

TOWN BOARD  
GARNERVILLE, NY  
JULY 13, 2015

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday July 13, 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 (Absent)
Councilman	Vincent J. Gamboli
Councilman	John J. Gould
Councilman	Hector L. Soto

**ADOPTION OF MINUTES**

**285-15**        **ADOPTION OF TOWN BOARD MEETING MINUTES OF JUNE 22, 2015**, as submitted by the Town Clerk and on motion by Councilman Gamboli, 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.

**286-15**        **RESOLVED**, that bills numbered 1977 through 2200 in the amount of \$781,482.28 and Highway bills numbered 390 through 424 in the amount of \$12,878.44 audited at this meeting, be and they are hereby paid.

**ACCEPTANCE OF REPORTS**

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

**287-15**        **RESOLVED**, that the following Highway Department Operation Report for the month of June 2015 has been submitted and are hereby accepted.

**AUTHORIZATION TO SETTLE TAX CERTIORARI – BASSAR REALTY LLC**

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

**288-15**        **RESOLVED, UPON THE RECOMMENDATION OF JOHN O’SHAUGHNESSY, TOWN ASSESSOR AND WILLIAM M. STEIN, TOWN ATTORNEY, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SETTLEMENT FOR BASSAR REALTY LLC (26.10-1-32), LOCATED AT 102 MAIN STREET, VILLAGE OF WEST HAVERSTRAW, NEW YORK FOR TAX YEARS 2013, 2014 AND 2015 BASED UPON THE FOLLOWING AMOUNTS ON THIS LOCATION:**

YEAR	ORIGINAL ASSESSMENT	REVISED ASSESSMENT	REDUCTION AMOUNT	% REDUCTION	EST REFUND
2013	264,800	215,000	49,800	19%	\$866
2014	264,800	215,000	49,800	19%	\$988
2015	264,800	215,000	48,800	19%	N/A

**AUTHORIZATION TO SETTLE TAX CERTIORARI – FOREMOST DEVELOPMENT CORP.**

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

**289-15 RESOLVED, UPON THE RECOMMENDATION OF JOHN O'SHAUGHNESSY, TOWN ASSESSOR AND WILLIAM M. STEIN, TOWN ATTORNEY, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SETTLEMENT FOR FOREMOST DEVELOPMENT CORP. (25.16-3-46), LOCATED AT 120 WEST RAMAPO ROAD, TOWN OF HAVERSTRAW, NEW YORK FOR TAX YEARS 2012, 2013, 2014 AND 2015 BASED UPON THE FOLLOWING AMOUNTS ON THIS LOCATION:**

YEAR	ORIGINAL ASSESSMENT	REVISED ASSESSMENT	REDUCTION AMOUNT	% REDUCTION	EST REFUND
2012	2,161,700	1,700,000	461,700	21%	\$6,459
2013	2,161,700	1,700,000	461,700	21%	\$7,516
2014	2,161,700	1,700,000	461,700	21%	\$8,606
2015	2,161,700	1,700,000	461,700	21%	\$9,885

**INCREASE IN VALUE FOR ITEMS INCLUDED IN FIXED ASSET INVENTORY**

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

**290-15 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY INCREASES THE MINIMUM VALUE OF EQUIPMENT TO BE LISTED IN THE FIXED ASSET INVENTORY FROM THE SUM OF \$1,000.00 PER ITEM TO \$2,500.00 PER ITEM.**

**BUDGET ADJUSTMENTS FOR YEAR ENDING JUNE 30, 2015**

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

**291-15 RESOLVED, THAT THE SUPERVISOR IS AUTHORIZED TO MAKE BUDGET ADJUSTMENTS FROM THE PART TOWN (B) IN THE AMOUNT OF \$75,000.00, HIGHWAY (DA) IN THE AMOUNT OF \$40,000.00 PURSUANT TO THE REPORT OF THE DIRECTOR OF FINANCE FOR THE TOWN OF HAVERSTRAW FOR THE PERIOD ENDING JUNE 30, 2015. (SEE ATTACHED BUDGET ADJUSTMENTS.)**

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Budget Adjustments						Initials	Date
For Period ending 6-30-15						Prepared By	
						Approved By	
1	2	3	4	5	6		
	Part Town (B)						
1	Safety Inspection Contractual	B 3620-04		60000 <sup>00</sup>			
2	Zoning Contractual	B 8010-04		15000 <sup>00</sup>			
3	REV Building Permit Fees	B 0000-1520			75000 <sup>00</sup>		
4				75000 <sup>00</sup>	75000 <sup>00</sup>		
5				✓	✓		
6							
7							
8							
9							
10	Highway Townwide (DA)						
11							
12	Machinery Equipment	DA 5130-02		40000 <sup>00</sup>			
13	Snow Removal Equip.	DA 5142-02			25000 <sup>00</sup>		
14	Machinery Contractual	DA 5130-04			15000 <sup>00</sup>		
15							
16				40000 <sup>00</sup>	40000 <sup>00</sup>		
17				✓	✓		
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**ACCEPTANCE OF LETTER OF RETIREMENT – POLICE OFFICER GERARD K.  
BENDEROTH**

