

TOWN BOARD  
GARNERVILLE, NY  
SEPTEMBER 10, 2012

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, September 10, 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**

**350-12 PUBLIC HEARING AND TOWN BOARD MEETING OF AUGUST 13, 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.

**351-12 RESOLVED**, that bills numbered 2,899 through and including 3,140 in the amount of \$818,612.59 be and they are hereby paid; and Highway Vouchers numbered 431 through and including 459 in the amount of \$25,185.78 audited at this meeting, be and they are hereby paid.

**ACCEPTANCE OF REPORTS**

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

**352-12 RESOLVED, THAT THE FOLLOWING POLICE ACTIVITY REPORT HAS BEEN SUBMITTED AND IS HEREBY ACCEPTED: POLICE DEPARTMENT ACTIVITY REPORT FOR THE MONTH OF JULY 2012.**

**AUTHORIZATION TO SIGN COLLECTIVE BARGAINING AGREEMENT FOR TOWN OF HAVERSTRAW POLICE RADIO DISPATCHERS**

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

**353-12 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH THE TOWN OF HAVERSTRAW POLICE RADIO DISPATCHERS FOR A PERIOD COMMENCING JANUARY 1, 2010 THROUGH DECEMBER 31, 2012.**

**SET DATE FOR PUBLIC HEARING - SEWER ASSESSMENT ROLL 2012**

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

**354-12 RESOLVED, THAT PURSUANT TO THE TOWN LAW A PUBLIC HEARING WITH REFERENCE TO THE SEWER ROLL FOR THE YEAR 2012 SHALL BE HELD ON MONDAY, SEPTEMBER 24, 2012 AT 8:00 P.M. AT THE TOWN HALL, ONE ROSMAN ROAD, GARNERVILLE, NEW YORK, AND BE IT FURTHER**

**RESOLVED, THAT THE TOWN CLERK SHALL PUBLISH SAID NOTICE, AND ALL PERSONS ARE INVITED TO ATTEND AND WILL BE HEARD BY THE BOARD.**

**AGREEMENT WITH EMPLOYEE NUMBER SYS-028474 AND THE TOWN OF HAVERSTRAW**

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

**355-12 RESOLVED, THAT THE TOWN BOARD HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH EMPLOYEE #SYS-010645.**

**AUTHORIZATION TO SETTLE TAX CERTIORARI – DOUBLE WINGS REALTY CORP-TACO BELL**

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

**356-12 RESOLVED, THAT 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 DOUBLE WINGS REALTY CORP-TACO BELL (26.11-1-12.1) 101 ROUTE 9W, WEST HAVERSTRAW, NEW YORK FOR TAX YEARS BASED UPON THE FOLLOWING:**

YEAR	ORIGINAL ASSESSMENT	REVISED ASSESSMENT	REDUCTION AMOUNT	% REDUCTION	EST REFUND
2010	795,000	500,000	295,000	37%	\$2,505
2011	795,000	500,000	295,000	37%	\$3,288
2012	795,000	500,000	295,000	37%	\$3,814
				<b>Total</b>	<b>\$9,606</b>

**AUTHORIZATION TO SETTLE TAX CERTIORARI – DOUBLE WINGS REALTY CORP-BLOCKBUSTER**

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

**357-12 RESOLVED, THAT 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 DOUBLE WINGS REALTY CORP-BLOCKBUSTER (26.11-1-12.4) 89 ROUTE 9W, WEST HAVERSTRAW, NEW YORK FOR TAX YEARS BASED UPON THE FOLLOWING:**

YEAR	ORIGINAL ASSESSMENT	REVISED ASSESSMENT	REDUCTION AMOUNT	% REDUCTION	EST REFUND
2010	785,000	550,000	235,000	30%	\$1,995
2011	785,000	550,000	235,000	30%	\$2,619
2012	785,000	550,000	235,000	30%	\$3,038
				<b>Total</b>	<b>\$7,652</b>

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

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

**358-12 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, HEREBY GRANTS PERMISSION FOR DAVID ADAMS, ASSESSOR TO ATTEND A NEW YORK STATE OFFICE OF REAL PROPERTY SERVICES SEMINAR ENTITLED "CELL TOWER VALUATION", AT THE RAMADA INN IN FISHKILL, NEW YORK FROM 9:00 AM-4:00 PM AT A COST OF \$95.00.**

