

TOWN BOARD
GARNERVILLE, NY
SEPTEMBER 29, 2022

The Town Board of the Town of Haverstraw met at a Regular Meeting on Thursday September 29, 2022 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:

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| Supervisor | Howard T. Phillips, Jr. |
| Councilman | Isidro Cancel |
| Councilman | Vincent J. Gamboli |
| Councilman | John J. Gould |
| Councilman | Johnny Ortiz |

ADOPTION OF MINUTES

361-22 ADOPTION OF MINUTES - TOWN BOARD MEETING OF SEPTEMBER 13, 2022 as submitted by the Town Clerk and on motion by Councilman Cancel, seconded by Councilman Gamboli were unanimously adopted.

PAYMENT OF BILLS

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

362-22 RESOLVED, that bills numbered 2459 through 2575 in the amount of \$742,822.26 (\$12,251.35- Highway Department) audited at this meeting, be and they are hereby paid.

ACCEPTANCE OF REPORTS

None.

The Town Board of the Town of Haverstraw held a continuation of a Public Hearing on Thursday, September 29, 2022 at 7:05 p.m. in the Meeting Room of the Town Hall, One Rosman Road, Garnerville, New York.

CONVENE AS URBAN RENEWAL AGENCY

On Roll Call the following members answered to their names

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|--------------|-------------------------|
| Chairman | Howard T. Phillips, Jr. |
| Commissioner | Isidro Cancel |
| Commissioner | Vincent J. Gamboli |
| Commissioner | John J. Gould |
| Commissioner | Johnny Ortiz |

Chairman Phillips announced that this continuation of Public Hearing is being held for the purpose of hearing all comments and suggestions to consider whether to recommend to the Town Board amend the Letchworth Village Urban Renewal Plan to include the use proposed by BNE Acquisitions, which the Town believes will be beneficial to the community and to further consider whether to recommend that the Town Board designate BNE Acquisitions as a qualified and eligible sponsor under general municipal law § 507 and to enter into a conditional contract of sale with BNE Acquisitions for the approximately 22.67-acre portion of the Letchworth Village Urban Renewal Area.

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

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PRESENTATION BY TOWN ATTORNEY WILLIAM M. STEIN

William M. Stein, Town Attorney stated that this Public Hearing was opened at the last Town Board meeting on September 13th. Mr. Stein stated that tonight we are holding the Continuation of the Public Hearing because no action was taken two weeks ago. This Public Hearing concerns approximately 22 acres at the Letchworth Village property. In the early 2000s the Town was working with WCI Communities to develop the entire 173- acre Letchworth property. Approximately 500 units were going to be built but WCI nixed the project as the housing market collapsed in 2008 and the company filed for bankruptcy. Over the course of these 15-16 years the Town has considered many different projects such as Legoland. The Town is currently considering BNE Acquisitions which has proposed to construct a residential development which the Town believes will be beneficial to the community. BNE Acquisitions is a very experienced developer which boasts a nationwide portfolio, such as the The Club in Pearl River, NY.

PUBLIC PARTICIPATION

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

CLOSE HEARING BY THE URBAN RENEWAL AGENCY

363-22 On motion by Commissioner Ortiz and seconded by Commissioner Gould, unanimously adopted, the Public Hearing was closed.

**RESOLUTION OF THE URBAN RENEWAL AGENCY OF THE TOWN
OF HAVERSTRAW**

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

364-22 WHEREAS, THE TOWN OF HAVERSTRAW OWNS CERTAIN PROPERTY WHICH WAS FORMERLY A PORTION OF THE LETCHWORTH VILLAGE DEVELOPMENTAL DISABILITIES CENTER ("LETCWORTH VILLAGE"); AND

WHEREAS, THE TOWN OF HAVERSTRAW DESIGNATED LETCHWORTH VILLAGE AS THE LETCHWORTH VILLAGE URBAN RENEWAL AREA; AND

WHEREAS, IN 2006 THE TOWN ADOPTED AN URBAN RENEWAL PLAN FOR LETCHWORTH VILLAGE; AND

WHEREAS, THE TOWN INITIALLY DESIGNATED SPECTRUM COMMUNITIES, LLC AS A QUALIFIED AND ELIGIBLE SPONSOR FOR THE DEVELOPMENT OF LETCHWORTH VILLAGE UNDER GENERAL MUNICIPAL LAW § 507; AND

WHEREAS, ULTIMATELY, SPECTRUM DID NOT PURSUE DEVELOPMENT OF LETCHWORTH VILLAGE AND FOR OVER 15 YEARS THE TOWN HAS NOT BEEN ABLE TO IDENTIFY ANOTHER DEVELOPER FOR ALL OR PART OF LETCHWORTH VILLAGE, RESULTING IN THE PROPERTY REMAINING VACANT AND UNPRODUCTIVE AND FALLING INTO A STATE OF DISREPAIR; AND

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WHEREAS, THE TOWN WAS APPROACHED BY BNE ACQUISITIONS, LLC (“BNE”), A LIMITED LIABILITY COMPANY WITH OFFICES AT 16 MICROLAB ROAD, SUITE A, LIVINGSTON, NEW JERSEY, 07039, PROPOSING TO PURCHASE A 22.67-ACRE PORTION OF LETCHWORTH VILLAGE AND CONSTRUCT A RESIDENTIAL DEVELOPMENT; AND

