

TOWN BOARD  
GARNERVILLE, NY  
NOVEMBER 28, 2016

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, November 28, 2016, 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**

**420-16 ADOPTION OF MINUTES - TOWN BOARD MEETING MINUTES OF NOVEMBER 14, 2016** as submitted by the Town Clerk and on motion by Councilman Gamboli, seconded by Councilman Cancel, was unanimously adopted.

**PAYMENT OF BILLS**

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

**421-16 RESOLVED**, that bills numbered 3683 through 3920 in the amount of \$629,059.48 and Highway bills numbered 560 through 570 in the amount of \$75,816.33 audited at this meeting, be and they are hereby paid.

**ACCEPTANCE OF REPORTS**

None

**PUBLIC HEARING - PURSUANT TO NYS TOWN LAW SECTION 176(5)**

Supervisor Phillips stated that this Public Hearing is being held pursuant to NYS Town Law Section 176 (5) regarding the map of the Thiells-Roseville Fire District.

The Deputy Town Clerk read proof of publication and presented the Affidavit of Publication to the Board.

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

William M. Stein, Town Attorney stated that the Thiells Roseville Fire District prepared a map showing the boundary lines for the fire district; and sent such map to all necessary parties. This public hearing is being held to hear any comments or objections regarding the approval of the map.

**PUBLIC PARTICIPATION**

None

**BOARD MEMBERS**

No Comments.

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**CLOSE HEARING**

**422-16** On motion by Councilman Soto, 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.

**423-16 RESOLVED, THAT THE THIELLS ROSEVILLE FIRE DISTRICT HAVING PREPARED A MAP SHOWING THE BOUNDARY LINES FOR THE FIRE DISTRICT; AND**

**WHEREAS, HAVING SENT SUCH MAP TO ALL NECESSARY PARTIES; AND**

**WHEREAS, HAVING FILED A MAP WITH THE TOWN CLERK OF THE TOWN OF HAVERSTRAW; AND**

**WHEREAS , THE TOWN BOARD HAVING HELD A PUBLIC HEARING IN ACCORDANCE WITH SECTION 176(5) OF THE TOWN LAW, AND NO OBJECTIONS HAVING BEEN RAISED AT SAID PUBLIC HEARING, NOW THEREFORE BE IT**

**RESOLVED, THAT THE TOWN BOARD HEREBY APPROVES THE MAP AND DIRECTS THE TOWN CLERK TO FILE THE MAP WITH THE ROCKLAND COUNTY CLERK.**

**SET DATE FOR PUBLIC HEARING - SEWER ASSESSMENT ROLL 2016**

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

**424-16 RESOLVED, THAT PURSUANT TO THE TOWN LAW A PUBLIC HEARING WITH REFERENCE TO THE SEWER ROLL FOR THE YEAR 2016 SHALL BE HELD ON MONDAY, DECEMBER 12, 2016 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.**

**CANCELLATION OF TOWN BOARD MEETING FOR DECEMBER 26, 2016**

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

**425-16 RESOLVED, THAT THERE WILL BE ONLY ONE TOWN BOARD MEETING FOR THE MONTH OF DECEMBER, WHICH WILL BE HELD ON MONDAY, DECEMBER 12, 2016 AT 8:00 P.M., AND BE IT FURTHER**

**RESOLVED, THAT THE SECOND TOWN BOARD MEETING FOR DECEMBER 26, 2016, HAS BEEN CANCELLED IN OBSERVANCE OF THE LEGAL HOLIDAY FOR CHRISTMAS.**

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**2016/17 MUNICIPAL SNOW & ICE AGREEMENT EXTENSION BETWEEN THE TOWN OF HAVERSTRAW AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION**

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

**426-16 RESOLVED, UPON THE RECOMMENDATION OF GEORGE WARGO, SUPERINTENDENT OF HIGHWAYS, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF NEW YORK D.O.T. FOR THE PURPOSES OF EXTENDING THE MUNICIPAL SNOW AND ICE AGREEMENT AT AN ANNUAL FEE OF \$50,702.97 TO BE PAID TO THE TOWN BY THE STATE OF NEW YORK FOR THE EXTENSION YEAR 2016/2017 AND BE IT FURTHER**

