TOWN BOARD GARNERVILLE, NY MAY 11, 2015

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday May 11, 2015 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

206-15 ADOPTION OF SPECIAL TOWN BOARD MEETING MINUTES OF APRIL 15, 2015, TOWN BOARD MEETING OF APRIL 27, 2015, AND SPECIAL TOWN BOARD MEETING OF MAY 4, 2015 as submitted by the Town Clerk and on motion by Councilman Soto, seconded by Councilman Gould, were unanimously adopted.

PAYMENT OF BILLS

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

207-15 RESOLVED, that bills numbered 1302 through 1451 in the amount of \$556,924.81 and Highway bills numbered 257 through 272 in the amount of \$12,115.00 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.

208-15 RESOLVED, that the following Highway Department Operation Report for the month of April, 2015 has been submitted and are hereby accepted

PUBLIC HEARING - REMOVE CHAPTER 118-2 ENTITLED PARKS, "USE LIMITED" FROM THE TOWN CODE, AND AMEND CHAPTER 118-10 ENTITLED PARKS "ORGANIZED PICNICS AND OUTINGS" PURPOSE OF PUBLIC HEARING

The Town Board of the Town of Haverstraw held a Public Hearing on Monday, May 11, 2015 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
Councilman John J. Gould
Councilman Hector L. Soto

<u>Supervisor Phillips</u> announced that this Public Hearing is being held for the purpose of discussing and adopting a Local Law to remove Chapter 118-2 entitled Parks, "Use Limited" from the Town Code and amend Chapter 118-10 entitled Parks, "Organized Picnics and Outings". The Town Clerk read proof of publication and presented the Affidavit of Publication to the Board

PRESENTATION BY WILLIAM M. STEIN, TOWN ATTORNEY

<u>William M. Stein, Town Attorney</u> stated that this is a minor change. We wanted to make sure that we have a procedure in place for groups and outings; for who can use the park and what the circumstances are.

BOARD MEMBERS

No comments.

PUBLIC PARTICIPATION

No comments.

CLOSE HEARING

209-15 On motion by Councilman Soto and seconded by Councilman Gamboli, unanimously adopted, the Public Hearing was closed.

ADOPT RESOLUTION

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

210-15 RESOLVED, that the Town Board of the Town of Haverstraw, does hereby adopt Local Law No. 2 of 2015 to delete Chapter 118-2 entitled Parks, "Use Limited" from the Town Code and amend Chapter 118-10 entitled Parks, "Organized Picnics and Outings".

CHANGE OF MEETING DATE - MEMORIAL DAY

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

211-15 WHEREAS, THE SECOND MEETING OF THE TOWN BOARD OF THE TOWN OF HAVERSTRAW IN MAY, IS SCHEDULED FOR MONDAY, MAY 25, 2015, THE LEGAL HOLIDAY FOR THE OBSERVANCE OF MEMORIAL DAY, NOW, THEREFORE, BE IT

RESOLVED, THAT THE TOWN CLERK IS AUTHORIZED TO PUBLISH A LEGAL NOTICE THAT SAID MEETING IS HEREBY RESCHEDULED FOR TUESDAY, MAY 26, 2015 AT 8:00 P.M.

CLOSE CAPITAL PROJECT - BOWLINE SHORE MITIGATION PROJECT

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

212-15 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF MICHAEL COTIER, PARK DIRECTOR, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY CLOSE THE CAPITAL PROJECT FOR THE BOWLINE SHORE MITIGATION, AND BE IT FURTHER

RESOLVED, THAT THIS CAPITAL PROJECT WAS BUDGETED IN THE AMOUNT OF \$420,000.00 OF WHICH \$369,140.00 WAS EXPENDED TO COMPLETE

THE ABOVE MENTIONED PROJECT AND \$50,860.00 WILL BE TRANSFERRED BACK TO THE GENERAL FUND.

CLOSE CAPITAL PROJECT – ALARM AND VIDEO SURVEILLANCE PROJECT

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

213-15 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF ALLAN SCHWARTZ, TOWN CONSULTANT, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY CLOSE THE ALARM AND VIDEO SURVEILLANCE CAPITAL PROJECT, AND BE IT FURTHER

RESOLVED, THAT THIS CAPITAL PROJECT WAS BUDGETED IN THE AMOUNT OF \$100,000.00 OF WHICH \$97,158.00 WAS EXPENDED TO COMPLETE THE ABOVE MENTIONED PROJECT AND \$2,842.00 WILL BE TRANSFERRED BACK TO THE GENERAL FUND.