WHEREAS, BNE IS A FAMILY-OWNED, VERTICALLY INTEGRATED ORGANIZATION WITH OVER 60 YEARS OF EXPERIENCE IN THE DEVELOPMENT, OWNERSHIP AND MANAGEMENT OF HIGH-QUALITY REAL ESTATE ASSETS, INCLUDING RESIDENTIAL DEVELOPMENTS, WHICH MANAGES ITS REAL ESTATE PROJECTS FROM THE EARLY ACQUISITION PHASES THROUGH DESIGN, CONSTRUCTION, MARKETING, SALES/LEASING AND ON-GOING PROPERTY MANAGEMENT; AND

WHEREAS, BNE’S PROPOSED DEVELOPMENT REQUIRES AN AMENDMENT TO THE URBAN RENEWAL PLAN; AND

WHEREAS, THIS USE WILL BE BENEFICIAL TO THE TOWN GIVEN THE GREATER DEMAND FOR SUBURBAN HOUSING IN LIGHT OF THE COVID-19 PANDEMIC AND THE DEMAND FOR HOUSING FOR MILLENNIALS AND EMPTY-NESTERS IN SMALLER ACCOMMODATIONS WITH AMENITIES, AND IT WILL ALSO PROVIDE ADDITIONAL REAL PROPERTY TAX REVENUE TO THE TOWN; AND

WHEREAS, THE TOWN ALREADY HAS LEGISLATION THAT WOULD ACCOMMODATE SUCH A USE VIA THE LA-17 ZONING DISTRICT; AND

WHEREAS, THE URBAN RENEWAL AGENCY HELD A DULY-NOTICED PUBLIC HEARING AT 7:00 P.M. ON THURSDAY, SEPTEMBER 29, 2022 IN TOWN HALL TO CONSIDER: (1) AMENDING THE URBAN RENEWAL PLAN, (2) DESIGNATING BNE AS A QUALIFIED AND ELIGIBLE SPONSOR, AND (3) THE TOWN ENTERING INTO A CONDITIONAL CONTRACT OF SALE FOR BNE TO PURCHASE A PORTION OF LETCHWORTH VILLAGE; AND

WHEREAS, ALL PERTINENT DOCUMENTS RELATED TO THE ACTION WERE POSTED ON THE TOWN’S WEBSITE FOR PUBLIC REVIEW AND INSPECTION IN ADVANCE OF THE PUBLIC HEARING; AND

NOW THEREFORE,

BE IT RESOLVED, THE TOWN’S URBAN RENEWAL AGENCY HEREBY APPROVES AND RECOMMENDS TO THE TOWN BOARD APPROVAL OF THE PROPOSED AMENDMENTS TO THE URBAN RENEWAL PLAN; AND

BE IT FURTHER RESOLVED, THE TOWN’S URBAN RENEWAL AGENCY HEREBY APPROVES AND RECOMMENDS TO THE TOWN BOARD APPROVAL OF BNE AS A QUALIFIED AND ELIGIBLE SPONSOR UNDER GENERAL MUNICIPAL LAW § 507; AND

BE IT FURTHER RESOLVED, THE TOWN’S URBAN RENEWAL AGENCY HEREBY APPROVES AND RECOMMENDS TO THE TOWN BOARD APPROVAL OF THE CONDITIONAL CONTRACT OF SALE WITH BNE AND AUTHORIZING THE TOWN SUPERVISOR TO SIGN THE CONTRACT; AND

BE IT FURTHER RESOLVED, THE TOWN’S URBAN RENEWAL AGENCY HEREBY SUBMITS THESE RECOMMENDATIONS OF APPROVAL TO THE TOWN BOARD.

ADJOURNMENT OF URBAN RENEWAL AGENCY

365-22 A motion was made by Commissioner Gould, seconded by Commissioner Ortiz to adjourn the Urban Renewal Agency.

RECONVENED TO REGULAR TOWN BOARD MEETING

366-22 On motion by Councilman Gamboli, seconded by Councilman Cancel the Regular Town Board Meeting was reconvened.

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF HAVERSTRAW
(SEORA DETERMINATION – NEGATIVE DECLARATION)

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

367-22 WHEREAS, THE TOWN OF HAVERSTRAW OWNS CERTAIN PROPERTY WHICH WAS FORMERLY A PORTION OF THE LETCHWORTH VILLAGE DEVELOPMENTAL DISABILITIES CENTER ("LETCWORTH VILLAGE"); AND

WHEREAS, THE TOWN OF HAVERSTRAW DESIGNATED LETCHWORTH VILLAGE AS THE LETCHWORTH VILLAGE URBAN RENEWAL AREA; AND

WHEREAS, IN 2006 THE TOWN ADOPTED AN URBAN RENEWAL PLAN FOR LETCHWORTH VILLAGE; AND

WHEREAS, THE TOWN INITIALLY DESIGNATED SPECTRUM COMMUNITIES, LLC AS A QUALIFIED AND ELIGIBLE SPONSOR FOR THE DEVELOPMENT OF LETCHWORTH VILLAGE UNDER GENERAL MUNICIPAL LAW § 507; AND

WHEREAS, ULTIMATELY, SPECTRUM DID NOT PURSUE DEVELOPMENT OF LETCHWORTH VILLAGE AND FOR OVER 15 YEARS THE TOWN HAS NOT BEEN ABLE TO IDENTIFY ANOTHER DEVELOPER FOR ALL OR PART OF LETCHWORTH VILLAGE, RESULTING IN THE PROPERTY REMAINING VACANT AND UNPRODUCTIVE AND FALLING INTO A STATE OF DISREPAIR; AND