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

**292-15 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, DOES HEREBY ACCEPT A LETTER OF RETIREMENT FOR POLICE OFFICER GERARD K. BENDEROTH, FOR THE TOWN OF HAVERSTRAW POLICE DEPARTMENT, EFFECTIVE, JULY 4, 2015.**

**ACCEPTANCE OF LETTER OF RETIREMENT – POLICE OFFICER DEREK W.  
BARBIER**

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

**293-15 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, DOES HEREBY ACCEPT A LETTER OF RETIREMENT FOR POLICE OFFICER DEREK W. BARBIER, FOR THE TOWN OF HAVERSTRAW POLICE DEPARTMENT EFFECTIVE, JUNE 30, 2015.**

**AWARD OF RFP NO. 6 – 2015 - MADISON AVENUE STORM SYSTEM REPAIR**

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

**294-15 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF SUPERINTENDENT OF HIGHWAYS GEORGE WARGO, JR., THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD RFP NO. 6 – 2015 FOR THE MADISON AVENUE STORM SYSTEM REPAIR TO CAL MART ENTERPRISES, INC. OF CONGERS, NEW YORK, THE LOW BIDDER, FOR THE SUM OF \$22,000.00.**

**REINSTATEMENT OF EMPLOYEE NO. SYS-006489**

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

**295-15 RESOLVED, UPON THE RECOMMENDATION OF CHIEF CHARLES B. MILLER AND PURSUANT TO CIVIL SERVICE LAW §71, EMPLOYEE #SYS006489 HAS BEEN REINSTATED AS A POLICE OFFICER FOR THE TOWN OF HAVERSTRAW EFFECTIVE SEPTEMBER 9, 2014.**

**TOWN OF HAVERSTRAW - BOWLINE PARK IMPROVEMENTS – FISHING PIER  
RESOLUTION TO DECLARE LEAD AGENCY**

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

**296-15 WHEREAS, THE TOWN OF HAVERSTRAW PROPOSES TO CONSTRUCT A FISHING PIER AS PART OF THE BOWLINE PARK IMPROVEMENTS PROJECT (HEREAFTER REFERRED TO AS, “PROPOSED ACTION”) INCLUDING:**

- **INSTALLATION OF A RECREATIONAL FISHING PIER AT BOWLINE PARK (HEREINAFTER REFERRED TO AS “SAID ACTIONS”), AND;**

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**WHEREAS SAID ACTIONS REQUIRE REVIEW UNDER THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA), PER 6NYCRR PART 617, AND;**

**WHEREAS SAID ACTIONS ARE DEFINED AS AN UNLISTED ACTIONS UNDER 6NYCRR PART 617 BECAUSE THE ACTION IS NOT LISTED UNDER 6NYCRR PART 617.4 OR 617.5.**

**WHEREAS MULTIPLE AGENCIES HAVE APPROVAL OR FUNDING AUTHORITY OVER SAID ACTIONS, AND;**

**WHEREAS 6NYCRR PART 617.6(B)(3) CALLS FOR COORDINATED REVIEW OF UNLISTED ACTIONS, AND;**

**WHEREAS 6NYCRR PART 617.6(B)(2)(I) REQUIRES THAT A LEAD AGENCY FOR A COORDINATED REVIEW OF AN UNLISTED ACTION BE ESTABLISHED PRIOR TO A DETERMINATION OF SIGNIFICANCE, AND;**

**WHEREAS 6NYCRR PART 617.2(U) DEFINES “LEAD AGENCY” AS, “AN INVOLVED AGENCY PRINCIPALLY RESPONSIBLE FOR UNDERTAKING FUNDING OR APPROVING AN ACTION, AND THEREFORE RESPONSIBLE FOR DETERMINING WHETHER AN ENVIRONMENTAL IMPACT STATEMENT IS REQUIRED IN CONNECTION WITH THE ACTION, AND FOR THE PREPARATION AND FILING OF THE STATEMENT IF ONE IS REQUIRED”, AND;**

