

TOWN BOARD
GARNERVILLE, NY
OCTOBER 22, 2018

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, October 22, 2018, 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 (Absent)

**PRESENTATION OF DISTINGUISHED SERVICE AWARDS FOR
HISPANIC HERITAGE MONTH**

ADOPTION OF MINUTES

385-18 **ADOPTION OF MINUTES - TOWN BOARD MEETING OF OCTOBER 9, 2018** as submitted by the Town Clerk and on motion by Councilman Gamboli, seconded by Councilman Cancel was unanimously adopted.

PAYMENT OF BILLS

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

386-18 **RESOLVED**, that bills numbered 3160 through 3311 in the amount of \$565,533.05 and Highway bills numbered 531 through 561 in the amount of \$16,757.64 audited at this meeting, be and they are hereby paid.

ACCEPTANCE OF REPORTS

None.

**PUBLIC HEARING – TO CONSIDER ADOPTING A LOCAL LAW NO. 7 – 2018 - TO
AMEND CHAPTER 167-67.2B (2), OF THE TOWN CODE OF THE TOWN OF
HAVERSTRAW ENTITLED, “SPECIAL PERMIT USE ASSISTED LIVING
RESIDENCE (ALR) FLOATING OVERLAY ZONE DISTRICT, BULK
REGULATIONS”**

The Town Board of the Town of Haverstraw held a Public Hearing on Monday, October 22, 2018 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
Councilman	John J. Gould
Councilman	Hector L. Soto (Absent)

Supervisor Phillips announced that this Public Hearing is being held for the purpose of hearing all comments and suggestions regarding the proposed Local Law No. 7 – 2018 to amend chapter 167-67.2b (2), of the Town Code of the Town of Haverstraw entitled, “Special Permit Use Assisted Living Residence (ALR) Floating Overlay Zone District, Bulk Regulations.”

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

William M. Stein, Town Attorney stated that more revisions to the proposed law will be made therefore the Public Hearing will remain open and continue at the Town Board Meeting of November 26, 2018 at 8:05 p.m. A legal notice will be published confirming the change.

ADJOURNMENT

387-18 A motion was made by Councilman Cancel, seconded by Councilman Gould, and the Public Hearing was adjourned and will remain open until the Town Board Meeting of November 26, 2018 at 8:05 p.m.

DECLARATION OF LEAD AGENCY REGARDING THE PROPOSED AMENDMENT TO THE BULK REQUIREMENTS FOR AN ASSISTED LIVING RESIDENCE (ALR) IN THE ROUTE 202 OVERLAY ZONE

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

388-18 THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY DECLARES ITS INTENTION TO BE LEAD AGENCY IN REGARD TO THE PROPOSED LOCAL LAW TO AMEND CHAPTER 167-67.2B (2), OF THE TOWN CODE OF THE TOWN OF HAVERSTRAW ENTITLED, "SPECIAL PERMIT USE ASSISTED LIVING RESIDENCE (ALR) FLOATING OVERLAY ZONE DISTRICT, BULK REGULATIONS."

PROVISIONAL APPOINTMENT OF MARTIN J. LUND TO THE POSITION OF POLICE CAPTAIN FOR THE TOWN OF HAVERSTRAW POLICE DEPARTMENT

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

389-18 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY PROVISIONALLY APPOINTS MARTIN J. LUND OF THIELLS, NEW YORK TO THE POSITION OF POLICE CAPTAIN FOR THE TOWN OF HAVERSTRAW POLICE DEPARTMENT, EFFECTIVE OCTOBER 22, 2018 AND BE IT FURTHER

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

TERMINATION OF PROBATIONARY APPOINTMENT FOR EMPLOYEE HOLDING POSITION CONTROL NO. 510067

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

390-18 BE IT RESOLVED, THAT UPON THE RECOMMENDATION OF THE CHIEF OF POLICE, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY TERMINATES THE PROBATIONARY APPOINTMENT OF EMPLOYEE HOLDING POSITION CONTROL NO. 510067 WHOSE SOCIAL SECURITY NUMBER ENDS IN THE LAST FOUR DIGITS 0169, IN THE CIVIL SERVICE TITLE OF POLICE OFFICER, EFFECTIVE OCTOBER 18, 2018.

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APPROVAL OF MEMORANDUM OF AGREEMENT AND SIDE LETTER OF AGREEMENT WITH CIVIL SERVICE EMPLOYEES ASSOCIATION, LOCAL 1000 AFSCME, AFL-CIO, TOWN OF HAVERSTRAW POLICE DISPATCHERS UNIT, ROCKLAND COUNTY LOCAL 844

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

391-18 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO EXECUTE A MEMORANDUM OF AGREEMENT AND SIDE LETTER OF AGREEMENT FOR THE YEARS 2013-2019 WITH CIVIL SERVICE EMPLOYEES ASSOCIATION, LOCAL 1000 AFSCME, AFL-CIO, TOWN OF HAVERSTRAW POLICE DISPATCHERS UNIT, ROCKLAND COUNTY LOCAL 844.