WHEREAS, THE TOWN WAS APPROACHED BY BNE ACQUISITIONS, LLC ("BNE"), A LIMITED LIABILITY COMPANY WITH OFFICES AT 16 MICROLAB ROAD, SUITE A, LIVINGSTON, NEW JERSEY, 07039, PROPOSING TO PURCHASE A 22.67-ACRE PORTION OF LETCHWORTH VILLAGE AND CONSTRUCT A RESIDENTIAL DEVELOPMENT; AND

WHEREAS, BNE IS A FAMILY-OWNED, VERTICALLY INTEGRATED ORGANIZATION WITH OVER 60 YEARS OF EXPERIENCE IN THE DEVELOPMENT, OWNERSHIP AND MANAGEMENT OF HIGH-QUALITY REAL ESTATE ASSETS, INCLUDING RESIDENTIAL DEVELOPMENTS, WHICH MANAGES ITS REAL ESTATE PROJECTS FROM THE EARLY ACQUISITION PHASES THROUGH DESIGN, CONSTRUCTION, MARKETING, SALES/LEASING AND ON-GOING PROPERTY MANAGEMENT; AND

WHEREAS, BNE'S PROPOSED DEVELOPMENT REQUIRES AN AMENDMENT TO THE URBAN RENEWAL PLAN; AND

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WHEREAS, THIS USE WILL BE BENEFICIAL TO THE TOWN GIVEN THE GREATER DEMAND FOR SUBURBAN HOUSING IN LIGHT OF THE COVID-19 PANDEMIC AND THE DEMAND FOR HOUSING FOR MILLENNIALS AND EMPTY-NESTERS IN SMALLER ACCOMMODATIONS WITH AMENITIES, AND IT WILL ALSO PROVIDE ADDITIONAL REAL PROPERTY TAX REVENUE TO THE TOWN; AND

WHEREAS, THE TOWN ALREADY HAS LEGISLATION THAT WOULD ACCOMMODATE SUCH A USE VIA THE LA-17 ZONING DISTRICT; AND

WHEREAS, AS THE ONLY INVOLVED AGENCY TO CONSIDER (1) AMENDING THE URBAN RENEWAL PLAN, (2) DESIGNATING BNE AS A QUALIFIED AND ELIGIBLE SPONSOR, AND (3) THE TOWN ENTERING INTO A CONDITIONAL CONTRACT OF SALE FOR BNE TO PURCHASE A PORTION OF LETCHWORTH VILLAGE (COLLECTIVELY, THE "ACTION"), THE TOWN BOARD IS LEAD AGENCY PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT; AND

WHEREAS, THE TOWN BOARD HELD A DULY-NOTICED PUBLIC HEARING AT 7:00 P.M. ON THURSDAY, SEPTEMBER 29, 2022 IN TOWN HALL TO CONSIDER THE ACTION; AND

WHEREAS, ALL PERTINENT DOCUMENTS RELATED TO THE ACTION WERE POSTED ON THE TOWN'S WEBSITE FOR PUBLIC REVIEW AND INSPECTION IN ADVANCE OF THE PUBLIC HEARING; AND

WHEREAS, THE TOWN'S URBAN RENEWAL AGENCY ADOPTED A RESOLUTION APPROVING AND RECOMMENDING TO THE TOWN BOARD APPROVAL OF THE ACTION; AND

NOW THEREFORE,

BE IT RESOLVED, THE TOWN BOARD HEREBY ADOPTS THE FULL ENVIRONMENTAL ASSESSMENT FORMS, PARTS 1, 2 AND 3 AND ADOPTS A NEGATIVE DECLARATION FINDING THAT THE PROPOSED ACTION DOES NOT HAVE THE POTENTIAL FOR ANY SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS FOR THE REASONS SET FORTH THEREIN.

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF HAVERSTRAW
(AMENDMENT TO URBAN RENEWAL PLAN)

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

368-22 WHEREAS, THE TOWN OF HAVERSTRAW OWNS CERTAIN PROPERTY WHICH WAS FORMERLY A PORTION OF THE LETCHWORTH VILLAGE DEVELOPMENTAL DISABILITIES CENTER ("LETCHWORTH VILLAGE"); AND

WHEREAS, THE TOWN OF HAVERSTRAW DESIGNATED LETCHWORTH VILLAGE AS THE LETCHWORTH VILLAGE URBAN RENEWAL AREA; AND

WHEREAS, IN 2006 THE TOWN ADOPTED AN URBAN RENEWAL PLAN FOR LETCHWORTH VILLAGE; AND

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WHEREAS, THE TOWN INITIALLY DESIGNATED SPECTRUM COMMUNITIES, LLC AS A QUALIFIED AND ELIGIBLE SPONSOR FOR THE DEVELOPMENT OF LETCHWORTH VILLAGE UNDER GENERAL MUNICIPAL LAW § 507; AND

WHEREAS, ULTIMATELY, SPECTRUM DID NOT PURSUE DEVELOPMENT OF LETCHWORTH VILLAGE AND FOR OVER 15 YEARS THE TOWN HAS NOT BEEN ABLE TO IDENTIFY ANOTHER DEVELOPER FOR ALL OR PART OF LETCHWORTH VILLAGE, RESULTING IN THE PROPERTY REMAINING VACANT AND UNPRODUCTIVE AND FALLING INTO A STATE OF DISREPAIR; AND