**WHEREAS THE TOWN OF HAVERSTRAW INTENDS TO ACT AS LEAD AGENCY IN THE COORDINATED REVIEW OF SAID ACTIONS AS UNLISTED ACTION UNDER SEQRA AND FURTHER INTENDS TO IMPLEMENT AND COMPLETE ALL RESPONSIBILITIES OF THAT OFFICE, THEREFORE, BE IT**

**RESOLVED THAT THE TOW OF HAVERSTRAW TOWN BOARD DECLARES ITSELF LEAD AGENCY, AS DEFINED IN 6NYCRR PART 617.2(U), FOR THE COORDINATED REVIEW OF SAID ACTIONS AS UNLISTED ACTIONS UNDER SEQRA.**

**A RESOLUTION TO ADOPT A NEGATIVE DECLARATION UNDER  
STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)  
FOR PROPOSED BOWLINE PARK FISHING PIER  
TOWN OF HAVERSTRAW, NY**

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

**297-15 WHEREAS, THE TOWN OF HAVERSTRAW PROPOSES TO CONSTRUCT A FISHING PIER AS PART OF THE BOWLINE PARK IMPROVEMENTS PROJECT (HEREAFTER REFERRED TO AS, “PROPOSED ACTION”) INCLUDING:**

- **INSTALLATION A RECREATIONAL FISHING PIER AT BOWLINE PARK.**

**WHEREAS SAID PROPOSED ACTION IS AN UNLISTED ACTION UNDER 6NYCRR PART 617 BECAUSE THE ACTION IS NOT LISTED UNDER 6NYCRR PART 617.4 OR 617.5.**

WHEREAS, THE TOWN OF HAVERSTRAW BOARD (HEREAFTER,  
“THE BOARD”), HAVING APPROVAL AUTHORITY OVER THE PROPOSED  
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ACTION, DULY DECLARED ITSELF LEAD AGENCY ON JULY 13, 2015 FOR A  
COORDINATED REVIEW AMONG MULTIPLE AUTHORIZING AGENCIES PER

6NYCRR PART 617.6(B)(2)(I), AND HAS RECEIVED NO OBJECTION TO THIS  
DECLARATION FROM OTHER AGENCIES WITHIN 30 DAYS, AND

WHEREAS, THE BOARD, AS LEAD AGENCY, MUST MAKE A  
DETERMINATION OF SIGNIFICANCE OF THE PROPOSED ACTION PER 6NYCRR  
PART 617.7, AND

WHEREAS, THE BOARD HAS CONSIDERED THE PROPOSED  
ACTION AS DEFINED IN 6NYCRR PART 617.2(B) AND 617.3(G), AND

WHEREAS, THE BOARD HAS REVIEWED PARTS 1, 2, AND 3 OF A  
FULL ENVIRONMENTAL ASSESSMENT FORM PREPARED FOR THE PROPOSED  
ACTION UNDER CRITERIA OUTLINED IN 6NYCRR PART 617.7(C), AND

WHEREAS, THE BOARD FINDS THAT THE PROPOSED WORK WILL  
NOT RESULT IN SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS TO:

- LAND
- WATER
- AIR
- PLANTS AND ANIMALS
- AGRICULTURAL RESOURCES
- AESTHETIC RESOURCE
- CULTURAL OR ARCHEOLOGICAL RESOURCES
- OPEN SPACE
- CRITICAL ENVIRONMENTAL AREAS
- TRANSPORTATION
- ENERGY
- NOISE OR ODOR
- PUBLIC HEALTH
- COMMUNITY CHARACTER

AND

WHEREAS, THE BOARD FINDS, BASED ON THE CRITERIA OUTLINED  
IN 6NYCRR PART 617.7(C), THAT THE PROPOSED ACTION WILL NOT HAVE A  
SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT FOR THE  
FOLLOWING REASONS:

- THE PROPOSED ACTION IS NOT LOCATED WITHIN REGULATED  
RESOURCES (I.E. STATE OR FEDERALLY-REGULATED WETLANDS.
- THE PROPOSED ACTION IS NOT LOCATED WITHIN A STATE-  
REGULATED VIEWSHED.
- THE PROPOSED ACTION WILL NOT IMPACT LOCAL TRAFFIC OR  
ADVERSELY AFFECT PUBLIC HEALTH OR COMMUNITY CHARACTER.

THEREFORE, BE IT

RESOLVED THAT THE BOARD SHALL ADOPT IN ITS  
DETERMINATION OF SIGNIFICANCE UNDER 6NYCRR PART 617.7, THIS  
*NEGATIVE DECLARATION*, INDICATING THAT INFORMATION PROVIDED IN  
THE FULL ENVIRONMENTAL ASSESSMENT FORM ATTACHED HERETO HAS  
SUFFICIENTLY DEMONSTRATED THAT THE PROPOSED ACTION WILL NOT  
RESULT IN SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS, AND THAT AN  
ENVIRONMENTAL IMPACT STATEMENT NEED NOT BE PREPARED.

