

TOWN BOARD
GARNERVILLE, NY
MARCH 27, 2017

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, March 27, 2017, 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 (Absent)
Councilman	John J. Gould
Councilman	Hector L. Soto

ADOPTION OF MINUTES

145-17 **ADOPTION OF MINUTES - TOWN BOARD MEETING OF MARCH 13, 2017** as submitted by the Town Clerk and on motion by Councilman Gould, seconded by Councilman Soto, was unanimously adopted.

PAYMENT OF BILLS

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

146-17 **RESOLVED**, that bills numbered 797 through 951 in the amount of \$238,316.20 and Highway bills numbered 153 through 188 in the amount of \$48,146.65 audited at this meeting, be and they are hereby paid.

ACCEPTANCE OF REPORTS

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

147-17 **RESOLVED**, that the Police Department Activity Report for the month of July 2016 has been submitted and is hereby accepted.

PRESENTATION OF PLAQUE AND CERTIFICATES TO THE NORTH ROCKLAND JUNIOR VARSITY CHEERLEADERS

PRESENTATION OF PLAQUE AND CERTIFICATES TO THE NORTH ROCKLAND JUNIOR PEE WEE CHEERLEADERS

PUBLIC HEARING - 2017 BOWLINE PARK RATES

The Town Board of the Town of Haverstraw held a Public Hearing on Monday, March 27, 2017 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 (Absent)
Councilman	John J. Gould
Councilman	Hector L. Soto

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PRESENTATION BY SUPERVISOR HOWARD T. PHILLIPS, JR.

Supervisor Phillips announced that this Public Hearing is being held for the purpose of discussing and adopting the Bowline Park Rates for the 2017 season. The Town Clerk read proof of publication and presented the Affidavit of Publication to the Board.

BOARD MEMBERS

No comments.

PUBLIC PARTICIPATION

Supervisor Phillips stated to let the record note that no public comment was offered.

CLOSE HEARING

148-17 On motion by Councilman Cancel and seconded by Councilman Gould, unanimously adopted, the Public Hearing was closed.

ADOPT RESOLUTION

149-17 Councilman Soto offered the following resolution which was seconded by Councilman Gould, and on roll call unanimously adopted.

The Town Board of the Town of Haverstraw held a Public Hearing on Monday, March 27, 2017 at 8:10 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 J. Gould
Councilman	Hector L. Soto

PUBLIC HEARING

ADOPTION OF LOCAL LAW NO. 2 – 2017

Supervisor Phillips stated that the purpose of this Public Hearing is to consider adopting a local law amending the Town Code of the Town of Haverstraw, Chapter 123 entitled “PEDDLING AND SOLICITING.”

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 the proposed law has different parts to it. The first thing it does is that it tightens up and clarifies the definition of peddler and solicitor to specifically include the sale of real property. Another part of the law is to include a “Do Not Knock Registry.” The Town Clerk shall prepare and maintain a list of addresses where the owner and/or occupant has notified the Clerk that hawking and peddling is not wanted. Notification shall be by completion of a form available at the Town Clerk's office. The list will be updated as needed by the Town Clerk. Any owner and/or occupant requesting to be enrolled on the Do Not Knock Registry may also obtain from the Town Clerk a decal for display at his/her/its premises, reflecting the premises enrollment on the Do Not Knock Registry. The Town Clerk shall make available the then-current Do Not Knock Registry to all licensees at the time the license to hawk

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and peddle is issued or renewed pursuant to the provisions of this law. It shall be a violation of this law for any licensee to hawk or peddle or merchandise at any premises identified on the then-current Do Not Knock Registry. Any person who shall act as a hawker or peddler without a license or who shall violate any of the provisions of this law is subject to the revocation of his license and a penalty.

PUBLIC PARTICIPATION

Michael Malta, 11 Woodridge Drive, Garnerville, NY stated that the “No-Knock” sign to be displayed on a home is too small and solicitors will not see it.

Supervisor Phillips stated that the Town Clerk will make available the then-current Do Not Knock Registry to all licensees at the time the license to hawk and peddle is issued or renewed. It will be a violation for any licensee to hawk or peddle at any premises identified on the then-current Do Not Knock Registry regardless if the sign is posted on the house or not.

