

TOWN BOARD  
GARNERVILLE, NY  
FEBRUARY 10, 2014

The Town Board of the Town of Haverstraw held a Public Hearing on Monday, February 10, 2014, at 8:00 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 (Absent)
Councilman	John Gould
Councilman	Hector L. Soto

**PUBLIC HEARING – AMEND CHAPTER 87 ENTITLED, “FLOOD DAMAGE PREVENTION” IN THE TOWN OF HAVERSTRAW**

Supervisor Phillips announced that this Public Hearing was being held to consider amending a Local Law of the Town Code of the Town of Haverstraw, Chapter 87, entitled “FLOOD DAMAGE PREVENTION” in the Town of Haverstraw. The Town Clerk read proof of publication and presented the Affidavit of Publication to the Board.

**PRESENTATION BY WILLIAM M. STEIN, TOWN ATTORNEY**

William M. Stein, Town Attorney stated that FEMA came out with new flood maps and the New York State DEC requires us to adopt a new Local Law to comply with the new regulations.

**PUBLIC PARTICIPATION**

Burt Singer, 10 Chestnut Drive, Pomona, NY asked if there is a place where we can see these new maps and the new flood areas.

Supervisor Phillips stated that Building Inspector, Gene Barnum had them and turned them over to Joe Caruso of Maser Consultants, who will return them in two weeks to Mr. Barnum. Mr. Barnum will call you next week when the maps are returned.

**BOARD MEMBERS**

No comment.

**SEORA RESOLUTION**

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

**119-14 RESOLVED, THAT THE TOWN BOARD HEREBY DECLARES ITSELF LEAD AGENCY FOR THE PURPOSE CONSIDERING THE ADOPTION OF CHAPTER 87 ENTITLED, “FLOOD DAMAGE PREVENTION,” AND BE IF FURTHER**

**RESOLVED, THAT THE TOWN BOARD HEREBY FINDS THAT IT IS AN UNLISTED ACTION WHOSE APPROVAL IS BEING DETERMINED BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, AND BE IT FURTHER**

**RESOLVED, THAT THE TOWN BOARD HEREBY FINDS THAT THERE IS NO SIGNIFICANT ENVIRONMENTAL IMPACT IN ADOPTING THE PROPOSED LOCAL LAW.**

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**CLOSE PUBLIC HEARING**

**120-14** On motion by Councilman Gould and seconded by Councilman Cancel, unanimously adopted, the Public Hearing was closed.

**ADOPT RESOLUTION**

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

**121-14** **RESOLVED**, that the Town Board of the Town of Haverstraw, does hereby accept **LOCAL LAW NO. 2-2014** entitled, **“FLOOD DAMAGE PREVENTION”** as authorized by the New York State Constitution, Article IX, Section 2, and Environmental Conservation Law, Article 36.

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**KAREN L. BULLEY**  
Town Clerk

TOWN BOARD  
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The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, February 10, 2014 at 8:05 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**

**122-14 ADOPTION OF PUBLIC HEARINGS AND TOWN BOARD MEETING MINUTES OF JANUARY 27, 2014 AND SPECIAL MEETING OF JANUARY 30, 2014**, submitted by the Town Clerk on motion by Councilman Soto, seconded by Councilman Cancel, were unanimously adopted.

**PAYMENT OF BILLS**

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

**123-14 RESOLVED**, that bills numbered 355 through and including 527 in the amount of \$2,010,157.16 be and they are hereby paid; and Highway Vouchers numbered 54 through and including 88 in the amount of \$37,626.28 audited at this meeting, be and they are hereby paid.

