

TOWN BOARD
GARNERVILLE, NY
FEBRUARY 22, 2010

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, February 22, 2010 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 (Absent)
Councilman	John J. Gould
Councilman	Hector L. Soto

ADOPTION OF MINUTES

137-10 TOWN BOARD MEETING MINUTES OF TOWN BOARD MINUTES OF FEBRUARY 8, 2010 submitted by the Town Clerk on motion by Councilman Cancel, seconded by Councilman Soto, were unanimously adopted.

PAYMENT OF BILLS

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

138-10 RESOLVED, that bills numbered 463 through and including 625 in the amount of \$1,700,930.01 be and they are hereby paid; and Highway Vouchers numbered 73 through and including 86 in the amount of \$4,732.99 audited at this meeting, be and they are hereby paid.

ACCEPTANCE OF REPORTS

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

139-10 RESOLVED, THAT THE FOLLOWING POLICE ACTIVITY REPORTS HAVE BEEN SUBMITTED AND ARE HEREBY ACCEPTED: POLICE DEPARTMENT ACTIVITY REPORT FOR THE MONTH OF DECEMBER 2009 & THE POLICE DEPARTMENT ACTIVITY REPORT FOR THE YEAR OF 2009.

RESOLUTION – BOY SCOUTS OF AMERICA DAY 100 YEARS OF SCOUTING

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

140-10 WHEREAS, THE BOY SCOUTS OF AMERICA, A VOLUNTEER ORGANIZATION, WAS INCORPORATED BY CHICAGO PUBLISHER WILLIAM D. BOYCE ON FEBRUARY 8, 1910, AFTER LEARNING OF THE SCOUTING MOVEMENT DURING A VISIT TO LONDON; AND

WHEREAS, ON JUNE 21, 1910, A GROUP OF 34 NATIONAL REPRESENTATIVES MET, DEVELOPED ORGANIZATION PLANS, AND OPENED A TEMPORARY NATIONAL HEADQUARTERS IN NEW YORK; AND

WHEREAS, THE PURPOSE OF THE BOY SCOUTS OF AMERICA IS TO TEACH AMERICA'S YOUTH PATRIOTISM, COURAGE, SELF-RELIANCE, AND KINDRED VALUES; AND

TOWN BOARD
GARNERVILLE, NY
FEBRUARY 22, 20210

WHEREAS, THE BOY SCOUTS OF AMERICA HAS AND CONTINUES TO LIVE OUT ITS COMMITMENT TO HELPING MILLIONS OF YOUTH SUCCEED BY PROVIDING THE SUPPORT, FRIENDSHIP, AND MENTORING NECESSARY TO LIVE A HAPPY AND FULFILLING LIFE; AND

WHEREAS, BY 1912, BOY SCOUTS WERE ENROLLED IN EVERY STATE; AND

WHEREAS, IN 1961, THE UNITED STATES CONGRESS GRANTED THE BOY SCOUTS OF AMERICA A FEDERAL CHARTER; AND

WHEREAS, EACH COUNCIL COMMITS EACH SCOUT TO PERFORM AT LEAST 12 HOURS OF COMMUNITY SERVICE YEARLY, TOTALING MORE THAN 30,000,000 COMMUNITY SERVICE HOURS EACH YEAR; AND

WHEREAS, THERE HAVE NOW BEEN MORE THAN 111,000,000 MEMBERS OF SCOUTING, AND THE ORGANIZATION WILL PRESENT THE 2 MILLIONTH EAGLE SCOUT AWARD IN 2009; AND

WHEREAS, MORE THAN 1 MILLION ADULT VOLUNTEER LEADERS SELFLESSLY SERVE YOUNG PEOPLE IN THEIR COMMUNITIES THROUGH ORGANIZATIONS CHARTERED BY THE BOY SCOUTS OF AMERICA; AND

WHEREAS, THESE MEN AND WOMEN OFTEN NEITHER RECEIVE NOR SEEK THE THANKS OF THE PUBLIC; AND

WHEREAS, FEBRUARY 8, 2010, WOULD BE AN APPROPRIATE DAY TO DESIGNATE AS "BOY SCOUTS OF AMERICA DAY" IN CELEBRATION OF THE BSA'S 100TH ANNIVERSARY; AND

