

TOWN BOARD  
GARNERVILLE, NY  
OCTOBER 28, 2013

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, October 28, 2013 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**

**392-13 ADOPTION OF TOWN BOARD MEETING MINUTES OF OCTOBER 15, 2013** submitted by the Town Clerk on motion by Councilman Soto, seconded by Councilman Gould, were unanimously adopted.

**PAYMENT OF BILLS**

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

**393-13 RESOLVED**, that bills numbered 3,594 through and including 3,754 in the amount of \$258,692.50 be and they are hereby paid, audited at this meeting, be and they are hereby paid; and Highway Vouchers numbered 512 through and including 543 in the amount of \$30,236.19 audited at this meeting, be and they are hereby paid.

**ACCEPTANCE OF REPORTS**

**No reports were submitted.**

**SET DATE FOR PUBLIC HEARING ON 2014 PRELIMINARY TOWN BUDGET**

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

**394-13 RESOLVED, THAT THE TOWN CLERK BE AND SHE HEREBY IS AUTHORIZED TO PUBLISH A NOTICE THAT A PUBLIC HEARING SHALL BE HELD ON THE PRELIMINARY TOWN BUDGET FOR THE TOWN OF HAVERSTRAW FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2014, AT THE TOWN HALL, ONE ROSMAN ROAD, GARNERVILLE, NY, ON THURSDAY, NOVEMBER 7, 2013, AT 7:00 P.M., AND THAT ALL INTERESTED PARTIES ARE INVITED TO ATTEND AND SHALL BE HEARD BY THE BOARD, AND BE IT FURTHER**

**RESOLVED, THAT PURSUANT TO THE PROVISIONS OF THE TOWN LAW THE PROPOSED ANNUAL SALARIES ARE HEREBY SPECIFIED AS FOLLOWS:**

SUPERVISOR.....	\$107,786.50
COUNCILMAN (EACH).....	\$20,408.11
TOWN CLERK.....	\$79,560.00
HIGHWAY SUPERINTENDENT .....	\$85,000.00

**SCHEDULE PUBLIC HEARING – TO OVERRIDE THE TAX LEVY LIMIT 2014  
BUDGET ESTABLISHED IN GENERAL MUNICIPAL LAW 3-c**

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

**395-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY SCHEDULE A PUBLIC HEARING TO CONSIDER ADOPTING A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT FOR THE 2014 BUDGET ESTABLISHED IN GENERAL MUNICIPAL LAW 3-c. SAID PUBLIC HEARING WILL BE HELD ON THURSDAY, NOVEMBER 7, 2013 AT 7:15 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.**

Supervisor Phillips stated that the average tax increase for a family is about 1.82%. The tax levy is 1.66% not 2%.

**CHANGE OF MEETING DATE – VETERAN’S DAY**

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

**396-13 WHEREAS, THE FIRST MEETING OF THE TOWN BOARD OF THE TOWN OF HAVERSTRAW IN NOVEMBER, IS SCHEDULED FOR MONDAY, NOVEMBER 11, 2013, THE LEGAL HOLIDAY FOR THE OBSERVANCE OF VETERAN’S DAY, NOW, THEREFORE, BE IT**

**RESOLVED, THAT THE TOWN CLERK IS AUTHORIZED TO PUBLISH A NOTICE THAT SAID MEETING IS HEREBY RESCHEDULED FOR TUESDAY, NOVEMBER 12, 2013, AT 8:00 P.M.**

**AUTHORIZATION TO SETTLE TAX CERTIORARI – LONG WALL PROPERTY LLC  
(27.46-1-3)**

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

**397-13 RESOLVED, UPON THE RECOMMENDATION OF JOHN O’SHAUGHNESSY, TOWN ASSESSOR AND WILLIAM M. STEIN, TOWN ATTORNEY, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SETTLEMENT FOR THE LONG WALL PROPERTIES, LLC (LOT 27.46-1-3), LOCATED AT 22 JEFFERSON ST. IN THE VILLAGE OF HAVERSTRAW FOR TAX YEARS 2013 BASED UPON THE FOLLOWING AMOUNTS ON THIS LOCATION:**

