

TOWN BOARD  
GARNERVILLE, NY  
AUGUST 19, 2019

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, August 19, 2019, at 7:00 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 (Absent)

**ADOPTION OF MINUTES**

**330-19 ADOPTION OF MINUTES - TOWN BOARD MEETING OF JULY 8, 2019** as submitted by the Town Clerk and on motion by Councilman Cancel, seconded by Councilman Gould were unanimously adopted.

**PAYMENT OF BILLS**

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

**331-19 RESOLVED**, that bills numbered 2211 through 2385 in the amount of \$2,504,778.20 and Highway bills numbered 376 through 438 in the amount of \$113,305.53 audited at this meeting, be and they are hereby paid.

**APPOINTMENT OF ONE FULL TIME POLICE OFFICER POSITION**

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

**332-19 RESOLVED, THAT UPON THE RECOMMENDATION OF PETER MURPHY, CHIEF OF POLICE, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPOINT ERIC DIPAOLO OF POMONA, NEW YORK TO THE POSITION OF POLICE OFFICER, FULL TIME, CONTINGENT PERMANENT FOR THE TOWN OF HAVERSTRAW, EFFECTIVE AUGUST 20, 2019 AND BE IT FURTHER**

**RESOLVED, THAT MR. DIPAOLO HAS BEEN CLEARED ON ALL PRE-EMPLOYMENT TESTS BY THE ROCKLAND COUNTY DEPARTMENT OF PERSONNEL, AND BE IT FURTHER**

**RESOLVED, THAT THIS APPOINTMENT IS SUBJECT TO THE RULES AND REGULATIONS OF THE ROCKLAND COUNTY DEPARTMENT OF PERSONNEL, AND MR. DIPAOLO SHALL SERVE A PROBATION PERIOD OF TWO (2) YEARS.**

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**AWARD OF TOWN OF HAVERSTRAW BID NO. 10-2019 - GARBAGE COLLECTION**

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

**333-19 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF WILLIAM M. STEIN, TOWN ATTORNEY AND THE BID HAVING BEEN FOUND IN ORDER, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD THE BID FOR THE GARBAGE COLLECTION TO STERLING CARTING OF SLOATSBURG, NEW YORK, THE SOLE BIDDER, FOR A THREE YEAR TERM COMMENCING JANUARY 1, 2020 AND DOES HEREBY AUTHORIZE THE SUPERVISOR TO EXECUTE ANY AND ALL AGREEMENTS WITH RESPECT TO SAME.**

**AWARD OF RFP NO. 7 - 2019 – AERIFICATION - GOLF COURSE**

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

**334-19 RESOLVED, THAT ONE (1) RFP WAS SUBMITTED TO CHRISTOPHER DYROFF, GREENSKEEPER, TO AERATE GREENS WITH HOLLOW TINES TO THE TOWN OF HAVERSTRAW GOLF COURSE FOR THE 2019 GOLF SEASON, AND BE IT FURTHER**

**RESOLVED, THAT THE TOWN BOARD OF THE TOWN HAVERSTRAW DOES HEREBY AWARD RFP NO. 7 - 2019 FOR AERATION OF THE GREENS FOR THE PHILIP J. ROTELLA GOLF COURSE IN AUGUST 2019 TO DRYJECT NORTH EAST, LLC OF CARMEL, NEW YORK, THE SOLE SUPPLIER, AT A PRICE OF \$3,990.00.**

**AUTHORIZATION FOR SUPERVISOR TO SEND A WRITTEN REQUEST TO ORANGE AND ROCKLAND UTILITIES, INC TO PARTICIPATE IN THE TWO PERCENT SYSTEM THRESHOLD PROGRAM AND THE LED REPLACEMENT PROGRAM**

