

TOWN BOARD
GARNERVILLE, NY
JANUARY 14, 2013

The Town Board of the Town of Haverstraw held a Public Hearing on Monday, January 14, 2013 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 (Absent)
Councilman	John J. Gould
Councilman	Hector L. Soto

**CONTINUATION OF PUBLIC HEARING
TO AMEND CHAPTER 167 BY MAKING MINOR CORRECTIONS**

Supervisor Phillips stated that the purpose of this Public Hearing is to consider adopting a local law to amend Chapter 167 of the Code of the Town of Haverstraw entitled, "Zoning" by making minor corrections. The Town Clerk read proof of publication and presented the Affidavit of Publication to the Board.

PRESENTATION BY STEVEN SILVERBERG, ATTORNEY FOR PLANNING AND ZONING

Steven Silverberg, Attorney for Planning and Zoning stated that this public hearing is a continuation of the public hearing from last month and to address an issue that has come up a number of times regarding town parking requirements. Over the years we found that the Town's standards for parking were not conforming to current standards. The County Planning Department has written to the Town and stated: "We researched parking standards for shopping centers that are over 200,000 square feet and concur that the proposed standard of one parking space for every 250 square feet of Gross Leasable Area is an acceptable parking standard." The reduced amount of parking spaces reduces the amount of drainage and runoff. After the last hearing it was necessary to wait to give notice to other municipalities and the County. We received a letter from the County of Rockland which, as noted, concurred that the new standard is acceptable for parking. There was also a typo in the draft of the amendment showing in one place spaces that are 9 x 18 and then following that we had 9 x 19. The County pointed out the discrepancy and we have corrected the draft so that it reads 9 x 18 in both places. I don't believe that any other comments have been submitted on this.

Supervisor Phillips stated that this is very acceptable and beneficial to the local communities.

PUBLIC PARTICIPATION

Leslie Sanderson on behalf of the Village of Pomona read the attached statement.

Steve Silverberg, Attorney for Planning and Zoning stated that in response to the statement that was just read the statement contains general assumptions. But the studies that have been done by recognized authorities indicate that these are appropriate. Therefore the only purpose in doing more studies as suggested by the last speaker would be to take more time to do more studies when all of the information indicates these are proper standards. It is important to note that the County Department of Planning agreed that these are reasonable standards. There is nothing new here other than that Pomona is focused on the change obtained by Minisceongo Park.

BOARD MEMBERS

No comment.

TOWN BOARD
GARNERVILLE, NY
JANUARY 14, 2013

CLOSE PUBLIC HEARING

66-13 On motion by Councilman Cancel and seconded by Councilman Gould, unanimously adopted, the Public Hearing was closed.

**RESOLUTION ADOPTING PROPOSED LOCAL LAW NO. 6 OF 2012
AMENDING THE TOWN ZONING CODE**

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

67-13 WHEREAS, it has been a number of years since the Town reviewed and revised its parking requirements, and

WHEREAS, current standards for parking in multi-user shopping centers, by such recognized organizations as the Urban Land Institute recommend smaller parking spaces and fewer parking spaces for multi-user shopping centers than the Town Zoning Code currently provides, and

WHEREAS, the proposed local law was circulated in accordance with General Municipal Law and

WHEREAS, the Rockland County Department of Planning has recommended the adoption of the proposed local law noting in part “we have researched parking standards for shopping centers that are over 200,000 square feet and concur that the proposed standard of one parking space for every 250 square feet of Gross Leasable Area is an acceptable parking standard.”, and

WHEREAS, the County Department of Planning noted that there was an inconsistency in the proposed local law listing the width of parking spaces as 18 feet and later 19 feet and the County suggested correcting that to read 18 feet, in order to be internally consistent.

NOW THEREFORE,

BE IT RESOLVED, that the Town Board declares itself lead agency pursuant to the State Environmental Quality Review Act (SEQRA) and finds this to be a TYPE I action under SEQRA, and

BE IT FURTHER RESOLVED, that the Town Board hereby adopts the annexed SEQRA Negative Declaration finding that the proposed amendment requires no further environmental review, and

BE IT FURTHER RESOLVED, that for the foregoing reasons the Town Board hereby adopts Local Law No.6 of 2012 as corrected to address the comment of the County Department of Planning as to the width of parking spaces, noted above.

