

TOWN BOARD  
GARNERVILLE, NY  
MARCH 9, 2015

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday March 9, 2015 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**

**136-15 ADOPTION OF TOWN BOARD MEETING MINUTES OF FEBRUARY 23, 2015** as submitted by the Town Clerk and on motion by Councilman Gamboli, seconded by Councilman Cancel, were unanimously adopted.

**PAYMENT OF BILLS**

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

**137-15 RESOLVED**, that bills numbered 652 through 794 in the amount of \$390,134.41 and Highway bills numbered 126 through 157 in the amount of \$86,538.11 audited at this meeting, be and they are hereby paid.

**ACCEPTANCE OF REPORTS**

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

**138-15 RESOLVED**, that the following Police Department Activity Report for the month of December 2014, Police Department Activity Report for the Year 2014, Highway Department Operating Report for the month of February 2015 and Highway Department Fuel Usage Report for the month of February, 2015 have been submitted and are hereby accepted.

**CONTINUATION OF PUBLIC HEARING TO AMEND CHAPTER 142 –  
SOLID WASTE DISPOSAL**

Supervisor Phillips announced that this is a continuation of a Public Hearing that was being held to consider adopting a local law amending the Town Code of the Town of Haverstraw, Chapter 142 entitled, “Solid Waste Disposal”.

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

William M. Stein, Town Attorney stated that we opened this public hearing in January and adjourned it in order to circulate the necessary SEQRA requirements including the narrative statement of the law and the EAF Part 1 to all of the interested parties by certified mail. This was a law that we passed in 2014 and this amendment serves to alleviate any confusion or concerns regarding Section 2 in which the language was amended to state that the transporting of solid waste from outside the Town of Haverstraw to any location within the Town of Haverstraw, other than the existing Rockland County Solid Waste Transfer Station shall be strictly prohibited.

TOWN BOARD

**BOARD MEMBERS**

No comment.

**PUBLIC PARTICIPATION**

Stephen Mandracchia, the attorney representing the property known as East Railroad Avenue, LLC which is the property located at 102 East Railroad Avenue, West Haverstraw, NY stated on behalf of the owner that they are opposed to the adoption of this local law. He stated that as written the law was unenforceable and unconstitutional. It is an attempt to stop the Town of Stony Point from developing an industrial zone. The action of the Town will interfere with the Town of Stony Point allowing a gasification plant. The law needs to be redrafted to make it constitutional.

William Stein, Town Attorney stated that the modification of this law would not restrict or prevent the construction of a gasification plant. There may be other issues that would restrict it, but not this law. We wanted to make it clear that we are not regulating waste passing through the Town, but we are regulating waste coming to the Town of Haverstraw and that it cannot be brought to any other location but the transfer station.

**CLOSED PUBLIC HEARING**

**139-15** On motion by Councilman Gamboli and seconded by Councilman Cancel, unanimously adopted, the Public Hearing was closed.

**SEQRA RESOLUTION FOR ADOPTION OF LOCAL LAW NO. 1 OF 2015**

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

**140-15** **RESOLVED, THE TOWN BOARD HEREBY DECLARES ITSELF LEAD AGENCY UNDER THE SEQRA FOR PURPOSES OF REVIEWING THE PROPOSED LOCAL LAW FOR ENVIRONMENTAL CONCERNS. THE TOWN BOARD HEREBY FINDS THAT THIS IS A TYPE 1 ACTION. THE TOWN BOARD HEREBY ADOPTS THE NEGATIVE DECLARATION FINDING THAT THIS PROJECT WILL RESULT IN NO SIGNIFICANT ADVERSE IMPACTS ON THE ENVIRONMENT.**

**ADOPT RESOLUTION**

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

**141-15** **RESOLVED**, that the Town Board of the Town of Haverstraw, does hereby adopt the Local Law No. 1 of 2015 to amend Chapter 142 to the Town Code of the Town of Haverstraw entitled, "SOLID WASTE DISPOSAL."

