

TOWN BOARD  
GARNERVILLE, NY  
SEPTEMBER 28, 2015

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

**331-15** **ADOPTION OF TOWN BOARD MEETING MINUTES OF SEPTEMBER 15, 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.

**332-15** **RESOLVED**, that bills numbered 2927 through 3061 in the amount of \$180,115.82 and Highway bills numbered 530 through 549 in the amount of \$8,425.08 audited at this meeting, be and they are hereby paid.

**ACCEPTANCE OF REPORTS**

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

**333-15** **RESOLVED**, that the following Police Department Activity Report for the month of July 2015 has been submitted and are hereby accepted.

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The Town Board of the Town of Haverstraw held a Public Hearing on Monday, September 28, at 8:30 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 J. Gould
Councilman	Hector L. Soto

**PUBLIC HEARING**  
**TO CONSIDER ADOPTING A LOCAL LAW TO AMEND THE TOWN CODE TO**  
**PROVIDE PENALTIES FOR TRESPASSING ON TOWN PROPERTY AT THE**  
**FORMER LETCHWORTH VILLAGE SITE**

Supervisor Phillips stated that the purpose of this Public Hearing is to consider adopting a local law to amend the Town Code to provide penalties for trespassing on Town property at the former Letchworth Village site. 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 this is not to prohibit people walking on Town property, this is only about vehicles going past certain points where it has been indicated by a sign.

**PUBLIC PARTICIPATION**

No comments.

**BOARD MEMBERS**

No comments.

**CLOSE PUBLIC HEARING**

**334-15** On motion by Councilman Soto and seconded by Councilman Gould, unanimously adopted, the Public Hearing was closed.

**ADOPT RESOLUTION**

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

**335-15** **RESOLVED**, that the Town Board of the Town of Haverstraw, does hereby accept **LOCAL LAW NO. 3-2015** entitled, **“VEHICLES AND TRAFFIC.”**

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**KAREN L. BULLEY**  
Town Clerk

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**SET DATE FOR RECEIPT OF 2016 TENTATIVE BUDGET**

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

**336-15 RESOLVED, THAT THE TOWN CLERK BE AND SHE HEREBY IS AUTHORIZED TO PUBLISH A NOTICE THAT A SPECIAL MEETING SHALL BE HELD IN ORDER FOR THE TOWN BOARD TO RECEIVE FROM THE TOWN CLERK FOR THE 2016 TENTATIVE BUDGET IN ACCORDANCE WITH THE LAW, AND BE IT FURTHER**

**RESOLVED, THAT SAID SPECIAL MEETING SHALL BE HELD ON THURSDAY, OCTOBER 01, 2015, AT 5:45 PM AT THE TOWN HALL, ONE ROSMAN ROAD, GARNERVILLE, NEW YORK.**

**RESPONSE TO GRIEVANCE FROM HIGHWAY DEPARTMENT EMPLOYEE  
DATED AUGUST 11, 2015**

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

**337-15 RESOLVED, THAT THE TOWN BOARD HEREBY SUPPORTS AND CONFIRMS THE DETERMINATION OF SUPERINTENDENT OF HIGHWAYS, GEORGE E. WARGO, JR., DENYING THE GRIEVANCE OF THE EMPLOYEE OF THE TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT DATED AUGUST 11, 2015.**

**RESOLUTION TO DECLARE LEAD AGENCY**

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

**338-15 WHEREAS, The Town of Haverstraw proposes to construct a recreational dog park (hereafter referred to as, “proposed action”) including:**

- Installation of a recreational dog park

(hereinafter referred to as “said Actions”), and;

**WHEREAS** said Actions require review under the New York State Environmental Quality Review Act (SEQRA), per 6NYCRR Part 617, and;

**WHEREAS** said Actions are defined as an Unlisted Actions under 6NYCRR Part 617 because the action is not listed under 6NYCRR Part 617.4 or 617.5.

**WHEREAS** multiple agencies have approval or funding authority over said Actions, and;

**WHEREAS** 6NYCRR Part 617.6(b)(3) calls for coordinated review of Unlisted Actions, and;

**WHEREAS** 6NYCRR Part 617.6(b)(2)(i) requires that a Lead Agency for a coordinated review of an Unlisted Action be established prior to a determination of significance, and;

**WHEREAS** 6NYCRR Part 617.2(u) defines “Lead Agency” as, “an involved agency principally responsible for undertaking funding or approving an action, and therefore responsible

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for determining whether an environmental impact statement is required in connection with the action, and for the preparation and filing of the statement if one is required”, and;

**WHEREAS** the Town of Haverstraw intends to act as Lead Agency in the coordinated review of said Actions as Unlisted Action under SEQRA and further intends to implement and complete all responsibilities of that office,

Therefore, be it

**RESOLVED** that the Town of Haverstraw Town Board declares itself Lead Agency, as defined in 6NYCRR Part 617.2(u), for the coordinated review of said Actions as Unlisted Actions under SEQRA.