WHEREAS, THE BOY SCOUTS OF AMERICA ENDEAVORS TO DEVELOP UNITED STATES CITIZENS WHO ARE PHYSICALLY, MENTALLY, AND EMOTIONALLY FIT; HAVE A HIGH DEGREE OF SELF-RELIANCE AS EVIDENCED IN SUCH QUALITIES AS INITIATIVE, COURAGE, AND RESOURCEFULNESS; HAVE PERSONAL VALUES BASED ON RELIGIOUS CONCEPTS; HAVE THE DESIRE AND SKILLS TO HELP OTHERS AND UNDERSTAND THE PRINCIPLES OF THE UNITED STATES SOCIAL, ECONOMIC, AND GOVERNMENTAL SYSTEMS; TAKE PRIDE IN THEIR AMERICAN HERITAGE AND UNDERSTAND OUR NATION'S ROLE IN THE WORLD; HAVE A KEEN RESPECT FOR THE BASIC RIGHTS OF ALL PEOPLE, AND ARE PREPARED TO PARTICIPATE IN AND GIVE LEADERSHIP TO THE AMERICAN SOCIETY; NOW, THEREFORE, BE IT

RESOLVED, THAT THE TOWN OF HAVERSTRAW SUPPORTS THE DESIGNATION OF "BOY SCOUTS OF AMERICA DAY" IN CELEBRATION OF ITS 100TH ANNIVERSARY.

PERMANENT APPOINTMENT OF EDWARD McMANUS POLICE OFFICER FULL TIME

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

141-10 RESOLVED, THAT UPON THE RECOMMENDATION OF CHARLES MILLER, CHIEF OF POLICE, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPOINT EDWARD McMANUS OF THIELLS TO THE POSITION OF POLICE OFFICER, FULL TIME, PERMANENT FOR THE TOWN OF HAVERSTRAW, AND BE IT FURTHER

TOWN BOARD
GARNERVILLE, NY
FEBRUARY 22, 2010

RESOLVED, THAT MR. McMANUS 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. McMANUS SHALL SERVE A PROBATION PERIOD OF TWO (2) YEARS.

TOWN OF HAVERSTRAW 2010 SUMMER CONCERT SERIES

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

142-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE FOLLOWING BANDS FOR THE PURPOSE OF PROVIDING MUSICAL ENTERTAINMENT FOR THE TOWN OF HAVERSTRAW'S 2010 SUMMER CONCERT SERIES AT BOWLINE POINT PARK:

CLOUD NYNE - THURSDAY, JULY 22, 2010 – 7:30 P.M. – 9:00 P.M. AT A COST OF \$800.00

WHISKEY CAFÉ GROOVE CATS – THURSDAY, JULY 29, 2010 – 7:30 P.M. – 9:00 P.M. AT A COST OF \$900.00

RHYTHM DOCTORS - THURSDAY, AUGUST 5, 2010 – 7:30 P.M. – 9:00 P.M. AT A COST OF \$1,200.00

THE HIP POCKET BAND - THURSDAY, AUGUST 12, 2010 - 7:30 PM - 9:00 PM AT A COST OF \$1,000.00

BEAUTY & THE GREASE – THURSDAY, AUGUST 19, 2010 – 7:30 P.M. – 9:00 P.M. AT A COST OF \$800.00

THE LARRY STEVEN BAND – THURSDAY, SEPTEMBER 2, 2010 – 7:30 P.M. – 9:00 P.M. AT A COST OF \$1,200.00

TOWN OF HAVERSTRAW BID NO. 09-2010 –ADVERTISE FOR BIDS – BUNKER SAND, TOP DRESSING & DIVOT MIX TO BE UTILIZED AT THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE

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

143-10 RESOLVED, UPON THE RECOMMENDATION OF CAL FOWX, GREENSKEEPER, 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 10:00 A.M. ON FRIDAY, MARCH 19, 2010 FOR THE RECEIPT OF BID NO. 09-2010 FOR THE PURCHASE OF BUNKER SAND, TOP DRESSING AND DIVOT MIX TO BE UTILIZED AT THE PHILLIP J. ROTELLA MEMORIAL GOLF COURSE LOCATED ON THIELLS/MT. IVY ROAD IN THIELLS, NEW YORK, FOR USE DURING THE 2009 GOLF SEASON, 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

TOWN BOARD
GARNERVILLE, NY
FEBRUARY 22, 2010

AND WILL BE RETURNED TO THE BIDDER UNOPENED. ALL BIDDERS MUST FILE A STATEMENT OF NON-COLLUSION WITH THEIR BIDS.