**RESOLVED, UPON THE RECOMMENDATION OF GEORGE WARGO, SUPERINTENDENT OF HIGHWAYS, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF NEW YORK D.O.T. FOR THE PURPOSES OF AMENDING THE LUMP SUM MUNICIPAL SNOW AND ICE AGREEMENT TO RECEIVE THE ADDITIONAL SUM OF \$50,702.97 TO BE PAID TO THE TOWN BY THE STATE OF NEW YORK FOR THE EXTENSION YEAR 2016/2017.**

**BUDGET ADJUSTMENTS FOR PERIOD ENDING IN OCTOBER 31, 2016**

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

**427-16 RESOLVED, THAT THE SUPERVISOR IS AUTHORIZED TO MAKE BUDGET ADJUSTMENTS FROM THE GENERAL FUND (A) IN THE AMOUNT OF \$51,000.00 AND THE PART-TOWN FUND (B) IN THE AMOUNT OF \$15,000.00 PURSUANT TO THE REPORT OF THE DIRECTOR OF FINANCE FOR THE TOWN OF HAVERSTRAW FOR THE PERIOD ENDING IN OCTOBER 31., 2016. (SEE ATTACHED BUDGET ADJUSTMENTS).**

**CLOSE CAPITAL PROJECT – CHESSECOTE ENTRANCE**

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

**428-16 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF MICHAEL COTIER, PARK DIRECTOR, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY CLOSE THE CAPITAL PROJECT FOR THE CHEESECOTE ENTRANCE, AND BE IT FURTHER**

**RESOLVED, THAT THIS CAPITAL PROJECT WAS BUDGETED IN THE AMOUNT OF \$150,000.00. OF WHICH \$136,093.39 WAS EXPENDED TO COMPLETE THE ABOVE MENTIONED PROJECT AND THE REMAINING BALANCE OF \$13,906.61 WILL BE TRANSFERRED BACK TO THE GENERAL FUND.**

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**CLOSE CAPITAL PROJECT – BACKUP GENERATOR FOR TOWN HALL**

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

**429-16 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF MICHAEL COTIER, PARK DIRECTOR, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY CLOSE THE CAPITAL PROJECT FOR THE BACKUP GENERATOR FOR TOWN HALL, AND BE IT FURTHER**

**RESOLVED, THAT THIS CAPITAL PROJECT WAS BUDGETED IN THE AMOUNT OF \$95,000.00. OF WHICH \$86,709.14 WAS EXPENDED TO COMPLETE THE ABOVE MENTIONED PROJECT AND THE REMAINING BALANCE OF \$8,290.86 WILL BE TRANSFERRED BACK TO THE GENERAL FUND AS INTERFUND TRANSFER.**

**CLOSE CAPITAL PROJECT – ENERGY EFFICIENCY PROJECT**

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

**430-16 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF MICHAEL COTIER, PARK DIRECTOR, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY CLOSE THE CAPITAL PROJECT FOR THE ENERGY EFFICIENCY PROJECT, AND BE IT FURTHER**

**RESOLVED, THAT THIS CAPITAL PROJECT WAS BUDGETED IN THE AMOUNT OF \$50,000.00. OF WHICH \$37,196.46 WAS EXPENDED TO COMPLETE THE ABOVE MENTIONED PROJECT AND THE REMAINING BALANCE OF \$12,803.54 WILL BE TRANSFERRED BACK TO THE GENERAL FUND AS INTERFUND TRANSFER.**

**RETAINER AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND BERARD & ASSOCIATES, CPA'S, P.C. – HAVERSTRAW MARINA AUDIT**

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

**431-16 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY RETAINS THE SERVICES OF BERARD & ASSOCIATES, CPA'S, P.C. OF SUFFERN, NEW YORK FOR THE PURPOSE OF PROVIDING AUDITING SERVICES PURSUANT TO THE LEASE AGREEMENT WITH THE HAVERSTRAW MARINA CORPORATION (HMC) FOR THE PERIOD ENDING APRIL 30, 2016, AT A COST OF \$3,700.00.**