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

**335-19 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO SEND A WRITTEN REQUEST TO ORANGE AND ROCKLAND UTILITIES, INC. TO PARTICIPATE IN THE TWO PERCENT SYSTEM THRESHOLD PROGRAM TO CONVERT STREET LIGHTS TO LED LUMINAIRES . THE TOWN ALSO ELECTS TO CONVERT THE MAXIMUM NUMBER OF STREETLIGHTS ALLOWED TO LED LUMINAIRES ABOVE AND BEYOND THE TWO PERCENT REPLACEMENT THRESHOLD PROGRAM AT A COST OF \$232.21 PER FIXTURE.**

**AUTHORIZATION FOR TOWN JUSTICE TO ATTEND THE 2019 ASSOCIATION OF TOWNS CONFERENCE**

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

**336-19 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, HEREBY GRANTS PERMISSION FOR JOHN K. GRANT, TOWN JUSTICE, TO ATTEND THE 2019 ASSOCIATION OF TOWNS CONFERENCE, TO BE HELD FROM SEPTEMBER 15 TO SEPTEMBER 18, 2019 IN NEW YORK, NEW YORK , AT A COST FOR CLASS AND ACCOMMODATIONS NOT TO EXCEED \$1,000.**

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**RESOLUTION APPROVING THE OFFER OF A CERTAIN CONVEYANCE OF REAL PROPERTY TO BE GRATUITOUSLY OFFERED TO THE COUNTY OF ROCKLAND BY THE TOWN OF HAVERSTRAW BEACH ROAD, COUNTY ROUTE 108 A/K/A GRASSY POINT ROAD, MAP NO. 1, PARCEL NO. 1, AND AUTHORIZING THE TOWN SUPERVISOR TO EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTUATE THE OFFER OF SUCH CONVEYANCE**

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

337-19 WHEREAS, THE TOWN OF HAVERSTRAW SUPERVISOR HAS ADVISED THE HAVERSTRAW TOWN BOARD THAT A CERTAIN GRATUITOUS CONVEYANCE OF REAL PROPERTY IS BEING REQUESTED BY THE SUPERINTENDENT OF HIGHWAYS OF THE COUNTY OF ROCKLAND AND OFFERED TO THE COUNTY OF ROCKLAND BY THE TOWN OF HAVERSTRAW, KNOWN AS: BEACH ROAD, COUNTY ROUTE 108 A/K/A GRASSY POINT ROAD, MAP NO.1, PARCEL NO.1 DATED JUNE 7, 2019 AND APPROVED BY CHARLES H. VEZZETTI SUPERINTENDENT OF HIGHWAYS, CONTAINING PORTIONS OF PROPERTIES REFERENCED BY TAX I.D. NUMBERS 20.16-2-10, 20.16-2-13 AND 20.16-2-3; AND

WHEREAS, THE COUNTY SUPERINTENDENT OF HIGHWAYS HAS RECOGNIZED THE NEED TO REPLACE THE GRASSY POINT ROAD BRIDGE OVER MINISCEONGO CREEK IN THE TOWN OF HAVERSTRAW; AND

WHEREAS, THE BRIDGE WAS BUILT IN 1928 AND ITS REPLACEMENT IS NECESSARY AS THE STRUCTURE SUFFERS FROM SIGNIFICANT DETERIORATION; AND

WHEREAS, THE BRIDGE REPLACEMENT REQUIRES ACQUISITION OF AN AREA OF LAND TO FACILITATE CONSTRUCTION OF THE BRIDGE, AND THE REQUIRED PARCEL IS OWNED BY THE TOWN OF HAVERSTRAW AND HAS BEEN OFFERED GRATUITOUSLY TO THE COUNTY; AND

WHEREAS, THE OFFER AND OFFER ACCEPTANCE WILL ENABLE THE NEW BRIDGE TO BE CONSTRUCTED ADJACENT TO THE EXISTING STRUCTURE THEREBY ALLOWING THE EXISTING STRUCTURE TO BE LEFT IN SERVICE UNTIL THE NEW BRIDGE IS COMPLETE; AND

WHEREAS, CONSTRUCTING THE NEW BRIDGE ADJACENT TO THE EXISTING STRUCTURE WILL IMPROVE THE APPROACH ALIGNMENT AND RESULT IN A SAFER ROADWAY; AND

