

TOWN BOARD
GARNERVILLE, NY
JUNE 24, 2019

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, June 24, 2019, at 7:00 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

299-19 ADOPTION OF MINUTES - TOWN BOARD MEETING OF JUNE 10, 2019 as submitted by the Town Clerk and on motion by Councilman Gould, seconded by Councilman Cancel were unanimously adopted.

PAYMENT OF BILLS

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

300-19 RESOLVED, that bills numbered 1895 through 2061 in the amount of \$1,752,117.56 and Highway bills numbered 330 through 350 in the amount of \$128,502.92 audited at this meeting, be and they are hereby paid.

ACCEPTANCE OF REPORTS

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

301-19 RESOLVED, that Police Department Activity Report for the month of May 2019 has been submitted and is hereby accepted.

**PRESENTATION OF CHECKS TO 16TH ANNUAL NORTH ROCKLAND
COMMUNITY 5K RUN/WALK RECIPIENTS**

The Town Board of the Town of Haverstraw held a Public Hearing on Monday, June 24, 2019 at 7:05 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

PUBLIC HEARING – TO ADOPT LOCAL LAW NO 5 – 2019

Supervisor Phillips announced that this Public Hearing was being held to consider adopting Local Law 5 – 2019 to amend Chapter 162 of the Code of the Town of Haverstraw by modifying the provisions relating to variances for wireless telecommunications facilities.

The Town Clerk read the proof of publication.

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PRESENTATION BY WILLIAM M. STEIN, TOWN ATTORNEY

William M. Stein, Town Attorney stated that the proposed amendment to the Local Law would allow the Zoning Board to grant variances when there are applications for special permits for wireless facilities in a manner that are consistent with federal and state laws.

PUBLIC PARTICIPATION

Keith Shikowitz, Garnerville, NY asked what do you mean by wireless telecommunications facilities.

William M. Stein, Town Attorney replied that we are referring to cell towers and their ancillary buildings.

CLOSE PUBLIC HEARING

302-19 On motion by Councilman Cancel and seconded by Councilman Gamboli unanimously adopted, the Public Hearing was closed.

**RESOLUTION ADOPTING PROPOSED LOCAL LAW NO. 5 OF 2019
AMENDING CHAPTER 162 OF THE CODE OF THE TOWN
OF HAVERSTRAW BY MODIFYING THE PROVISIONS RELATING
TO VARIANCES FOR WIRELESS TELECOMMUNICATIONS FACILITIES**

303-19 WHEREAS, IT HAS COME TO THE ATTENTION OF THE TOWN BOARD THAT THE CURRENT PROVISIONS OF CHAPTER 162 OF THE TOWN CODE DEALING WITH WIRELESS TELECOMMUNICATIONS FACILITIES RESTRICTS THE ABILITY OF THE ZONING BOARD OF APPEALS TO GRANT VARIANCES IN A MANNER THAT MAY BE INCONSISTENT WITH THE FEDERAL TELECOMMUNICATION ACT, AND

WHEREAS, A PROPOSED LOCAL LAW AMENDING SECTION 162-20 OF THE TOWN CODE TO PERMIT THE ZONING BOARD OF APPEALS TO GRANT VARIANCES THAT ARE CONSISTENT WITH APPLICABLE LAWS GOVERNING THE AUTHORITY OF THE ZONING BOARD OF APPEALS WAS CIRCULATED IN ACCORDANCE WITH GENERAL MUNICIPAL LAW (GML), AND

WHEREAS, THE TOWN BOARD HAS HELD A DULY NOTICED PUBLIC HEARING ON THE PROPOSED LOCAL LAW TO RECEIVE COMMENTS ON THE PROPOSED TEXT OF THE LOCAL LAW.

NOW THEREFORE, BE IT RESOLVED, THAT THE TOWN BOARD HEREBY DECLARES ITSELF LEAD AGENCY UNDER SEQRA AND 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. 5 OF 2019.