KAREN L. BULLEY
Town Clerk

TOWN BOARD
GARNERVILLE, NY
JANUARY 14, 2013

The Town Board of the Town of Haverstraw held a Public Hearing on Monday, January 14, 2013 at 8:05 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 (Absent)
Councilman	John J. Gould
Councilman	Hector L. Soto

PUBLIC HEARING - COMMUNITY DEVELOPMENT 2013 PROGRAM

Supervisor Phillips stated that the purpose of this Public Hearing is to discuss the Rockland County Consortium of Town and Villages Community Development Citizens Viewpoint 2013 Program. The County of Rockland publishes the legal notice.

PRESENTATION BY HOWARD T. PHILLIPS, JR., SUPERVISOR

Howard T. Phillips, Jr., Supervisor stated that the County of Rockland published the Legal Notice in the Journal News for this hearing. It is a proforma public hearing that is held every year to see what federal funds are available through Rockland County Community Development Agency. The Town of Haverstraw's Citizens Advisory Board has met and will make their recommendations on how to use the money for the 2013 program. With Hurricane Sandy, we are focusing our efforts to protect the shoreline at Bowline Point Park. We believe that FEMA will not reimburse us in full and we will try to secure State and Federal funding to construct three jetties along the shoreline of Bowline and the Hudson River to prevent further erosion. Approximately 25 feet of the shoreline has been lost and we don't want to lose anymore.

PUBLIC PARTICIPATION

Rochelle Sternheim, Riverside Assisted Living, Haverstraw, NY stated that she agreed with the Board.

BOARD MEMBERS

No Comments.

CLOSE HEARING

68-13 On motion by Councilman Gould, seconded by Councilman Soto, unanimously adopted, the Public Hearing was closed.

ADOPT RESOLUTION - REQUEST FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

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

69-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY REQUESTS THAT THE FOLLOWING PROJECT BE CONSIDERED FOR THE AWARD OF COMMUNITY BLOCK GRANT FUNDS FROM THE ROCKLAND COUNTY COMMUNITY DEVELOPMENT CONSORTIUM: BOWLINE IMPROVEMENTS FOR SHORELINE, SEA WALL AND JETTIES.

KAREN L. BULLEY

Town Clerk

TOWN BOARD
GARNERVILLE, NY
JANUARY 14, 2013

The Town Board of the Town of Haverstraw held a Public Hearing on Monday, January 14, 2013 at 8:10 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 (Absent)
Councilman	John Gould
Councilman	Hector L. Soto

PUBLIC HEARING - ADOPTION OF 2013 GOLF RATES

Supervisor Phillips announced that this Public Hearing is being held for the purpose of discussing and adopting the Golf Rates for the Philip J. Rotella Memorial Golf Course for the 2013 season.

PRESENTATION BY SUPERVISOR HOWARD T. PHILLIPS, JR.

Supervisor Phillips stated that we are not going to adopt any rates tonight. We have a good bargain in Rockland County and we are very accommodating to many of the non-for-profit events, senior citizen camps as well as youth camps, high school clinics and afternoon leagues. The Philip J. Rotella Memorial Golf Course has hosted the following events: The ESPN National Local Team Qualifier; 2012 Maccabi Games sponsored by the RC JCC Maccabi bringing golfers from 15 different countries; Golf Channel Amateur Tour Event; Junior RCC Eastern 13 Regional Championships; RC High School Championship; Hudson Valley Special Olympics, and the 5th Annual Rally for the Cure for Breast Cancer and the Parent-Child Tournament.

BOARD MEMBERS

No comment.

PUBLIC PARTICIPATION

None.

PUBLIC HEARING

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

70-13 **RESOLVED**, that the Town Board of the Town of Haverstraw, does hereby keep the Public Hearing for the Adoption of the 2013 Golf Rates open in order to resume discussion of the rates. The Public Hearing will be continued on Monday, January 28, 2013 at 8:00 pm.