George Rozycki, 4 Stonecrest Drive, Thiells, NY asked if a solar salesperson can knock on your door to solicit and will they know that the Town is passing this law. Mr. Rozycki also stated that a certain real estate company is placing mailings in his mailbox soliciting the sale of his home.

Supervisor Phillips stated that the solar salesperson can solicit if they have a license and the owner or occupant of the home is not on the Do Not Knock Registry. They should also know that we are passing this law because they work and represent for a company. Regarding the mailings, it is illegal to place mailable materials like circulars, brochures with unpaid postage in mailboxes. You can contact the postal authority to notify them this is happening. They will send a postal inspector and they will go directly to that company and issue them fines.

Orlando Reyes, 9 Hobbs Court, Pomona, NY asked what can be done about the constant calls and voice mails he receives from certain real estate agencies.

William M. Stein, Town Attorney replied that the Town cannot regulate this but Mr. Reyes can submit a Cease and Desist Questionnaire with the State of New York Department of State Division of Real Estate Licensing Services and file a complaint.

Brenda Silen, 16 Lea Court, Garnerville, NY stated that she is a bit confused about the new law that is going into effect and also stated that it is illegal that a particular real estate agency is inducing the residents to sell their properties for a profit.

Supervisor Phillips stated that the Town is taking several measures regarding the aggressive solicitation by certain real estate agencies, including having this Public Hearing.

Susan Filgueras, 47 Samsondale Avenue, West Haverstraw, NY wanted to commend the Town Board for taking the right measures regarding this situation because all people is asking for is to live in their homes, in comfort and not be bothered by unwanted solicitors.

BOARD MEMBERS

No comments.

CLOSE PUBLIC HEARING

150-17 On motion by Councilman Soto and seconded by Councilman Gould, unanimously adopted, the Public Hearing was closed.

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ADOPT RESOLUTION

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

151-17 RESOLVED, that the Town Board of the Town of Haverstraw, does hereby adopt Local Law No. 2 of 2017 to amend Chapter 123 of the Town Code of the Town of Haverstraw, entitled "PEDDLING AND SOLICITING."

RAQUEL VENTURA
Town Clerk

CANCELLATION OF TOWN BOARD MEETING FOR APRIL 10, 2017

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

152-17 RESOLVED, THAT THE TOWN BOARD MEETING SCHEDULED FOR APRIL 10, 2017 FOR THE TOWN OF HAVERSTRAW IS HEREBY CANCELLED TO OBSERVE PASSOVER AND HOLY WEEK.

APPOINTMENT OF CHRISTOPHER P. DYROFF TO THE POSITION OF GREENSKEEPER

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

153-17 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY APPOINTS CHRISTOPHER P. DYROFF OF FORT MONTGOMERY, NEW YORK TO THE POSITION OF GREENSKEEPER EFFECTIVE IMMEDIATELY, AND BE IT FURTHER

RESOLVED, THAT THIS APPOINTMENT IS SUBJECT TO THE RULES AND REGULATIONS OF THE ROCKLAND COUNTY DEPARTMENT OF PERSONNEL.

AUTHORIZATION FOR DIRECTOR OF FINANCE TO TRANSFER FUNDS

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

154-17 RESOLVED, THAT THE SUPERVISOR AND TOWN BOARD OF THE TOWN OF HAVERSTRAW AUTHORIZE THE DIRECTOR OF FINANCE, MICHAEL J. GAMBOLI, TO TRANSFER \$400,000.00 FROM THE GENERAL FUND BALANCE TO THE RESERVE FOR WORKERS' COMPENSATION.

AWARD OF TOWN OF HAVERSTRAW BID NO. 1-2017 FOR FERTILIZER SEED FOR DIVOT MIX FOR THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE

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

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155-17 RESOLVED, UPON THE RECOMMENDATION OF CHRISTOPHER DYROFF, GREENSKEEPER, AND THE BIDS HAVING BEEN FOUND IN ORDER BY THE TOWN ATTORNEY, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD THE BID FOR THE PROVISIONS OF FERTILIZER AND GRASS SEED FOR THE PHILIP J. ROTELLA GOLF COURSE FOR THE 2017 GOLF SEASON TO THE FOLLOWING COMPANIES, THE LOW BIDDERS:

