING BEEN FOUND IN ORDER BY WILLIAM M. STEIN, TOWN ATTORNEY, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH BELLA VISTA CONSTRUCTION CORP. OF SUFFERN, NEW YORK FOR BELGIAN BLOCK CURB IMPROVEMENTS IN THE TOWN OF HAVERSTRAW FOR CASTLE COURT, PINE DRIVE AND HEMLOCK LANE AT A COST OF \$91,341.00.**

**AUTHORIZATION FOR MASER CONSULTANTS, PE TO PERFORM SURVEY**

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

**344-12 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES MASER CONSULTANTS, PE OF CHESTNUT RIDGE, NEW YORK TO PERFORM A SURVEY OF LOT 20.18-4-1 AT A COST NOT TO EXCEED \$3,500.00.**

**APPOINTMENT OF COURT ATTENDANT – PAUL HYLAS**

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

**345-12 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPOINT PAUL HYLAS, STONY POINT, NEW YORK TO THE POSITION OF PART TIME COURT ATTENDANT WITH THE TOWN OF HAVERSTRAW JUSTICE COURT EFFECTIVE IMMEDIATELY, AT AN HOURLY RATE OF \$18.00, AND BE IT FURTHER**

**RESOLVED, THAT THIS APPOINTMENT WAS APPROVED BY THE ROCKLAND COUNTY DEPARTMENT OF PERSONNEL AND IS SUBJECT TO THE RULES AND REGULATIONS OF THE ROCKLAND COUNTY DEPARTMENT OF PERSONNEL.**

**APPOINTMENT OF ANIMAL CONTROL OFFICER II – CLAUDIA PERRY**

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

**346-12 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPOINT CLAUDIA PERRY OF HAVERSTRAW, NEW YORK TO THE POSITION OF ANIMAL CONTROL OFFICERS II, PERMANENT, WITH THE TOWN OF HAVERSTRAW EFFECTIVE IMMEDIATELY, AT A YEARLY SALARY OF \$12,546.00, AND BE IT FURTHER**

**RESOLVED, THAT SAID PERMANENT APPOINTMENT IS SUBJECT TO THE RULES AND REGULATIONS OF THE COUNTY OF ROCKLAND DEPARTMENT OF PERSONNEL AND IS THE RESULT OF SUCCESSFULLY PASSING THE ANIMAL CONTROL OFFICER II TEST, AND BE IT FURTHER**

**RESOLVED, THAT MS. PERRY WILL SERVE A PROBATION PERIOD OF (2) TWO YEARS.**

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**REIMBURSEMENT TO THE CITY OF MT. VERNON POLICE DEPARTMENT**

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

**347-12 RESOLVED, THAT THE TOWN BOARD HEREBY AUTHORIZES A PAYMENT TO THE CITY OF MT. VERNON POLICE DEPARTMENT IN THE SUM OF THREE THOUSAND EIGHTY-SIX DOLLARS & TWENTY CENTS (\$3,086.20) FOR REIMBURSEMENT OF POLICE OFFICER TRAINING EXPENSE.**

**AGREEMENT WITH GHD CONSULTING ENGINEERS, LLC**

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

**348-12 RESOLVED, THAT THE TOWN BOARD HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH GHD CONSULTING ENGINEERS, LLC OF CAZENOVIA, NEW YORK FOR THE OBSERVATION AND TESTING OF SOIL PLACEMENT AT THE TOWN OF HAVERSTRAW LANDFILL AT A COST OF \$1,500.00 PER DAY FOR PERSONNEL AND \$1,500.00 PER TEST FOR A TOTAL OF THREE (3) TESTS WITH A TOTAL COST NOT TO EXCEED THE ADDITIONAL SUM OF \$12,000.00.**

**PUBLIC COMMENT**

Bert Singer, 10 Chestnut Drive, Pomona, NY stated that he doesn't mind the lawn signs. He had a sign that said Rotella Golf Camp. He found it on Quaker Road. He was joking about it and said he would be happy to remove them after the golf camp was over.

Tom Cooney, 6 Castel Court, Thiells, NY stated that he is delighted that the Town is going to install Belgian Block curbs on Castel Court. He also stated that the Supervisor and Town Board are hard-working and dedicated. Mr. Cooney wanted to know if there was anything new with the police officer's contract. He would be willing to help in any way he can.

Supervisor Phillips stated that the Town of Haverstraw Police is the lowest paid in Rockland County. They have 2 ½ months off. We tried to negotiate with them, but it looks like we'll be going to arbitration. We want any new police officers to contribute to the cost of their health insurance. Other new Town employees do. The PBA said no. We are waiting for an arbitrator to be appointed.

**ANNOUNCEMENTS**

The Air Show is on Saturday, August 25<sup>th</sup> from 10:00 AM - 4:00 PM at the Town of Haverstraw Scenic Riverview Park.

Dancing Under the Stars will be held on Friday, August 24<sup>th</sup> in front of the Village of Haverstraw Village Hall.

The Thursday Night Open Air concerts are held each week at 7:30 PM at Bowline Point Park. Concerts are free and open to the public.

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**ADJOURNMENT**

**349-12** Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Deirdre Huebner Michella, Maria Rivas, Gerard Kernisan, Victor Zugibe, Marilyn G. Fieldson, Jose Luis Martinez, Eleanor W. Lisewsky, Marilyn J. Golemboski, Juan Antonio Escobar, Jazmin Rivera, Irwin Gillule, Amy Heinsman and Felicita Rosa 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 Gould to adjourn the Town Board Meeting.

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**RAQUEL VENTURA**  
First Deputy