BUDGET ADJUSTMENTS FOR PERIOD ENDING 12/31/09

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

144-10 RESOLVED, THAT THE SUPERVISOR IS AUTHORIZED TO MAKE BUDGET ADJUSTMENTS FROM THE GENERAL FUND (A) IN THE AMOUNT OF \$518,650.00; PART TOWN (B) IN THE AMOUNT OF \$7,000; HIGHWAY (DA) IN THE AMOUNT OF \$84,000.00; AMBULANCE DISTRICT (SA) IN THE AMOUNT OF \$46,000. AND SEWER DISTRICT (SS) IN THE AMOUNT OF \$158,000.00 PURSUANT TO THE REPORT OF THE DIRECTOR OF FINANCE FOR THE TOWN OF HAVERSTRAW FOR THE PERIOD ENDING DECEMBER 31, 2009. (SEE ATTACHED BUDGET ADJUSTMENTS.)

SCHEDULE PUBLIC HEARING – ADOPTION OF LOCAL LAW TO AMEND CHAPTER 137-27- SPECIFIC POLLUTANT LIMITATIONS

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

145-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY SCHEDULE A PUBLIC HEARING TO CONSIDER ADOPTING A LOCAL LAW TO AMEND CHAPTER 137-27- SPECIFIC POLLUTANT LIMITATIONS. SAID PUBLIC HEARING WILL BE HELD ON MONDAY, MARCH 8, 2010 AT 8:05 P.M. AT THE TOWN HALL, ONE ROSMAN ROAD, GARNERVILLE, NEW YORK, AND BE IT FURTHER

RESOLVED, THAT THE TOWN CLERK SHALL PUBLISH SAID NOTICE AND ALL PERSONS ARE INVITED TO ATTEND AND WILL BE HEARD BY THE BOARD.

RESOLUTION – CONFIRMATION OF NOMINATION OF MICHAEL VIOHL

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

146-10 RESOLVED, THAT ACCORDING TO THE RULES AND REGULATIONS OF THE ROCKLAND COUNTY DEPARTMENT OF PERSONNEL THIS CERTIFICATION OF ELIGIBLES #08200, WILL CONFIRM THE NOMINATION OF MICHAEL VIOHL TO THE POSITION OF POLICE OFFICER ON FEBRUARY 8, 2010 FOR THE TOWN OF HAVERSTRAW.

APPROVAL OF SITE PLAN APPLICATION OF METRO PCS FOR A WIRELESS COMMUNICATION

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

147-10 WHEREAS, THE APPLICANT HAS SUBMITTED A REQUEST FOR APPROVAL OF A WIRELESS COMMUNICATION FACILITY TO BE CO-LOCATED ON TOWN PROPERTY, AND

WHEREAS, THE TOWN BOARD HAS DETERMINED THAT THE APPLICATION IS EXEMPT FROM THE REQUIREMENTS OF THE TOWN'S WIRELESS COMMUNICATIONS FACILITIES LAW BUT HAS NONETHELESS

TOWN BOARD
GARNERVILLE, NY
FEBRUARY 22, 2010

REQUESTED THAT THE PLANNING BOARD REVIEW THE APPLICATION AND MAKE A RECOMMENDATION, AND

WHEREAS, THE PLANNING BOARD HAS REVIEWED THE APPLICATION AND OBTAINED REPORTS FROM ITS CONSULTANTS ON THE PROPOSAL, AND

WHEREFORE, THE PLANNING BOARD FOUND THAT IT HAD NO OBJECTIONS, AND

WHEREAS, THE TOWN BOARD DETERMINES THAT THERE IS AN APPROPRIATE GAP IN COVERAGE THAT WILL BE FILLED BY THIS FACILITY, IT IS THEREFORE

