

TOWN BOARD  
GARNERVILLE, NY  
MAY 13, 2013

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, May 13, 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 (Absent)

**ADOPTION OF MINUTES**

**260-13 ADOPTION OF TOWN BOARD MEETING MINUTES AND TWO PUBLIC HEARINGS OF APRIL 22, 2013; AND SANITATION COMMISSION MEETING OF APRIL 29, 2013,** submitted by the Town Clerk on motion by Councilman Gould, seconded by Councilman Cancel, were unanimously adopted.

**PAYMENT OF BILLS**

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

**261-13 RESOLVED,** that bills numbered 1,382 through and including 1,653 in the amount of \$885,009.56 be and they are hereby paid; and Highway Vouchers numbered 227 through and including 274 in the amount of \$106,910.27 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.

**262-13 RESOLVED, THAT THE POLICE ACTIVITY REPORT FOR THE MONTH OF MARCH 2013 HAS BEEN SUBMITTED AND IS HEREBY ACCEPTED.**

**CHANGE OF MEETING DATE - MEMORIAL DAY**

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

**263-13 WHEREAS, THE SECOND MEETING OF THE TOWN BOARD OF THE TOWN OF HAVERSTRAW IN MAY, IS SCHEDULED FOR MONDAY, MAY 27, 2013, THE LEGAL HOLIDAY FOR THE OBSERVANCE OF MEMORIAL DAY, NOW, THEREFORE, BE IT**

**RESOLVED, THAT THE TOWN CLERK IS AUTHORIZED TO PUBLISH A LEGAL NOTICE THAT SAID MEETING IS HEREBY RESCHEDULED FOR TUESDAY, MAY 28, 2013 AT 8:00 P.M.**

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**ADVERTISE FOR BIDS NO. 11-2013 - BUS TRANSPORTATION FOR SUMMER  
RECREATION PROGRAM - 2013**

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

**264-13 RESOLVED, THAT THE TOWN CLERK BE AND SHE HEREBY IS AUTHORIZED TO PUBLISH A NOTICE TO BIDDERS THAT SEALED PROPOSALS WILL BE RECEIVED AT HER OFFICE AT ONE ROSMAN ROAD, GARNERVILLE, NEW YORK, UP TO AND INCLUDING 10:00 A.M. ON FRIDAY, MAY 24, 2013, FOR THE RECEIPT OF BIDS FOR THE PROVISION OF BUS TRANSPORTATION FOR THE CHILDREN IN THE TOWN OF HAVERSTRAW'S SUMMER RECREATION PROGRAM 2013 IN ACCORDANCE WITH THE SPECIFICATIONS ON FILE IN THE OFFICE OF THE TOWN CLERK, COPIES OF WHICH, TOGETHER WITH FORM OF PROPOSAL, MAY BE OBTAINED AT HER OFFICE. THE TOWN RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS. BIDS RECEIVED LATER THAN THE DATE AND TIME SPECIFIED WILL NOT BE CONSIDERED AND WILL BE RETURNED TO THE BIDDER UNOPENED. ALL BIDDERS MUST FILE A STATEMENT OF NON-COLLUSION WITH THEIR BIDS.**

**AGREEMENT WITH ROCKLAND MOBILE CARE, INC.**

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

**265-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH ROCKLAND MOBILE CARE, INC. OF CHESTNUT RIDGE, NEW YORK TO PROVIDE PARAMEDIC SERVICES TO THE TOWN OF HAVERSTRAW FOR THE TERM COMMENCING JANUARY 1, 2013 AND ENDING ON DECEMBER 31, 2013 AT A COST OF \$656,312.00.**

**RETAINER AGREEMENT WITH WILSON, ELSER, MOSKOWITZ, EDELMAN &  
DICKER LLP TO SERVE AS LEGISLATIVE AND LEGAL COUNSEL**

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

**266-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO A RETAINER AGREEMENT WITH THE LAW FIRM OF WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP OF ALBANY, NEW YORK TO SERVE AS LEGAL AND LEGISLATIVE COUNSEL IN NEW YORK STATE FOR THE TOWN OF HAVERSTRAW COMMENCING MAY 11, 2013 UNTIL MAY 10, 2014 AT AN ANNUAL COST OF \$50,000.**