STATEMENT IN SUPPORT OF ENDING RECRUITMENT OF NEW YOUTH SMOKER'S

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

392-18 WHEREAS, TOBACCO COMPANIES HAVE DEVELOPED CAREFULLY CALCULATED CAMPAIGNS TO RECRUIT NEW YOUTH SMOKERS;

WHEREAS, INTERNAL DOCUMENTS SHOW THAT TOBACCO COMPANIES HAVE PERCEIVED CHILDREN AS A KEY MARKET AND DEVELOPED PRODUCTS AND MARKETING CAMPAIGNS AIMED DIRECTLY AT THEM;

WHEREAS; NOT ONLY DOES BIG TOBACCO SELL SICKNESS BUT ALSO PUTS IT ON SALE;

WHEREAS; THE DENSITY OF TOBACCO RETAILERS TRANSLATES TO INCREASED TOBACCO USE;

WHEREAS; THERE ARE MORE TOBACCO RETAILERS THEN THERE ARE STARBUCKS;

WHEREAS; TOBACCO RETAILERS LOCATED NEAR SCHOOLS INCREASES THE PROBABILITY OF YOUTH SMOKERS;

WHEREAS; LOCAL TOBACCO LICENSING INSURES ADHERING TO BUILDING CODES CREATING SAFER BUILDINGS;

WHEREAS; ONLY A COMPREHENSIVE TOBACCO POLICY WILL PROTECT OUR YOUTH FROM BECOMING SMOKERS AND HELP SMOKERS QUIT;

THEREFORE, BE IT RESOLVED THAT THE TOWN OF HAVERSTRAW HEREBY PARTNERS WITH POW'R AGAINST TOBACCO IN REQUESTING THAT OUR COMMUNITIES PROTECT OUR CHILDREN BY PROHIBITING DISCOUNTING TOBACCO PRODUCTS, RESTRICTING THE DENSITY OF TOBACCO RETAILERS IN PROXIMITY TO SCHOOLS, AND REQUIRING LOCAL TOBACCO LICENSES THAT WILL BRING REVENUE TO THE COMMUNITY AND ENSURE THEY MEET BUILDING AND MAINTENANCE CODES.

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**AGREEMENT WITH MARATHON ENERGY AND THE TOWN OF HAVERSTRAW
FOR ELECTRICITY TOWN ACCOUNTS**

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

393-18 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH MARATHON ENERGY OF WOODSIDE, NEW YORK TO PROVIDE ELECTRIC FOR TOWN OF HAVERSTRAW'S ACCOUNT AT A FIXED RATE OF .0655 PER KWH FROM DECEMBER 2018 THROUGH NOVEMBER 2020.

**AGREEMENT WITH MARATHON ENERGY SERVICES AND THE TOWN OF
HAVERSTRAW FOR ELECTRICITY FOR STREET LIGHT ACCOUNTS**

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

394-18 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH MARATHON ENERGY OF WOODSIDE, NEW YORK TO PROVIDE ELECTRIC FOR TOWN OF HAVERSTRAW STREET LIGHTS FOR A FIXED RATE OF .0508 PER KWH FROM DECEMBER 2018 THROUGH NOVEMBER 2020.

ACCEPTANCE OF LETTER OF RETIREMENT – CLAUDIA OSSMAN

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

395-18 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, DOES HERE BY ACCEPT A LETTER OF RETIREMENT FOR CLAUDIA OSSMAN, JUSTICE COURT CLERK FOR THE TOWN OF HAVERSTRAW JUSTICE COURT, EFFECTIVE, JANUARY 1, 2019.

**SCHEDULE PUBLIC HEARING - TO HEAR ALL COMMENTS AND SUGGESTIONS
REGARDING THE SPECIAL USE PERMIT APPLICATION – 606 WILLOW GROVE
REALTY CORP.**

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

396-18 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW PURSUANT TO THE AUTHORITY SET FORTH IN CHAPTER 167 ZONING, SECTION 37.2 "SPECIAL USE PERMITS" OF THE CODE OF THE TOWN OF AND PURSUANT TO A RESOLUTION OF THE TOWN BOARD OF THE TOWN OF HAVERSTRAW ADOPTED ON THE 22ND DAY OF OCTOBER, 2018 THE SAID TOWN BOARD WILL HOLD A PUBLIC HEARING ON THE 13TH DAY OF NOVEMBER, 2018, AT 8:05 PM IN THE LARGE MEETING ROOM OF HAVERSTRAW TOWN HALL, ONE ROSMAN ROAD, GARNERVILLE, NY TO HEAR ALL INTERESTED PERSONS UPON THE APPLICATION OF 606 WILLOW GROVE REALTY CORP FOR A SPECIAL USE PERMIT TO CHANGE USE FROM DELI AND CONCESSION STAND TO A BICYCLE SHOP ON THE PREMISES LOCATED AT 606 WILLOW GROVE ROAD, STONY POINT, TOWN OF HAVERSTRAW, COUNTY ROCKLAND, STATE OF NEW YORK, AND BE IT FURTHER