WESTCHESTER TURF SUPPLY

FERTILIZER

\$87/BAG

SEED RYE \$99/BAG

SEED BENTGRASS \$190/BAG

AWARD OF TOWN OF HAVERSTRAW BID NO. 2-2017 – PURCHASE OF BUNKER SAND, DIVOT MIX, BAGGED SAND AND TOP DRESSING TO BE UTILIZED AT THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE

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

156-17 RESOLVED, UPON THE RECOMMENDATION OF CHRISTOPHER DYROFF, GREENSKEEPER, AND THE BIDS HAVING BEEN FOUND IN ORDER BY THE TOWN ATTORNEY, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD BID NO. 2-2017 FOR THE PROVIDING OF BUNKER SAND, DIVOT MIX, BAGGED SAND AND TOP DRESSING TO BE UTILIZED AT THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE DURING THE 2017 GOLF SEASON TO THE FOLLOWING COMPANIES, THE LOW BIDDERS:

CARRIERE MATERIALS

BUNKER SAND \$46/YARD

DIVOT MIX \$115/YARD

TOP DRESSING \$79.50/YARD

PARTAC PEAT CORP

BAGGED SAND \$9.05/BAG

AWARD OF TOWN OF HAVERSTRAW BID NO. 3-2017 FOR CHEMICALS FOR THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE

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

157-17 RESOLVED, UPON THE RECOMMENDATION OF CHRISTOPHER DYROFF, GREENS KEEPER, AND THE BIDS HAVING BEEN FOUND IN ORDER BY THE TOWN ATTORNEY, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD THE BID FOR THE PROVISIONS OF CHEMICALS FOR THE PHILIP J. ROTELLA GOLF COURSE FOR THE 2017 GOLF SEASON TO THE FOLLOWING COMPANIES, THE LOW BIDDERS:

WESTCHESTER TURF SUPPLY

ZAP DEFOAMER \$99.00/BOX

FISHER AND SON

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SPECTICLE FLO \$3150.00/CS
THREE WAY HERBICIDE \$120.00/CS

SITE ONE LANDSCAPE SUPPLY

BENSUMEC \$646.04/CS
T NEX \$642.54/CS

AUTHORIZATION FOR SUPERINTENDENT OF HIGHWAYS TO ATTEND ITHACA COLLEGE (2017 HIGHWAY SCHOOL)

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

158-17 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, HEREBY GRANTS PERMISSION FOR GEORGE WARGO, JR., SUPERINTENDENT OF HIGHWAYS TO ATTEND ITHACA COLLEGE, 2017 HIGHWAY SCHOOL, TO BE HELD FROM JUNE 12, 2017 TO JUNE 14, 2017 IN ITHACA, NEW YORK, SPONSORED BY TOWN AND COUNTY OFFICERS TRAINING SCHOOL, AND THE ASSOCIATION OF TOWNS OF THE STATE OF NEW YORK, AT A COST FOR CLASS AND ACCOMMODATIONS NOT TO EXCEED \$700.00.

AWARD OF RFP NO.4 2017 – TEE SHIRTS FOR TOWN OF HAVERSTRAW DAY CAMP

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

159-17 RESOLVED, THAT REQUEST FOR PROPOSALS WERE SUBMITTED TO HOWIE TIELL, DAY CAMP DIRECTOR FOR CAMPER/STAFF TEE SHIRTS FOR THE 2017 TOWN OF HAVERSTRAW DAY CAMP SEASON, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD THE RFP TO TUFF CITY TEES, INC. DBA HOLLYWOOD TEE SHIRTS OF POMONA, NEW YORK, THE LOW PROPOSAL, AT THE FOLLOWING PRICES:

JERZEES 50/50 TEE SHIRT- FOREST GREEN	\$3.25 PER SHIRT
JERZEES 50/50 TEE SHIRT - PURPLE	\$3.25 PER SHIRT
100 % COTTON JERSEY SPORTSHIRT- NAVY BLUE	\$6.50 PER SHIRT

REPLACEMENT OF BOND

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

160-17 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, HEREBY AUTHORIZES THE RELEASE OF THE EXISTING BOND OF \$18,000.00 TO GREGG LAWLESS CONCERNING THE LAWLESS SUBDIVISION WITH A NEW BOND TO BE POSTED BY JOHN KARGER, THE NEW OWNER IN THE AMOUNT OF \$18,000.00.