**ESTABLISH CAPITAL PROJECT FOR CONSTRUCTION OF NEW PUMP STATION AT BOWLINE POINT PARK**

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

**359-12 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY APPROVES THE CONSTRUCTION OF A PUMP STATION AT BOWLINE PARK AS A CAPITAL PROJECT FOR \$120,000.00 OF WHICH \$80,000.00 WILL BE FUNDED FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT AND \$40,000.00 FROM THE SEWER FUND.**

**AWARD OF BID NO. 13-2012 CONSTRUCTION OF PUMP STATION AT BOWLINE POINT PARK**

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

**360-12 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF PATRICK BRADY, PE AND THE BIDS HAVING BEEN FOUND IN ORDER BY THE TOWN ATTORNEY, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SUPERVISOR TO ENTER INTO A CONTRACT WITH COPPOLA SERVICES, INC. OF RINGWOOD, NEW JERSEY, THE LOW BIDDER, AT A COST OF \$97,785.00 FOR CONSTRUCTION OF A PUMP STATION AT BOWLINE POINT PARK SUBJECT TO THE APPROVAL OF THE ROCKLAND COUNTY OFFICE OF COMMUNITY DEVELOPMENT**

**APPROVAL FOR TOWN OF HAVERSTRAW JUSTICE COURT TO APPLY FOR GRANT FUNDS**

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

**361-12 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY APPROVES THE TOWN OF HAVERSTRAW'S JUSTICE COURT TO APPLY FOR GRANT FUNDING THROUGH THE 2012 JUSTICE COURT ASSISTANCE PROGRAM.**

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**AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND AED PROGRAM  
MANAGEMENT SERVICES**

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

**362-12 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO A AED PROGRAM MANAGEMENT SERVICE AGREEMENT WITH RESCUE ONE TRAINING FOR LIFE, INC. FROM GAITHERSBURG, MARYLAND FOR A THREE YEAR TERM AT A COST OF \$345.00 ANNUALLY PER ADULT AED AND \$395.00 ANNUALLY PER ADULT AND PEDIATRIC AED.**

**ESTABLISH CAPITAL PROJECT – CRACK SEAL & MICROSURFACING ROADS  
IN THE TOWN OF HAVERSTRAW**

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

**363-12 RESOLVED, THAT THE TOWN BOARD HEREBY APPROVES THE CRACK SEAL & MICROSURFACING OF ROADS IN THE TOWN OF HAVERSTRAW, AS A CAPITAL PROJECT IN THE AMOUNT OF \$80,000.00, OF WHICH \$68,000.00 WILL BE FUNDED THROUGH THE NEW YORK STATE CHIPS PROGRAM AND \$12,000.00 WILL BE FUNDED THROUGH THE DB FUND FOR THE FOLLOWING ROADS: CASTLE COURT; HEMLOCK ROAD; PINE DRIVE; WOODRIDGE DRIVE; CRAMER COURT AND BRENNAN COURT.**

**RETAIN THE SERVICES OF ASPHALT PAVING SYSTEMS TO CRACK SEAL &  
MICROSURFACING ROADS IN THE TOWN OF HAVERSTRAW**

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

**364-12 RESOLVED, UPON THE RECOMMENDATION OF FRANK BROOKS, SUPERINTENDENT OF HIGHWAYS, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY RETAIN THE SERVICES OF ASPHALT PAVING SYSTEMS OF HAMMONTON, NEW JERSEY ON A STATE BID TO CRACK SEAL & MICROSURFACING THE FOLLOWING ROADS: CASTLE COURT; HEMLOCK ROAD; PINE DRIVE; WOODRIDGE DRIVE; CRAMER COURT AND BRENNAN COURT AT A COST NOT TO EXCEED \$80,000.00.**

**PUBLIC PARTICIPATION**

Rochelle Sternheim inquired about the microphones at the Justice Court. She stated that she could not hear what they were saying in the court.

Supervisor Phillips stated that he will tell the judges of the situation.

Larry Levine, Roundpointe Road, Haverstraw, NY stated that at the Ferry Parking lot on Girling Drive, on the weekends at midnight, there are gatherings of young folks who are very loud and playing music. Mr. Levine would appreciate it if the police could include that area to patrol.

Supervisor Phillips stated that no one should be in there hanging around. The Supervisor asked Police Chief Miller to comment on this.

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Police Chief Miller stated that the property is owned by the MTA and he would contact the MTA to put up “No Loitering” signs.

Supervisor Phillips stated that maybe we could put a chain up but ask the MTA if they would allow it. If the MTA owns the property we need to ask them.

Police Chief Miller stated that it is the only access to the boat club.