**ACCEPTANCE OF REPORTS**

**No Reports.**

**AUTHORIZATION FOR PATRICK BRADY, PE TO ATTEND 2014 STORMWATER MANAGEMENT MS4 TRAINING SERIES**

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

**124-14 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, HEREBY GRANTS PERMISSION FOR PATRICK BRADY, PE, JOINT REGIONAL SEWAGE BOARD, TO ATTEND THE 2014 STORMWATER MANAGEMENT MS4 TRAINING SERIES ON MARCH 26, 2014 AT CORNELL COOPERATIVE EXTENSION IN MIDDLETOWN, NEW YORK AT A COST OF \$1,035.00 FOR FIVE (5) CLASSES.**

**AGREEMENT WITH THE NORTH ROCKLAND COMMUNITY FAMILY DAY AND THE TOWN OF HAVERSTRAW**

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

**125-14 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.**

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**NOMINATE RAYMOND LUND, JR. TO PERMANENT FULL TIME POLICE  
OFFICER POSITION**

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

**126-14 RESOLVED, THAT UPON THE RECOMMENDATION OF CHARLES MILLER, CHIEF OF POLICE, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY NOMINATE RAYMOND LUND, JR. OF HAVERSTRAW TO THE POSITION OF POLICE OFFICER, FULL TIME, PERMANENT FOR THE TOWN OF HAVERSTRAW, AND BE IT FURTHER**

**RESOLVED, THAT MR. LUND HAS BEEN CLEARED ON ALL PRE-EMPLOYMENT TESTS BY THE ROCKLAND COUNTY DEPARTMENT OF PERSONNEL AS A RESULT OF A RESIGNATION/REINSTATEMENT, AND BE IT FURTHER**

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

**ACCEPTANCE OF LETTER FOR LEAVE OF ABSENCE**

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

**127-14 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, DOES HEREBY ACCEPT A REQUEST FOR A SIX-MONTH LEAVE OF ABSENCE, WITHOUT PAY, FROM EDWARD LOPEZ, SPANISH SPEAKING POLICE RADIO DISPATCHER, EFFECTIVE FEBRUARY 3, 2014.**

**TOWN OF HAVERSTRAW 2014 SUMMER CONCERT SERIES**

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

**128-14 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE FOLLOWING BANDS FOR THE PURPOSE OF PROVIDING MUSICAL ENTERTAINMENT FOR THE TOWN OF HAVERSTRAW'S 2014 SUMMER CONCERT SERIES AT BOWLINE POINT PARK:**

**THE SHOTS – THURSDAY, JULY 10, 2014 – 7:30 PM – 9 P.M. AT A COST OF \$1,300.00**

**BACK TO THE GARDEN 1969 – THURSDAY, JULY 17, 2014 – 7:30 PM – 9:00 P.M. AT A COST OF \$1,200.00**

**THE “A” BAND – THURSDAY, JULY 24, 2014 – 7:30 P.M. – 9:00 P.M. AT A COST OF \$1,200.00**

**TEQUILA ROSE – THURSDAY, JULY 31, 2014 – 7:30 PM – 9:00 PM AT A COST OF \$1,000.00**

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**JERSEY SOUND – THURSDAY, AUGUST 7, 2014 – 7:30 PM – 9:00 PM  
AT A COST OF \$1,300.00**

**EVE FINGAL BAND – THURSDAY, AUGUST 14, 2014 – 7:30 PM – 9:00  
PM AT A COST OF \$1,200.00**

**THE BARONS– THURSDAY, AUGUST 21, 2014 – 7:30 P.M. – 9:00 P.M.  
AT A COST OF \$1,300.00**

**COURTNEY, GREEN, SCHULTZ BAND – SUNDAY, AUGUST 31, 2014 –  
5:00 P.M. – 7:00 P.M. AT A COST OF \$800.00**

**THE MIGHTY SPECTRUM BAND – SUNDAY, AUGUST 31, 2014 – 7:30  
P.M. – 9:00 P.M. AT A COST OF \$1,000.00**

**TOWN OF HAVERSTRAW 2014 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 Cancel, and on roll call unanimously adopted.