WHEREAS, THE TOWN WAS APPROACHED BY BNE ACQUISITIONS, LLC (“BNE”), A LIMITED LIABILITY COMPANY WITH OFFICES AT 16 MICROLAB ROAD, SUITE A, LIVINGSTON, NEW JERSEY, 07039, PROPOSING TO PURCHASE A 22.67-ACRE PORTION OF LETCHWORTH VILLAGE AND CONSTRUCT A RESIDENTIAL DEVELOPMENT; AND

WHEREAS, BNE IS A FAMILY-OWNED, VERTICALLY INTEGRATED ORGANIZATION WITH OVER 60 YEARS OF EXPERIENCE IN THE DEVELOPMENT, OWNERSHIP AND MANAGEMENT OF HIGH-QUALITY REAL ESTATE ASSETS, INCLUDING RESIDENTIAL DEVELOPMENTS, WHICH MANAGES ITS REAL ESTATE PROJECTS FROM THE EARLY ACQUISITION PHASES THROUGH DESIGN, CONSTRUCTION, MARKETING, SALES/LEASING AND ON-GOING PROPERTY MANAGEMENT; AND

WHEREAS, BNE’S PROPOSED DEVELOPMENT REQUIRES AN AMENDMENT TO THE URBAN RENEWAL PLAN TO INCORPORATE THIS USE; AND

WHEREAS, THIS USE WILL BE BENEFICIAL TO THE TOWN GIVEN THE GREATER DEMAND FOR SUBURBAN HOUSING IN LIGHT OF THE COVID-19 PANDEMIC AND THE DEMAND FOR HOUSING FOR MILLENNIALS AND EMPTY-NESTERS IN SMALLER ACCOMMODATIONS WITH AMENITIES, AND IT WILL ALSO PROVIDE ADDITIONAL REAL PROPERTY TAX REVENUE TO THE TOWN; AND

WHEREAS, THE TOWN ALREADY HAS LEGISLATION THAT WOULD ACCOMMODATE SUCH A USE VIA THE LA-17 ZONING DISTRICT; AND

WHEREAS, THE TOWN BOARD HELD A DULY-NOTICED PUBLIC HEARING AT 7:00 P.M. ON THURSDAY, SEPTEMBER 29, 2022 IN TOWN HALL TO CONSIDER THE AMENDMENT TO THE URBAN RENEWAL PLAN; AND

WHEREAS, ALL PERTINENT DOCUMENTS RELATED TO THE AMENDMENT TO THE URBAN RENEWAL PLAN WERE POSTED ON THE TOWN’S WEBSITE FOR PUBLIC REVIEW AND INSPECTION IN ADVANCE OF THE PUBLIC HEARING; AND

WHEREAS, THE TOWN’S URBAN RENEWAL AGENCY ADOPTED A RESOLUTION APPROVING THE URBAN RENEWAL PLAN AMENDMENT AND RECOMMENDING APPROVAL TO THE TOWN BOARD; AND

WHEREAS, THE TOWN BOARD ADOPTED A SEQRA NEGATIVE DECLARATION DETERMINING THE AMENDMENT TO THE URBAN RENEWAL PLAN DOES NOT HAVE THE POTENTIAL FOR ANY SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS; AND

NOW THEREFORE,

BE IT RESOLVED, THE TOWN BOARD MAKES THE FOLLOWING FINDINGS:

- 1. LETCHWORTH VILLAGE IS A SUBSTANDARD OR INSANITARY AREA, OR IS IN DANGER OF BECOMING A SUBSTANDARD OR INSANITARY AREA AND TENDS TO IMPAIR OR ARREST THE SOUND GROWTH OF DEVELOPMENT OF THE MUNICIPALITY;**
- 2. THE AMENDMENT TO THE URBAN RENEWAL PLAN AFFORDS MAXIMUM OPPORTUNITY TO PRIVATE ENTERPRISE, CONSISTENT WITH THE SOUND NEEDS OF THE TOWN AS A WHOLE, FOR THE UNDERTAKING OF AN URBAN RENEWAL PROGRAM;**
- 3. THE AMENDMENT TO THE URBAN RENEWAL PLAN CONFORMS TO A COMPREHENSIVE COMMUNITY PLAN FOR THE DEVELOPMENT OF THE TOWN AS A WHOLE;**
- 4. NO FINANCIAL AID SHALL BE REQUIRED BY THE TOWN TO IMPLEMENT THE URBAN RENEWAL PLAN, WITH THE AMENDMENT; AND**
- 5. NO RELOCATIONS ARE REQUIRED AS THE AREA COVERED BY THE URBAN RENEWAL PLAN IS VACANT.**

BE IT FURTHER RESOLVED, THE TOWN BOARD HEREBY ADOPTS THE AMENDMENT THE URBAN RENEWAL PLAN; AND

BE IT FURTHER RESOLVED, THE TOWN BOARD HEREBY DIRECTS THAT ALL APPROPRIATE FILINGS AND NOTICES OF THE ADOPTION OF THE AMENDMENT TO THE URBAN RENEWAL PLAN BE MADE IN ACCORDANCE WITH THE APPLICABLE STATUTES.