KAREN L. BULLEY

Town Clerk

TOWN BOARD
GARNERVILLE, NY
JANUARY 14, 2013

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, January 14, 2013 at 8:15 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

71-13 ADOPTION OF TOWN BOARD MINUTES - 2013 TAX RATE MEETING OF DECEMBER 21, 2012 AND REORGANIZATION MEETING OF JANUARY 3, 2013, 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 Soto, and on roll call unanimously adopted.

72-13 RESOLVED, that bills numbered 1 through and including 199 in the amount of \$729,313.75 be and they are hereby paid; and Highway Vouchers numbered 1 through and including 39 in the amount of \$32,330.81 audited at this meeting, be and they are hereby paid.

ACCEPTANCE OF REPORTS

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

73-13 RESOLVED, THAT THE FOLLOWING POLICE ACTIVITY REPORT HAS BEEN SUBMITTED AND IS HEREBY ACCEPTED: POLICE DEPARTMENT ACTIVITY REPORT FOR THE MONTH OF NOVEMBER 2012.

The Boy Scout Pack #1 was in the audience and asked the Supervisor and Board members several questions concerning Town Government. They asked questions such as why do we have laws, how can we help law enforcement or police officers as citizens, what rights do we have as citizens and why do we have government and how do we pay for government. It was explained to the Boy Scouts that laws are needed to protect the people and the citizens and taxes are paid to take care of the services that you receive within the Town.

Councilman Gould stated that we can help the police by getting to know the officers. They are here to help you and if you have information that you can forward to them it would help.

Councilman Cancel stated you can help out by if you see something and call immediately. There are people here to help and protect you.

Supervisor Phillips stated that the Towns of Haverstraw and Stony Point participate in a program known as the North Rockland Police Youth Academy. There is also the Explorer's Program which is a youth court and the kids are the judge and prosecutor. People are brought into the court and are judged by their peers.

TOWN BOARD
GARNERVILLE, NY
JANUARY 14, 2013

Some of our rights as citizens are the right to bear arms, the right to vote, freedom of speech. We have a lot of freedoms in the United States.

Councilman Soto stated that we, the Councilmen, are here because of the right to vote and you selected the candidates that you like.

Supervisor Phillips stated that local governments are only allowed to have legislation that the State and Federal Government gives us. On the town level for example, when it snows our Highway Dept. makes sure the roads are clear.

As the Supervisor some of my duties consist of running Bowline Park and the Police Dept. The Chief of Police must answer to the elected officials. I also oversee the Building Dept., golf course, Justice Court, etc.

The Supervisor appreciated all of the questions and was glad to see that the Boy Scouts took a strong interest in Town government.

SUPERVISOR PHILLIPS MOTIONED TO TAKE A TWO MINUTE RECESS.

AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND KNIGHTS OF COLUMBUS

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

74-13 THE TOWN BOARD HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE KNIGHTS OF COLUMBUS OF HAVERSTRAW FOR USE OF THE KNIGHTS OF COLUMBUS HALL BY THE TOWN OF HAVERSTRAW SENIOR CITIZENS' CLUB AT AN ANNUAL COST OF \$7,200.00.

EXTENSION OF LICENSE AGREEMENT FOR USE OF THE TOWN OF RAMAPO POLICE FIRING RANGE FACILITY

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

75-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO A LICENSE AGREEMENT WITH THE TOWN OF RAMAPO FOR A ONE (1) YEAR PERIOD TO USE THE RAMAPO POLICE RANGE AT NO COST TO THE TOWN OF HAVERSTRAW.

AGREEMENT BETWEEN THE AMERICAN SOCIETY OF COMPOSERS, AUTHORS & PUBLISHERS (ASCAP) AND THE TOWN OF HAVERSTRAW

Councilman Gould offered the following resolution, which was seconded by

Councilman Cancel, and on roll call unanimously adopted.

76-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE AMERICAN SOCIETY OF COMPOSERS, AUTHORS & PUBLISHERS (ASCAP) FOR THE PURPOSE OF PROVIDING A LICENSE AGREEMENT TO THE TOWN OF HAVERSTRAW TO USE MUSIC AND TO ENSURE COMPLIANCE WITH THE COPYRIGHT LAW FOR TOWN FESTIVALS, FIREWORK CELEBRATIONS, ETC. AT AN ANNUAL COST OF \$327.00, COMMENCING ON APRIL 30, 2013.