**BUDGET ADJUSTMENTS FOR PERIOD ENDING APRIL 30, 2013**

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

**267-13 RESOLVED, THAT THE SUPERVISOR IS AUTHORIZED TO MAKE BUDGET ADJUSTMENTS FROM THE GENERAL FUND (A) IN THE AMOUNT OF \$45,000.00 AND PART TOWN FUND (B) IN THE AMOUNT OF \$20,000.00 PURSUANT TO THE REPORT OF THE DIRECTOR OF FINANCE FOR THE TOWN OF HAVERSTRAW FOR THE YEAR ENDING APRIL 30, 2013. (SEE ATTACHED BUDGET ADJUSTMENTS.)**

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**RFP NO. 1-2013 - FENCE REPAIR REPLACEMENT AT BOWLINE PARK**

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

**268-13 RESOLVED, THAT THREE (3) RESPONSES TO REQUESTS FOR PROPOSALS WERE SUBMITTED TO MICHAEL COTIER, PARK DIRECTOR FOR FENCE REPAIRS AND REPLACEMENT AT BOWLINE POINT PARK IN THE TOWN OF HAVERSTRAW, AND BE IT FURTHER**

**RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD THE RFP TO HOMESTEAD FENCE, INC. OF WEST HAVERSTRAW, NEW YORK, FOR FENCE REPAIR AND REPLACEMENT AT BOWLINE POINT PARK, THE LOWEST PROPOSAL AT A PRICE OF \$12,400.00 OF WHICH \$11,300.00 IS DUE TO DAMAGE CAUSED BY HURRICANE SANDY.**

**AWARD OF RFQ NO. 9-2013 – SODIUM HYPOCHLORITE – 12.5-15% (CHLORINE)**

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

**269-13 RESOLVED, THAT THREE (3) REQUESTS FOR QUOTES WERE SUBMITTED TO MICHAEL COTIER, PARK DIRECTOR FOR THE PURCHASE OF SODIUM HYPOCHLORITE 12.5-15% (CHLORINE) FOR THE POOL AREAS AT BOWLINE POINT PARK IN THE TOWN OF HAVERSTRAW, AND BE IT FURTHER**

**RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD THE RFQ TO JONES CHEMICALS, INC. OF WARWICK, NEW YORK, THE LOWEST QUOTE, AT A PRICES OF \$1.10/GAL DELIVERED FOR 1,500-1,999 GALLONS OR \$.95/GAL DELIVERED FOR 2,000 GALLONS OR MORE.**

**AWARD OF RFQ NO. 10-2013 – 2013 BOWLINE PARK SUMMER STAFF SHIRTS**

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

**270-13 RESOLVED, THAT TWO (2) REQUESTS FOR QUOTES WERE SUBMITTED TO MICHAEL COTIER, PARK DIRECTOR FOR THE PURCHASE OF THE 2013 BOWLINE PARK SUMMER STAFF SHIRTS, AND BE IT FURTHER**

**RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD THE RFQ TO HOLLYWOOD SCREEN PRINTING IN POMONA, NEW YORK, THE LOWEST QUOTE, AT A COST OF \$2,839.00.**

**SURPLUS OF ONE (1) 2001 DODGE 2500 PICKUP TRUCK**

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

**271-13 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF MICHAEL COTIER, PARKS DIRECTOR THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE ONE (1) 2001 DODGE 2500 PICKUP TRUCK FROM THE PARKS DEPARTMENT TO BE CLASSIFIED AS SURPLUS AND BE AUCTIONED.**

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**SURPLUS OF ONE (1) 1994 CHEVY UTILITY TRUCK**

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

**272-13 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF MICHAEL COTIER, PARKS DIRECTOR THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE ONE (1) 1994 CHEVY UTILITY TRUCK FROM THE PARKS DEPARTMENT TO BE CLASSIFIED AS SURPLUS AND BE AUCTIONED.**

**SURPLUS OF ONE (1) FRONT DOOR WITH FRAME**

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

**273-13 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF MICHAEL COTIER, PARKS DIRECTOR THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE ONE (1) FRONT DOOR WITH FRAME FROM THE PARKS DEPARTMENT TO BE CLASSIFIED AS SURPLUS AND BE AUCTIONED.**

