

TOWN BOARD
GARNERVILLE, NY
MARCH 9, 2009

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, March 9, 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

122-09 TOWN BOARD MINUTES OF FEBRUARY 23, 2009 submitted by the Town Clerk on motion by Councilman Soto, seconded by Councilman Gamboli, were unanimously adopted.

PAYMENT OF BILLS

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

123-09 RESOLVED, that bills numbered 719 through and including 832 in the amount of \$517,162.09 and Highway Vouchers numbered 124 through and including 150 in the amount of \$48,348.11 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.

124-09 RESOLVED THAT THE FOLLOWING POLICE ACTIVITY REPORT HAS BEEN SUBMITTED AND IS HEREBY ACCEPTED: POLICE DEPARTMENT ACTIVITY REPORT FOR THE YEAR OF 2008.

AWARD OF RFP NO. 2-2009-EMPIRE MUNICIPAL EQUIPMENT, LLC FOR ONE VACUUM STREET SWEEPER

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

125-09 RESOLVED, THAT THREE (3) REQUEST FOR PROPOSALS WERE SUBMITTED TO FRANK BROOKS, SUPERINTENDENT OF HIGHWAYS TO LEASE ONE (1) NEW 2009 MODEL VAC/ALL VS10SC MULTIPURPOSE VACUUM STREET SWEEPER WITH SINGLE GUTTER BROOM 10CY FOR THE TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD THE RFP TO EMPIRE MUNICIPAL EQUIPMENT, LLC OF BRONX, NEW YORK, THE LOWEST PROPOSAL, AT A MONTHLY RATE OF \$3,529.47 FOR A 60 MONTH LEASE TERM.

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ESTABLISH CAPITAL PROJECT – INSTALL NEW PLAYGROUND EQUIPMENT AT BOWLINE POINT PARK

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

126-09 RESOLVED, THAT THE TOWN BOARD HEREBY APPROVES TO PURCHASE AND INSTALL NEW PLAYGROUND EQUIPMENT AT BOWLINE POINT PARK IN THE TOWN OF HAVERSTRAW, AS A CAPITAL PROJECT IN THE AMOUNT OF \$50,000., WHICH WILL BE FUNDED THROUGH THE NYS DORMITORY AUTHORITY.

NEW YORK STATE BID NO. PC-62087 – PURCHASE AND INSTALL PLAYGROUND EQUIPMENT AT BOWLINE POINT PARK

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

127-09 RESOLVED, UPON THE RECOMMENDATION OF MICHAEL COTIER, DIRECTOR OF PARKS, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPROVE THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT AT BOWLINE POINT PARK FROM EMPIRE RECREATION OF RIDGEFIELD, NEW JERSEY AND CORBY ASSOCIATES, INC. OF RIDGEFIELD, NEW JERSEY FROM NYS BID# PC-62087 AT A COST OF \$49,499.79.

AWARD OF RFP NO. 3-2009 PURCHASE AND INSTALLATION OF CUSTOM GOLF RANGE NETTING FOR THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE

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

128-09 RESOLVED, THAT FOUR (4) REQUEST FOR PROPOSALS WERE SUBMITTED TO CAL FOWX, GREENSKEEPER TO PURCHASE AND INSTALL CUSTOM GOLF RANGE NETTING FOR THE FENCE LOCATED NEXT TO THE PARKING LOT AT THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD THE RFP TO INCORD OF COLCHESTER, CONNECTICUT, THE LOWEST PROPOSAL, AT A COST OF \$9,165.41.

RESOLUTION AUTHORIZING CWSRF APPLICATION

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

129-09 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO SUBMIT AN APPLICATION TO THE NYSEFC FOR PROJECT FINANCING FOR STP.

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**HOST BENEFIT AGREEMENT WITH THE ROCKLAND COUNTY SOLID WASTE
AUTHORITY (RCSWA)**

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

130-09 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO A HOST BENEFIT AGREEMENT WITH THE RCSWA FOR THE MUNICIPAL SOLID WASTE TRANSFER STATION.

RESOLUTION TO ACCEPT FRANK MALIN'S RETIREMENT EFFECTIVE 3/3/09

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

131-09 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY ACCEPTS THE RETIREMENT OF FRANK M. MALIN, POLICE OFFICER EFFECTIVE 3/3/09.