TOWN BOARD
GARNERVILLE, NY
JANUARY 14, 2013

AGREEMENT BETWEEN THOMAS J. MAGLARAS AND CARL LINDSLEY, NUISANCE WILDLIFE CONTROL AGENTS & THE TOWN OF HAVERSTRAW

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

77-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THOMAS J. MAGLARAS AND CARL LINDSLEY, NUISANCE WILDLIFE CONTROL AGENTS TO ADDLE CANADIAN GOOSE EGGS AT VARIOUS TOWN PROPERTIES AT A COST OF \$4,750.00.

AGREEMENT BETWEEN THOMAS J. MAGLARAS AND CARL LINDSLEY, NUISANCE WILDLIFE CONTROL AGENTS & THE TOWN OF HAVERSTRAW

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

78-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THOMAS J. MAGLARAS AND CARL LINDSLEY, NUISANCE WILDLIFE CONTROL AGENTS TO TRAP WOODCHUCKS AND REMOVAL AT VARIOUS TOWN PROPERTIES AT A PRICE OF \$475.00 AS THE INITIAL SETUP AND \$105.00 PER WOODCHUCK CAUGHT.

AUTHORIZATION FOR BUILDING INSPECTOR AND ASSISTANT ZONING INSPECTOR TO ATTEND NYSBOC (BUILDING OFFICIALS CONFERENCE) ROCKLAND SPRING 2013 SEMINAR

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

79-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, HEREBY GRANTS PERMISSION FOR EUGENE BARNUM, BUILDING INSPECTOR AND FRED VIOHL, ASSISTANT ZONING INSPECTOR, TO ATTEND THE NYSBOC (BUILDING OFFICIALS CONFERENCE) ROCKLAND SPRING 2013 SEMINAR REQUIRED TRAINING CONFERENCE TO BE HELD FROM APRIL 30, 2013 TO MAY 2, 2013 IN NYACK, NEW YORK AT A COST OF \$275.00 PER PERSON.

RETAINER AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND BERARD & DONAHUE, CPA, PC

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

80-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY RETAINS THE SERVICES OF BERARD & DONAHUE, CPA, PC OF SUFFERN, NEW YORK FOR THE PURPOSE OF PROVIDING AUDITING SERVICES PURSUANT TO THE

LEASE AGREEMENT WITH THE HAVERSTRAW MARINA CORPORATION (HMC) FOR THE PERIOD ENDING APRIL 30, 2012, AT A COST OF \$3,6000.00.

TOWN BOARD
GARNERVILLE, NY
JANUARY 14, 2013

EXTENSION OF AGREEMENT WITH HARBRIDGE CONSULTING GROUP, LLC

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

81-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY ELECTS TO EXERCISE THE OPTION TO EXTEND THE AGREEMENT WITH HARBRIDGE CONSULTING GROUP, LLC TO PROVIDE ACTUARIAL SERVICES FOR COMPLIANCE WITH GASB STATEMENT NO. 45 AT A COST OF \$9,800.00 FOR 2013 FULL VALUATION; FOR 2014 INTERIM VALUATION FOR \$2,500.00; FOR 2015 FULL VALUATION FOR \$10,000.00 AND FOR 2016 INTERIM VALUATION FOR \$2,500.00.

AWARD OF RFQ #1-2013 SOIL TESTING AT BOWLINE POINT PARK

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

82-13 RESOLVED, THAT ONE (1) REQUEST FOR QUOTE WAS SUBMITTED TO MICHAEL COTIER, PARK DIRECTOR FOR SOIL TESTING IN THE PLAYGROUND AREAS AT BOWLINE POINT PARK IN THE TOWN OF HAVERSTRAW , AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD THE RFQ TO AQUA PRO TECH LABS, OF FAIRFIELD, NEW JERSEY, THE SOLE QUOTE, AT A TOTAL COST OF \$3,600.00.