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**2015/16 MUNICIPAL SNOW & ICE AGREEMENT EXTENSION BETWEEN THE  
TOWN OF HAVERSTRAW AND THE NEW YORK STATE DEPARTMENT OF  
TRANSPORTATION**

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

**298-15       RESOLVED, UPON THE RECOMMENDATION OF GEORGE WARGO, SUPERINTENDENT OF HIGHWAYS, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF NEW YORK D.O.T. FOR THE PURPOSES OF EXTENDING THE LUMP SUM MUNICIPAL SNOW AND ICE AGREEMENT AT AN ANNUAL FEE OF \$48,411.04 TO BE PAID TO THE TOWN BY THE STATE OF NEW YORK FOR THE EXTENSION YEAR 2015/2016.**

**RESOLVED, UPON THE RECOMMENDATION OF GEORGE WARGO, SUPERINTENDENT OF HIGHWAYS, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF NEW YORK D.O.T. FOR THE PURPOSES OF AMENDING THE LUMP SUM MUNICIPAL SNOW AND ICE AGREEMENT TO RECEIVE THE ADDITIONAL SUM OF \$5124.28 TO BE PAID TO THE TOWN BY THE STATE OF NEW YORK FOR THE EXTENSION YEAR 2014/2015.**

**PUBLIC PARTICIPATION**

Gil Musinger, 1416 Round Point. Drive, Haverstraw, NY stated that last week he read an article on the Journal News regarding the Eastchester Police earning State accreditation. The article also mentioned many Rockland County police departments, but not the Town of Haverstraw Police Department. He wanted to know why the Town of Haverstraw was not listed, and what needs to be done to get this accreditation.

Supervisor Howard Phillips asked Lieutenant Lund to inform the gentleman of current information.

Lieutenant Lund stated that even though the Haverstraw Police Department was not listed in that article, three weeks ago we did become an accredited agency ourselves. Our department worked diligently on it for several years. It was a very time consuming process, however we did an excellent job and we were bestowed the accreditation.

Mel Post, 1422 Round Pointe Drive, Haverstraw, NY stated that he went over the overpass today and it was like a dust bowl, with all the trucks going in and out, spewing dust all over the place.

Supervisor Howard Phillips asked Lieutenant Lund to reach out to Tilcon. And that we are in an ongoing dialogue with them to resolve this situation.

**ANNOUNCEMENTS**

Supervisor Howard Phillips wanted to thank the Haverstraw Police Department, all the other Law Enforcement Agencies, the Parks Department, The Fire Department and Haverstraw Ambulance Corps for helping us make the 4<sup>th</sup> of July Fireworks a great success.

We had to cancel Thursday's night open air concert because of inclement weather. We had it last night down at Bowline, and the Johnny Hirsch Band performed. We have another concert this Thursday night and the Atomic Funk Project will be performing.

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Dancing Under the Stars, which we co-sponsored with the Village of West Haverstraw this past Friday, was excellent. The next Dancing Under the Stars will be held in the Village of Haverstraw on Friday, August 21<sup>st</sup> at 8:00 pm.

The United Latin Parade and Festival will be held in the Village of Haverstraw on Sunday, August 2<sup>nd</sup>.

The 6<sup>th</sup> Annual Town of Haverstraw Airshow will be on August 22<sup>nd</sup> from 10:00 am to 4:00 pm.

The Town of Haverstraw Day Camp is open. The kids are enjoying many great trips.

The Bowline Park pool is open. We had a packed Bowline this past Saturday and Sunday. It was amazing to see how many people came down to have a wonderful time.

We executed our contract for the dog park, for the pier, and for the design of the ball fields and recreation center at Helen Hayes property. As soon as we get that back we will be starting on those projects.

The Golf Course is doing excellent. We repaved one of the cart paths and that went very well.

**ADJOURNMENT**

**299-15** Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Mary Cooney, Anna May Smithy, Clara D. Cusumano, Felix A. Henriquez, Jesula Honorat, Juana Escano, John Murray Phelps, Craig Scott Macaulay, Theresa Russo, and Andres P. Llanos who recently passed away. The Town Board members further extended their condolences and sympathy to the families. Therefore, a motion was made by Councilman Soto, seconded by Councilman Gould, and unanimously adopted and the Town Board Meeting was adjourned.

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**KAREN L. BULLEY**  
Town Clerk