**AGREEMENT WITH DORMITORY AUTHORITY STATE OF NEW YORK AND THE
TOWN OF HAVERSTRAW**

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

132-09 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE DORMITORY AUTHORITY STATE OF NEW YORK TO RECEIVE A GRANT IN THE SUM OF \$100,000 FOR IMPROVEMENTS TO CHEESECOTE MOUNTAIN PARK INCLUDING DRAINAGE AND PAVING OF ACCESS ROAD PLUS INSTALLATION OF BATHROOMS.

**RETAINER AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND D.C.
BARRAND**

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

133-09 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO RETAIN D.C. BARRAND ASSOCIATES OF WAYNE, NEW JERSEY TO PREPARE A PRELIMINARY APPRAISAL FOR THE HAVERSTRAW MARINA RESTAURANT AT A FEE OF \$4,000.00.

CREATE POSITIONS - COURT ATTENDANT

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

134-09 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY CREATE THREE (3) POSITIONS OF COURT ATTENDANT PART TIME, FOR THE TOWN OF HAVERSTRAW JUSTICE COURT, EFFECTIVE 3/16/09, AS APPROVED BY THE COUNTY OF ROCKLAND, DEPARTMENT OF PERSONNEL.

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APPOINTMENT OF COURT ATTENDANTS

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

135-09 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPOINT THE FOLLOWING INDIVIDUALS TO THE POSITION OF PART TIME COURT ATTENDANT WITH THE TOWN OF HAVERSTRAW JUSTICE COURT EFFECTIVE IMMEDIATELY, AS NEEDED PER SCHEDULE AT AN HOURLY RATE OF \$18.00:

**DONALD FOLEY
WILLIAM SANTIAGO**

AND BE IT FURTHER

RESOLVED, THAT THIS APPOINTMENT IS SUBJECT TO THE RULES AND REGULATIONS OF THE ROCKLAND COUNTY DEPARTMENT OF PERSONNEL AND SHALL BECOME EFFECTIVE ON 3/16/09.

AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND COURSETRENDS

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

136-09 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH COURSETRENDS OF AUSTIN, TEXAS TO PROVIDE PROFESSIONAL SERVICES IN MARKETING AND PROMOTING THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE IN THE TOWN OF HAVERSTARW, AT AN ANNUAL COST OF \$7,400.

PUBLIC PARTICIPATION

Supervisor Phillips stated that the residents from Mountainview Drive and Oakwood Lane have returned tonight regarding the speeding situation. Superintendent Frank Brooks went out and looked at close to a dozen locations in which he feels the speed humps would be appropriate. We would like to begin with two, then expand from there to make sure all of the residents are comfortable with them by placing one on Mountainview and one on Oakwood. The residents will be notified of the installation of these speed humps.

Councilman Cancel asked why are we only putting one on Mountainview. In Nyack they have two or three on one road.

Supervisor Phillips stated that we have 13 locations around Mountainview and planned on putting two on Mt. View. We just want to do a trial basis for now. When we install the speed humps, some residents are going to complain about them. Instead of installing all 13, at \$1,700 to \$1,800 a piece depending on the width of the road, we want to begin with two to make sure that we are not going to have all of the residents mad. Cars will be slowing down in front of their houses and signs will also be posted on your neighbor's lawn. We are trying to be prudent before we purchase all 13 speed humps.

Councilman Cancel asked why didn't we decide on the blacktop speed humps.

Superintendent of Highways, Frank Brooks stated that the blacktop would be cheaper, but the plastic speed humps would be easier to remove. The plastic speed humps will make a thumping noise when you drive over them, but so will the macadam ones.

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Councilman Gamboli asked if we considered looking into a speed table. They serve the same purpose of slowing down the traffic and are more tolerable on the vehicles. The speed tables are 6 ft. wide and have a side ramp going up and a side ramp going down.

Supervisor Phillips stated that the speed tables are very similar to the speed humps.

Superintendent of Highways, Frank Brooks stated that the speed humps vary in size from 4-5-6 feet wide.

Councilman Gamboli asked if there is something in the State Traffic Code that specifies what can be used.

Superintendent of Highways, Frank Brooks stated that Orangetown is going to supply me with the specifications for the speed humps that they have.