TAX YEAR	ORIGINAL ASSESSMENT	REVISED ASSESSMENT	REDUCTION AMOUNT	% REDUCTION	EST REFUND
2013	212,500	165,000	47,500	22%	\$545

William Stein, Town Attorney stated for the record that he took no part in the negotiations for the above settlement. Mr. O’Shaughnessy, Town Assessor negotiated the settlement. This property is a potential client and I had nothing to do with the amount.

**AUTHORIZATION TO SETTLE TAX CERTIORARI – LHFS WEST BROAD (27.53-2-18)**

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

**398-13 RESOLVED, UPON THE RECOMMENDATION OF JOHN O'SHAUGHNESSY, TOWN ASSESSOR AND WILLIAM M. STEIN, TOWN ATTORNEY, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SETTLEMENT FOR THE LHFS WEST BROAD, LLC PROPERTY (LOT 27.53-2-18), LOCATED AT 11 MAIN STREET IN THE VILLAGE OF HAVERSTRAW FOR TAX YEARS 2013 BASED UPON THE FOLLOWING AMOUNTS ON THIS LOCATION:**

<b>TAX YEAR</b>	<b>ORIGINAL ASSESSMENT</b>	<b>REVISED ASSESSMENT</b>	<b>REDUCTION AMOUNT</b>	<b>% REDUCTION</b>	<b>EST REFUND</b>
2013	285,000	190,000	95,000	33%	\$2,010

**APPROVAL OF CHANGE ORDER – HAVERSTRAW LANDFILL TRIENNIAL LEACHATE TESTING**

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

**399-13 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF RON BADONE, PE, CONVERSE CONSULTANTS, THE TOWN BOARD HEREBY APPROVES THE CHANGE ORDER FOR ADDITIONAL TRIENNIAL LEACHATE TESTING AND SAMPLING AT THE HAVERSTRAW LANDFILL, WHICH IS REQUIRED BY THE JRSB, IN THE SUM OF \$1,830.00.**

**AUTHORIZATION FOR BUILDING INSPECTOR AND ASSISTANT ZONING INSPECTOR TO ATTEND MID-HUDSON NYSBOC SEMINAR**

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

**400-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, HEREBY GRANTS PERMISSION FOR EUGENE BARNUM, BUILDING INSPECTOR AND FRED VIOHL, ASSISTANT ZONING INSPECTOR, TO ATTEND THE MID-HUDSON NYSBOC (BUILDING OFFICIALS CONFERENCE) SEMINAR REQUIRED TRAINING CONFERENCE TO BE HELD ON NOVEMBER 13, 2013 FROM 8:00 AM TO 5:00 PM WAPPINGERS FALLS, NEW YORK AT A COST OF \$80.00 PER PERSON.**

**RELEASE OF ESCROW – IVY ESTATES FINAL SURVEY, LOT 6**

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

**401-13 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF JOSEPH CARUSO, PE, MASER CONSULTANTS THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY RELEASES THE ESCROW IN THE SUM OF \$17,000 BACK TO IVY ESTATES FINAL SURVEY, LOT 6.**

**RESOLUTION TO DONATE USED CELL PHONES**

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

**402-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE TOWN CLERK'S OFFICE TO DONATE THE FOLLOWING USED CELL PHONES TO "SECURE THE CALL FOUNDATION" TO PROVIDE CELL PHONES FOR PEOPLE IN NEED:**