**SURPLUS OF CHAISE LOUNGE CHAIRS**

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

**274-13 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF MICHAEL COTIER, PARKS DIRECTOR THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE SIXTY-THREE (63) CHAISE LOUNGE CHAIRS FROM THE PARKS DEPARTMENT TO BE CLASSIFIED AS SURPLUS AND BE AUCTIONED.**

**AUTHORIZATION TO BID - BID NO. 12-2013 GARBAGE COLLECTION**

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

**275-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SUPERVISOR TO ADVERTISE FOR BIDS FOR RESIDENTIAL GARBAGE AND DISPOSAL SERVICES FOR THE UNINCORPORATED AREA OF THE TOWN OF HAVERSTRAW, AND BE IT FURTHER**

**RESOLVED, THAT SAID BID SPECIFICATIONS SHALL BE AVAILABLE AT THE OFFICE OF THE TOWN CLERK, ONE ROSMAN ROAD, GARNERVILLE, NEW YORK, ON TUESDAY, MAY 14, 2013, AND BE IT FURTHER**

**RESOLVED, THAT SAID BID OPENINGS SHALL TAKE PLACE ON THURSDAY, JUNE 6, 2013 AT 10:00 A.M.**

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**CHANGE OF TOWN BOARD MEETING DATES**

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

**276-13 RESOLVED, THAT THERE WILL BE ONLY ONE TOWN BOARD MEETING FOR THE MONTHS OF JULY AND AUGUST AND THE SCHEDULE IS AS FOLLOWS:**

**MONDAY, JULY 15, 2013 AT 8:00 P.M.  
MONDAY, AUGUST 12, 2013 AT 8:00 P.M.,**

**AND BE IT FURTHER**

**RESOLVED, THAT THE SECOND TOWN BOARD MEETINGS FOR JULY AND AUGUST 2013 HAVE BEEN CANCELLED.**

**AWARD OF RFP NO. 2-2013 – BOWLINE POOL BROCHURES**

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

**277-13 RESOLVED, THAT THREE (3) RFPs WERE SUBMITTED TO SHERRI STILA, TELEPHONE OPERATOR TO PROVIDE 15,000 BOWLINE POOL BROCHURES FOR TOWN OF HAVERSTRAW, AND BE IT FURTHER**

**RESOLVED, THAT THE TOWN BOARD OF THE TOWN HAVERSTRAW DOES HEREBY AWARD RFP NO. 2-2013 TO DEXTER PRINTING SERVICES OF GUTTENBERG, NEW JERSEY AT A PRICE OF \$2,184.00, THE LOW BIDDER.**

**STIPULATION OF SETTLEMENT – EMPLOYEE NO. SYS-002205**

**The following resolution was approved by the full Town Board.**

**278-13 WHEREAS,** the Town of Haverstraw Chief of Police Charles Miller preferred disciplinary charges against employee #SYS-002205 for alleged violations of Town of Haverstraw Police Department Rules and Regulations; and

**WHEREAS,** Chief Miller and employee #SYS-002205 resolved their differences in a tentative agreement contained in a Stipulation of Settlement dated April 29, 2013; and

**WHEREAS,** the Town Board of the Town of Haverstraw has reviewed the terms of the Stipulation of Settlement and finds that a settlement consistent with the terms contained therein is in the best interest of the Town of Haverstraw;

**NOW, THEREFORE, BE IT RESOLVED,** that the Town Board hereby approves and accepts the terms of the aforementioned Stipulation of Settlement and hereby authorizes the Town Supervisor to execute the Stipulation of Settlement consistent with the terms thereof effective April 29, 2013.

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**RENEWAL OF CONTRACT BETWEEN HUDSON VALLEY WILD GOOSE  
CHASERS, INC. AND THE TOWN OF HAVERSTRAW**

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

**279-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO A RENEWAL AGREEMENT WITH HUDSON VALLEY WILD GOOSE CHASERS, INC., OF NYACK, NEW YORK FOR THE PURPOSE OF PROVIDING CANINE PATROLS TO HELP ELIMINATE CANADIAN GEESE AT BOWLINE POINT PARK AND THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE FOR A ONE (1) YEAR RENEWAL COMMENCING JULY 1, 2013 AT A RATE OF \$2,335.00 PER MONTH.**

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The Town Board of the Town of Haverstraw held a Public Hearing on Monday, May 13, 2013 at 8:05 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
Councilman	John Gould
Councilman	Hector L. Soto

**CONTINUATION OF PUBLIC HEARING – UNITED WATER SPECIAL PERMITS**

Supervisor Phillips announced that this Public Hearing was being continued for the purpose of considering the issuance of special permits to United Water New York, Inc. for 710 Beach Road in Haverstraw, New York to: 1. Allow the use of a public utility substation; and 2. Reduce the width of the buffer requirements for the intake facility discussing the issuance of special permits for United Water New York. The Town Clerk read proof of publication and presented the Affidavit of Publication to the Board.