AUTHORIZATION TO BID - BID NO. 1-2013 INSTALL NEW ROOFS FOR BATHHOUSE AND CONCESSION BUILDINGS AT BOWLINE POINT PARK

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

83-13 RESOLVED, THAT ON THE RECOMMENDATION OF MICHAEL COTIER, DIRECTOR OF PARKS, THE TOWN CLERK BE AND SHE HEREBY IS 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, FEBRUARY 15, 2013, FOR THE RECEIPT OF BIDS TO INSTALL NEW ROOFS FOR BATHHOUSE AND CONCESSION STAND BUILDINGS AT BOWLINE POINT PARK, 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 - BID NO. 2-2013 SUPPLY AND DELIVER ONE (1) NEW POOL COVER FOR POOL AT BOWLINE POINT PARK

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

84-13 RESOLVED, THAT ON THE RECOMMENDATION OF MICHAEL COTIER, DIRECTOR OF PARKS, THE TOWN CLERK BE AND SHE HEREBY IS AUTHORIZED TO PUBLISH A NOTICE TO BIDDERS THAT SEALED PROPOSALS WILL BE RECEIVED AT HER OFFICE AT ONE ROSMAN ROAD, GARNERVILLE,

TOWN BOARD
GARNERVILLE, NY
JANUARY 14, 2013

NEW YORK, UP TO AND INCLUDING 11:30 A.M. ON FRIDAY, FEBRUARY 15, 2013, FOR THE RECEIPT OF BIDS TO SUPPLY AND DELIVER ONE (1) NEW POOL COVER FOR POOL AT BOWLINE POINT PARK 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 - BID NO. 3- 2013 - SANITARY LANDFILL TESTING

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

85-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE ADVERTISEMENT 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 1, 2013 THROUGH DECEMBER 31, 2014), 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 TUESDAY, FEBRUARY 5, 2013.

TAX CERTIORARI - A.P.C. CORP (KFC & PIZZA HUT)

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

86-13 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 A.P.C. CORP. (KFC & PIZZA HUT 26.07-4-3), LOCATED AT 48 SOUTH ROUTE 9W IN THE VILLAGE OF WEST HAVERSTRAW, NEW YORK FOR TAX YEARS 2009-2012 BASED UPON THE FOLLOWING:

	ORIGINAL	REVISED	REDUCTION	%	EST
YEAR	ASSESSMENT	ASSESSMENT	AMOUNT	REDUCTION	REFUND
2009	1,356,500	825,000	531,500	39%	\$0
2010	1,356,500	825,000	531,500	39%	\$4,512
2011	1,356,500	825,000	531,500	39%	\$5,924
2012	1,356,500	825,000	531,500	39%	\$6,871
				Total	\$17,307

TOWN BOARD
GARNERVILLE, NY
JANUARY 14, 2013

AUTHORIZATION FOR GREENSKEEPER AND GROUNDWORKER TO ATTEND NYS TURFGRASS ASSOCIATION-SOUTHEAST REGIONAL CONFERENCE

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

87-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, HEREBY GRANTS PERMISSION FOR CALVIN FOWX, GREENSKEEPER AND EDWARD COURTNEY, GROUNDWORKER, TO ATTEND THE NYS TURFGRASS ASSOCIATION-SOUTHEAST REGIONAL CONFERENCE TO BE HELD ON JANUARY 22 & 23, 2013 AT THE RAMAPO INN IN FISHKILL, NEW YORK AT A COST NOT TO EXCEED \$800.00.

AUTHORIZATION FOR TOWN CLERK TO ATTEND 2013 ASSOCIATION OF TOWNS ANNUAL MEETING

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

88-13 RESOLVED, UPON THE RECOMMENDATION OF HOWARD T. PHILLIPS, SUPERVISOR, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPROVE KAREN L. BULLEY, TOWN CLERK TO ATTEND THE 2013 TRAINING SCHOOL AND ANNUAL MEETING FOR NEW YORK STATE MUNICIPALITIES TO BE HELD FROM FEBRUARY 17-20, 2013 AT THE HILTON NEW YORK TO COVER DAILY COST ON A DAILY BASIS AT A COST OF \$800.00.

