

TOWN BOARD
GARNERVILLE, NY
NOVEMBER 10, 2008

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, November 10, 2008 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

344-08 **REGULAR TOWN BOARD MEETING OF OCTOBER 14, 2008 AND PRELIMINARY BUDGET MEETING OF 11/6/08** submitted by the Town Clerk on motion by Councilman Gould, seconded by Councilman Gamboli, were unanimously adopted.

PAYMENT OF BILLS

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

345-08 **RESOLVED**, that bills numbered 3,928 through and including 4,173 in the amount of \$309,804.29; and Highway Vouchers numbered 574 through and including 592 in the amount of \$16,280.64 audited at this meeting, be and they are hereby paid.

ACCEPTANCE OF REPORTS

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

346-08 **RESOLVED THAT THE FOLLOWING POLICE ACTIVITY REPORT HAS BEEN SUBMITTED AND IS HEREBY ACCEPTED: POLICE DEPARTMENT ACTIVITY REPORT FOR THE MONTH OF AUGUST 2008.**

AGREEMENT WITH PUBLIC FINANCE ASSOCIATES, INC.

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

347-08 **RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH PUBLIC FINANCE ASSOCIATES, INC. OF HOPEWELL JUNCTION, NEW YORK TO PROVIDE CONSULTING AND PLANNING SERVICES RELATING TO THE CLEAN WATER STATE REVOLVING LOAN FUND APPLICATION FOR A BOND BEING SUBMITTED BY THE JOINT REGIONAL SEWAGE BOARD, AND BE IT FURTHER**

RESOLVED, THAT JOINT REGIONAL SEWAGE BOARD WILL REIMBURSE THE TOWN OF HAVERSTRAW FOR THESE COSTS.

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ADVERTISE TO BID – SANITARY LANDFILL TESTING

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

348-08 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SUPERVISOR TO ADVERTISE FOR BIDS FOR THE SAMPLING AND ANALYTICAL SERVICES FOR THE GROUNDWATER, LEACHATE DISCHARGE, AND SURFACE WATER MONITORING SYSTEMS AT THE TOWN OF HAVERSTRAW SANITARY LANDFILL FOR A PERIOD OF TWO (2) YEARS (JANUARY 2009 THROUGH DECEMBER 2010), AND BE IT FURTHER

RESOLVED, THAT THE BIDS MUST BE RETURNED TO THE OFFICE OF THE TOWN CLERK OF THE TOWN OF HAVERSTRAW, ONE ROSMAN ROAD, GARNERVILLE, NEW YORK, NO LATER THAN 11:00 A.M. ON THURSDAY, DECEMBER 5, 2008.

AGREEMENT BETWEEN NORA KAHERMANES AND THE TOWN OF HAVERSTRAW

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

349-08 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF MICHAEL COTIER, DIRECTOR OF PARKS, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH NORA KAHERMANES FOR OPERATION OF THE FOOD CONCESSION STAND AT BOWLINE POINT PARK FOR THE 2009 AND 2010 PARK SEASONS. THE FEE TO BE PAID FOR 2009 WILL BE \$2,500.00 AND THE FEE TO BE PAID FOR 2010 WILL BE \$2,500.00, AND BE IT FURTHER

RESOLVED, THAT THE TERM OF THIS AGREEMENT SHALL TERMINATE ON SEPTEMBER 20, 2010.

BUDGET ADJUSTMENTS FOR PERIOD ENDING 10-31-08

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

350-08 RESOLVED, THAT THE SUPERVISOR IS AUTHORIZED TO MAKE BUDGET ADJUSTMENTS FROM THE GENERAL FUND (A) IN THE AMOUNT OF \$85,000; PART TOWN (B) FUND IN THE AMOUNT OF \$20,000 AND HIGHWAY TOWNWIDE (DA) IN THE AMOUNT OF \$15,000 PURSUANT TO THE REPORT OF THE DIRECTOR OF FINANCE FOR THE TOWN OF HAVERSTRAW FOR THE PERIOD ENDING OCTOBER 31, 2008. (SEE ATTACHED BUDGET ADJUSTMENTS.)

REJECTION OF BID NO. 9-2008 - DEMOLISH AND INSTALL NEW HANDICAP ACCESSIBLE BATHROOM AT BOWLINE POINT PARK

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

351-08 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF MASER CONSULTANTS, LLC, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY REJECTS THE BIDS RECEIVED TO DEMOLISH AND INSTALL A NEW HANDICAP ACCESSIBLE BATHROOM AT BOWLINE POINT PARK DUE TO THE FACT THAT THE SPECIFICATIONS NEEDED TO BE REDRAWN.