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF HAVERSTRAW
(BNE ACQUISITIONS, LLC AS QUALIFIED AND ELIGIBLE SPONSOR)**

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

369-22 WHEREAS, THE TOWN OF HAVERSTRAW OWNS CERTAIN PROPERTY WHICH WAS FORMERLY A PORTION OF THE LETCHWORTH VILLAGE DEVELOPMENTAL DISABILITIES CENTER (“LETCWORTH VILLAGE”); AND

WHEREAS, THE TOWN OF HAVERSTRAW DESIGNATED LETCHWORTH VILLAGE AS THE LETCHWORTH VILLAGE URBAN RENEWAL AREA; AND

WHEREAS, IN 2006 THE TOWN ADOPTED AN URBAN RENEWAL PLAN FOR LETCHWORTH VILLAGE; AND

WHEREAS, THE TOWN INITIALLY DESIGNATED SPECTRUM COMMUNITIES, LLC AS A QUALIFIED AND ELIGIBLE SPONSOR FOR THE DEVELOPMENT OF LETCHWORTH VILLAGE UNDER GENERAL MUNICIPAL LAW § 507; AND

WHEREAS, ULTIMATELY, SPECTRUM DID NOT PURSUE DEVELOPMENT OF LETCHWORTH VILLAGE AND FOR OVER 15 YEARS THE TOWN HAS NOT BEEN ABLE TO IDENTIFY ANOTHER DEVELOPER FOR ALL OR PART OF LETCHWORTH VILLAGE, RESULTING IN THE PROPERTY REMAINING VACANT AND UNPRODUCTIVE AND FALLING INTO A STATE OF DISREPAIR; AND

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WHEREAS, THE TOWN WAS APPROACHED BY BNE ACQUISITIONS, LLC (“BNE”), A LIMITED LIABILITY COMPANY WITH OFFICES AT 16 MICROLAB ROAD, SUITE A, LIVINGSTON, NEW JERSEY, 07039, PROPOSING TO PURCHASE A 22.67-ACRE PORTION OF LETCHWORTH VILLAGE AND CONSTRUCT A RESIDENTIAL DEVELOPMENT; AND

WHEREAS, BNE IS A FAMILY-OWNED, VERTICALLY INTEGRATED ORGANIZATION WITH OVER 60 YEARS OF EXPERIENCE IN THE DEVELOPMENT, OWNERSHIP AND MANAGEMENT OF HIGH-QUALITY REAL ESTATE ASSETS, INCLUDING RESIDENTIAL DEVELOPMENTS, WHICH MANAGES ITS REAL ESTATE PROJECTS FROM THE EARLY ACQUISITION PHASES THROUGH DESIGN, CONSTRUCTION, MARKETING, SALES/LEASING AND ON-GOING PROPERTY MANAGEMENT; AND

WHEREAS, BNE’S PROPOSED DEVELOPMENT REQUIRES AN AMENDMENT TO THE URBAN RENEWAL PLAN TO INCORPORATE THIS USE; AND

WHEREAS, THIS USE WILL BE BENEFICIAL TO THE TOWN GIVEN THE GREATER DEMAND FOR SUBURBAN HOUSING IN LIGHT OF THE COVID-19 PANDEMIC AND THE DEMAND FOR HOUSING FOR MILLENNIALS AND EMPTY-NESTERS IN SMALLER ACCOMMODATIONS WITH AMENITIES, AND IT WILL ALSO PROVIDE ADDITIONAL REAL PROPERTY TAX REVENUE TO THE TOWN; AND

WHEREAS, THE TOWN ALREADY HAS LEGISLATION THAT WOULD ACCOMMODATE SUCH A USE VIA THE LA-17 ZONING DISTRICT; AND

WHEREAS, THE TOWN BOARD HELD A DULY-NOTICED PUBLIC HEARING AT 7:00 P.M. ON THURSDAY, SEPTEMBER 29, 2022 IN TOWN HALL TO CONSIDER DESIGNATING BNE AS A QUALIFIED AND ELIGIBLE SPONSOR; AND

WHEREAS, ALL PERTINENT DOCUMENTS RELATED TO DESIGNATING BNE AS A QUALIFIED AND ELIGIBLE SPONSOR WERE POSTED ON THE TOWN’S WEBSITE FOR PUBLIC REVIEW AND INSPECTION IN ADVANCE OF THE PUBLIC HEARING; AND

WHEREAS, THE TOWN’S URBAN RENEWAL AGENCY ADOPTED A RESOLUTION APPROVING AND RECOMMENDING TO THE TOWN BOARD THE DESIGNATION OF BNE AS A QUALIFIED AND ELIGIBLE SPONSOR; AND

WHEREAS, THE TOWN BOARD ADOPTED A SEQRA NEGATIVE DECLARATION DETERMINING THE DESIGNATION OF BNE AS A QUALIFIED AND ELIGIBLE SPONSOR DOES NOT HAVE THE POTENTIAL FOR ANY SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS; AND

NOW THEREFORE,

BE IT RESOLVED, THE TOWN BOARD HEREBY DESIGNATES BNE ACQUISITIONS, LLC AS A QUALIFIED AND ELIGIBLE SPONSOR FOR THE DEVELOPMENT OF A PORTION OF LETCHWORTH VILLAGE UNDER GENERAL MUNICIPAL LAW § 507.