ROLL CALL: AYES: SUPERVISOR HOWARD T. PHILLIPS, JR.
COUNCILMAN ISIDRO CANCEL, COUNCILMAN
VINCENT J. GAMBOLI, COUNCILMAN JOHN J. GOULD,
COUNCILMAN HECTOR L. SOTO

NAYS: ABSTAIN: : ABSENT:

RAQUEL VENTURA
Town Clerk

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**STATE ENVIRONMENTAL QUALITY REVIEW
NEGATIVE DECLARATION**

Notice of Determination of Non-Significance

Project Name: Local Law Regarding Wireless Telecommunications Facilities

Date: June 21, 2019

Lead Agency: Town Board

Town of Haverstraw
One Rosman Road
Garnerville, NY 10923

Prepared by: Michael D. Kauker, PP, AICP

Kauker & Kauker, LLC
356 Franklin Ave.
Wyckoff, NJ 07481
(201) 847-2900

This notice has been prepared in accordance with Article 8 (State Environmental Quality Review Act) of the New York State Environmental Conservation Law.

The Town Board of the Town of Haverstraw, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Local Law Regarding Wireless Telecommunications Facilities

SEQR Status: Type 1

Conditioned Negative Declaration: No

Description: Proposed local law to modify the provisions dealing with variances from bulk requirements of wireless telecommunications facilities.

Location: All zoning districts, Town of Haverstraw, Rockland County, New York.

Reasons Supporting This Determination:

1. The proposed zoning amendment, which would modify the provisions dealing with variances from bulk requirements of wireless telecommunications facilities in the Town of Haverstraw, is not anticipated to result in any adverse environmental impacts for the following reasons.
2. This law is intended to make the review and processing of applications for wireless telecommunications facilities more efficient.
3. The proposed action is not site specific and is generic in nature and the amendment of the ordinance does not actually result in the actual development of a site but modifies regulations pertaining to wireless telecommunications facilities in the Town of Haverstraw. Therefore, it is not anticipated that the change in zoning would result in a substantial impact on the environment.
4. It is not anticipated that any of the criteria as described in 6 NYCRR §617.7(c)(1)(i –xii) would be significantly impacted as a result of the zoning amendment.

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**AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND THE COUNTY OF
ROCKLAND – HI-TOR ANIMAL CARE CENTER, INC.**

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

304-19 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 TO PROVIDE AND MAINTAIN A SHELTER PURSUANT TO SECTION 115 OF THE AGRICULTURE AND MARKETS LAW AT AN ANNUAL AMOUNT NOT TO EXCEED \$39,399.30 FOR ONE (1) YEAR TERM COMMENCING ON JANUARY 1, 2019 AND ENDING IN DECEMBER 31, 2019.

**AUTHORIZATION TO SET TERMS & CONDITIONS OF EMPLOYMENT
FOR POLICE CAPTAIN - JANUARY 1, 2019 – DECEMBER 31, 2019**

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

305-19 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO SIGN THE TERMS AND CONDITIONS OF EMPLOYMENT FOR POLICE CAPTAIN MARTIN LUND FROM JANUARY 1, 2019 THROUGH DECEMBER 31, 2019 AS SET FORTH IN THE WRITTEN TERMS AND CONDITIONS DATED JUNE 24, 2019.

**SCHEDULE PUBLIC HEARING - TO CONSIDER ADOPTING LOCAL LAW NO. 6 –
2019 – AMENDING CHAPTER 123 OF THE CODE OF THE TOWN OF
ENTITLED, “PEDDLING AND SOLICITING”**

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

306-19 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY SCHEDULE A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW NO. 6 – 2019 AMENDING CHAPTER 123 OF THE CODE OF THE TOWN OF HAVERSTRAW ENTITLED, “PEDDLING AND SOLICITING.” SAID PUBLIC HEARING WILL BE HELD ON MONDAY, JULY 8, 2019 AT 7:05 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.

**AWARD OF RFQ NO. 8 - 2019 – REPAIR FOUNTAIN AT 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.

307-19 RESOLVED, THAT ONE REQUEST FOR PROPOSAL WAS SUBMITTED TO CHRISTOPHER DYROFF , GREENSKEEPER, FOR THE REPAIR OF A FOUNTAIN AT THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD THE RFQ TO CENTRAL TURF & IRRIGATION SUPPLY. OF ELMSFORD, NEW YORK, THE SOLE PROVIDER, AT A TOTAL COST OF \$3,775.22.