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AGREEMENT WITH NIXON PEABODY FOR SERVICE AS BOND COUNSEL

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

352-08 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH NIXON PEABODY, LLP TO PROVIDE SERVICES AS BOND COUNSEL FOR THE JOINT REGIONAL SEWAGE BOARD AT A COST NOT TO EXCEED \$17,000, TO BE REIMBURSED BY THE JRSB.

ADOPTION OF 2009 FINAL BUDGET

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

353-08 RESOLVED, THAT THE TOWN BOARD HEREBY ADOPTS THE 2009 PRELIMINARY BUDGET AS THE FINAL BUDGET FOR 2009.

ADVERTISE FOR BIDS
2009 BUS TRANSPORTATION FOR HAVERSTRAW SENIOR CITIZENS

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

354-08 RESOLVED, THAT THE TOWN CLERK BE AND SHE IS HEREBY 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 11:00 A.M. ON FRIDAY, DECEMBER 5, 2008, FOR THE PROVISION OF BUS TRANSPORTATION FOR THE HAVERSTRAW SENIOR CITIZENS CLUB FOR THE YEAR 2009 IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS ON FILE IN THE OFFICE OF THE TOWN CLERK, COPIES OF WHICH, TOGETHER WITH FORM OF PROPOSAL, MAY BE OBTAINED AT HER OFFICE. BIDDERS SHALL INCLUDE WITH THEIR BIDS A STATEMENT OF THEIR TERMS FOR CANCELLATION OF TRIPS AND ANY CANCELLATION CHARGE THEY MAY HAVE AND THAT BIDS WILL PROVIDE FOR THE USE OF NOT LESS THAN FIFTY-FIVE (55) PASSENGERS, KNEELING BUSES WITH LAVATORY ON BOARD. ALL BUSES SHALL BE EQUIPPED WITH SENIOR STEPS. 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-COLLISION WITH THEIR BIDS.

ADJOURNMENT OF REGULAR TOWN BOARD MEETING

355-08 A motion was made by Councilman Soto, seconded by Councilman Gould to adjourn the Regular Town Board Meeting.

CONVENE TO A MEETING OF THE SANITATION COMMISSION

356-08 A motion was made by Commissioner Gould, seconded by Commissioner Gamboli to convene to a Meeting of the Sanitation Commission.

SANITATION COMMISSION
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The Town Board of the Town of Haverstraw met at a Meeting of The Sanitation Commission of the Town of Haverstraw on Monday, November 10, 2008 at 8:30 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:

Chairman	Howard T. Phillips, Jr.
Commissioner	Isidro Cancel
Commissioner	Vincent J. Gamboli
Commissioner	John J. Gould
Commissioner	Hector L. Soto

**APPROVAL OF LICENSE FOR GARBAGE REMOVAL FOR COUNTYWIDE
CARTING, LTD.**

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

357-08 RESOLVED, THAT THE SANITATION COMMISSION OF THE TOWN OF HAVERSTRAW HEREBY APPROVES THE APPLICATION FOR A LICENSE FOR COUNTYWIDE CARTING, LTD. TO EXPIRE ON DECEMBER 31, 2009.

**APPROVAL OF LICENSE FOR GARBAGE REMOVAL FOR PERILLO
SANITATION CO., INC.**

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

358-08 RESOLVED, THAT THE SANITATION COMMISSION OF THE TOWN OF HAVERSTRAW HEREBY APPROVES THE APPLICATION FOR A LICENSE FOR PERILLO SANITATION CO., INC. TO EXPIRE ON DECEMBER 31, 2009.

**APPROVAL OF LICENSE FOR GARBAGE REMOVAL FOR CHARLES CAPASSO &
SONS CARTING, INC.**

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

359-08 RESOLVED, THAT THE SANITATION COMMISSION OF THE TOWN OF HAVERSTRAW HEREBY APPROVES THE APPLICATION FOR A LICENSE FOR CHARLES CAPASSO & SONS CARTING, INC. TO EXPIRE ON DECEMBER 31, 2009.

APPROVAL OF LICENSE FOR GARBAGE REMOVAL FOR ROBERT HEIP, INC.