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RESOLUTION OF THE TOWN BOARD OF THE TOWN OF HAVERSTRAW
(BNE ACQUISITIONS, LLC CONTRACT OF SALE)

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

370-22 WHEREAS, THE TOWN OF HAVERSTRAW OWNS CERTAIN PROPERTY WHICH WAS FORMERLY A PORTION OF THE LETCHWORTH VILLAGE DEVELOPMENTAL DISABILITIES CENTER ("LETCHWORTH VILLAGE"); AND

WHEREAS, THE TOWN OF HAVERSTRAW DESIGNATED LETCHWORTH VILLAGE AS THE LETCHWORTH VILLAGE URBAN RENEWAL AREA; AND

WHEREAS, IN 2006 THE TOWN ADOPTED AN URBAN RENEWAL PLAN FOR LETCHWORTH VILLAGE; AND

WHEREAS, THE TOWN INITIALLY DESIGNATED SPECTRUM COMMUNITIES, LLC AS A QUALIFIED AND ELIGIBLE SPONSOR FOR THE DEVELOPMENT OF LETCHWORTH VILLAGE UNDER GENERAL MUNICIPAL LAW § 507; AND

WHEREAS, ULTIMATELY, SPECTRUM DID NOT PURSUE DEVELOPMENT OF LETCHWORTH VILLAGE AND FOR OVER 15 YEARS THE TOWN HAS NOT BEEN ABLE TO IDENTIFY ANOTHER DEVELOPER FOR ALL OR PART OF LETCHWORTH VILLAGE, RESULTING IN THE PROPERTY REMAINING VACANT AND UNPRODUCTIVE AND FALLING INTO A STATE OF DISREPAIR; AND

WHEREAS, THE TOWN WAS APPROACHED BY BNE ACQUISITIONS, LLC ("BNE"), A LIMITED LIABILITY COMPANY WITH OFFICES AT 16 MICROLAB ROAD, SUITE A, LIVINGSTON, NEW JERSEY, 07039, PROPOSING TO PURCHASE A 22.67-ACRE PORTION OF LETCHWORTH VILLAGE AND CONSTRUCT A RESIDENTIAL DEVELOPMENT; AND

WHEREAS, BNE IS A FAMILY-OWNED, VERTICALLY INTEGRATED ORGANIZATION WITH OVER 60 YEARS OF EXPERIENCE IN THE DEVELOPMENT, OWNERSHIP AND MANAGEMENT OF HIGH-QUALITY REAL ESTATE ASSETS, INCLUDING RESIDENTIAL DEVELOPMENTS, WHICH MANAGES ITS REAL ESTATE PROJECTS FROM THE EARLY ACQUISITION PHASES THROUGH DESIGN, CONSTRUCTION, MARKETING, SALES/LEASING AND ON-GOING PROPERTY MANAGEMENT; AND

WHEREAS, BNE'S PROPOSED DEVELOPMENT REQUIRES AN AMENDMENT TO THE URBAN RENEWAL PLAN TO INCORPORATE THIS USE; AND

WHEREAS, THIS USE WILL BE BENEFICIAL TO THE TOWN GIVEN THE GREATER DEMAND FOR SUBURBAN HOUSING IN LIGHT OF THE COVID-19 PANDEMIC AND THE DEMAND FOR HOUSING FOR MILLENNIALS AND EMPTY-NESTERS IN SMALLER ACCOMMODATIONS WITH AMENITIES, AND IT WILL ALSO PROVIDE ADDITIONAL REAL PROPERTY TAX REVENUE TO THE TOWN; AND

WHEREAS, THE TOWN ALREADY HAS LEGISLATION THAT WOULD ACCOMMODATE SUCH A USE VIA THE LA-17 ZONING DISTRICT; AND

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WHEREAS, THE TOWN BOARD HELD A DULY-NOTICED PUBLIC HEARING AT 7:00 P.M. ON THURSDAY, SEPTEMBER 29, 2022 IN TOWN HALL TO CONSIDER ENTERING INTO A CONDITIONAL CONTRACT OF SALE WITH BNE FOR A PORTION OF LETCHWORTH VILLAGE; AND

WHEREAS, ALL PERTINENT DOCUMENTS RELATED TO THE CONDITIONAL CONTRACT OF SALE WERE POSTED ON THE TOWN'S WEBSITE FOR PUBLIC REVIEW AND INSPECTION IN ADVANCE OF THE PUBLIC HEARING; AND

WHEREAS, THE TOWN'S URBAN RENEWAL AGENCY ADOPTED A RESOLUTION APPROVING AND RECOMMENDING TO THE TOWN BOARD THE CONDITIONAL CONTRACT OF SALE WITH BNE; AND

WHEREAS, THE TOWN BOARD ADOPTED A SEQRA NEGATIVE DECLARATION DETERMINING THE ENTERING INTO THE CONDITIONAL CONTRACT OF SALE DOES NOT HAVE THE POTENTIAL FOR ANY SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS; AND

NOW THEREFORE,

BE IT RESOLVED, THE TOWN BOARD HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO A CONDITIONAL CONTRACT OF SALE BNE ACQUISITIONS, LLC TO PURCHASE AND DEVELOP A PORTION OF LETCHWORTH VILLAGE WITH RESIDENTIAL HOUSING SUBJECT TO THE TERMS THEREIN.

SET DATE FOR RECEIPT OF 2023 TENTATIVE BUDGET

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

371-22 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 2023 TENTATIVE BUDGET IN ACCORDANCE WITH THE LAW, AND BE IT FURTHER

RESOLVED, THAT SAID SPECIAL MEETING SHALL BE HELD ON MONDAY, OCTOBER 3, 2022, AT 3:00 PM AT THE TOWN HALL, ONE ROSMAN ROAD, GARNERVILLE, NEW YORK.

AUTHORIZATION FOR SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE LANDTEK GROUP

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

372-22 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE LANDTEK GROUP OF BAY SHORE, NEW YORK FOR THE MAINTENANCE SERVICE OF THE SYNTHETIC TURF FOR THE MULTI-PURPOSE FIELD AND THE CHALLENGER FIELD AT THE TOWN OF HAVERSTRAW RECREATION COMPLEX AT A COST OF \$8,100.00, LEVEL III WHICH INCLUDES THREE (3) DEEP GROOMING SESSIONS ON EACH FIELD WITH ONE (1) FREE G-MAX TEST ON EACH FIELD FOR CALENDAR YEAR 2023.