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**AUTHORIZATION TO BID – BID NO. 5-2017 – SUPPLY AND DELIVER A NEW 2017
MODEL YEAR F-150 XL PICK-UP TRUCK FOR THE TOWN OF
HAVERSTRAW HIGHWAY DEPARTMENT**

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

161-17 RESOLVED, THAT ON THE RECOMMENDATION OF GEORGE WARGO, SUPERINTENDENT OF HIGHWAYS, 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 THURSDAY, MAY 4, 2017, FOR THE RECEIPT OF BIDS TO SUPPLY AND DELIVER A NEW 2017 MODEL YEAR F-150 XL PICK-UP TRUCK, REGULAR CAB, OR APPROVED EQUIVALENT, AS PER SPECIFICATIONS FOR THE TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT, 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.

**AMENDMENT TO THE ANNUAL 2017 SOCIAL SERVICES, HOME RELIEF,
ADMINISTRATION, ECONOMIC AND RECREATIONAL CONTRACTS**

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

162-17 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPROVE THE AMENDMENT TO THE ANNUAL 2017 SOCIAL SERVICES, HOME RELIEF ADMINISTRATION, ECONOMIC AND RECREATIONAL CONTRACTS TO ADD KEEP ROCKLAND BEAUTIFUL ORGANIZATION TO THE CONTRACT AGENCY SCHEDULE FOR THE FISCAL YEAR 2017. AND THEY SHALL RECEIVE A PAYMENT OF \$1,250.

**AWARD OF RFP NO. 5 - 2017 - PURCHASE ONE (1) OCE PLOTWAVE 345
PLOTTER/COPIER/COLOR SCANNER FOR THE TOWN OF HAVERSTRAW
BUILDING DEPARTMENT**

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

163-17 RESOLVED, THAT THREE (3) RFPS WERE SUBMITTED GEORGE BEHN, BUILDING INSPECTOR, TO PURCHASE ONE (1) OCE PLOTWAVE 345 PLOTTER/COPIER/COLOR SCANNER FOR THE TOWN OF HAVERSTRAW BUILDING DEPARTMENT, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD RFP NO. 5 -2017 TO PURCHASE ONE (1) OCE PLOTWAVE 345 PLOTTER/COPIER/COLOR SCANNER FOR THE TOWN OF HAVERSTRAW BUILDING DEPARTMENT TO GENERAL REPRODUCTION PRODUCTS OF MAHWAH, NEW JERSEY, AT A COST OF \$13,495.00, THE LOW PROPOSAL.

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**ACQUISITION OF EQUIPMENT FOR THE TOWN OF HAVERSTRAW PARKS
DEPARTMENT**

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

164-17 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO A LEASE AGREEMENT WITH WILFRED MACDONALD, INC. FROM HACKENSACK, NEW JERSEY TO ACQUIRE THROUGH THE NJPA (NATIONAL JOINT POWERS ALLIANCE), TWO (2) KUBOTA RTV500-H UTILITY VEHICLES FOR TOWN OF HAVERSTRAW PARKS DEPARTMENT ON A SIXTY (60) MONTH MUNICIPAL LEASE THROUGH GREENLEASE WITH AN ANNUAL PAYMENT OF \$1,790.00 EACH.

AUTHORIZATION TO PURCHASE MEDAL OF HONOR MONUMENT

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

165-17 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE PURCHASE OF A MEDAL OF HONOR MONUMENT FROM GEORGE M. HOLT FUNERAL HOME OF HAVERSTRAW, NEW YORK, AT A COST NOT TO EXCEED \$10,000.00.

PUBLIC PARTICIPATION

James Randt, Woodridge Drive, Garnerville, NY stated that many drivers speed on his street and would like to see more police presence in that area.

Supervisor Phillips replied that we will have more police presence to ticket offenders.

ANNOUNCEMENTS

We would like to compliment the Youth Board for their most recent trip to Camelback Indoor Waterpark in Pennsylvania this past Friday. We received great reviews and compliments on this trip.

We anticipate that in the next week or two we will be opening our golf course. The opening was delayed due to the recent snow storm.

ADJOURNMENT

166-17 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of James G. Bodnar, Clifford Schoenberger, Christopher Kiel Griffin and Miriam Rylander who recently passed away. A motion was made by Councilman Cancel, seconded by Councilman Gould, and unanimously adopted and the Town Board Meeting was adjourned.

RAQUEL VENTURA
Town Clerk

