

TOWN BOARD
GARNERVILLE, NY
NOVEMBER 13, 2012

The Town Board of the Town of Haverstraw held a Public Hearing on Tuesday, November 13, 2012 at 8:00 p.m. in the Meeting Room of the Town Hall, One Rosman Road, Garnerville, New York.

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

RESCHEDULE OF PUBLIC HEARING
11 BRISMAN DRIVE, THIELLS, NEW YORK

Supervisor Phillips stated that the purpose of this Public Hearing is pursuant to the Town of Haverstraw Town Code, Section 127-31A, for the property located at 11 Brisman Drive, Thiells, New York, Tax Lot ID#25-12-2.6 to authorize removal of nuisance hazard debris and litter by the Town of Haverstraw due to the failure of the owner to comply with the requirements of the Town of Haverstraw for removal of said debris. The First Deputy read proof of publication and presented the Affidavit of Publication to the Board.

PRESENTATION BY WILLIAM STEIN, TOWN ATTORNEY

William Stein, Town Attorney stated that there is a substantial amount of illegal dumping of material in the backyard of 11 Brisman Drive, which is affecting the neighborhood. Mr. Gene Barnum, Building Inspector, has counseled the property owner on cleaning it up and the owner doesn't know what to do. He doesn't have the money. An affidavit was signed by Mr. Barnum stating that he posted six posters on the property and certified letters were mailed to the property owner notifying him of the public hearing. Mr. Barnum will be here on November 26th to present the testimony.

PUBLIC PARTICIPATION

None.

ADJOURNMENT

405-12 On motion by Councilman Soto and seconded by Councilman Cancel, unanimously adopted, the Public Hearing was adjourned to November 26, 2012 at 8:00 p.m.

RAQUEL VENTURA
First Deputy

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The Town Board of the Town of Haverstraw met at a Regular Meeting on Tuesday, November 13, 2012 at 8:05 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

406-12 PUBLIC HEARING AND TOWN BOARD MEETING OF OCTOBER 22, 2012, submitted by the Town Clerk on motion by Councilman Cancel, seconded by Councilman Gould, were unanimously adopted.

PAYMENT OF BILLS

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

407-12 RESOLVED, that bills numbered 3,702 through and including 3,950 in the amount of \$300,280.34 be and they are hereby paid; and Highway Vouchers numbered 554 through and including 572 in the amount of \$10,589.03 audited at this meeting, be and they are hereby paid.

ACCEPTANCE OF REPORTS

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

408-12 RESOLVED, THAT THE FOLLOWING POLICE ACTIVITY REPORT HAS BEEN SUBMITTED AND IS HEREBY ACCEPTED: POLICE DEPARTMENT ACTIVITY REPORT FOR THE MONTH OF SEPTEMBER 2012.

AUTHORIZATION TO SETTLE TAX CERTIORARI – AJ CANGIALOSI REALTY

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

409-12 RESOLVED, THAT UPON THE RECOMMENDATION OF DAVE ADAMS, TOWN ASSESSOR, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SETTLEMENT FOR THE AJ CANGIALOSI REALTY (THREE FAMILY RESIDENCE 27.37-2-71) 71-73, ON BROADWAY IN THE VILLAGE OF HAVERSTRAW, NEW YORK FOR TAX YEAR 2012 BASED UPON THE FOLLOWING:

YEAR	CURRENT ASSESSMENT	REVISED ASSESSMENT	REDUCTION AMOUNT	% REDUCTION	EST REFUND
2012	386,100	215,000	171,100	44%	\$697
				Total	\$697

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**AGREEMENT WITH KVS INFORMATION SYSTEMS, INC. AND THE TOWN OF
HAVERSTRAW**

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

410-12 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH KVS INFORMATION SYSTEMS, INC. TO UPDATE THE ACCOUNTING SOFTWARE SYSTEM FOR THE TOWN OF HAVERSTRAW IN THE AMOUNT OF \$1,295.00.

BUDGET ADJUSTMENTS FOR PERIOD ENDING 10/31/2012

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

411-10 RESOLVED, THAT THE SUPERVISOR IS AUTHORIZED TO MAKE BUDGET ADJUSTMENTS FROM THE GENERAL FUND (A) IN THE AMOUNT OF \$240,000.00; HIGHWAY (DA) IN THE AMOUNT OF \$5,000.00; HIGHWAY (DB) IN THE AMOUNT OF \$75,000.00 AND SEWER FUND (SS) IN THE AMOUNT OF \$110,000.00 PURSUANT TO THE REPORT OF THE DIRECTOR OF FINANCE FOR THE TOWN OF HAVERSTRAW FOR THE PERIOD ENDING OCTOBER 31, 2012. (SEE ATTACHED BUDGET ADJUSTMENTS.)

**ADOPTION OF HOMESTEAD ADJUSTED BASE PROPORTIONS FOR THE TOWN
OF HAVERSTRAW**

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

412-12 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF DAVID ADAMS, ASSESSOR, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HERE BY ADOPT THE HOMESTEAD ADJUSTED BASE PROPORTIONS TO BE USED FOR THE 2013 TOWN TAX LEVY.