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**AUTHORIZATION TO REPAIR VEHICLE DAMAGED BY A FENCE LOCATED AT
THE TOWN OF HAVERSTRAW RECREATION COMPLEX**

Councilman Ortiz offered the following resolution, which was seconded by Councilman Gould and on roll call unanimously adopted. Councilman Gamboli recused himself from voting on this resolution.

373-22 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE REPAIR OF MR. VINCENT GAMBOLI'S VEHICLE TO BE PERFORMED BY DOC'S VARIED COLLISION SERVICES BODY SHOP OF HAVERSTRAW, NEW YORK, AT A COST OF \$1,075.00 FOR DAMAGE CAUSED TO THE VEHICLE BY A FENCE LOCATED AT THE TOWN OF HAVERSTRAW RECREATION COMPLEX.

**ADOPTION OF THE TOWN OF HAVERSTRAW'S COMPLETE
STREETS RESOLUTION**

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

374-22 WHEREAS, COMPLETE STREETS ARE STREETS THAT PROVIDE SAFE, COMFORTABLE, AND CONVENIENT ACCESS FOR USERS OF ALL ABILITIES AND ALL MODES INCLUDING PEDESTRIANS, BICYCLISTS, MOTORISTS, AND TRANSIT RIDERS; AND

WHEREAS, THE TOWN OF HAVERSTRAW'S COMPLETE STREETS POLICY WILL FOCUS ON DEVELOPING A CONNECTED, INTEGRATED NETWORK THAT SERVES ALL ROAD USERS; AND

WHEREAS, THE TOWN OF HAVERSTRAW'S COMPLETE STREETS VISION IS TO ENCOURAGE THE DEVELOPMENT OF A COMPLETE STREETS NETWORK THROUGHOUT THE TOWN TO CREATE A MORE BALANCED TRANSPORTATION SYSTEM; AND

WHEREAS, THE GOALS OF THIS POLICY ARE AS FOLLOWS: TO CREATE A COMPREHENSIVE, INTEGRATED, AND CONNECTED TRANSPORTATION NETWORK THAT SUPPORTS COMPACT, SUSTAINABLE DEVELOPMENT AND PROVIDES LIVABLE COMMUNITIES; TO ENSURE SAFETY, EASE OF USE, AND EASE OF TRANSFER BETWEEN MODES FOR ALL USERS OF THE TRANSPORTATION SYSTEM; AND TO PROVIDE CONTEXT SENSITIVE DESIGN FLEXIBILITY FOR DIFFERENT TYPES OF STREETS, AREAS, AND USERS.

WHEREAS, COMPLETE STREETS SUPPORT ECONOMIC GROWTH AND COMMUNITY STABILITY BY PROVIDING ACCESSIBLE AND EFFICIENT CONNECTIONS BETWEEN HOME, SCHOOL, WORK, RECREATION AND RETAIL DESTINATIONS BY IMPROVING THE PEDESTRIAN AND VEHICULAR ENVIRONMENTS THROUGHOUT THE TOWN. IN HAVERSTRAW, COMPLETE STREETS WILL BE INTEGRATED INTO POLICIES, PLANNING, AND DESIGN OF ALL TYPES OF PUBLIC AND PRIVATE PROJECTS, INCLUDING NEW CONSTRUCTION, RECONSTRUCTION, REHABILITATION, REPAIR, AND MAINTENANCE OF TRANSPORTATION FACILITIES ON STREETS AND REDEVELOPMENT PROJECTS.; AND

WHEREAS, THE COMPLETE STREETS PROGRAM OUTLINES AN APPROACH FOR AN IMPROVED, TRANSPARENT PROCESS TO PROMOTING SHARED ACCESS THROUGHOUT THE COMMUNITY; AND

WHEREAS, THE TOWN OF HAVERSTRAW STRIVES TO USE THE BEST AND LATEST DESIGN GUIDELINES, STANDARDS AND RECOMMENDATIONS AVAILABLE WHEN CONSIDERING METHODS OR PROVIDING DEVELOPMENT FLEXIBILITY WITHIN SAFE DESIGN PARAMETERS AND BALANCED DESIGN SOLUTIONS BETWEEN THE USER AND MODAL NEEDS. A BALANCED APPROACH CONSIDERS ASPECTS SUCH AS STREET DESIGN AND WIDTH, DESIRED OPERATING SPEED, HIERARCHY OF STREETS, CONNECTIVITY, WAYFINDING SIGNS AND SIGNAL VARIATION FROM A HUMAN SCALE FOR THE NEEDS AND COMFORTS OF ALL USERS. THE TOWN WILL GENERALLY FOLLOW ACCEPTED OR ADOPTED DESIGN STANDARDS WHEN IMPLEMENTING IMPROVEMENTS INTENDED TO FULFILL THIS COMPLETE STREETS POLICY AND WILL CONSIDER INNOVATIVE OR NON-TRADITIONAL DESIGN OPTIONS WHERE A COMPARABLE LEVEL OF SAFETY FOR USERS IS PRESENT. DESIGN CRITERIA SHALL BE BASED ON THE THOUGHTFUL APPLICATION OF ENGINEERING, ARCHITECTURAL AND URBAN DESIGN PRINCIPLES IN ADDITION TO PRESCRIPTIVE GUIDELINES. BEST PRACTICES IN POLICIES, DESIGN CRITERIA, STANDARDS AND GUIDELINES RELATED TO STREET DESIGN, CONSTRUCTION AND OPERATIONS CAN BE FOUND IN, BUT ARE NOT LIMITED TO, THE FOLLOWING: GUIDELINES PROVIDED BY THE AMERICAN ASSOCIATION OF STATE HIGHWAY TRANSPORTATION OFFICIALS (AASHTO); AND