RESOLVED, THAT THE TOWN BOARD DECLARES ITSELF LEAD AGENCY IN REGARD TO THE SITE PLAN APPLICATION AND THAT THE PROPOSED WIRELESS COMMUNICATIONS FACILITY HAS NO ADVERSE ENVIRONMENTAL IMPACTS AND THE ACTION IS AN UNLISTED ACTION, AND BE IT FURTHER

RESOLVED, THAT THE HAVERSTRAW TOWN BOARD ISSUES A NEGATIVE DECLARATION UNDER THE SEQRA LAW, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD HEREBY APPROVES THE SITE PLAN APPLICATION OF METRO PCS FOR A WIRELESS COMMUNICATION FACILITY TO BE CO-LOCATED ON THE TOWN OF HAVERSTRAW POLICE STATION FLAGPOLE.

PUBLIC PARTICIPATION

Michael Greco, Lt. New York State Troopers stated that he would like to thank the Town of Haverstraw for all of their help over the last 13 years for assisting him and the Rockland Road Runners' 5 Mile Turkey Trot held at Rockland Lake every Thanksgiving. Mr. Greco stated that it is also time for him to pass the baton on to someone else and that on behalf of the Road Runners would like to thank Supervisor Howard Phillips, Town Board members and Mike Cotier, Park Director for their support throughout the years.

Sandra Bullock, Thiells stated that she is a resident of the Town of Haverstraw and that this is her second board meeting. Why was no information given after the resolutions were passed? It was done in record time.

Supervisor Phillips stated that we have moving a little faster tonight because of the first Annual Heart of Haverstraw Award presentation. However, we reserve the public participation time for any questions, comments or statements that the public may have. All municipalities follow this procedure so the agenda runs smooth unless there is a public hearing.

Sandra Bullock, Thiells stated that you did not explain the budget adjustments.

Michael Gamboli, Director of Finance stated that we analyze each Fund Budget lines on a monthly basis. When a budget line expenditure exceeds their original budget within a certain Fund, transfers are made from other budget lines within the same Fund that have not exceeded their original budget.

Supervisor Phillips stated that we are extremely proud of our audit and received no comments about our accounting system.

Al Arlitz, 17 Hillside Drive, Thiells asked why the Journal News does not put a summary of the Town Board meetings in the paper anymore or make announcements if something is going on in the Town.

TOWN BOARD
GARNERVILLE, NY
FEBRUARY 22, 2010

Supervisor Phillips stated that we send in the Town Board resolution to the Journal News. The staff at the Journal News has diminished. We called the Journal News reporter to be here tonight but she could not come. She asked if we could send her a photo of tonight's event.

Al Arlitz, 17 Hillside Drive, Thiells stated that he would send a letter to the Journal News.

BOARD MEMBERS

Supervisor Phillips stated that the Youth Board went to see the Broadway play "In the Heights". Approximately 80 people attended this event. The Board is doing an excellent job.

St. Peter's Parish had a fundraiser this past weekend to raise money for a new school gym floor and stage.

PRESENTATION OF ANNUAL HEART OF HAVERSTRAW LIFETIME ACHIEVEMENT AWARD CEREMONY

Supervisor Phillips and the Town Board presented the first Annual Heart of Haverstraw Lifetime Achievement Award. The winner of the award was Gary Zeh. Gary Zeh is a lifelong resident of the Village of Haverstraw. He is a very generous and dedication person who is always willing to help others. He was an active member in the Haverstraw Little League, Boy & Girl Scouts, PBA and St. Peter's Parish. The four runner-ups are Rita DiCarlo, Judy O'Sullivan, George Wargo, Sr. and Marian Gutierrez. Gary Zeh's daughter, Renee Zeh Garrison, accepted the award for her father.

ADJOURNMENT

148-10 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Phillip Perry, Marilyn Marchand, Reginald J. Beaney, Edward J. Kall, Richard Dillon, John Confrey, Edoardo Ielovich, Catherine Lopez and Arlene Metellus, 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 Soto, seconded by Councilman Gould the Town Board Meeting was adjourned.

JOSEPHINE E. CARELLA
Town Clerk