WHEREAS, THE TOWN SUPERVISOR RECOMMENDS THE OFFER OF SAID REAL PROPERTY; AND

WHEREAS, IT IS NECESSARY FOR THE TOWN BOARD TO FORMALLY OFFER THIS CONVEYANCE OF REAL PROPERTY; AND

WHEREAS, THE ADOPTION OF THIS RESOLUTION DOES NOT INVOLVE THE EXPENDITURE OF ANY TOWN FUNDS; AND

WHEREAS, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HAVE MET, CONSIDERED AND APPROVED THIS RESOLUTION; NOW THEREFORE BE IT

RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY APPROVES THE OFFER OF A CERTAIN CONVEYANCE OF REAL PROPERTY, KNOWN AS: BEACH ROAD, COUNTY ROUTE 108 A/K/A GRASSY

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**POINT ROAD, MAP NO.1, PARCEL NO.1 DATED JUNE 7, 2019 AND APPROVED BY CHARLES H. VEZZETTI SUPERINTENDENT OF HIGHWAYS, CONTAINING PORTIONS OF PROPERTIES REFERENCED BY TAX I.D. NUMBERS 20.16-2-10, 20.16-2-13 AND 20.16-2-3; AND AUTHORIZES THE TOWN SUPERVISOR TO EXECUTE ALL NECESSARY DOCUMENTS TO EFFECTUATE THE CONVEYANCE, SUBJECT TO THE APPROVAL OF THE TOWN ATTORNEY; AND BE IT FURTHER**

**RESOLVED, THAT THE TITLE TO SAID REAL PROPERTY THAT IS CONVEYED TO THE COUNTY SHALL BE GOOD AND MARKETABLE TITLE AND BE ACCEPTABLE TO THE COUNTY ATTORNEY; AND BE IT FURTHER**

**RESOLVED, THAT THE HIGHWAY DEPARTMENT TECHNICIAN IS REQUESTED TO RECORD SAID DEED WITH METES AND BOUNDS DESCRIPTION AND THE SIZE OF THE PARCEL WHEN ALL LEGAL REQUIREMENTS HAVE BEEN SATISFIED.**

**AMENDMENT TO RESOLUTION DATED JUNE 10, 2019 - AGREEMENT BETWEEN HAMMER LAND ENGINEERING LLC AND THE TOWN OF HAVERSTRAW**

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

**338-19 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH HAMMER LAND ENGINEERING LLC OF MANASQUAN, NEW JERSEY TO PROVIDE PROFESSIONAL ENGINEERING DESIGN AND SUPPORT SERVICES AND FOR CONSTRUCTION OVERSIGHT AND REVIEW FOR THE TOWN OF HAVERSTRAW RECREATION COMPLEX LOCATED AT THE INTERSECTION OF CENTRAL HIGHWAY AND CINDER ROAD IN THE VILLAGE OF WEST HAVERSTRAW, NEW YORK AT A COST OF APPROXIMATELY \$561,200.**

**NOMINATION OF JONATHAN ESHBACH FOR FULL-TIME POLICE RADIO DISPATCHER (CAD)**

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

**339-19 RESOLVED, THAT UPON THE RECOMMENDATION OF PETER MURPHY, CHIEF OF POLICE, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY NOMINATE JONATHAN ESHBACH OF WEST HAVERSTRAW, NEW YORK TO THE POSITION OF POLICE DISPATCHER, FULL TIME FOR THE TOWN OF HAVERSTRAW EFFECTIVE IMMEDIATELY, AND BE IT FURTHER**

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

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**AWARD OF RFP NO. 8 -2019 – PURCHASE & INSTALL SOD FOR 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.

