

TOWN BOARD  
GARNERVILLE, NY  
FEBRUARY 11, 2013

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, February 11, 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 (Absent)
Councilman	John J. Gould
Councilman	Hector L. Soto

**ADOPTION OF MINUTES**

**120-13 ADOPTION OF TOWN BOARD MEETING MINUTES AND PUBLIC HEARING MINUTES OF JANUARY 28, 2013: CONTINUATION OF PUBLIC HEARING – 2013 GOLF RATES AND PUBLIC HEARING – BUILDING DEPARTMENT FEE CHANGES**, submitted by the Town Clerk on motion by Councilman Soto, seconded by Councilman Cancel, were unanimously adopted.

**PAYMENT OF BILLS**

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

**121-13 RESOLVED**, that bills numbered 401 through and including 569 in the amount of \$2,491,524.22 be and they are hereby paid; and Highway Vouchers numbered 63 through and including 98 in the amount of \$92,932.45 audited at this meeting, be and they are hereby paid.

**ACCEPTANCE OF REPORTS**

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

**122-13 RESOLVED, THAT THE FOLLOWING POLICE ACTIVITY REPORT HAS BEEN SUBMITTED AND IS HEREBY ACCEPTED: POLICE DEPARTMENT ACTIVITY REPORT FOR THE MONTH OF DECEMBER 2012.**

The meeting was opened with the Town of Haverstraw Police Honor Guard presenting the Colors.

**AUTHORIZATION TO CREATE THREE (3) SERGEANT POSITIONS FOR THE TOWN OF HAVERSTRAW POLICE DEPARTMENT**

The following resolution was approved by the full Town Board.

**123-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY GRANTS AUTHORIZATION TO CREATE THREE (3) SERGEANT POSITIONS FOR THE TOWN OF HAVERSTRAW POLICE DEPARTMENT AND BE IT FURTHER**

**RESOLVED, THAT THE CREATION OF THESE POSITIONS ARE APPROVED BY THE ROCKLAND COUNTY PERSONNEL DEPARTMENT AND ARE SUBJECT TO THE RULES AND REGULATIONS OF THE ROCKLAND COUNTY DEPARTMENT OF PERSONNEL.**

**APPOINTMENT OF SERGEANT – JAMES K. MCNAMEE**

The following resolution was approved by the full Town Board.

124-13 RESOLVED, THAT UPON THE RECOMMENDATION OF CHARLES MILLER, CHIEF OF POLICE, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPOINT JAMES K. MCNAMEE OF STONY POINT, NEW YORK TO THE POSITION OF SERGEANT, FULL TIME, PERMANENT, EFFECTIVE IMMEDIATELY, FOR THE TOWN OF HAVERSTRAW POLICE DEPARTMENT, AND BE IT FURTHER

RESOLVED, THAT THIS APPOINTMENT IS SUBJECT TO THE RULES AND REGULATIONS OF THE ROCKLAND COUNTY DEPARTMENT OF PERSONNEL, AND MR. MCNAMEE SHALL SERVE A PROBATIONARY PERIOD OF TWO (2) YEARS.

**APPOINTMENT OF SERGEANT – JOHN J. SMITH, JR.**

The following resolution was approved by the full Town Board.

125-13 RESOLVED, THAT UPON THE RECOMMENDATION OF CHARLES MILLER, CHIEF OF POLICE, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPOINT JOHN J. SMITH, JR. OF CORNWALL ON HUDSON, NEW YORK TO THE POSITION OF SERGEANT, FULL TIME, PERMANENT, EFFECTIVE IMMEDIATELY, FOR THE TOWN OF HAVERSTRAW POLICE DEPARTMENT, AND BE IT FURTHER

RESOLVED, THAT THIS APPOINTMENT IS SUBJECT TO THE RULES AND REGULATIONS OF THE ROCKLAND COUNTY DEPARTMENT OF PERSONNEL, AND MR. SMITH SHALL SERVE A PROBATIONARY PERIOD OF TWO (2) YEARS.

**APPOINTMENT OF SERGEANT – JOHN J. GOULD, JR.**

Councilman Cancel offered the following resolution, which was seconded by Councilman Soto, and on roll call unanimously adopted.  
Councilman Gould recused himself from voting.

