

TOWN BOARD
GARNERVILLE, NY
OCTOBER 13, 2009

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, October 13, 2009 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

315-09 TOWN BOARD MEETING MINUTES OF SEPTEMBER 29, 2009 submitted by the Town Clerk on motion by Councilman Gamboli, seconded by Councilman Cancel, were unanimously adopted.

PAYMENT OF BILLS

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

316-09 RESOLVED, that bills numbered 3,545 through and including 3,860 in the amount of \$327,122.92 and Highway Vouchers numbered 534 through and including 573 in the amount of \$23,450.94 audited at this meeting, be and they are hereby paid.

ACCEPTANCE OF REPORTS

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

317-09 RESOLVED THAT THE FOLLOWING POLICE ACTIVITY REPORT HAS BEEN SUBMITTED AND IS HEREBY ACCEPTED: POLICE DEPARTMENT ACTIVITY REPORT FOR THE MONTH OF AUGUST 2009.

BUDGET ADJUSTMENTS FOR PERIOD ENDING 9/30/09

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

318-09 RESOLVED, THAT THE SUPERVISOR IS AUTHORIZED TO MAKE BUDGET ADJUSTMENTS FROM THE GENERAL FUND (A) IN THE AMOUNT OF \$78,100 AND PART TOWN FUND (B) IN THE AMOUNT OF \$10,000 PURSUANT TO THE REPORT OF THE DIRECTOR OF FINANCE FOR THE TOWN OF HAVERSTRAW FOR THE PERIOD ENDING SEPTEMBER 30, 2009. (SEE ATTACHED BUDGET ADJUSTMENTS.)

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**AUTHORIZATION TO BID NO. 12-2009 – BELGIAN BLOCK CURB
IMPROVEMENTS**

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

319-09 RESOLVED, UPON THE RECOMMENDATION OF FRANK BROOKS, SUPERINTENDENT OF HIGHWAYS, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE TOWN CLERK 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, OCTOBER 23, 2009 FOR THE RECEIPT OF BID NO. 12-2009 FOR BELGIAN BLOCK CURB IMPROVEMENTS TO BE PERFORMED AT OAK STREET, ELM STREET, SYCAMORE STREET, HAVERVALE STREET, TULIP TREE DRIVE, WOODRIDGE DRIVE, LOCUST STREET, MOHAWK LANE, PALISADES COURT AND SAGAMORE CIRCLE IN THE TOWN OF HAVERSTRAW 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.

**AUTHORIZATION TO BID NO. 13-2009 – 2009 ROADWAY RESURFACING
PROGRAM**

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

320-09 RESOLVED, UPON THE RECOMMENDATION OF FRANK BROOKS, SUPERINTENDENT OF HIGHWAYS, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE TOWN CLERK 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 11:30 A.M. ON FRIDAY, OCTOBER 23, 2009 FOR THE RECEIPT OF BID NO. 13-2009 FOR 2009 ROADWAY RESURFACING PROGRAM FOR MOHAWK LANE, PALISADES COURT, SAGAMORE CIRCLE, CHERRY LANE, CHERRY CIRCLE, OAK RIDGE ROAD, WOODLAKE DRIVE, EASTLAKE DRIVE, HIGHLAKE DRIVE, QUAKER ROAD, CEDAR ROAD, BIRCH DRIVE, CINDER ROAD, MADISON AVENUE, ROSMAN ROAD, BRISMAN DRIVE, VALLEY DRIVE AND VALLEY COURT IN THE TOWN OF HAVERSTRAW 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.

**PRESENTATION OF PLAQUE AND JACKETS TO THE HAVERSTRAW LITTLE
LEAGUE SENIOR GIRLS ALL STARS DISTRICT #18 CHAMPIONS, SECTION 4
CHAMPIONS AND EASTERN REGIONAL CHAMPIONS**

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AUTHORIZATION TO RETURN CASH BOND

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

321-09 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF MASER CONSULTANTS, PC AND PLANNING BOARD ATTORNEY STEVE SILVERBERG THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE RETURN OF A CASH BOND IN THE AMOUNT OF \$50,000.00 FOR IMPROVEMENTS OF PARK VIEW ESTATES SUBJECT TO FINAL REVIEW OF THE TOWN ATTORNEY.

PUBLIC PARTICIPATION

Barry Berman, 19 Turner Drive, Garnerville stated that he complained six months ago to the Supervisor about the cops giving out summons and checking inspections in front of St. Peter's church. Why can't they move down to Hornick's where there is an open area? The police should not be in front of a church or synagogue at 2:00 or 2:30 p.m. People are going to church 24/7. I don't believe that the cop cars should be sitting in front of church with flashing lights. It could be done in a different area in the Town and in the Village. I know that they you don't do it in front of St. Gregory's. I am pretty sure that I could get a couple of hundred names to make a protest. Do it in front of Hornicks. It should not be done in front of a church.

Supervisor Phillips asked Mr. Berman if he was suggesting that our police are anti-Catholic?

Charles Miller, Chief of Police stated that the road is at the widest and it gives the officers enough room to have cars pulled over into the parking lot.

Supervisor Phillips asked the Chief if they were doing it during mass hours.

Chief Miller stated no.

Barry Berman, 19 Turner Drive, Garnerville stated that now that it is on the floor, I was one of the people that was stopped by a cop. There was a woman there that could not cross the street to get to church.

Supervisor Phillips asked the Chief of Police if he could make sure that people can get into the church without any problem.

Chief Miller stated absolutely.

Barry Berman, 19 Turner Drive, Garnerville asked about the absentee landlord issue on 5 Broadway where they were raided. Years ago you use to board up those houses that were raided and there was another raid on Friday.