**340-19 RESOLVED, THAT THREE (3) RFP'S WERE SUBMITTED TO CHRISTOPHER DYROFF, GOLF COURSE SUPERINTENDENT, TO PURCHASE AND INSTALL SOD FOR THE RESTORATION OF THE SAND BUNKERS ON HOLE # 2, 3, 7 AND 10 AT THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE, AND BE IT FURTHER**

**RESOLVED, THAT THE TOWN BOARD OF THE TOWN HAVERSTRAW DOES HEREBY AWARD RFP NO. 8 - 2019 TO NEW ENGLAND TURF, INC. OF WEST KINGSTON, RHODE ISLAND, THE LOWEST PROPOSAL, IN THE AMOUNT OF \$1.30/SQ.FT.**

**AWARD OF RFP NO. 9 -2019 – RESTORATION OF SAND BUNKERS AT THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE**

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

**341-19 RESOLVED, THAT TWO (2) RFP'S WERE SUBMITTED TO CHRISTOPHER DYROFF, GOLF COURSE SUPERINTENDENT, TO RESTORE SAND BUNKERS ON HOLE # 2, 3, 7 AND 10 AT THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE, AND BE IT FURTHER**

**RESOLVED, THAT THE TOWN BOARD OF THE TOWN HAVERSTRAW DOES HEREBY AWARD RFP NO. 9 - 2019 TO BRULEEN, LLC (CORBETT) OF HEWITT, NEW JERSEY, THE LOWEST PROPOSAL, IN THE AMOUNT OF \$29,400.**

**AWARD OF CONTRACT TO H.O. PENN MACHINERY CO. INC. – PURCHASE EQUIPMENT 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.

**342-19 RESOLVED, THAT THE TOWN BOARD HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO A CONTRACT WITH H.O. PENN MACHINERY CO. INC. OF BLOOMINGURG, NEW YORK TO PURCHASE ONE (1) NEW 2019 CATERPILLAR INC. MODEL 420 F2 ST BACKHOE LOADER AT A COST OF \$118,500.00 AND ONE (1) NEW 2019 CATERPILLAR INC. MODEL 305 5E2 EXCAVATOR AT A COST OF \$71,500.00, FOR THE TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT, PURSUANT TO NEW YORK STATE OGS CONTRACT # 40625-22792.**

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**AGREEMENT WITH HAVERSTRAW MARINA CORPORATION**

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

**343-19 RESOLVED, THAT THE TOWN BOARD HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH HAVERSTRAW MARINA CORPORATION TO AMEND THE LEASE IN CONJUNCTION WITH THE REQUEST OF THE COUNTY OF ROCKLAND TO ACQUIRE A PORTION OF THE MARINA PROPERTY TO REPLACE THE COUNTY OWNED BRIDGE ON BEACH ROAD.**

**CONSENT TO ASSIGNMENT OF LEASE WITH HAVERSTRAW MARINA CORPORATION**

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

**344-19 WHEREAS ON OR ABOUT JUNE 23, 1977 THE TOWN OF HAVERSTRAW ENTERED INTO A LEASE WITH THE HAVERSTRAW MARINA CORPORATION FOR APPROXIMATELY 60 ACRES OF LAND LOCATED ON THE HUDSON RIVER, WHICH LEASE WAS AMENDED ON OR ABOUT NOVEMBER 24, 1986, AND**

**WHEREAS THE LEASE PROVIDES THAT THE HAVERSTRAW MARINA CORPORATION HAS THE RIGHT TO ASSIGN THE LEASE SUBJECT TO THE CONSENT OF THE TOWN OF HAVERSTRAW PROVIDED THAT THE PROPOSED ASSIGNEE IS EXPERIENCED IN THE OPERATION OF A MARINA AND HAS MET CERTAIN FINANCIAL CONDITIONS, AND**

**WHEREAS THE HAVERSTRAW MARINA CORPORATION HAS ADVISED THAT IT INTENDS TO ASSIGN THE LEASE TO SH MARINAS, LLC, ALSO KNOWN AS SAFE HARBOR AND**

**WHEREAS SH MARINA LLC HAS PROVIDED THE TOWN WITH PROOF OF ITS EXPERIENCE IN OPERATING A MARINA AND NET WORTH EXCEEDING \$250,000.00.00**