**A RESOLUTION TO ADOPT A NEGATIVE DECLARATION UNDER  
STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)  
FOR PROPOSED DOG PARK IN HAVERSTRAW, NY**

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

**339-15**        **WHEREAS**, The Town of Haverstraw proposes to construct a recreational dog park (hereafter referred to as, “proposed action”) including:

- Installation a recreational dog park

**WHEREAS** said proposed action is an Unlisted Action under 6NYCRR Part 617 because the action is not listed under 6NYCRR Part 617.4 or 617.5.

**WHEREAS**, the Town of Haverstraw Board (hereafter, “the Board”), having approval authority over the proposed action, duly declared itself lead agency on \_\_\_\_\_ for a coordinated review among multiple authorizing agencies per 6NYCRR Part 617.6(b)(2)(i), and has received no objection to this declaration from other agencies within 30 days, and

**WHEREAS**, the Board, as lead agency, must make a determination of significance of the proposed action per 6NYCRR Part 617.7, and

**WHEREAS**, the Board has considered the proposed action as defined in 6NYCRR Part 617.2(b) and 617.3(g), and

**WHEREAS**, the Board has reviewed Parts 1, 2, and 3 of a Full Environmental Assessment Form prepared for the proposed action under criteria outlined in 6NYCRR Part 617.7(c), and

**WHEREAS**, the Board finds that the proposed work will not result in significant adverse environmental impacts to:

- Land
- Water
- Air
- Plants and Animals
- Agricultural Resources
- Aesthetic Resource
- Cultural or Archeological Resources
- Open Space
- Critical Environmental Areas
- Transportation
- Energy
- Noise or Odor

- Public Health
- Community Character

And

**WHEREAS**, the Board finds, based on the criteria outlined in 6NYCRR Part 617.7(c), that the proposed action will not have a significant adverse impact on the environment for the following reasons:

- The proposed action is not located within regulated resources (i.e. state or federally-regulated wetlands).
- The proposed action is not located within a state-regulated viewshed.
- The proposed action will not impact local traffic or adversely affect public health or community character.

Therefore, be it

**RESOLVED** that the Board shall adopt in its determination of significance under 6NYCRR Part 617.7, this *NEGATIVE DECLARATION*, indicating that information provided in the Full Environmental Assessment Form attached hereto has sufficiently demonstrated that the proposed action will not result in significant adverse environmental impacts, and that an Environmental Impact Statement need not be prepared.

**AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND VALUATION PLUS, INC.**

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

**340-15 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF JACK O'SHAUGHNESSY, TOWN ASSESSOR, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY RETAIN THE SERVICES OF VALUATION PLUS, INC. OF MAMARONECK, NEW YORK TO PERFORM AN APPRAISAL FOR THE GARNERVILLE ARTS CENTER IN GARNERVILLE, NY AT A COST OF \$5,000.00.**

**PUBLIC PARTICIPATION**

Five residents asked Supervisor Phillips and the Town Board about the status of the Legoland proposal.

Supervisor Phillips explained that it was unfortunate that someone sent out a flyer and posted misinformation on social media about the Legoland proposal. The Town Board is still investigating and receiving comments and no decisions have been made. It has always been the intention of the Town Board to hold public meetings to listen to the concerns and questions of the residents and citizens of Rockland County. Legoland would also have a presentation so that all of our residents could ask questions and have their concerns addressed.

The Supervisor further stated that if they proceed after that, there will be numerous public meetings and public hearings that are required by law under the New York State Environmental Quality Review Act (SEQRA). It would give the public additional opportunities to ensure their concerns are addressed.

Supervisor Phillips concluded by saying that there is no agreement and no decision has been reached. We still would like to go and view the Legoland in California and after that have the public come in and voice their opinions.

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**ANNOUNCEMENTS**

The Neighborhood Cruisers did an excellent job with the car show at Bowline Point Park on September 27<sup>th</sup>.

The Ninth Annual 90-Plus Recognition Day will be held on October 8, 2015.

The Halloween Festival will be held on October 24<sup>th</sup> at Bowline Point Park from 12:00 pm to 4:00 pm.

**ADJOURNMENT**

**341-15** Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Gail McGarry, Ann "Darlene" Ouder Kirk, Pauline Rose Keefe, Annunziata Di Valentino, John Thomas Hanlon, Jessie L. Martorano, Anthony V. Gizzi and George J. Helwig Jr., 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.

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**KAREN L. BULLEY**  
Town Clerk