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

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

**142-15** **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**

TOWN BOARD

GARNERVILLE, NY  
MARCH 9, 2015

**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, 2015.**

**NEW YORK ELECTRICAL INSPECTORS, INC. DBA INSPECTIONS ON TIME**

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

**143-15 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF GEORGE BEHN, BUILDING INSPECTOR II, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY RECERTIFY THAT NEW YORK ELECTRICAL**

**INSPECTORS, INC. DBA INSPECTIONS ON TIME TO PERFORM ELECTRICAL INSPECTIONS FOR NYS UNDERWRITERS CERTIFICATES FOR THE TOWN OF HAVERSTRAW.**

**AUTHORIZATION FOR SUPERVISOR TO SIGN EMPIRE STATE DEVELOPMENT INCENTIVE PROPOSAL**

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

**144-15 RESOLVED, THAT THE SUPERVISOR IS AUTHORIZED TO SIGN A \$500,000 INCENTIVE PROPOSAL WITH THE NY STATE DEVELOPMENT CORPORATION FOR AN APPLICATION FEE OF \$250.00**

**AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS TO ENTER INTO AN AGREEMENT WITH AAA COOLERATION SERVICE, INC.**

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

**145-15 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES GEORGE WARGO, SUPERINTENDENT OF HIGHWAYS, ENTER INTO AN AGREEMENT WITH AAA COOLERATION SERVICE, INC. OF GARNERVILLE, NEW YORK TO PROVIDE PREVENTATIVE MAINTENANCE SERVICES TO THE HEAT-A/C SYSTEMS AT THE HIGHWAY DEPARTMENT, ON A QUARTERLY BASIS, AT AN ANNUAL COST OF \$1,985.00.**

**AWARD OF RFQ NO.2 2015 – TEE SHIRTS FOR TOWN OF HAVERSTRAW DAY CAMP**

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

**146-15 RESOLVED, THAT REQUEST FOR QUOTES WERE SUBMITTED TO HOWARD TIELL, DAY CAMP DIRECTOR FOR CAMPER/STAFF TEE SHIRTS FOR THE 2015 TOWN OF HAVERSTRAW DAY CAMP SEASON, AND BE IT FURTHER**

**RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD THE RFQ TO ALL TYPES ADVERTISING INC. OF POMONA, NEW YORK, THE LOW QUOTE, AT THE FOLLOWING PRICES:**

|  |                         |
|--|-------------------------|
| <b>CAMPER T-SHIRTS JERZEES T-SHIRTS 50/50 COLOR</b>          | <b>\$3.25 PER SHIRT</b> |
| <b>STAFF T-SHIRTS JERZES T-SHIRTS 50/50-COLOR</b>            | <b>\$3.25 PER SHIRT</b> |
| <b>EXECUTIVE SHIRTS GILDEN POLO T-SHIRTS<br/>100% COTTON</b> | <b>\$6.25 PER SHIRT</b> |

TOWN BOARD

GARNERVILLE, NY  
MARCH 9, 2015

**RELEASE OF RETAINAGE TO BLUE DRAGON CONNECTIONS, LLC**

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

**147-15      BASED UPON THE RECOMMENDATION OF ALLAN SCHWARTZ, TOWN CONSULTANT, AND RECEIPT OF THE MAINTENANCE BOND, THE TOWN BOARD HEREBY AUTHORIZES THE RELEASE OF THE RETAINAGE CURRENTLY BEING HELD TO BLUE DRAGON CONNECTIONS, LLC.**

**SCHEDULE PUBLIC HEARING - TO SET 2015 BOWLINE POINT PARK SEASON RATES AT THE TOWN OF HAVERSTRAW'S**

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

**148-15      RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY SCHEDULE A PUBLIC HEARING TO SET THE 2015 BOWLINE POINT PARK SEASON RATES AT THE TOWN OF HAVERSTRAW. SAID PUBLIC HEARING WILL BE HELD ON MONDAY, MARCH 23, 2015 AT 8:00 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.**

**RELEASE OF BOND FOR HARRY JEREMIAS FOR HELMKE SUBDIVISION**

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

**149-15      RESOLVED, THAT BASED UPON THE RECOMMENDATION OF GEORGE BEHN, JR., BUILDING INSPECTOR, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, HEREBY AUTHORIZES THE RELEASE OF BOND FOR HELMKE SUBDIVISION TO MR. HARRY JEREMIAS IN THE SUM OF \$24,565.42.**

**ACCEPTANCE OF BOND FOR POMONA POINTS ASSOCIATES, LTD FOR HELMKE SUBDIVISION**

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

**150-15      RESOLVED, THAT BASED UPON THE RECOMMENDATION OF GEORGE BEHN, JR., BUILDING INSPECTOR, and THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE ACCEPTANCE OF THE BOND FOR HELMKE SUBDIVISION FROM POMONA POINTS ASSOCIATES, LTD IN THE SUM OF \$50,000.00**

**APPOINTMENT OF DETECTIVE SERGEANT – GEORGE LUTZ**

The following resolution was offered and unanimously adopted by all of the Town Board Members.

