

TOWN BOARD
GARNERVILLE, NY
OCTOBER 29, 2013

The Town Board of the Town of Haverstraw held a Special Meeting on Tuesday, October 29, 2013 at 5:15 p.m. at 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 Gamboli
Councilman	John J. Gould
Councilman	Hector L. Soto (Absent)

**AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND THE
GARNERVILLE HOLDING COMPANY, INC.**

The following resolution was passed by the full board.

404-13 WHEREAS, THE MINISCEONGO CREEK ORIGINATES IN THE NEW YORK STATE PALISADES INTERSTATE PARK PASSING THROUGH LAKE WELCH AND FLOWING EASTERLY THROUGH THE TOWN OF HAVERSTRAW, THE VILLAGE OF WEST HAVERSTRAW AND THE HAMLET OF GARNERVILLE ON ITS COURSE TO THE HUDSON RIVER;

WHEREAS, AS IT PASSES THROUGH GARNERVILLE, THE MINISCEONGO CREEK FLOWS THROUGH THE PROPERTY OF THE GARNERVILLE HOLDING COMPANY, INC., A 19TH CENTURY FORMER TEXTILE MILL KNOWN AS THE GARNERVILLE ARTS & INDUSTRIAL CENTER AND LISTED ON THE NEW YORK STATE REGISTER OF HISTORIC PLACES AS THE *ROCKLAND PRINT WORKS HISTORIC DISTRICT*;

WHEREAS, THE COMPLEX HOUSES NUMEROUS SMALL BUSINESSES, HUNDREDS OF WORKERS AND THE NON-PROFIT GARNER ARTS CENTER AND IS OF SIGNIFICANT IMPORTANCE TO THE LOCAL ECONOMY AND TAX BASE;

WHEREAS, IN OR AROUND 1925, THE ONGOING DEVELOPMENT OF THE *ROCKLAND PRINT WORKS* INCLUDED THE CONSTRUCTION OF A BUILDING THAT SPANNED OVER THE MINISCEONGO CREEK, ONLY 60 FEET DOWNSTREAM OF THE BRIDGE STREET DAM (AKA "PRINT WORKS DAM"). SUBSTANTIAL PORTIONS OF THIS FORMER BLOCK AND BRICK BUILDING HAVE BEEN DAMAGED AND DISPLACED, HOWEVER, THE FLOOR SLAB AND THE SUPPORTING STRUCTURE OF THE FLOOR SLAB, REMAIN. THE FLOOR STRUCTURE INCLUDES CONCRETE FOUNDATIONS AND PIERS CONSTRUCTED DIRECTLY IN THE CHANNEL OF THE MINISCEONGO CREEK;

WHEREAS, THE SUPPORTING FOUNDATION AND PIER SYSTEM IS A SIGNIFICANT IMPEDIMENT TO STORM FLOWS AND ACTS AS A CATCHMENT FOR TREES AND DEBRIS IN THE MINISCEONGO CREEK THAT ARE CARRIED BY HURRICANE AND SEVERE STORM WATER FLOWS;

WHEREAS, DURING SUCH STORM WATER FLOWS, TREES AND DEBRIS TRAVELLING DOWNSTREAM BECOME LODGED IN AND CLOG THE BOX CULVERT OF THIS FLOOR SYSTEM, FORCING THE WATER TO RISE OVER THE FLOOR LEVEL AND ENTER INTO ADJOINING BRICK BUILDINGS, FLOODING AND DAMAGING SUBSTANTIAL PORTIONS OF THE GARNERVILLE COMPLEX, DESTROYING, DISPLACING AND DAMAGING NUMEROUS BUSINESSES TOTALING IN THE MILLIONS OF DOLLARS; AND THREATENING PUBLIC SAFETY;

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WHEREAS, THE CLOGGED CULVERT ALSO FORCES FLOOD WATERS TO SPILL OUT ONTO BRIDGE STREET, A VILLAGE OF WEST HAVERSTRAW ROAD WHERE THE S.W. JOHNSON FIREHOUSE IS LOCATED, AS WELL AS ONTO THE INTERSECTING RAILROAD AVENUE, A ROCKLAND COUNTY ROAD THAT SERVES AS A MAIN THOROUGHFARE IN HAVERSTRAW LINKING TO NYS ROUTE 9W. AS A RESULT OF THE FLOODING FROM THE BLOCKED CULVERT IN THE CREEK CHANNEL, CRITICAL LIFE-SAFETY SERVICES ARE IMPEDED, TRAFFIC FLOW IS STOPPED OR IMPAIRED AND SIGNIFICANT TOWN OF HAVERSTRAW AND VILLAGE OF WEST HAVERSTRAW SERVICES AND PERSONNEL ARE CALLED INTO ACTION;

WHEREAS, FLOODING IN THIS AREA HAS OCCURRED REPETITIVELY FOR DECADES AND HAS BECOME MORE AND MORE DAMAGING AND COSTLY IN RECENT YEARS;

WHEREAS, THE TOWN OF HAVERSTRAW, AND THE GARNERVILLE HOLDING COMPANY, INC. AND ITS ENGINEER, BELIEVE THAT THE REMOVAL OF THE FLOOR SLAB AND SUPPORTING FOUNDATION AND PIERS FROM THE MINISCEONGO CREEK WILL RESTORE THE ORIGINAL FLOW OF THE CREEK AND REMEDY THE FLOODING IN THIS AREA FROM HURRICANE AND SEVERE STORM WATER FLOWS;

WHEREAS, THE TOWN OF HAVERSTRAW BELIEVES REMOVAL OF THE FLOOR SLAB AND SUPPORTING FOUNDATION AND PIERS IS IN THE BEST INTERESTS OF THE PEOPLE AND BUSINESSES WITHIN THE TOWN OF HAVERSTRAW AND WILL SERVE TO PROTECT A STATE REGISTER HISTORIC SITE;

NOW, THEREFORE, THE TOWN BOARD AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE GARNERVILLE HOLDING COMPANY, INC. WHICH WILL PROVIDE THAT THE PARTIES WILL COOPERATE IN THE PREPARATION OF A HAZARD MITIGATION GRANT APPLICATION FOR FUNDS TO REMOVE THE FLOOR SLAB AND SUPPORTING FOUNDATION AND PIERS FROM THE MINISCEONGO CREEK AT THE GARNERVILLE HOLDING COMPANY; AND IT IS FURTHER AGREED THAT IF THE GRANT IS AWARDED, THE TOWN OF HAVERSTRAW SHALL HAVE THE OPTION TO ACCEPT OR REJECT THE GRANT AND TAKE SUCH OTHER STEPS AS MAY BE NECESSARY TO PROCEED WITH THE PROPOSED HAZARD MITIGATION FOR THIS AREA. IT IS FURTHER UNDERSTOOD THAT IF THE TOWN AGREES TO MOVE FORWARD WITH THE GRANT, GARNERVILLE HOLDING COMPANY, INC. SHALL BE FULLY RESPONSIBLE TO PAY ALL OF THE COSTS ASSOCIATED WITH THIS PROJECT. UNDER NO CIRCUMSTANCE WITH THE TOWN AGREE TO SIGN A MAINTENANCE AGREEMENT FOR THIS PROJECT OR BE RESPONSIBLE FOR ANY MAINTENANCE OF THE PROJECT.

PUBLIC PARTICIPATION

None.

ADJOURNMENT

405-13 Motion was made by Councilman Gould and seconded by Councilman Cancel to adjourn the Special Meeting.

KAREN L. BULLEY
Town Clerk