AUTHORIZATION TO BID - BID NO. 4-2013 - SUPPLY AND DELIVER TWO (2) NEW 2012 OR 2013 MODEL YEAR 350/3500 ONE (1) TON DRW TWO WHEEL DRIVE 12 FOOT GRAIN BODY DUMP TRUCKS FOR THE TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT

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

89-13 RESOLVED, THAT ON THE RECOMMENDATION OF SENIOR MECHANIC, THE TOWN CLERK BE AND SHE HEREBY IS 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, FEBRUARY 8, 2013, FOR THE RECEIPT OF BIDS TO SUPPLY AND DELIVER TWO (2) NEW 2012 OR 2013 MODEL YEAR 350/3500 ONE (1) TON DRW TWO WHEEL DRIVE 12 FOOT GRAIN BODY DUMP TRUCKS FOR THE TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT, 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.

TOWN BOARD
GARNERVILLE, NY
JANUARY 14, 2013

**AGREEMENT BETWEEN THE COUNTY OF ROCKLAND AND THE TOWN OF
HAVERSTRAW (RIRC) REGIONAL INVESTIGATIVE RESOURCE CENTER**

Councilman Cancel offered the following resolution, which was seconded by Councilman Soto, and on roll call unanimously adopted.
Councilman Gould recused himself from voting on this resolution.

90-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE HOWARD T. PHILLIPS, JR., SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ROCKLAND FOR THE OPERATION OF A REGIONAL INVESTIGATIVE RESOURCE CENTER (RIRC) FOR THE PERIOD AUGUST 1, 2012 THROUGH JULY 31, 2014 AND AUTHORIZE EXECUTION OF THE AGREEMENT BY THE COUNTY EXECUTIVE (OFFICE OF THE DISTRICT ATTORNEY).

**APPROVAL OF MEMORANDUM OF AGREEMENT WITH TOWN OF HAVERSTRAW
HIGHWAY DEPARTMENT**

The full Town Board, with the exception of Councilman Gamboli, approved the following resolution.

91-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO EXECUTE A MEMORANDUM OF AGREEMENT WITH THE TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT AS REPRESENTED BY LOCAL 363 OF THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS FOR 1/1/2013 TO 12/31/2013.

**SCHEDULE PUBLIC HEARING - TO CHANGE BUILDING DEPARTMENT FEES FOR THE
TOWN OF HAVERSTRAW**

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

92-13 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY SCHEDULE A PUBLIC HEARING TO CHANGE THE FEES FOR THE BUILDING DEPARTMENT AT THE TOWN OF HAVERSTRAW. SAID PUBLIC HEARING WILL BE HELD ON MONDAY, JANUARY 28, 2013 AT 8:10 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

Michael Siuta, Pomona, New York stated that he went to the North Rockland School Board to ask them to please bring back the SROs (Student Resource Officer) in the schools and if there is anything the Town can do.

Supervisor Phillips stated that we are very disappointed that the school stopped the SRO. The school discontinued the funding. Our problem is that before we opened our budget the State, County and police costs hit us with expenses that put us in a \$2 million hole.

Councilman Gould stated the Town of Haverstraw was getting short changed and footing the bill for the SRO. It is unfair and that the school district should pay for the SRO from school taxes. Everybody should be paying their fair share. It's the entire community.

TOWN BOARD
GARNERVILLE, NY
JANUARY 14, 2013

Supervisor Phillips stated that he was in agreement with Councilman Gould and that there should be a sharing of services with the Town of Stony Point if the School District cannot pay the SRO salaries. Children that attend Fieldstone and the High School benefit from the Town of Haverstraw SRO. There should be some type of sharing with the Town of Stony Point.

Tom Cooney, Thiells and Ilan Schulan, Thiells were concerned about the Police Department's budget and the cost of police. They asked if the Board ever considered consolidating the police with the other towns, merging or contracting out and if they looked at that as a solution to what's going to be a long-term problem because of State laws you are dealing with. It has a big momentum that is not going to stop and it is totally unaffordable.

Councilman Gould stated that in Westchester County the merger was a disaster.