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**SCHEDULE PUBLIC HEARING – TO HEAR ALL COMMENTS AND SUGGESTIONS
REGARDING THE PROPERTY LOCATED AT 41 PALISADES COURT,
POMONA, NEW YORK**

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

308-15 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW PURSUANT TO CHAPTER 127-31 OF THE TOWN CODE OF THE TOWN OF HAVERSTRAW DOES HEREBY SCHEDULE A PUBLIC HEARING TO HEAR ALL COMMENTS AND SUGGESTIONS REGARDING THE PROPERTY LOCATED AT 41 PALISADES COURT, POMONA, NEW YORK DUE TO THE FAILURE OF THE OWNER AND/OR TENANT AND/OR OCCUPANT OF THE ABOVE PREMISES TO CORRECT A CONDITION COMPLAINED OF, SPECIFICALLY THAT THE GRASS AND/OR WEEDS ARE SIGNIFICANTLY OVERGROWN AND THERE IS AN ABUNDANCE OF DEBRIS ON THE PROPERTY CAUSING A PUBLIC NUISANCE. SAID PUBLIC HEARING WILL BE HELD ON MONDAY, JULY 8, 2019 AT 7:10 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.

**SCHEDULE PUBLIC HEARING – TO HEAR ALL COMMENTS AND SUGGESTIONS
REGARDING THE PROPERTY LOCATED AT 5 SKYLINE DRIVE,
THIELLS, NEW YORK**

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

309-19 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW PURSUANT TO CHAPTER 127-31 OF THE TOWN CODE OF THE TOWN OF HAVERSTRAW DOES HEREBY SCHEDULE A PUBLIC HEARING TO HEAR ALL COMMENTS AND SUGGESTIONS REGARDING THE PROPERTY LOCATED AT 5 SKYLINE DRIVE, THIELLS, NEW YORK DUE TO THE FAILURE OF THE OWNER AND/OR TENANT AND/OR OCCUPANT OF THE ABOVE PREMISES TO CORRECT A CONDITION COMPLAINED OF, SPECIFICALLY THAT THE GRASS AND/OR WEEDS ARE SIGNIFICANTLY OVERGROWN ON THE PROPERTY CAUSING A PUBLIC NUISANCE. SAID PUBLIC HEARING WILL BE HELD ON MONDAY, JULY 8, 2019 AT 7:15 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.

**SCHEDULE PUBLIC HEARING – TO HEAR ALL COMMENTS AND SUGGESTIONS
REGARDING THE PROPERTY LOCATED AT 12 MOUNTAINVIEW DRIVE,
THIELLS, NEW YORK**

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

310-19 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW PURSUANT TO CHAPTER 127-31 OF THE TOWN CODE OF THE TOWN OF HAVERSTRAW DOES HEREBY SCHEDULE A PUBLIC HEARING TO HEAR ALL COMMENTS AND SUGGESTIONS REGARDING THE PROPERTY LOCATED AT 12 MOUNTAINVIEW DRIVE, THIELLS, NEW YORK DUE TO THE FAILURE OF THE OWNER AND/OR TENANT AND/OR OCCUPANT OF THE

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ABOVE PREMISES TO CORRECT A CONDITION COMPLAINED OF, SPECIFICALLY THAT THE GRASS AND/OR WEEDS ARE SIGNIFICANTLY OVERGROWN ON THE PROPERTY CAUSING A PUBLIC NUISANCE. SAID PUBLIC HEARING WILL BE HELD ON MONDAY, JULY 8, 2019 AT 7:20 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.

SCHEDULE PUBLIC HEARING – TO HEAR ALL COMMENTS AND SUGGESTIONS REGARDING THE PROPERTY LOCATED AT 3 DR. MARQUISE DRIVE, THIELLS, NEW YORK

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

311-19 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW PURSUANT TO CHAPTER 127-31 OF THE TOWN CODE OF THE TOWN OF HAVERSTRAW DOES HEREBY SCHEDULE A PUBLIC HEARING TO HEAR ALL COMMENTS AND SUGGESTIONS REGARDING THE PROPERTY LOCATED AT 3 DR. MARQUISE DRIVE, THIELLS, NEW YORK DUE TO THE FAILURE OF THE OWNER AND/OR TENANT AND/OR OCCUPANT OF THE ABOVE PREMISES TO CORRECT A CONDITION COMPLAINED OF, SPECIFICALLY THAT THERE IS A POOL FENCE THAT IS IN COMPLETE DISREPAIR AND HAS CREATED A DANGEROUS CONDITION IN THE NEIGHBORHOOD. SAID PUBLIC HEARING WILL BE HELD ON MONDAY, JULY 8, 2019 AT 7:25 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.