126-13 RESOLVED, THAT UPON THE RECOMMENDATION OF CHARLES MILLER, CHIEF OF POLICE, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPOINT JOHN J. GOULD, JR. OF THIELLS, NEW YORK TO THE POSITION OF SERGEANT, FULL TIME, PERMANENT, EFFECTIVE IMMEDIATELY, FOR THE TOWN OF HAVERSTRAW POLICE DEPARTMENT, AND BE IT FURTHER

RESOLVED, THAT THIS APPOINTMENT IS SUBJECT TO THE RULES AND REGULATIONS OF THE ROCKLAND COUNTY DEPARTMENT OF PERSONNEL, AND MR. GOULD SHALL SERVE A PROBATIONARY PERIOD OF TWO (2) YEARS.

**APPOINTMENT OF SERGEANT – GARY P. LAZAR**

The following resolution was approved by the full Town Board.

127-13 RESOLVED, THAT UPON THE RECOMMENDATION OF CHARLES MILLER, CHIEF OF POLICE, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPOINT GARY P. LAZAR OF GARNERVILLE,

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**NEW YORK TO THE POSITION OF SERGEANT, FULL TIME, PERMANENT, EFFECTIVE IMMEDIATELY, FOR THE TOWN OF HAVERSTRAW POLICE DEPARTMENT, AND BE IT FURTHER**

**RESOLVED, THAT THIS APPOINTMENT IS SUBJECT TO THE RULES AND REGULATIONS OF THE ROCKLAND COUNTY DEPARTMENT OF PERSONNEL, AND MR. LAZAR SHALL SERVE A PROBATIONARY PERIOD OF TWO (2) YEARS.**

The Sergeants were then sworn-in by the Town Clerk and then their badges were presented by the Chief of Police.

The Town of Haverstraw Police Honor Guard retired the Colors.

**ADJOURNMENT TO TAKE A FIVE MINUTE RECESS**

**128-13** On motion by Councilman Cancel, seconded by Councilman Gould, unanimously adopted, the Town Board Meeting was adjourned for a five minute recess.

**129-13 RECONVENED TO REGULAR TOWN BOARD MEETING**

On motion by Councilman Gould, seconded by Councilman Soto the Regular Town Board Meeting was reconvened.

**ESTABLISH THREE (3) PART TIME CUSTODIAL WORKER POSITIONS**

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

**130-13 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF HOWARD T. PHILLIPS, JR., SUPERVISOR, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY ESTABLISH THREE (3) CUSTODIAL WORKER POSITIONS PART TIME, AND BE IT FURTHER**

**RESOLVED, THAT THE ESTABLISHMENT OF THESE POSITIONS ARE APPROVED BY THE ROCKLAND COUNTY PERSONNEL DEPARTMENT AND ARE SUBJECT TO THE RULES AND REGULATIONS OF THE ROCKLAND COUNTY DEPARTMENT OF PERSONNEL.**

**APPOINTMENT OF CUSTODIAL WORKER P/T- ANGEL COLON**

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

**131-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPOINT ANGEL COLON OF WEST HAVERSTRAW, NEW YORK TO THE POSITION OF CUSTODIAL WORKER P/T WITH THE TOWN OF HAVERSTRAW AT AN HOURLY RATE OF \$15.00, EFFECTIVE IMMEDIATELY, AND BE IT FURTHER**

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

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**APPOINTMENT OF CUSTODIAL WORKER P/T – EUGENE DEGRAW**

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

**132-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPOINT EUGENE DEGRAW OF HAVERSTRAW, NEW YORK TO THE POSITION OF CUSTODIAL WORKER P/T WITH THE TOWN OF HAVERSTRAW AT AN HOURLY RATE OF \$15.00, EFFECTIVE IMMEDIATELY, AND BE IT FURTHER**

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

**AWARD OF BID – BID NO. 4-2013 – SUPPLY AND DELIVER TWO (2) NEW 2012 MODEL YEAR 350/3500 ONE (1) TON DRW TWO WHEEL DRIVE 12 FOOT GRAIN BODY DUMP TRUCKS FOR THE TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT**

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

**133-13 RESOLVED, THAT UPON THE RECOMMENDATION OF THE SUPERINTENDENT OF HIGHWAYS AND THE BIDS HAVING BEEN FOUND IN ORDER BY THE TOWN ATTORNEY, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD BID NO. 4-2013 TO SUPPLY AND DELIVER TWO (2) NEW 2012 MODEL YEAR 350/3500 ONE (1) TON DRW TWO WHEEL DRIVE 12 FOOT GRAIN BODY DUMP TRUCKS FOR THE TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT TO SCHULTZ FORD OF NANUET, NEW YORK, THE SOLE BIDDER, AT A TOTAL PRICE OF \$71,228.00 OR \$35,614.00 EACH.**