Supervisor Phillips stated that some of the towns are interested in consolidating and that the one or two other towns that are, don't seem to be interested unless all of the towns or at least four towns are involved. The Supervisor further stated that he believed it would be an ideal solution to the problem and that the greater the flexibility of the Police Department, the more efficient it would become.

Tom Cooney, Thiells stated that it is a very abusive process.

ADJOURNMENT

93-13 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of James T. Brannigan, Charles Puch, Anna Fusco, Daphne I. Rose, Sean Humphrey, Dr. Rev. L. Paul Jaquith, Matthew J. Roff, Frederick Ferris, Mary M. O'Dell, Mary Freeman, Edward Dooley, John C. Williams, Sr., Elizabeth Maher, Philomena Otto, Charles J. Hatala, Sr., Eldon F. Scott, Barbara A. Vanatta, Helen Granata, Vera Natale, Elaine Horan, Luis N. Lopez, Gary Minerick, Patricia Frasco and Arlene Velez, 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 Gould, seconded by Councilman Soto, unanimously adopted, the Town Board Meeting was adjourned.

KAREN L. BULLEY
Town Clerk

STATEMENT MADE BY LESLIE SANDERSON ON BEHALF OF VILLAGE OF POMONA

AT HAVERSTRAW TOWN BOARD PUBLIC HEARING ON JANUARY 14, 2013:
GOOD EVENING. MY NAME IS LESLIE SANDERSON AND I WOULD LIKE TO
READ A STATEMENT SUBMITTED ON BEHALF OF THE VILLAGE OF POMONA.
MAYOR YAGEL IS UNABLE TO ATTEND THIS PUBLIC HEARING BECAUSE OF A
VILLAGE BOARD MEETING IN THE VILLAGE OF POMONA.
THE VILLAGE OF POMONA OBJECTS TO PROPOSED LOCAL LAW NO.6 OF
2012 AND ASKS YOU NOT TO APPROVE IT FOR THE FOLLOWING REASONS:

1. THE TOWN HAS NOT CONDUCTED THE STUDIES REQUIRED BY SEQRA.
THE PROPOSED LOCAL LAW IS A TYPE I ACTION UNDER SEQRA BECAUSE IT
AFFECTS FACILITIES HAVING MORE THAN 100,000 SQUARE FEET OF GROSS FLOOR
AREA AND IT AFFECTS PARKING FOR MORE THAN 1,000 VEHICLES. AS A TYPE I
ACTION, THE PROPOSED LOCAL LAW IS LIKELY TO HAVE A SIGNIFICANT
ADVERSE IMPACT ON THE ENVIRONMENT AND MAY REQUIRE AN
ENVIRONMENTAL IMPACT STATEMENT.

THE FACT THAT THE PROPOSED LOCAL LAW REDUCES THE EXISTING
PARKING REQUIREMENTS MEANS THAT ROADS AND PROPERTIES SURROUNDING
THE SUBJECT SITES MAY BE IMPACTED BY A FAILURE TO PROVIDE ADEQUATE
PARKING ON THE SITES. SAFETY ISSUES, CHANGES IN THE CHARACTER OF A
NEIGHBORHOOD, TRAFFIC PATTERNS, NOISE AND FUMES FROM VEHICLES ARE
ENVIRONMENTAL ISSUES AND CAN BE AFFECTED BY THE PROPOSED LOCAL
LAW. NONE OF THESE ISSUES HAS BEEN STUDIED OR DISCUSSED BY THE TOWN
BOARD AS LEAD AGENCY.

2. THERE SEEMS TO BE NO LEGITIMATE REASON WHY THE PROPOSED
LOCAL LAW WILL APPLY ONLY TO PROJECTS HAVING TOTAL GROSS FLOOR
AREA OF 200,000 SQUARE FEET OR MORE. LOGICALLY, LARGER RETAIL
DEVELOPMENTS SHOULD HAVE MORE PARKING PER SQUARE FOOT THAN
SMALLER DEVELOPMENTS.