Supervisor Phillips stated that we will work something out with the Police Dept. to send down patrols. We will also speak to the MTA to get “No Loitering” signs posted.

Supervisor Phillips stated that this is the first meeting since August and he was glad to see Bruce Leach to personally extend our gratitude in organizing the Hudson Valley Radio Control Air Show that was held on Saturday, August 25<sup>th</sup>. A few hundred people came down to see the air show. Everybody had a great day.

Michael Cotier, Park Director stated that he served over 600 hotdogs so he knows that there were at least 500 people there.

Bruce Leach, Wayne Ave., W. Haverstraw, NY stated that on September 22<sup>nd</sup>, the Helis over the Hudson Radio Control Show will be held from 9am-5pm at the Town of Haverstraw Beach Road Scenic Riverfront Park. The event is open to the public and refreshments will be served. Bruce thanked the Town of Haverstraw for all their help and assistance for the air show. He stated that the Parks Dept. did a great job and that he also wanted to thank Haverstraw Transit for bringing the people back and forth to the park on the bus.

Supervisor Phillips stated that he was very impressed at the air show and it was a great day.

Dancing Under the Stars was another huge success and we were very impressed and very happy about the great summer season the Town had. The Supervisor complimented Park Director, Mike Cotier for organizing the Volunteer Recognition BBQ at Bowline on August 31<sup>st</sup>. Approximately 300 volunteers and their families attended.

The last concert of the season was on Labor Day weekend and there were about 3,000 people in the park. Everybody seemed to be enjoying themselves and all of the events we had over the summer.

The Town of Haverstraw Youth Board will resume their regular schedule soon. A flyer will be going out soon to the schools.

The date of Town’s Halloween Festival will be announced soon.

Mel Post, 1422 Roundpointe Drive, Haverstraw, NY asked if there are any negotiations with GenOn or anything happening in that area. Is there anything we can do that might be a benefit to the Town as a taxpayer?

Supervisor Phillips stated that we are working off of Judge Dickerson’s assessment. GenOn challenged the assessment four years ago and since then it dropped 50%. You would think that it would be more than sufficient because they haven’t put any money into the plants and the value is plummeting. GenOn pays 10 ½ million dollars in total taxes and the plants run about 15-20 days a year. The bad news is that if they build new plants they will only pay \$4 – 5 million in taxes. Please if anybody tells you it’s about assessment, it’s about taxes, taxes, taxes.

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Mel Post, 1422 Roundpointe Drive, Haverstraw, NY stated that all the talk about it, what does GenOn pay in taxes?

Supervisor Phillips stated GenOn pays \$7 million in school taxes. The Town is a small part of that – we are about \$1.7 million and the rest is the county, villages and special districts. We could see a 50% reduction in their assessment and in their taxes. The plants are not worth nearly what they were. We are paying for the sins of the past Superintendent, Dodge Watkins who raised the school budget \$77 million dollars in 7 years. The Town needs ratables and we are moving ahead with the Desal Plant and with the Wal-Mart Shopping Center.

Mel Post, 1422 Roundpointe Drive, Haverstraw, NY asked if we can do anything as citizens to aid in the GenOn negotiations or if we can be of any help as citizens of the Town of Haverstraw.

Supervisor Phillips stated to get involved as you are doing and voice your concerns.

Mel Post, 1422 Roundpointe Drive, Haverstraw, NY stated that we are willing to attend those meetings (the school board meetings).

Ilan Schulein, Hillside Drive, Thiells stated that talking about the money that comes in from GenOn it seems to be less and less. Is it possible that maybe through the town or county some buyer can be found to buy this waterfront property?

Supervisor Phillips stated that they don't want to sell. We cannot take the property or go through the condemning process because then you would be left with two buildings. You cannot retool them or build new ones. If you lease the property no power producer is going to unless they receive a compatible collateral contract. Just to give you an example, no developers have come in – zero – for the Letchworth property.

Mel Post, 1422 Roundpointe Drive, Haverstraw, NY stated that at the Harbors you cannot get the money for the condos – he is renting them.

### **ADJOURNMENT**

**365-12** Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Philip J. Vaccaro; Eugene D'Onofrio; Genevieve White; Mary Quinn; Augustine A. Pappalardo; Maria Teresa Minchala; H. Kent Vanderhoef; Michael Prestipino; Vincent J. Coe; Sharon Van Ostrand; Helen Z. Zerbarini and Philip J. Martino, Sr. 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 Gamboli, seconded by Councilman Soto to adjourn the Town Board Meeting.

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**RAQUEL VENTURA**  
First Deputy