Councilman Gamboli stated that the speed tables are very effective. They work pretty good. We have to be very cautious on how many we put out there and do it on a trial basis to see how the public receives them.

Supervisor Phillips stated that all of these speed humps are clearly painted. Some are painted bright yellow. They will be very well displayed on the road, but again Mr. Brooks is very wise in just beginning with two to see if everybody is happy with having this in front of their houses. If we go with the blacktop speed humps and we need to remove them, they have to dig them up.

Dan Ezratty, 12 Mountain View Drive, Thiells thanked the Town Board for taking such an interest in our neighborhood. Mr. Ezratty does agree with all 13 speed humps but would like to see more than one on Mountainview and appreciates that this is being looked into. He would sacrifice having a speed hump in front of his home and lives on 12 Mountainview. He was concerned that cars might drift over the curb of the property.

Supervisor Phillips stated that these are the same speed humps that Orangetown is using – the 6 ft. wide ones.

Dan Ezratty, 12 Mountain View Drive, Thiells stated again that he had no problem with the Town putting a speed hump in front of his house. He would appreciate the Council and Supervisor considering his request.

Supervisor Phillips stated that he lives on Main Street in Garnerville and it's becoming a raceway. Let's hope in the subdivision that people will see the speed humps and the markings for them.

Joe Forese, 10 Mountainview Drive stated that since the last Town Board Meeting, he noticed an increase in police presence in the neighborhood. Mr. Forese did actually see the police stop and ticketing the drivers. Did that have any impact? Has anybody done an engineer study as to where the speed humps have to be placed?

Lt. M. Lund stated that after the last Town Board Meeting, we made it a conscientious effort to help an ongoing problem in that community by issuing tickets.

Supervisor Phillips stated that you don't want to put them 100 ft. apart. The speed humps should be at least 400 ft. apart.

Superintendent of Highways, Frank Brooks stated that we will start out with one on Mtn. View and another one at Oakwood.

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Martin Bagrosky, Oakwood Lane, Thiells stated that he would like Council to look at the speeding law again. He stated that Oakwood Lane runs from one street to the next and no sidewalks. It's a narrow street. Mr. Bagrosky would like to know if any one would characterize his street as a highway. The NYSDOT sent me a copy of Law 1622 and it happens to be a law that he provided to the Board. Law 1622 is for County roads and Town highways. We are using the wrong law. These laws pertain to County roads. His street is not a Town highway and this law does not apply to residential side streets. It says in these laws that you can bring the speed limit down. I really hope that Mr. Dennison is not at the NYSDOT because to him the speed limits do not make any difference to him at all. The speed laws don't really count. I am happy to hear about the speed humps. But this law is not the law we should be working with. I hope you get the application to the DOT.

William Stein, Town Attorney stated that when he spoke to Counsel for the NYSDOT, we were talking about roads and subdivisions – Townwide. Two zones are established Zone A no such limit shall be established at less than 25 mph and Zone B states less than 30 mph. You can go down to 25 mph only if it's a particular zone. Zones can be established. A request can be made to the NYSDOT to approve the zones. Mr. Stein will make that request to Counsel's office and let them put it in writing that he is not addressing highways.

Supervisor Phillips stated that we are fighting an uphill battle – they are in complete resistance to this up in Albany. They don't want to change these speed limits.

Martin Bagrosky, Oakwood Lane, Thiells stated that if a Town wants to reduce a speed limit in their Town to protect children, why would any political person deny that? You are trying to protect the residents.

Teriann DeCarlo, 20 Mountainview Drive, Thiells asked if the two speed humps were going to be on a trial basis.

Supervisor Phillips stated yes and that we are definitely considering the other 12. I don't want your neighbors coming in saying that we did the wrong thing. Do I think we are going to keep them? Yes. Let's try two before we go out and spend all of this money.

Teriann DeCarlo, 20 Mountainview Drive, Thiells stated that she is worried about the noise they will make when a car rides over them and the signage.

Supervisor Phillips stated that if the plastic speed humps make too much noise, then we will go with the macadam ones.

Brian Gallagher, 11 Mountainview Drive, Thiells stated that he appreciates the speed humps and wanted to know if a study was performed on painting the streets. Mountainview is a side street and it gives the driver a real feel that they can go fast. Can the shoulders be painted?