**TOWN OF HAVERSTRAW 2013 SUMMER CONCERT SERIES FOR 4<sup>TH</sup> OF JULY CELEBRATION AT BOWLINE POINT PARK**

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

**134-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH “THE HEARTBEAT DANCE BAND” OF EASTON, CONNECTICUT FOR THE PURPOSE OF PROVIDING MUSICAL ENTERTAINMENT FOR THE TOWN OF HAVERSTRAW’S 4<sup>TH</sup> OF JULY CELEBRATION AT BOWLINE POINT PARK ON WEDNESDAY, JULY 3, 2013 WITH A RAIN DATE OF FRIDAY, JULY 5, 2013 FROM 7:00 P.M. – 9:30 P.M. AT A COST OF \$5,850.00.**

**AUTHORIZATION TO PURCHASE – TASER EQUIPMENT FOR TOWN OF HAVERSTRAW POLICE DEPARTMENT**

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

**135-13 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF POLICE CHIEF CHARLES MILLER, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE PURCHASE OF NEW TASER**

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**EQUIPMENT FOR THE TOWN OF HAVERSTRAW POLICE DEPARTMENT FROM TASER INTERNATIONAL INC. OF SCOTTSDALE, ARIZONA, THE SOLE PROVIDER, AT A COST OF \$12,365.75, WHICH WILL BE PAID FOR WITH ASSET SEIZURE FUNDS.**

**AUTHORIZATION TO PURCHASE NEW HAND GUNS FOR THE TOWN OF HAVERSTRAW POLICE DEPARTMENT UNDER NEW YORK STATE BID**

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

**136-13 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF POLICE CHIEF CHARLES MILLER, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE PURCHASE OF NEW HAND GUNS FOR THE TOWN OF HAVERSTRAW POLICE DEPARTMENT UNDER NEW YORK STATE BID FROM AMCHAR WHOLESALE OF ROCHESTER, NEW YORK AT A COST OF \$9,908.52, WHICH WILL BE PAID FOR WITH ASSET SEIZURE FUNDS.**

**AUTHORIZATION TO PURCHASE NEW RIFLES FOR THE TOWN OF HAVERSTRAW POLICE DEPARTMENT UNDER NEW YORK STATE BID**

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

**137-13 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF POLICE CHIEF CHARLES MILLER, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE PURCHASE OF NEW LAW ENFORCEMENT RIFLES FOR THE TOWN OF HAVERSTRAW POLICE DEPARTMENT UNDER NEW YORK STATE BID FROM AMCHAR WHOLESALE OF ROCHESTER, NEW YORK AT A COST OF \$9,380.20, WHICH WILL BE PAID FOR WITH ASSET SEIZURE FUNDS.**

**RE-NOMINATE MICHAEL KOHUT AS COMMISSIONER OF THE JOINT REGIONAL SEWERAGE BOARD**

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

**138-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY RE-NOMINATE MICHAEL F. KOHUT FOR THE POSITION OF COMMISSIONER WITH JOINT REGIONAL SEWERAGE BOARD.**

**RENEWAL OF AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND VJ NETWORKS, INC.**

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

**139-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO RENEW AGREEMENT OF SERVICES TO PROVIDE TECHNICAL SUPPORT FOR THE COMPUTER NETWORK AT THE TOWN OF HAVERSTRAW POLICE STATION AT A COST OF \$1,800 A MONTH FOR A PERIOD OF ONE (1) YEAR COMMENCING MARCH 1, 2013.**

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**SCHEDULE PUBLIC HEARING – TO AMEND CHAPTER 158-46: VEHICLE & TRAFFIC**

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

**140-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY SCHEDULE A PUBLIC HEARING TO AMEND CHAPTER 158-46: VEHICLE & TRAFFIC TO PROHIBIT PARKING ON BALSAM ROAD IN THE TOWN OF HAVERSTRAW. THE PUBLIC HEARING WILL BE HELD ON MONDAY, FEBRUARY 25, 2013 AT 8:05 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 THE NORTH ROCKLAND COMMUNITY FAMILY DAY AND THE TOWN OF HAVERSTRAW**

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

**141-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE NORTH ROCKLAND COMMUNITY FAMILY DAY TO PAY THE SUM OF \$2,500.00 AS AND FOR THE TOWN'S ANNUAL CONTRIBUTION.**

**APPOINT TOWN CLERK TO POSITION OF RECORDS MANAGEMENT OFFICER**

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

**142-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY APPOINTS KAREN L. BULLEY, TOWN CLERK TO THE POSITION OF RECORDS MANAGEMENT OFFICER ON THE RECOMMENDATION OF THE NEW YORK STATE COMMISSIONER OF EDUCATION.**