<b><u>Donated Cell Phones</u></b>	<b>SECURE THE CALL</b>
Model	Serial #
MOTV860	A0000015F64EA2
MOTV860	A0000015F6D050
MOTV860	A00000221F6D98
MOTV860	A00000221F6D58
MOTV860	A0000022642BBB
MOTV860	A000002C3841BC
MOTV860	A000002C385D00
MOTV860	A000002C3822C6
MOTV860	A00000221F5887
MOTV860	A00000221F0866
MOTV860	A000002C383019
MOTV860	A0000015F6EBAC
MOTV860	A000002C3850F3
MOTV860	A000002C385A32
MOTV860	A000002C4C6AC5
MOTV860	A000002C38596E
MOTV860	A0000015F6C0B4
MOTV860	A000002C384833
MOTV860	A00000221F8128
MOTV860	A00000221ED2FB
BB8530 CURVE BLACK	A000001CB817AB
MOTV860	A00000221ED2FB
MOTV860	A00000221F49BB
MOTV860	A00000222D1EC0
MOTV860	A0000015F65889
MOTV860	A0000022F8C57E
APPLE IPHONE 4S 16GB	99000187623697
MOTV860	A0000015F648FC
BLACKBERRY GLOBAL	7609494371
BLACKBERRY WORLD EDITION	7615776170
MOTV860	A00000221F2299
MOTV860	A00000221EF6F6
MOTV860	A000002C385D33
MOTV860	A0000G221F3FD3
MOTV860	A00000221F9CA6
MOTVU204	A00000154C7108
MOTV750	A00000EB30034
MOTOROLA	HEX-143B1431E
SAMSUNG	HEX-2209769571
MOTOROLA V750 PTT	A000000E939A9F
MOTOROLA	A00000E0E4234

LG VX5400	S/N-808CYDG2404594
MOTV750 ADVENTUR	A000000E934166
NEXTEL I570	MSN-364VJL88X3
MOTOROLA	A00000EB2F891
BB 8830	ESN-07616313445
MOTV860	A00000221F87EC
LG VX5200	S/N510KPW02108193
LG VX5400	S/N806CYDG2118042
LG VX5200	HEX-19BAEFCE
LG VX5400	A00000F4B59CE
LGVX4500	503KPED3575900
LGUX10	HEX-44E91182
MOTOROLA	HEX-24C750D1

### **PUBLIC PARTICIPATION**

**None.**

### **BOARD MEMBERS**

Supervisor Phillips stated that he was proud of the fact that we had our 13<sup>th</sup> Annual Halloween Festival and thanked the employees at Town Hall, Parks Dept., Highway Dept., all the volunteers, the businesses and vendors who donated throughout the town for the event. I would like to thank the Knights of Columbus for judging the costume contest and all of the parents who brought their children. The Parks Dept. did a great job with the haunted house and haunted hayride. We prepared 2,700 goody bags and received so many compliments. We will announce the winner of the House Decorating Contest this week.

There will be a Veteran's Day Memorial at Calico Hill on November 11<sup>th</sup> at 11:00 am with Leo Laders. A reception will follow at Leo Laders Post 130 at the Legion Hall.

Councilman Gamboli congratulated Alex Guarino for receiving his Forty Under 40 Award.

A concern was raised about people cutting through the Letchworth property. The Supervisor asked the Chief of Police Charles Miller and Frank Brooks, Superintendent of Highways to close the Stony Point entrance. This would eliminate the people cutting through.

The Town of Haverstraw Youth Board has the Radio City Christmas Show scheduled for Thursday, December 12<sup>th</sup>. Please call Town Hall for further information.

The Town Highway Dept. had their open house on Saturday, October 19<sup>th</sup>. It was a great day and a wonderful turnout with all the kids.

### **ADJOURNMENT**

**403-13** Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Jacques "Jack" Muntz, Caroline A. Bogart, Andrew R. Meisse, Harold J. Taylor, Bridget Foy Murphy, Joseph W. Conklin and Iris Thomas, who recently passed away. The Town Board members further extended their condolences and sympathy to the families. Therefore, a motion was made by Councilman Gamboli, seconded by Councilman Cancel, unanimously adopted, the Town Board Meeting was adjourned.

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**KAREN L. BULLEY**  
Town Clerk