CLOSE CAPITAL PROJECT - LANDFILL STORMWATER DRAINAGE PROJECT

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

214-15 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF PAT BRADY, PE, CONSULTING ENGINEER, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY CLOSE THE LANDFILL STORMWATER DRAINAGE CAPITAL PROJECT, AND BE IT FURTHER

RESOLVED, THAT THIS CAPITAL PROJECT WAS BUDGETED IN THE AMOUNT OF \$80,000.00 OF WHICH \$79,579.80 WAS EXPENDED TO COMPLETE THE ABOVE MENTIONED PROJECT AND \$420.20 WILL BE TRANSFERRED BACK TO THE GENERAL FUND.

ADVERTISE FOR BIDS NO. 6 – 2015 – BUS TRANSPORTATION FOR RECREATION PROGRAM – 2015

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

215-15 RESOLVED, THAT 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 10:00 A.M. ON THURSDAY, MAY 21, 2015, FOR THE RECEIPT OF BIDS FOR THE PROVISION OF BUS TRANSPORTATION FOR THE CHILDREN IN THE TOWN OF HAVERSTRAW'S SUMMER RECREATION PROGRAM 2015 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

RENEWAL OF RETAINER AGREEMENT WITH WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP TO SERVE AS LEGISLATIVE AND LEGAL
COUNSEL

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

216-15 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO A RENEWAL RETAINER AGREEMENT WITH THE LAW FIRM OF WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER, LLP OF ALBANY, NEW YORK TO SERVE AS LEGAL AND LEGISLATIVE COUNSEL IN NEW YORK STATE FOR THE TOWN OF HAVERSTRAW COMMENCING MAY 11, 2015 UNTIL MAY 10, 2016 AT AN ANNUAL COST OF \$50,000.

<u>AUTHORIZATION FOR SUPERVISOR TO ENTER INTO A LICENSE AGREEMENT WITH BMI</u>

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

217-15 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO A ONE YEAR MUSIC PERFORMANCE LICENSE AGREEMENT WITH BMI OF NASHVILLE, TENNESSEE COMMENCING JUNE 1, 2015 FOR THE ANNUAL FEE OF \$335.00.

<u>SURPLUS TWO (2) PORTABLE MOTOROLA RADIOS HT 1250 SERIAL NUMBER</u> <u>749TKND331 & 749TKQ3253</u>

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

218-15 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF CHARLES B. MILLER, CHIEF OF POLICE, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SURPLUSING OF TWO (2) PORTABLE MOTOROLA RADIOS HT 1250 SERIAL NUMBER 749TKND331 & 749TKQ3253 FROM THE TOWN OF HAVERSTRAW POLICE DEPARTMENT WHICH WILL BE DONATED TO THE DAVID B. ROCHE FIRE DEPARTMENT.

SETTLEMENT OF NRG BOWLINE, LLC. LAWSUIT

The following resolution was offered and unanimously adopted by all of the Town Board Members.

219-15 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES SUPERVISOR HOWARD T. PHILLIPS, JR. TO SIGN THE STIPULATION OF SETTLEMENT IN THE MATTER OF NRG BOWLINE, LLC. AGAINST THE TOWN OF HAVERSTRAW ET AL.

BUDGET ADJUSTMENTS FOR PERIOD ENDING IN APRIL 30, 2015

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

220-15 RESOLVED, THAT THE SUPERVISOR IS AUTHORIZED TO MAKE BUDGET ADJUSTMENTS FROM THE GENERAL FUND (A) IN THE AMOUNT OF \$50,000.00, AND PART-TOWN (B) IN THE AMOUNT OF \$50,000.00 PURSUANT TO THE REPORT OF THE DIRECTOR OF FINANCE FOR THE TOWN OF HAVERSTRAW FOR THE PERIOD ENDING APRIL 30, 2015. (SEE ATTACHED BUDGET ADJUSTMENTS.)

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CHANGE OF TOWN BOARD MEETING DATES

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

221-15 RESOLVED, THAT THERE WILL BE ONLY ONE TOWN BOARD MEETING FOR THE MONTHS OF JULY AND AUGUST AND THE SCHEDULE IS AS FOLLOWS:

MONDAY, JULY 13, 2015 AT 8:00 P.M. MONDAY, AUGUST 10, 2015 AT 8:00 P.M.

AND BE IT FURTHER

RESOLVED, THAT THE SECOND TOWN BOARD MEETINGS FOR JULY AND AUGUST 2015 HAVE BEEN CANCELLED.