**AWARD OF RFQ NO. 2-2013 – PRINTING OF 2013 GOLF BROCHURES**

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

**143-13 RESOLVED, THAT THREE (3) REQUEST FOR QUOTES WERE SUBMITTED TO SHERRI STILA, TELEPHONE OPERATOR, FOR THE SERVICE OF PRINTING THE 2013 GOLF COURSE BROCHURES, AND BE IT FURTHER**

**RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD THE RFQ TO DEXTER PRINTING OF GUTTENBERG, NEW JERSEY, THE LOWEST QUOTE, AT A COST OF \$1,464.00.**

**PUBLIC PARTICIPATION**

Rochelle Sternheim, Haverstraw, New York stated that she was opposed to the desalinization plant and that another public hearing should be held before any commitment is made. The DEC should draft an environmental impact statement. Many of the Town of Haverstraw people cannot afford the increase of \$200 or \$300 a year.

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Supervisor Phillips asked Ms. Sternheim how many public hearings has she attended.

Ms. Sternheim stated that she attended one in another town and it was quite a while ago. The SEARA club needs another public hearing. There are 24,000 signatures to consider.

Supervisor Phillips stated that there were a number of public hearings already and did you attend any of them.

Ms. Sternheim stated no and that Hurricane Sandy did a lot of damage to the area where the pilot is.

Supervisor Phillips stated that it was the pilot site and it did not cause any damage. The Supervisor asked Ms. Sternheim if she had been to the pilot plant?

Ms. Sternheim stated no and asked if we could stop sending water to New Jersey.

Supervisor Phillips stated that it would be against the law to stop them from receiving water. Are you aware if we stop the water to New Jersey that a tremendous amount of fish would die from the Hackensack River? Are you aware that the law requires that upstream cannot completely damn downstream water? Supervisor Phillips further stated that the draft impact statement was completed and accepted by the NYSDEC. The DEC is lead agency and is reviewing the final impact statement.

Rochelle Sternheim, Riverside Assisted Living, Haverstraw, NY stated that she is not proposing anything with the EPA. Thank you very much.

Tom Cooney, 6 Castle Ct., Thiells, NY stated that he would like to bring up two issues. The first being the binding arbitration article in the Journal News how Gov. Cuomo made some proposals one of which would cap it no more than 2%. Is this proposal something that you would support?

Supervisor Phillips stated that we are very interested and the Governor will try to get Assemblymen and Senators to sponsor this. It hasn't been approved yet. They will be looking at municipalities who are in distress based upon the tax base. We are very encouraged by what the Governor says. We may be in that distress formula.

Tom Cooney, 6 Castle Court, Thiells thanked the Supervisor for what he was doing.

Supervisor Phillips stated that this has nothing to do with our officers or with the job that they do it's all about the cost and the taxpayers are not able to sustain this.

Tom Cooney, 6 Castel Court, Thiells asked if the library budget vote and the school budget vote could be on the same day.

Supervisor Phillips stated that it is a very good point and a lot of residents have been asking this for some time. I believe it needs state legislation to move voting dates or a public referendum.

Supervisor Phillips stated that he should have mentioned this before during the appointment of the four sergeants that we needed to create three sergeant positions because we anticipate three sergeants to retire in the near future so these positions were not vacant. We didn't want the public to think we were just creating new positions. I should have said that earlier.

Mel Post, 1422 Round Point Drive, Haverstraw stated that he discussed this before and it is on record about the intersections of Gurnee Ave. and Westside Ave. A year ago or so Mayor Kohut wrote a letter to the NYSDOT and various other people asking that in the spring of 2013

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would they consider putting a traffic light at this dangerous intersection. I wanted to bring it to your attention again as a reminder.

Supervisor Phillips stated that this is a horrible intersection where there have been numerous accidents.

Mel Post, 1422 Round Point Drive, Haverstraw stated that they should make it a one way and it's just a matter of a few signs. Also, trucks would be allowed going up the hill and would not have to stop – it would be an easy fix.

Supervisor Phillips stated that is an excellent idea for that intersection and how antiquated Route 202 is.

**BOARD MEMBERS**

Supervisor Phillips stated that these are difficult times with Hurricane Sandy and all of the guys are doing a great job and we appreciate it. Keep up the good work and we are hoping for an early spring.

**ADJOURNMENT**

**144-13** Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Marilyn M. Hatala, Silvino DeValentino, Anthony A. Amoros, Joseph E. Maguire, Maria V. Henriquez, Ramon Capellan, Martha H. Pavlovich and Joseph Truglia 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, unanimously adopted, the Town Board Meeting was adjourned.

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**KAREN L. BULLEY**  
Town Clerk