FOR EXAMPLE, LARGE RETAIL STORES SELLING GARDEN EQUIPMENT
OR TIRES FOR VEHICLES AND NORMALLY LOCATED WITHIN LARGE SHOPPING
CENTERS WILL DRAW CUSTOMERS FROM LARGER GEOGRAPHIC AREAS AND
THEIR CUSTOMERS WILL SPEND MORE TIME IN THE STORE, REQUIRING MORE
PARKING SPACES THAN WOULD A LOCAL CLEANING STORE IN A SMALL
DEVELOPMENT WHOSE CUSTOMERS ARE IN AND OUT OF THE STORE IN A FEW
MINUTES.

SIMILARLY, VEHICLES PARKING ON THE SITE OF LARGE RETAIL
STORES TEND TO BE LARGER THAN THOSE IN THE SMALLER NEIGHBORHOODTYPE
SHOPPING AREAS BECAUSE THEY ARE NEEDED TO TRANSPORT PIECES
OF EQUIPMENT AND LARGE PACKAGES. THE SIZE OF THE PARKING SPACE FOR
THESE LARGE SHOPPING CENTERS SHOULD NOT BE REDUCED.

3. SECTION 1 OF THE PROPOSED LOCAL LAW DOES NOT PROVIDE A
VALID REASON FOR ITS ADOPTION. A REDUCTION IN THE SIZE OF A BUILDING
OR STRUCTURE WOULD ACHIEVE THE SAME REDUCTION IN IMPERVIOUS
SURFACE AND WATER RUNOFF AND WOULD HAVE FEWER ADVERSE IMPACTS
THAN REDUCING THE NUMBER OF REQUIRED PARKING SPACES. IN ADDITION,
THE SECTION PROVIDES NO REASON FOR THE DISTINCTION BETWEEN FACILITIES
HAVING MORE THAN 200,000 SQUARE FEET AND THOSE HAVING LESS THAN
200,000 SQUARE FEET.

4. THE ENVIRONMENTAL ASSESSMENT FORM PREPARED FOR THIS LOCAL LAW STATES THAT IT IS GENERIC AND THAT SITE SPECIFIC STUDIES WILL BE PERFORMED FOR SPECIFIC APPLICATIONS.

IT IS OBVIOUS THAT THE PROPOSED LOCAL LAW IS INTENDED TO ADDRESS THE DEFICIENCIES IN THE MINISCEONGO PARK SHOPPING CENTER APPROVALS. THE ENVIRONMENTAL IMPACT STATEMENT FOR MINISCEONGO PARK DID NOT CONTAIN ANY STUDIES OR REPORTS ADDRESSING THE SIZE OF PARKING SPACES OR THE REDUCTION IN THE NUMBER OF PARKING SPACES. IT IS ASSUMED, THEREFORE, THAT NEITHER THE TOWN NOR THE APPLICANT WILL ATTEMPT TO APPLY THIS LOCAL LAW TO THAT PROJECT UNLESS THE APPROVALS ARE RESCINDED, ENVIRONMENTAL STUDIES ON THE EFFECT OF REDUCED NUMBERS OF PARKING SPACES AND THEIR SIZES ARE CONDUCTED AND PUBLIC HEARINGS HELD.

IN CONCLUSION, THE BOARD OF TRUSTEES OF THE VILLAGE OF POMONA ASSURES THE TOWN BOARD OF HAVERSTRAW THAT THE PURPOSE OF THIS STATEMENT IS TO RAISE THE SAME QUESTIONS THAT THE VILLAGE WOULD

RAISE IF A SIMILAR LOCAL LAW WERE PROPOSED TO THE VILLAGE. MANY RESIDENTS OF THE VILLAGE ARE ALSO RESIDENTS OF THE TOWN; WE SHARE THE SAME ROADS, SEWER AND STORMWATER SYSTEMS AND NEIGHBORHOODS.

THE VILLAGE AND THE TOWN GOVERNMENTS HAVE ALWAYS HAD A FRIENDLY, COOPERATIVE RELATIONSHIP. WE BELIEVE THAT THE RESIDENTS OF BOTH MUNICIPALITIES BENEFIT WHEN THAT RELATIONSHIP CONTINUES. THE CHARACTER OF OUR SHARED NEIGHBORHOODS AND COMPATIBILITY OF CONTIGUOUS LAND USE PATTERNS ARE AN IMPORTANT PART OF THAT RELATIONSHIP.

THANK YOU.