**THEREFORE, BE IT RESOLVED THAT THE TOWN OF HAVERSTRAW HEREBY CONSENTS TO THE ASSIGNMENT OF THE LEASE BY THE HAVERSTRAW MARINA CORPORATION TO SH MARINA, LLC WITH THE EXPLICIT UNDERSTANDING THAT NO OTHER TERMS AND CONDITIONS OF THE LEASE OR AMENDMENT HAVE BEEN MODIFIED AND THE PROVISIONS OF THE LEASE REMAIN IN FULL FORCE AND EFFECT, SUBJECT TO SH MARINA LLC PROVIDING PROOF OF THEIR EXPERIENCE IN THE MARINA BUSINESS.**

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**STIPULATION OF SETTLEMENT – EMPLOYEE NO. SYS-002205**

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

**345-19 WHEREAS, EMPLOYEE NO. SYS-015776 IS CURRENTLY EMPLOYED WITH THE TOWN OF HAVERSTRAW.**

**WHEREAS, THE EMPLOYEE AND THE TOWN ENTERED INTO A STIPULATION OF SETTLEMENT TO SETTLE THE EMPLOYEE’S APPEAL AT A HEARING HELD ON AUGUST 8, 2019 BEFORE THE HEARING OFFICER.**

**NOW, THEREFORE, BE IT RESOLVED, THE TOWN BOARD HEREBY AUTHORIZES THE SUPERVISOR TO SIGN THE STIPULATION OF SETTLEMENT.**

**PUBLIC PARTICIPATION**

Ed Carr, Thiells, NY thanked Supervisor Phillips, the Town Board and Building Inspector George Behn for fixing the damaged pool fence on the property next to his house.

**ANNOUNCEMENTS**

The United Latin Festival and Parade was held on Sunday, August 4<sup>th</sup>. It was very well attended. Everyone enjoyed great performers and delicious Latin cuisine.

Dancing Under the Stars in the Village of Haverstraw featuring the Fillet of Soul Band was held on Friday, August 16<sup>th</sup> from 7:30 pm – 10:30 pm. It was a great time.

This past weekend at the Scenic Hudson Riverview Park, the Town of Haverstraw hosted the 10<sup>th</sup> Annual Great Northeast Radio Control Air Show presented by Hudson Valley Radio Control Club and the Academy of Model Aeronautics. Special thanks to Bruce Leach, president of the Club. It was a beautiful day and the event was very well attended.

We hope you can attend Zumba classes at Bowline Point Park from 7:30 pm - 8:30 pm every Wednesday, weather permitting.

We hope you are enjoying the Thursday Night Concerts at Bowline Point Park starting at 7:30 pm, weather permitting. For a complete list of the bands, please visit our website at [www.townofhaverstraw.org](http://www.townofhaverstraw.org).

Every year the Town of Haverstraw hosts a barbecue at Bowline Point Park as a small token of appreciation to our Fire Department and Ambulance corps volunteers and their families. This year the Volunteer Appreciation Day will be held on August 27<sup>th</sup>.

The Labor Day concert is scheduled for Sunday, September 1<sup>st</sup> featuring the Courtney, Greene, Schultz Band and the Mighty Spectrum Band.

The Haverstraw Riverwide Arts & Music Festival is scheduled for September 14<sup>th</sup> from 11 am -5 pm at Emeline Park in the Village of Haverstraw.

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**ADJOURNMENT**

**346-19** Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Mary Ann Guido, Antonina Arena, Martha Gray, Robert Joseph Graham, Carmen N. De la Cruz Capellan, John Evanko, Gary L. Babcock, Conrad Feit, Iris Margarita Bariny-Vila, Edward G. (Jerry) Stokes, Jr., Edna Kaplowitz, John Donovan, Michael Sloboda and James Joseph "Jimmy" Miller 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.

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**RAQUEL VENTURA  
TOWN CLERK**