**151-15      RESOLVED, THAT BASED UPON THE RECOMMENDATION OF CHIEF OF POLICE, CHARLES MILLER, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPROVE THE APPOINTMENT OF GEORGE**

\

TOWN BOARD

GARNERVILLE, NY  
MARCH 9, 2015

**LUTZ TO THE POSITION OF DETECTIVE SERGEANT AT THE TOWN OF HAVERSTRAW POLICE DEPARTMENT, EFFECTIVE IMMEDIATELY.**

**APPOINTMENT OF DETECTIVE STEVEN ROSADO**

The following resolution was offered and unanimously adopted by all of the Town Board Members

**152-15 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF CHIEF OF POLICE, CHARLES MILLER, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPROVE THE APPOINTMENT OF STEVEN**

**ROSADO TO THE POSITION OF DETECTIVE AT THE TOWN OF HAVERSTRAW POLICE DEPARTMENT, EFFECTIVE IMMEDIATELY.**

**APPOINTMENT OF PLANNING & ZONING ENGINEERING CONSULTANT**

The following resolution was offered and unanimously adopted by all of the Town Board Members

**153-15 RESOLVED, THAT BROOKER ENGINEERING, PLLC, OF SUFFERN, NEW YORK BE AND HE IS HEREBY APPOINTED PLANNING AND ZONING ENGINEERING CONSULTANT FOR THE TOWN OF HAVERSTRAW FOR THE CONTRACTUAL PERIOD COMMENCING MARCH 9, 2015, AND TERMINATING DECEMBER 31, 2015, AND BE IT FURTHER**

**RESOLVED, THAT THE SUPERVISOR IS HEREBY AUTHORIZED TO ENTER INTO A WRITTEN RETAINER AGREEMENT WITH MR. BROOKER.**

**PUBLIC PARTICIPATION**

Mel Post, 1422 Round Pointe Drive, Haverstraw, NY wanted to know if we are prepared in the event of a train accident occurring in our Town.

Supervisor Howard Phillips stated that he attended a seminar that was held by the Rockland County Department of Emergency Services, with the Chief of Police, the Superintendent of Highways, and other department heads regarding the emergency measures that should be taken in the event of a train accident. Also, all the police departments in Rockland County have had training on what to do if a train accident occurs. The Towns of Haverstraw and Clarkstown together did a mock scenario of a train derailment which was very informative.

Larry Levine, 1414 Round Pointe Drive, Haverstraw, NY stated that he thought it would be better if there were two gates on each side of the railroad crossing, instead of one.

Supervisor Howard Phillips stated that he wanted to do that when he was a Rockland County Legislator. The County wanted to proceed with this measure, but there has been an issue with Federal funding. Hopefully we will see this soon.

**ANNOUNCEMENTS**

Supervisor Howard Phillips wanted to commend the Highway and Parks departments for their outstanding job for keeping our roads well maintained this winter. He also stated that we are just waiting for the weather to clear so we can open the Golf Course. The renovation of the men's bathroom should be completed shortly.

The Youth Board is hosting two events in the spring: "New York Spring Spectacular" and a New Broadway Musical, "Finding Neverland".

TOWN BOARD  
GARNERVILLE, NY  
MARCH 9, 2015

S.W. Johnson Fire Company is hosting a Friday Night Fish Fry during Lent.

Councilman Cancel, Councilman Gould and himself went on a very informative and educational tour of Indian Point, and encourages the residents to take a tour.

**ADJOURNMENT**

**154-15** Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Frances Calandra, Frank M. Squibb, Julia Cruz, Dorothy Martin, Eleanor M. Keahon, Julia Tolve, Edward A. Lee, and Robert M. Orlando, 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 Gould, and unanimously adopted and the Town Board Meeting was adjourned.

---

**KAREN L. BULLEY**  
Town Clerk