Supervisor Phillips stated that if you are looking for safety and a real means of obtaining it, I think these speed humps will be the best solution.

Brian Gallagher, 11 Mountainview Drive, Thiells stated that he is all for the speed humps and painting the shoulders.

Christine Truiano, 30 Mountainview Drive, Thiells asked if there was any consideration to placing a speed hump on Riverglen. I call the police all the time. People are passing the buses when I get my children off the bus. It's a very smart plan. Let everyone get on to it and have their say. It's very wise to start off slow.

Superintendent Frank Brooks stated that the speed humps will be installed on the following roads: 1 on Ossman; 2 on Dunningan; 2 on Riverglen; 1 on Dawson; 1 on Hillburn; 1 on Skyline; 2 on Mountainview; 2 on South Lilburn and 1 on Oakwood.

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Dan Ezratty, 12 Mountain View Drive, Thiells stated that both the plastic and macadam speed humps will make noise when the tires hit the incline.

Supervisor Phillips stated that we can try one of each. The blacktop plant does not open until the middle of March and the rubber ones take 1-2 weeks to order.

The residents of Mountainview Drive also complained about placing no parking signs at the entrance way of Mountainview Drive and Rosman Road because people are parking their cars too close to Rosman Road next to the dentist's office.

NO PARKING ON MOUNTAINVIEW ROAD AND ROSMAN ROAD

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

137-09 THE TOWN BOARD HEREBY RESOLVES THAT NO PARKING SHALL BE ALLOWED ON EITHER SIDE OF MOUNTAINVIEW DRIVE FOR A DISTANCE OF 30 FEET FROM THE INTERSECTION OF ROSMAN ROAD.

Martin Bagrosky, Oakwood Lane stated that it all sounds extremely encouraging. Mr. Bagrosky also inquired about the Mt. Ivy Bridge project.

Supervisor Phillips stated that they are now telling us construction will not begin until June and stimulus money will be used for this project.

Ilan Schulan, 16 Hillside Drive, Thiells congratulated the Town for getting a grant for improvements on Cheesecote Mountain Park and asked if we can get some funding from the Village of Pomona to help with the cost for the Pomona access road?

Supervisor Phillips stated that he didn't think that would happen.

Burt Singer, Pomona asked if anyone has looked into these speed humps in the winter time.

Supervisor Phillips stated that there will be signs 25 ft. before you approach the speed hump indicating to slow down. The sign will clearly state to slow down and that you are approaching a speed hump.

TOWN BOARD MEMBERS

Supervisor Phillips stated that the Haverstraw Marina has a 50 year lease and there is less than 20 years on it. From the Marian to the County Park the land is really developing in that area.

The fireworks for this year's 4th of July celebration will be set off at the old chair factory in the Village to allow for more room at Bowline Park. Bowline is a real recreation mecca. Boaters come from all over. The Town is looking at getting a boardwalk or 3 or 4 jetties down by Bowline. I wish we had another 8-10 acres of land at Bowline. We are in the process of installing new handicap bathrooms and expanding the pool deck. The Town is also sending out a newsletter, which you should receive in the next couple of weeks.

New York Sports Fitness gym will be breaking ground next week.

The DEC is allowing the pilot for the United Water desalinization plant to move ahead.

Major concern with the Mirant power plant. Hoping that they will build a third plant.

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The Town is trying to get grants and money from the stimulus package. We are hoping that some money will be left for the Town. Money from the stimulus package is given first to the State, then to the County and Towns are last.

Martin Bagrosky, Oakwood Lane, Thiells mentioned that the area down by the Haverstraw Marina, to the right of the parking lot where the tennis courts were, is becoming a hangout. Could be drug related and a real turn off for people.

Lt. Lund stated that he will look into that.

ADJOURNMENT

138-09 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Jean Andrews, John K. Leibel, Elizabeth M. Ribaud, Joan E. Dillon, Henry T. "Skip" Danielson, Anthony Casarella, Mary P. Felice, Rose Hynes, Joan Ellen Radtke, Sylvia F. Butrym, Elsa Nisbet, William J. Johnston, Sr., Katherine E. Denisac, Rose Kusnir, Francine, Neiderman, Eldon T. Bennett and Josephine E. Bruno 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 Gould to adjourn to Workshop.

JOSEPHINE E. CARELLA
Town Clerk