**AUTHORIZATION TO SETTLE TAX CERTIORARI –  
148 MAPLE HOLDING CO. LLC**

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

**432-16 RESOLVED, UPON THE RECOMMENDATION OF JOHN O'SHAUGHNESSY, TOWN ASSESSOR AND WILLIAM M. STEIN, TOWN ATTORNEY, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SETTLEMENT FOR 148 MAPLE HOLDING CO. LLC (27.62-1-11), LOCATED AT 148 MAPLE AVENUE, VILLAGE OF HAVERSTRAW, NEW YORK FOR TAX YEAR 2016 BASED UPON THE FOLLOWING AMOUNTS ON THIS LOCATION:**

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	<b>ORIGINAL ASSESSMEN T</b>	<b>REVISED ASSESSMEN T</b>	<b>REDUCTIO N AMOUNT</b>	<b>EST REFUN D</b>
<b>YEAR</b>				
<b>2016</b>	<b>950,000</b>	<b>500,000</b>	<b>450,000</b>	<b>0</b>

**AWARD OF CONTRACT TO SEALCOAT USA INC. - SEALCOAT VARIOUS TOWN  
ROADS AND THE TOWN HALL PARKING LOT**

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

**433-16 RESOLVED, THAT THE TOWN BOARD HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO A CONTRACT WITH SEALCOAT USA INC. OF YONKERS, NEW YORK TO SEALCOAT THE FOLLOWING: OAK RIDGE ROAD, CHERRY LANE, CHERRY CIRCLE, PALISADES COURT, SAGAMORE CIRCLE, MOHAWK LANE, ANTHONY J. MARINA DRIVE, AND THE TOWN HALL PARKING LOT AT A COST NOT TO EXCEED \$50,000 PURSUANT TO NEW YORK STATE OGS CONTRACT # 31555-23001.**

**AUTHORIZATION TO ADD A THIRD PARTY ELECTRICAL INSPECTION  
COMPANY**

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

**434-16 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF GEORGE BEHN, BUILDING INSPECTOR, THE TOWN BOARD HEREBY AUTHORIZES NORTHEAST ELECTRICAL INSPECTIONS, LLC. OF SCOTIA, NEW YORK AS AN ADDITIONAL THIRD PARTY ELECTRICAL INSPECTION COMPANY.**

**AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND NYACK HOSPITAL  
EMPLOYEE ASSISTANCE PROGRAM**

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

**435-16 RESOLVED, UPON THE RECOMMENDATION OF THE TOWN BOARD OF THE TOWN OF HAVERSTRAW THE SUPERVISOR IS HEREBY AUTHORIZED TO ENTER INTO AN AGREEMENT WITH NYACK HOSPITAL FOR THE PURPOSES OF PROVIDING TO THE TOWN EMPLOYEES AN EMPLOYEE ASSISTANCE PROGRAM, AND BE IT FURTHER**

**RESOLVED, THAT SAID AGREEMENT SHALL COMMENCE ON JANUARY 1, 2017 AND EXPIRE ON DECEMBER 31, 2017, AND BE IT FURTHER RESOLVED, THAT SAID AMENDED AGREEMENT SHALL BE AT A TOTAL COST OF \$7,900.00.**

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**PUBLIC PARTICIPATION**

None

**ANNOUNCEMENTS**

The Motown Revue Concert featuring the 747 Orchestra at the North Rockland High School auditorium was held on Friday, November 18<sup>th</sup>. It was a great success and our residents enjoyed the show.

The Town of Haverstraw Youth Board has two trips scheduled: the Radio City Christmas Spectacular on Friday, December 9<sup>th</sup>, and Cirque Du Solei on Sunday, January 29<sup>th</sup>. For more information please call Town Hall.

**ADJOURNMENT**

**436-16** Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Mary E. Owens, Porfirio Melendez Perez, John F. Eagan, Thomas William Cacioppo, Patric J. O'Sullivan, George J. Tooma, Sr., and Rosemary C. Smith who recently passed away. A motion was made by Councilman Gamboli, seconded by Councilman Cancel, and unanimously adopted and the Town Board Meeting was adjourned.

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**RAQUEL VENTURA**  
Deputy Town Clerk