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

AWARD OF RFQ NO. 6-2015 - BOWLINE POOL BROCHURES

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

222-15 RESOLVED, THAT THREE (3) RFQs WERE SUBMITTED TO SHERRI STILA, TELEPHONE OPERATOR TO PROVIDE 15,000 BOWLINE POOL BROCHURES FOR TOWN OF HAVERSTRAW, AND BE IT FURTHER RESOLVED, THAT THE TOWN BOARD OF THE TOWN HAVERSTRAW DOES HEREBY AWARD RFP NO. 6-2015 TO DEXTER PRINTING SERVICES OF GUTTENBERG, NEW JERSEY AT A PRICE OF \$2,050.00, THE LOW BIDDER.

APPOINTMENT OF EDWARD COURTNEY TO THE POSITION OF GROUNDWORKER, PART TIME IN THE PHILIP J ROTELLA MEMORIAL GOLF COURSE

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

223-15 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY APPOINTS EDWARD COURTNEY OF STONY POINT, NEW YORK TO THE POSITION OF GROUNDSWORKER, PART TIME IN THE GOLF COURSE ON AN AS NEEDED BASIS AND BE IT FURTHER

RESOLVED, THAT THIS APPOINTMENT IS SUBJECT TO THE RULES AND REGULATIONS OF THE ROCKLAND COUNTY DEPARTMENT OF PERSONNEL AND MR. COURTNEY SHALL RECEIVE AN HOURLY RATE OF \$27.50.

$\frac{AMENDMENT\ OF\ CONTRACT\ WITH\ CAL\ MART\ ENTERPRISES,\ INC.\ FOR}{RECREATION/FISHING\ PIER}$

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

224-15 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN

AMENDED AGREEMENT TO REDUCE THE ORIGINAL CONTRACT AMOUNT FROM TWO HUNDRED SEVENTY-SIX THOUSAND SIX HUNDRED FIFTY-SIX DOLLARS & NO/100 (\$276,656.00) TO THE SUM OF TWO HUNDRED SIXTEEN THOUSAND DOLLARS & NO/100 (\$216,000.00) BASED UPON A REDUCED SCOPE OF WORK.

ACQUISITION OF TORO GROUNDSMASTER 4500 FOR THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE

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

225-15 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH STORR TRACTOR COMPANY FROM SOMERVILLE, NEW JERSEY TO ACQUIRE ONE (1) TORO GROUNDSMASTER 4500 FOR THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE UNDER NEW YORK STATE BID NUMBER PC66756 AT A COST NOT TO EXCEED SIXTY-SIX THOUSAND AND NO/100 (\$66,000.00).

UNITED LATIN FESTIVAL OF HAVERSTRAW

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

226-16 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE PAYMENT OF THE SUM OF \$3,000.00 TO THE UNITED LATIN FESTIVAL OF HAVERSTRAW FOR THE FESTIVAL AND PARADE

ADJOURNMENT OF REGULAR TOWN BOARD MEETING

A motion was made by Councilman Gamboli, seconded by Councilman Gould to adjourn the Regular Town Board Meeting.

CONVENE TO A MEETING OF THE SANITATION COMMISSION

228-15 A motion was made by Commissioner Soto, seconded by Commissioner Gould to convene to a Meeting of the Sanitation Commission.

SANITATION COMMISSION GARNERVILLE, NY MAY 11, 2015

The Town Board of the Town of Haverstraw met at a Meeting of The Sanitation Commission of the Town of Haverstraw on Monday, May 11, 2015 at 8:30 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:

Chairman Howard T. Phillips, Jr.
Commissioner Isidro Cancel
Commissioner Vincent J. Gamboli
Commissioner John J. Gould
Commissioner Hector L. Soto

APPROVAL OF LICENSE FOR GARBAGE REMOVAL FOR CHARLES CAPASSO AND SONS CARTING, INC.

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

229-15 RESOLVED, THAT THE SANITATION COMMISSION OF THE TOWN OF HAVERSTRAW HEREBY APPROVES THE APPLICATION FOR A LICENSE FOR CHARLES CAPASSO AND SONS CARTING, INC. OF STONY POINT, NEW YORK TO EXPIRE ON APRIL 30, 2016.