**WHEREAS, THE COMPLETE STREET PROGRAM SHALL BE CONSISTENT WITH AND ASSIST IN ACHIEVING THE GOALS AND RECOMMENDATIONS SET FORTH IN THE TOWN COMPREHENSIVE PLAN AND OTHER ADOPTED POLICY DOCUMENTS; AND
WHEREAS, NEW YORK STATE PASSED THE COMPLETE STREETS LAW IN 2011 THAT REQUIRES THAT COMPLETE STREETS DESIGN GUIDELINES BE CONSIDERED FOR THE PLANNING, DESIGN, CONSTRUCTION AND RECONSTRUCTION OF ROADWAYS RECEIVING FEDERAL AND STATE FUNDING; AND**

WHEREAS, THE PEOPLE OF TOWN OF HAVERSTRAW HAVE EXPRESSED STRONG SUPPORT FOR COMPLETE STREETS.

NOW, THEREFORE BE IT RESOLVED THAT THE TOWN OF HAVERSTRAW'S GOVERNING BODY HEREBY ADOPTS THE COMPLETE STREETS PROGRAM POLICY TO ENHANCE SHARED ACCESS WITHIN THE TOWN AND TO IMPROVE QUALITY OF LIFE FOR ITS RESIDENTS.

**AUTHORIZATION TO ENTER INTO A CONTRACT WITH AUCTIONS
INTERNATIONAL, INC.**

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

375-22 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO A CONTRACT WITH AUCTIONS INTERNATIONAL, INC. OF EAST AURORA, NEW YORK FOR SALE OF GOVERNMENT ASSETS BY ONLINE AUCTION.

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**REFUND OF CERTIFICATE OF OCCUPANCY SEARCH FEE TO
NEW YORK STATE**

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

376-22 RESOLVED, THAT BASED ON THE RECOMMENDATION OF BUILDING INSPECTOR GEORGE BEHN, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, DOES HEREBY AUTHORIZE THE REFUND OF \$150.00 TO NEW YORK STATE FOR A CERTIFICATE OF OCCUPANCY SEARCH FOR THE PREMISES LOCATED AT 99-105 HAMMOND ROAD, THIELLS, NY.

**AWARD OF RFQ NO. 19-2022 – FISHER FOOTBALL CHAIN SET
MARKING PACKAGE**

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

377-22 RESOLVED, THAT TWO (2) REQUEST FOR QUOTES WERE SUBMITTED TO JOHN FRIZALONE, GROUNDSKEEPER TO PURCHASE ONE (1) FISHER 3013K FOOTBALL CHAIN SET FIELD MARKING PACKAGE FOR THE TOWN OF HAVERSTRAW RECREATION COMPLEX, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD THE RFQ TO ANTHEM SPORTS, LLC OF PAWCATUCK, CONNECTICUT, AT A COST OF \$1,467.57 INCLUDING SHIPPING, THE LOWEST QUOTE.

PUBLIC PARTICIPATION

William Cahill, Garnerville, NY asked t when the new complex will be opened.

Supervisor Phillips stated that the complex does not have electric and that the supply chain disruption has affected and delayed the opening date.

ANNOUNCEMENTS

The Town of Haverstraw fitness classes at Bowline Point Park for 2022 were a great success and we would like to thank all the instructors for a great season.

Shred Day at Haverstraw Town Hall was held on Saturday, September 24th from 8:00 am to 12 noon. This event was sponsored by Rockland Green.

The 9th Annual Scholarship Dinner Fundraiser at Lynch's in memory of Anthony A. Amoros is scheduled for Thursday, October 8th starting at 6 pm. Proceeds will go to the NRHS Anthony Amoros Scholarship Fund. For more information please call Ivette Amoros at 845-480-1156.

The Town of Haverstraw Annual 90 ~ Plus Recognition Day at the Hudson Water Club is scheduled for Thursday, October 13th starting at 12 noon. For more information please call Town Hall at 845-429-2200.

The Town of Haverstraw's Annual Halloween Festival at Bowline Point Park is scheduled for Saturday, October 29th starting at 12 noon. The festival is open to North Rockland children 12 years old and under, and who must be accompanied by an adult.

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The Town of Haverstraw Youth Board has the following trips planned: Disney on Ice, scheduled for Saturday, November 5th and the Annual Town trip to Radio City for the “Christmas Spectacular”, scheduled for Thursday, December 15th. For more information please call Town Hall at 845-429-2200.

The newest addition to Bowline Point Park are the two Pickleball courts, which our residents are enjoying.

ADJOURNMENT

378-22 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight’s meeting in memory of Gary Richard Terpak, John P. DeCaprio, Sr., Helen Fratangelo, Owen A. Lynch, Ivan Rodriguez and Thomas J. Carmody who recently passed away. A motion was made by Councilman Cancel, seconded by Councilman Gamboli, and unanimously adopted and the Town Board Meeting was adjourned.

RAQUEL VENTURA
TOWN CLERK