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

360-08 RESOLVED, THAT THE SANITATION COMMISSION OF THE TOWN OF HAVERSTRAW HEREBY APPROVES THE APPLICATION FOR A LICENSE FOR ROBERT HEIP, INC. TO EXPIRE ON DECEMBER 31, 2009.

ADJOURNMENT OF THE SANITATION COMMISSION MEETING

361-08 On motion by Commissioner Cancel, seconded by Commissioner Gamboli, unanimously adopted, the Sanitation Meeting was adjourned.

362-08

RECONVENED TO REGULAR TOWN BOARD MEETING

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

PUBLIC PARTICIPATION

Barbara Bodnar, 54 Larkin Lane, Garnerville stated that she was here tonight because she missed last weeks meeting about the proposed budget for 2009. She wanted to know how many more years do we need to pay off the Mirant debt?

Supervisor Phillips stated that for the last two years we have been able to reduce the Town tax. This is the first time in four years we are raising the Town tax for some of the residents and the first time in three years for all residents. The two major factors for the increase are the Mirant debt and policing. After that there is a 2% or less raise that remains after you take out the police and Mirant debt. Most of the people at the Budget Meeting last week agreed and completely understood. Actually, they were very understanding.

Barbara Bodnar, 54 Larkin Lane, Garnerville asked if for the past two years with the increased school taxes, has that been going toward Mirant? How much longer do we have to pay?

Supervisor Phillips stated that this is a one time bond that we put into the budget. Hopefully, when we sell the property at Letchworth we will have the money to pay the Mirant bond off. We don't know what Mirant is going to do in the future. The Stony Point Lovett plant is demolished. They pay the school district \$11 million dollars in taxes. It could go down to \$1 million dollars for the Lovett Plant. If the school district doesn't reduce their tax levy, this additional amount will be spread onto everyone else. Since the Mirant Bowline Plant is the next major tax payer, they will see their taxes increase possibly by \$3 ½ - 4 million dollars. That means they will be banging on the Town of Haverstraw Assessor's door looking to reduce the assessment for Bowline. You must follow the dollar. It's always been about the taxes not the assessment.

The important part that we need to know is that we are the most fiscally conservative Town in Rockland County. You need to look at the dollar amount and not the percentage. We lost over \$600 million in assessment and at the same time we took on 50% more officers because the Village of Haverstraw could no longer afford their Police Department. The cost of police has skyrocketed. I had one lady at the budget meeting and asked her how much she paid in Town taxes and she said \$1,400. I had her bill and for the last three years she paid only \$561 per year. She has been running around Town carrying petitions to reduce the Town budget and not knowing how much she paid in taxes. In fact, she is three times less than what she thought she was.

The Town added \$1.1 million dollars into debt services. We are not going to have that happen again. We don't know what Mirant is going to do in the future. When we get the money from the purchase of the Letchworth property we will pay off Mirant. The Town does not know when that will occur.

The School District took out a 30 year bond for \$190 million dollars. Any increases are normal increases that are already in the budget. Our \$1.1 million dollars was part of our budget for the first time. It was paid by the town and it will be there until we can sell the Letchworth property. It will stay in the budget until the property is sold. The \$1.1 million is already in the budget.

Kenny Patterson, 62 S. Lilburn, Garnerville asked the Board if the Town received any kind of money from WCI. Mr. Patterson asked why isn't the Town putting more commercial building at Letchworth?

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Supervisor Phillips stated that right off the bat, we received half a million dollars from Encore. The Town went out nationwide searching for any developers interested in the property. Nothing came back for commercial development only residential. The Supervisor further stated that Letchworth property should be an age 55 and up community so it would have the least impact on the school district.

Kenny Patterson, 62 S. Lilburn, Garnerville stated that the school district is overwhelmed and can't hold what they have now. Mr. Patterson stated that he never complained once about taxes or how much his mortgage has gone up monthly.

Supervisor Phillips stated that is why we went with a 55 and up community at Letchworth. The 55 and up community is what everybody wanted – no commercial was interested whatsoever. None. The Town went out nationwide and nobody was interested. Supervisor Phillips said to Mr. Patterson to look at your Town taxes for the last two years and he will not see an increase. More than likely, he will see a decrease where he lives in the Town tax.