AGREEMENT WITH NEXTERA ENERGY AND THE TOWN OF HAVERSTRAW

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

413-12 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH NEXTERA ENERGY OF HOUSTON, TEXAS TO PROVIDE ELECTRIC SUPPLY FOR TOWN OF HAVERSTRAW STREET LIGHTS FOR A FIXED RATE OF .05549 PER KWH FROM DECEMBER 1, 2012 THROUGH NOVEMBER 30, 2015.

**AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND NYACK HOSPITAL
EMPLOYEE ASSISTANCE PROGRAM**

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

414-12 RESOLVED, UPON THE RECOMMENDATION OF THE TOWN BOARD OF THE TOWN OF HAVERSTRAW THE SUPERVISOR IS HEREBY AUTHORIZED TO ENTER INTO AN AGREEMENT WITH NYACK HOSPITAL FOR THE

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PURPOSES OF PROVIDING TO THE TOWN EMPLOYEES AN EMPLOYEE ASSISTANCE PROGRAM, AND BE IT FURTHER

RESOLVED, THAT SAID AGREEMENT SHALL COMMENCE ON JANUARY 1, 2013 AND EXPIRE ON DECEMBER 31, 2013, AND BE IT FURTHER

RESOLVED, THAT SAID AMENDED AGREEMENT SHALL BE AT A TOTAL COST OF \$7,500.

SCHEDULE PUBLIC HEARING TO AMEND CHAPTER 103-7 (D) TERM OF PERMIT

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

415-12 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY SCHEDULE A PUBLIC HEARING TO AMEND CHAPTER 103-7 (D) ENTITLED, "TERM OF PERMIT" OF THE TOWN CODE IN THE TOWN OF HAVERSTRAW. SAID PUBLIC HEARING WILL BE HELD ON MONDAY, NOVEMBER 26, 2012 AT 8:00 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.

PUBLIC PARTICIPATION

Rochelle Sternheim, Riverside Assisted Living, Haverstraw, NY asked the board what the Nyack Hospital Employee Assistance Program was and why doesn't the Village of Nyack contribute to the cost.

Supervisor Phillips stated that the Nyack Hospital Employee Assistance Program is a program for the employees and their families of the Town that provide professional and confidential counseling to help resolve problems such as drug abuse, depression, personal problems, etc. The Village does not contribute because it's the hospital not the Village.

Ilan Schulein, Hillside Drive, Thiells thanked the Town for their quick response in cleaning up the debris from Hurricane Sandy. He asked the Supervisor and the Board if there has been any update on the limited use of leaf blowers in the Town.

Supervisor Phillips stated that we looked into the matter and we are not inclined to do anything at this time. We want to see if there are any other complaints from the public, which we have not received. The Town Board and I are leaving it alone at this time.

Ilan Schulein, Hillside Drive, Thiells asked the Board if they would be willing to do a memorializing resolution concerning the closing of Ridge Road in the Town of Clarkstown.

Supervisor Phillips stated that a memorializing resolution has no affect – they have no weight. I have informed Supervisor Gromack that we are behind him and we will take care of Haverstraw.

Ilan Schulein, Hillside Drive, Thiells asked the Board if the Town participates in shared resources with other towns.

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Supervisor Phillips stated that we already do that with the County of Rockland by using their state bids. There are a number of county roads that need repair and stream maintenance is needed also in parts of the Town. The County has no money. If the Town repairs these roads and maintains the streams the County cannot guarantee reimbursement to the Town. There are also shared services that we are no longer getting reimbursed for such as the Intel and Narcotics Task Force, community college tuition fees, Board of Election fees and miscellaneous costs as well.

Ilan Schulein, Hillside Drive, Thiells thanked the Director of Finance and the Town Attorney for taking the time and explaining to him the complexity of the negotiations regarding GenOn.

Supervisor Phillips then read a “Thank you” letter from resident Tom Cooney of Thiells thanking the Supervisor and board members for being a responsive local government.

Supervisor Phillips thanked all of the police officers who responded to Hurricane Sandy. The officers were out there during the storm assisting with down trees, as well as the Highway and Parks Department. Our employees were out and doing their job and the Board and I would like to thank and compliment all of our staff.

The Town is looking at Marian Shrine as a local place that can accommodate the residents during power outages and storms. The Shrine has all of the amenities such as bathrooms, showers, a kitchen, beds, etc.

Councilman Cancel thanked the Midget Football for supplying portable lights in the Village of Haverstraw.

Councilman Gamboli thanked the all of the Volunteer Fire Departments - not enough can be said for all they did.

Mel Post, 1422 Roundpointe Drive, Haverstraw, NY stated that on behalf of the Harbors, he would like to thank all of the Councilmen that were at the Harbors during the storm and to all of the Fire Departments who did the most unbelievable jobs pumping out the garages. Thank you once again.

ADJOURNMENT

416-12 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight’s meeting in memory of Andrew John Yarusinsky, Arnaldo Antonio Cruz, Juan J. Germosen, Jenny Ruth Revheim, Carmine J. Paone, John E. Paolini, Julie Mercado Rivera, Mary E. Murphy and Alma Louise Petry-Hammer, who recently passed away. Supervisor Phillips and the Town Board members further extended their condolences and sympathy to the families. Thereafter, a motion was made by Councilman Gamboli, seconded by Councilman Cancel to adjourn the Town Board Meeting.

RAQUEL VENTURA
First Deputy