Supervisor Phillips stated that this is a continuation of the public hearing that we opened two weeks ago.

William M. Stein, Town Attorney stated that we also have a new hearing that we are opening tonight on an application for a special permit for the main plant itself. We will open that hearing as well. Since they are really quite related we can do it concurrent and let people address either special permit then.

Supervisor Phillips announced that this Public Hearing is being held for the purpose of considering the issuance of special permits to United Water New York, Inc. for 555-571 Beach Road in Haverstraw, New York for 1. Public utility use in PIO District (1671-attachment 12-column 4 no. 1, public utility substations or pumping stations; and 2. Special permit for water tanks owned and operated by a public utility (167-381, town board approval). Town Clerk read proof of publication of the second public hearing and presented the Affidavit of Publication to the Board.

**PRESENTATION BY SAMEET MASTER, PROJECT MANAGER, UNITED WATER  
NEW YORK, INC.**

**(Please refer to the attached minutes.)**

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### **PUBLIC PARTICIPATION FOR PUBLIC HEARINGS**

Supervisor Phillips stated to let the record note that no public comment was offered and to entertain a motion to keep the Public Hearings open.

William M. Stein, Town Attorney stated that we will keep each Public Hearing open and will reschedule for the first meeting in June, which is June 10.

### **ADJOURNMENT OF PUBLIC HEARINGS**

**280-13** On motion by Councilman Gould and seconded by Councilman Cancel, unanimously adopted, the Public Hearings were adjourned and will remain open until the next Town Board Meeting of June 10, 2013 beginning at 8:00 p.m.

### **PUBLIC PARTICIPATION FOR TOWN BOARD MEETING**

Kevin Donahue, Project Hope stated that he was here tonight to help or assist anyone who is recovering from Hurricane Sandy such as contacting FEMA, etc. We will leave brochures out on the table in the lobby if anyone is interested.

Supervisor Phillips stated that we would be very helpful. You can leave the brochures out and make them available to the public.

### **TOWN BOARD MEMBERS**

The 10<sup>th</sup> Annual North Rockland 3 Mile Run/Walk is Sunday, June 2, 2013 at 9:00 am at Bowline Point Park. All proceeds benefit three families from the North Rockland area.

The Philip J. Rotella Golf Course is open and doing very well. We hope that the weather continues to cooperate as there are a number of outings scheduled.

Michael Cotier, Director of Parks stated that staff have been working rigorously the last month stabilizing all of the areas that were impacted by Hurricane Sandy such as the pool and walking path. The pool is scheduled to open on the Saturday of Father's Day weekend which is June 15<sup>th</sup>.

Watch Fire will take place midnight on May 29<sup>th</sup> at Bowline Point Park. It is a very moving ceremony where all of those who have died in the military are honored.

The Town of Haverstraw's Fireworks display will take place on July 3<sup>rd</sup>. We have the best fireworks display of any town in Rockland County. There will also be a concert that night which will kick off our Thursday Night Open-Air Concerts at Bowline Park. The open-air concerts will begin at 7:30 p.m.

### **ADJOURNMENT**

**281-13** Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Kenneth Thomas Solomon, Sr., Ilse E. Gunby, Julia Garrison, Carmelo D'Assisi, Jeffrey P. Kemmer, Tong Seng Tjoa, Matthew Murtagh, Hattie O. Lassiter, John C. Reid, Jr. and Martin Price, who recently passed away. The Town Board members further extended their condolences and sympathy to the families. Therefore, a motion was made by Councilman Gould, seconded by Councilman Gamboli, unanimously adopted, the Town Board Meeting was adjourned.

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**KAREN L. BULLEY**  
Town Clerk