<u>APPROVAL OF LICENSE FOR GARBAGE REMOVAL FOR ADVANCED WASTE</u> <u>SYSTEMS, INC.</u>

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

230-15 RESOLVED, THAT THE SANITATION COMMISSION OF THE TOWN OF HAVERSTRAW HEREBY APPROVES THE APPLICATION FOR A LICENSE FOR ADVANCED WASTE SYSTEMS, INC. OF VALLEY COTTAGE, NEW YORK TO EXPIRE ON APRIL 30, 2016.

APPROVAL OF LICENSE FOR GARBAGE REMOVAL FOR SUPERIOR WASTE & CARTING, INC.

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

231-15 RESOLVED, THAT THE SANITATION COMMISSION OF THE TOWN OF HAVERSTRAW HEREBY APPROVES THE APPLICATION FOR A LICENSE FOR SUPERIOR WASTE & CARTING, INC. OF NYACK, NEW YORK TO EXPIRE ON APRIL 30, 2016.

APPROVAL OF LICENSE FOR GARBAGE REMOVAL FOR ROBERT HIEP, INC.

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

232-15 RESOLVED, THAT THE SANITATION COMMISSION OF THE TOWN OF HAVERSTRAW HEREBY APPROVES THE APPLICATION FOR A LICENSE FOR ROBERT HIEP, INC. OF WEST NYACK, NEW YORK TO EXPIRE ON APRIL 30, 2016.

APPROVAL OF LICENSE FOR GARBAGE REMOVAL FOR KENNETH HIEP, INC.

233-15 RESOLVED, THAT THE SANITATION COMMISSION OF THE TOWN OF HAVERSTRAW HEREBY APPROVES THE APPLICATION FOR A LICENSE FOR KENNETH HIEP, INC. OF WEST NYACK, NEW YORK TO EXPIRE ON APRIL 30, 2016.

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

APPROVAL OF LICENSE FOR GARBAGE REMOVAL FOR PERILLO SANITATION, LLC.

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

234-15 RESOLVED, THAT THE SANITATION COMMISSION OF THE TOWN OF HAVERSTRAW HEREBY APPROVES THE APPLICATION FOR A LICENSE FOR PERILLO SANITATION, LLC., OF STONY POINT, NEW YORK TO EXPIRE ON APRIL 30, 2016.

ADJOURNMENT OF THE SANITATION COMMISSION MEETING

235-15 On motion by Commissioner Gould, seconded by Commissioner Soto, unanimously adopted, the Sanitation Meeting was adjourned.

PUBLIC PARTICIPATION

No Comments

RECONVENED TO REGULAR TOWN BOARD MEETING

236-15 On motion by Councilman Cancel, seconded by Councilman Gamboli the Regular Town Board Meeting was reconvened.

PUBLIC PARTICIPATION

Mel Post, 1422 Round Pointe Drive, Haverstraw, NY asked if the grant for the pier was originally for the full amount of the pier.

<u>Supervisor Howard Phillips</u> stated that there are a few grants that we have, and we will be using them for this project. We also applied again to Community Development, so we have a State grant, and a Community Development grant, and possibly another State grant. We are really covered under the grants, and we will be able to redirect the grant for something else if we have excess money.

ANNOUNCEMENTS

The Watchfire at Bowline Point Park commences Friday, May 29th to go thru Saturday, May 30th. Ceremony begins at 11:00 pm.

Memorial Day Services begin here at Town Hall at 9:00 a.m. We go from here to Calico Hill, down to the Village of Haverstraw World War II Memorial, then to the Civil War Memorial on Hudson Avenue, and end in Mt. Repose.

The 4^{th} of July Firework celebration is scheduled for Thursday, July 2^{nd} with a rain date of Friday, July 3^{rd} .

Next year will be the 400th Anniversary of the naming of Haverstraw, and we had our first committee meeting. If anybody would like to attend our next meeting, it is going to be held on Thursday, June 11th at 8:00 p.m. at Town Hall.

The 5K Run/Walk is scheduled for Sunday, June 7th, 2015 at 9:00 am at Bowline Point Park. You can go to the Town of Haverstraw website and register online.

The Annual Hudson Valley Radio Control Club Airshow is scheduled for Saturday, August 22^{nd} .

ADJOURNMENT

Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of John E. Filor III, Omar Grilli, Anna Louisa D'Erie, Eleanor Kathryn Lutz, Lynn M. McGrath, and Paul Desimone, who recently passed away. The Town Board members further extended their condolences and sympathy to the families. Therefore, a motion was made by Councilman Gould, seconded by Councilman Soto, and unanimously adopted and the Town Board Meeting was adjourned.

KAREN L. BULLEY Town Clerk