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RESOLVED, THAT THE TOWN CLERK SHALL PUBLISH SAID NOTICE AND ALL PERSONS ARE INVITED TO ATTEND AND WILL BE HEARD BY THE BOARD.

SET DATE FOR PUBLIC HEARING ON 2019 PRELIMINARY TOWN BUDGET

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

397-18 RESOLVED, THAT THE TOWN CLERK BE AND SHE HEREBY IS AUTHORIZED TO PUBLISH A NOTICE THAT A PUBLIC HEARING SHALL BE HELD ON THE PRELIMINARY TOWN BUDGET FOR THE TOWN OF HAVERSTRAW FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2019, AT THE TOWN HALL, ONE ROSMAN ROAD, GARNERVILLE, NY, ON THURSDAY, NOVEMBER 8TH, 2018, AT 7:00 P.M., AND THAT ALL INTERESTED PARTIES ARE INVITED TO ATTEND AND SHALL BE HEARD BY THE BOARD, AND BE IT FURTHER

RESOLVED, THAT PURSUANT TO THE PROVISIONS OF THE TOWN LAW THE PROPOSED ANNUAL SALARIES ARE HEREBY SPECIFIED AS FOLLOWS:

SUPERVISOR	\$125,301.65
COUNCILMAN (EACH)	\$23,314.61
TOWN CLERK	\$88,243.56
HIGHWAY SUPERINTENDENT	\$97,105.63

CHANGE OF MEETING DATE – VETERAN’S DAY

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

398-18 WHEREAS, THE FIRST MEETING OF THE TOWN BOARD OF THE TOWN OF HAVERSTRAW IN NOVEMBER, IS SCHEDULED FOR MONDAY, NOVEMBER 12, 2018, THE LEGAL HOLIDAY FOR THE OBSERVANCE OF VETERAN’S DAY, NOW, THEREFORE, BE IT

RESOLVED, THAT THE TOWN CLERK IS AUTHORIZED TO PUBLISH A NOTICE THAT SAID MEETING IS HEREBY RESCHEDULED FOR TUESDAY, NOVEMBER 13, 2018, AT 8:00 P.M.

AWARD OF RFP NO. 11 - 2018 – PURCHASE PARTS TO REPAIR 2001 BK/BA CHIPPER FOR THE TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT

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

399-18 RESOLVED, THAT TWO (2) RFP’S WERE SUBMITTED TO GEORGE WARGO, JR., SUPERINTENDENT OF HIGHWAYS, TO PURCHASE PARTS TO REPAIR A 2001 BK/BA CHIPPER FOR THE TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT , AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN HAVERSTRAW DOES HEREBY AWARD RFP NO. 11 - 2018 TO NORTHEASTERN ARBORIST SUPPLY OF WOODLAND PARK, NEW JERSEY, AT A COST OF \$4,740.16, THE LOW BIDDER.

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PUBLIC PARTICIPATION

Al Amoros, Pomona, NY stated that several blocks in the Town of Haverstraw need more lighting for the safety of the people.

Supervisor Phillips stated that the Town is taking several steps to improve lighting in some areas within the Town.

ANNOUNCEMENTS

The Town of Haverstraw Annual 90-Plus Recognition Day was held on Thursday, October 11th at the Hudson Water Club and was a great success. We had over 40 honorees this year.

The Schooner Pioneer is back in Haverstraw this week. The Schooner is a ship based at the South Street Seaport in New York City. We have been holding tours since 2000 for several sixth grade classes from North Rockland. The students really enjoy the tours and learning about sailing and the indigenous habitat of the Hudson River.

The Town of Haverstraw Highway Department's Open House was held on Saturday, October 20th. It was well attended.

The Town of Haverstraw Annual Halloween Festival will be held at Bowline Point Park starting at 12 pm on Saturday, October 27th. Hope you can join us for this great event.

The Youth Board has a trip to see The Christmas Spectacular with the Rockettes on December 6th. For more information please call Town Hall at 845-42-2200.

ADJOURNMENT

390-18 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Donald Toscano, Jessica Marie Rivera and Joseph Greenlead who recently passed away. A motion was made by Councilman Gamboli, seconded by Councilman Gould, and unanimously adopted and the Town Board Meeting was adjourned.

RAQUEL VENTURA
Town Clerk