NOMINATE EMMANUEL REYES - POLICE OFFICER (SPANISH SPEAKING) FULL TIME

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

312-19 RESOLVED, THAT UPON THE RECOMMENDATION OF PETER MURPHY, CHIEF OF POLICE, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY NOMINATE EMMANUEL REYES OF GARNERVILLE, NEW YORK TO THE POSITION OF POLICE OFFICER (SPANISH SPEAKING),, FULL TIME FOR THE TOWN OF HAVERSTRAW EFFECTIVE IMMEDIATELY, AND BE IT FURTHER

RESOLVED, THAT THIS NOMINATION IS SUBJECT TO THE RULES AND REGULATIONS OF THE ROCKLAND COUNTY DEPARTMENT OF PERSONNEL.

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NOMINATE RAMSES RIVAS - POLICE OFFICER (SPANISH SPEAKING) FULL TIME

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

313-19 RESOLVED, THAT UPON THE RECOMMENDATION OF PETER MURPHY, CHIEF OF POLICE, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY NOMINATE RAMSES RIVAS OF THIELLS, NEW YORK TO THE POSITION OF POLICE OFFICER (SPANISH SPEAKING), FULL TIME FOR THE TOWN OF HAVERSTRAW EFFECTIVE IMMEDIATELY, AND BE IT FURTHER

RESOLVED, THAT THIS NOMINATION IS SUBJECT TO THE RULES AND REGULATIONS OF THE ROCKLAND COUNTY DEPARTMENT OF PERSONNEL.

APPROVAL FOR EMERGENCY REPAIRS AT BOWLINE POINT PARK

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

314-19 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY APPROVES THE EMERGENCY REPAIRS TO REPLACE WATER CHEMISTRY CONTROLLERS AT BOWLINE POINT PARK BY IF IT'S WATER, INC. OF DOWNINGTOWN, PENNSYLVANIA AT A TOTAL COST OF \$8,245.

BOARD MEMBERS

Councilman Cancel commended the Parks Department for the great job they did with the new bathhouse at Bowline Point Park.

PUBLIC PARTICIPATION

Keith Shikowitz, Garnerville, NY stated that he is collecting more information to provide to Supervisor Phillips and the Board regarding NY State requirements on speed limits and speed humps.

Supervisor Phillips stated they would go over the information once received.

ANNOUNCEMENTS

Dancing Under the Stars featuring Billy and the Showmen Band was held in the Village of Haverstraw on Friday, June 14th and was very well attended.

The Juneteenth Celebration was held on Clinton St. in the Village of Haverstraw on Saturday, June 15th from 4:00 pm – 7:00 pm. Everyone enjoyed great entertainment, music, food & vendors. For more information on this great event please visit: www.thehaac.com.

The North Rockland Rotary Club 94th installation dinner was a great success. Congratulations to this great organization.

Every Sunday from 9 am to 1 pm you can visit and shop for locally grown produce at the Farmers' Market in front of the Haverstraw Village Hall.

State Senator James Skoufis is opening the North Rockland District office in the Garnerville Arts Center on Thursday, June 27th. The official Ribbon Cutting Ceremony is scheduled for 6 pm.

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On Friday, June 28th the Police Academy graduation will be held at the Fire Training Center in Pomona, NY. Congratulations to all the graduates.

On Sunday, June 30th starting at 4:00 pm, the Miss Chiquitita Pageant will be held at Quisqueya Sports Club.

The Town of Haverstraw Independence Day Celebration At Bowline Point Park is scheduled for Friday, July 5th. Dr. K's Motown Revue will perform starting at 7:00 pm. The fireworks display will start at 9:30 pm. We hope you can join us for this great celebration.

Starting on July 10th, we hope you can attend Zumba classes at Bowline Point Park from 7:30 - 8:30 pm every Wednesday, weather permitting.

The Town of Haverstraw Day Camp starts on July 1st. Registration started on June 3rd through Wednesday, June 26th at Town Hall. Late registration is July 1st through July 3rd.

Our Annual Summer Concert Series will begin on Thursday, July 11th starting at 7:30 pm, weather permitting. For a complete list of the bands, please visit our website at www.townofhaverstraw.org.

The United Latin Festival will be held on Sunday, August 4th.

We are looking forward to our Town of Haverstraw Air Show this August.

ADJOURNMENT

315-19 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Hildagarde Deasy, William Bernard, Billy Green, Jose Guzman, James M. Feely, Jr. who recently passed away. A motion was made by Councilman Gould, seconded by Councilman Soto and unanimously adopted and the Town Board Meeting was adjourned.

RAQUEL VENTURA
TOWN CLERK