Supervisor Phillips stated that you don't become fiscally conservative in the bad times, you do it in the good times. Our budget hasn't grown. The Town Hall hasn't grown. We have the same number of employees at Town Hall. Our biggest problem is the school district's increased budget to \$77 million dollars. Anything the State can do to help the Town, they have. We received \$2.5 million dollars this year and \$5 million dollars last year with the help of State Senator Thomas Morahan and Assemblyman Ken Zebrowski for North Rockland School tax.

The Supervisor met last Saturday with Congressman Hall and is meeting next week with Congresswoman Nita Lowey asking them for their assistance in our school taxes. The Town also offers Empire Zones to new businesses coming into the Town, which means you don't have to pay property tax for 10 years. Businesses across the board are moving out of New York. Unless you have something here to entice the businesses, they are moving out.

Councilman Gamboli stated that the Letchworth development was a 500 unit 55 and older deed restricted plan.

Kenny Patterson, 62 S. Lilburn, Garnerville stated that he saw the petition and the 12%-15% increase. He stated that he had to come here tonight to find out what was going on. Mirant got this big money and they did pay taxes for so many years. The word is that they only paid \$100,000.

Supervisor Phillips stated that our budget is so low. The Town taxes are nothing compared to the school taxes. Compare your Town taxes with the Village taxes. We asked for donations from the businesses in the Town for our Halloween Festival and Barr Labs donated \$5,000 to help defray costs. Tilcon gave the Town \$5,000 for our open-air summer concerts and we have received \$5 million dollars in grants to repave roads, add a kiddie pool, slides, etc. to Bowline. We built a tax stabilization fund. The average increase a homeowner will see is \$160.00.

Derek Calderon, 45 Lillian Rd., Pomona stated that you kept taxes low, but how are we going to continue. This is not Clarkstown and taxes are going to be more. The Letchworth situation – how can we afford those homes? Everybody leaves New York and goes down south. A person 55 and older cannot afford to buy these homes because their houses aren't worth what they once were and they can't afford to pay the high school taxes and Town taxes. People are selling their homes and moving down south where things are cheaper.

Supervisor Phillips stated that out of this budget if you take out the amount we are obligated for the Mirant bond and take out the \$700,000 for the increase in police, you have 2% or less. We have heard you. This is the first time in three years. My mother is on a fixed income. All of us have somebody like that. Our sewer service is 25% less than Rockland County. Police are getting paid one of the lowest in the county. There is a different type of crime

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to fight. Salt bills, electric bills and gas bills have tripled. Look at your Town, Village and County tax bills. We are the lowest tax and we have kept it that way. How many times have you gone to school or county meetings about your taxes?

Barbara Bodnar, 54 Larkin Lane, Garnerville asked if Lovett closes will it have more of an impact on Stony Point.

Supervisor Phillips stated that the school tax will affect us equally and it will affect Stony Point's residents town tax bill.

Supervisor Phillips stated that the Bowline pool, kiddie pool, waterslides, pavilion, gazebo, handicap bathrooms, etc. were at no cost to the local taxpayer. Everything was from secured grants. That's why we are able to do things at Bowline. We also received \$300,000 - \$400,000 in grants for the Police Department.

Kenny Patterson, 62 S. Lilburn Drive, Garnerville stated that when you hear it on the street and see the petitions there's a lack of information somewhere. There's talk on the streets in the Town. We just need to hear it from you.

Supervisor Phillips stated that it's the school tax. We need help with other ways of financing school budgets.

Kenny Patterson, 62 S. Lilburn Drive, Garnerville stated that if Mirant shuts down and Letchworth doesn't sell, do you have a long range plan?

Supervisor Phillips stated that we will continue to use the tax stabilization fund for \$6 million dollars.

TOWN BOARD MEMBERS

Councilman Cancel commended Director of Finance, Michael Gamboli for doing a great job at the Budget Meeting last week.

ANNOUNCEMENTS

Tomorrow is Veteran's Day – reminder that Calico Hill services begin at 11:00 a.m. and immediately following is the bridge dedication of the new Veteran's Memorial Bridge on American Legion Way next to the golf course. Sen. Morahan and Assemblyman Zebrowski were able to secure \$650,000 in bonding. The Town and School District will owe approximately \$100,000 each. The total cost of the bridge was \$850,000.

ADJOURNMENT

363-08 A motion was made by Councilman Soto, seconded by Councilman Gould to adjourn the Town Board Meeting.

RAQUEL VENTURA
First Deputy