**129-14 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF  
HAVERSTRAW DOES HEREBY AUTHORIZE THE SUPERVISOR TO ENTER INTO  
AN AGREEMENT WITH “SKYLINE DRIVE ORCHESTRA” OF LODI, NEW JERSEY  
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 THURSDAY, JULY 3, 2014 WITH A RAIN DATE OF SATURDAY, JULY 5,  
2014 FROM 7:00 P.M. – 9:30 P.M. AT A COST OF \$4,000.00.**

**APPROVAL OF STIPULATION AND ORDER FOR SETTLEMENT OF TAX  
CERTIORARI FOR THE BOWLINE ELECTRIC GENERATING FACILITY**

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

**130-14 RESOLVED, THAT THE TOWN BOARD HEREBY AUTHORIZES ITS  
SPECIAL COUNSEL, WHITMAN OSTERMAN & HANNA, LLP AND/OR TOWN  
ATTORNEY, WILLIAM M. STEIN, TO SIGN A STIPULATION AND ORDER TO  
SETTLE THE TAX CERTIORARI PROCEEDINGS CONCERNING THE BOWLINE  
ELECTRIC GENERATING FACILITY FILED BY MIRANT BOWLINE, LLC, GENON  
BOWLINE, LLC, AND HUDSON VALLEY GAS CORPORATION.**

**APPROVAL OF PILOT AGREEMENT WITH NRG BOWLINE LLC AND HUDSON  
VALLEY GAS CORPORATION**

The following resolution was approved by the full Town Board.

**131-14 RESOLVED, THAT THE TOWN BOARD HEREBY AUTHORIZES THE  
SUPERVISOR TO ENTER INTO A PAYMENT IN LIEU OF TAXES AGREEMENT  
(PILOT) WITH NRG BOWLINE, LLC AND HUDSON VALLEY GAS CORPORATION  
FOR THE BOWLINE ELECTRIC GENERATING FACILITY.**

**AWARD OF RFQ NO. 2-2014 – PRINTING OF 2014 GOLF BROCHURES**

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

**132-14 RESOLVED, THAT THREE (3) REQUEST FOR QUOTES WERE SUBMITTED TO SHERRI STILA, TELEPHONE OPERATOR, FOR THE SERVICE OF PRINTING THE 2014 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 \$1,421.00.**

**RETAINER AGREEMENT WITH GHD AND THE TOWN OF HAVERSTRAW**

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

**133-14 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY RETAIN THE ENGINEERING SERVICES OF GHD CONSULTING SERVICES, INC. OF CAZENOVIA, NEW YORK TO PROVIDE ENGINEERING AND DESIGN SERVICES ASSOCIATED WITH THE RESTORATION OF THE IMPACTED JETTY AND NEW WOODEN FISHING PIER AT BOWLINE POINT PARK IN THE TOWN OF HAVERSTRAW AT A PRICE NOT TO EXCEED \$40,000.00.**

**PUBLIC PARTICIPATION**

Bob McGannon, Central Highway, Garnerville asked the board if the pilot agreement is locked in to paying the same tax amount for the next seven years. Are their prices based off of what they produce?

Supervisor Phillips stated yes, but it's a good thing because it will guarantee that we receive that payment where if we did not have a pilot agreement they could continue to sue us each year reducing their assessment and taxes plus costing us hundreds and thousands of dollars if not millions in defending the assessment.

Joel Santana, 100 Halgren Crescent, Haverstraw, NY asked if OSHA has control over work conditions but no one to tell them to improve their facilities so they can sell more electric that is solely within the purview of the company.

Supervisor Phillips stated that if there was something wrong with the building then the Building Inspector could issue violations but not their eternal equipment.

**ADJOURNMENT**

**134-14** Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Donald George Brugger, Rinaldo August "Augie" Santini, William James Lewis, Sr., Loren Denise Walker, Peter J. Binaghi, Catherine T. Girling, Frances R. Welsh, Rosetta Aldykiewicz and Clarence R. Castel, III, 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 Soto, unanimously adopted, the Town Board Meeting was adjourned.

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**KAREN L. BULLEY**  
Town Clerk