Supervisor Phillips stated that the Town has gone after landlords with the intent to take possession. We have gone after them and will continue to do so. They removed the tenants on 5 Broadway. The District Attorney, Section 8 and the Town Police went in and made several arrests.

Chief Miller stated that there are other living units at 5 Broadway and that we couldn't close it down because we didn't arrest everyone in the building.

Supervisor Phillips stated that certain criteria has to be met when boarding up a house after a raid. The landlord has to be aware of what is going on in the building. On Fourth Street we had the same problem. We were able to talk to the landlord and had the tenants removed from the

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house. Mothers who live in that neighborhood complained to me that they could not let their children out to play. You must have a proactive Building Department.

Barry Berman, 19 Turner Drive, Garnerville stated that the Town should come up with a suitable law for the Villages of Haverstraw and West Haverstraw. Hitting a person in their pocketbook to any landlord that are harboring these drug people. The absentee landlord should get fined for having this.

Barry Berman, 19 Turner Dr., Garnerville asked how many summons are actually being paid or dismissed.

Supervisor Phillips stated that of all the tickets that are being issued, what percentage of the fines are being collected and how many are being dismissed? Supervisor stated that he would do a letter to the judges regarding this matter.

Barry Berman, 19 Turner Dr., Garnerville stated that the dismantlement of the Villages of Haverstraw and West Haverstraw is going to happen. We are paying for services twice. Mr. Berman requested to the Supervisor for two more Councilmen positions in the next four years. It would really help the people of Haverstraw and West Haverstraw to eliminate the double digits – taxes. Village tax, school tax. Make a very serious motion to make two more Councilmen jobs and make it those mayors that are there now. Really get your act together on taking over the Villages so we can survive the taxes. A group is forming in the Village of West Haverstraw.

Supervisor Phillips stated that every single member knows the cost of government to the residents. We have done everything to hold taxes down. We have the lowest Town tax, the lowest sewer tax. The biggest tax you pay is school tax and we don't have control over their budget. New York has become so expensive to do business here. Having a difficult time retaining what is here. Mirant paid \$40 million in 2001. In Newburgh Mirant has a plant identical to ours and they paid \$20 million in 2001. By 2006, it went up the \$62 million.

Barry Berman, 19 Turner Dr., Garnerville stated that if you look into the Councilmen positions maybe things will change in the next four years.

Al Arlitz, 17 Hillside Drive, Thiells stated that he opposes the speed humps on Mt. View Drive. Asked if the stop sign on Mt. View Drive, Hillside and Oakwood could be removed. We have to slow down twice for stop signs.

Supervisor Phillips said that we will take a look at it. We are thinking about forming some type of traffic committee.

Al Arlitz, 17 Hillside Drive, Thiells stated that we have to slow down and stop, slow down and stop.

Supervisor Phillips stated that we will take a look at it and give us a chance and we will see what we can do.

Ramon Soto, Haverstraw inquired about the young guy that was under investigation. Ramon Soto went to the Police Department to investigate the case. Why did he choose that dog to shoot?

Chief Miller stated that the dog was shot by a ricochet. It's a pending crime case now. The D.A. is prosecuting this case.

William Stein, Town Attorney stated that if you have information about the case then you should contract the District Attorney's office.

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Ramon Soto, Haverstraw stated that at a meeting with Village Trustees and Mayor from Haverstraw they talked about taxes. People complained why the taxes are high and the Mayor and Trustees stated because of the Town of Haverstraw.

Supervisor Phillips stated that we removed \$4 million out of the Village's budget and they never lowered the taxes yet they are still getting the revenue from our Police Department. Now, if I was to lose an expense in the Town budget of \$4 million and didn't lower taxes the people would be in here and going on about why didn't you lower my taxes? Meanwhile, the Town still does not get the revenue from the Village courts.

Ramon Soto, Haverstraw stated that the Village is also paying for the retired police.

Supervisor Phillips stated that the Village had 23 police officers and 21 came to the Town but they were in the budget at the time. They bought out all of their sick time – where did it go?

Ramon Soto, Haverstraw asked if the Town has the right to investigate the Village of Haverstraw's finances.

Supervisor Phillips stated that the Town cannot investigate the Village's finances. It has to come from the NYS Comptroller's Office.

Ramon Soto, Haverstraw stated that they said it in the Village at the meeting last week.

Supervisor Phillips stated that we watch our pennies and go after grants more aggressively than any other municipality. To point their finger at the Town they are not looking at reality.

Ramon Soto, Haverstraw stated that they told the people they are covering the expenses of the police.

Supervisor Phillips stated that in 2004, the Village took their garbage collection out of the DPW and the Village went to Rockland County and they put it out to bid for them. Therefore, your cost of garbage and recycling is on your Town and County tax bill. You are not seeing it on the Village bill.

ANNOUNCEMENT

Halloween Festival is October 24th at Bowline Park from 12 noon – 4:00 p.m. We are trying to keep it to 12 and under.

Youth Board has activities planned. Check the Town's website for upcoming events.

The golf course is doing surprising well. We heard that Stony Point may be selling their golf course – they are losing \$2 million a year.

ADJOURNMENT

322-09 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Agnes J. Viohl, Philomena M. Loblanco, Robert Dandrea, Dorothy Kline, Jacqueline R. Murray, Dr. Burton Rubin, Robert Montgomery, Jr., Theresa V. Rudolph and Michael J. Fitzula, Jr., who recently passed away. Supervisor Phillips, the Town Board members and the Elected Officials further extended their condolences and sympathy to the families. Thereafter, a motion was made by Councilman Gamboli, seconded by Councilman Soto the Town Board Meeting was adjourned.

JOSEPHINE E. CARELLA
Town Clerk