

TOWN BOARD
GARNERVILLE, NY
JULY 8, 2019

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, July 8, 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 (Absent)

ADOPTION OF MINUTES

316-19 ADOPTION OF MINUTES - TOWN BOARD MEETING OF JUNE 24, 2019 as submitted by the Town Clerk and on motion by Councilman Gould, seconded by Councilman Gamboli were unanimously adopted.

PAYMENT OF BILLS

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

317-19 RESOLVED, that bills numbered 2062 through 2210 in the amount of \$528,106.69 and Highway bills numbered 351 through 375 in the amount of \$16,751.63 audited at this meeting, be and they are hereby paid.

ACCEPTANCE OF REPORTS

None

PRESENTATION OF TOWN OF HAVERSTRAW YOUTH BOARD SCHOLARSHIP TO SARAH BECKERLE

The Town Board of the Town of Haverstraw held a Public Hearing on Monday, July 8, 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 (Absent)

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”

Supervisor Phillips announced that this Public Hearing was being held to consider adopting Local Law 6 – 2019 amending Chapter 123 of the Code of the Town of Haverstraw Entitled, “PEDDLING AND SOLICITING.”

The Deputy 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 amendments to the Local Law would eliminate certain provisions bringing the law in compliance with the most current regulations.

PUBLIC PARTICIPATION

Noel Rappaport, Garnerville, NY asked what the penalty would be if a solicitor comes and knocks on my door and I tell that I am not interested.

William Stein, Town Attorney stated that we still have the “Do-Not-Knock” Registry and it is not affected by the proposed Local Law. If anyone is interested in registering you are welcome to stop by the Town Clerk’s office and register and you will be added to the list. This list will be provided to any peddler/solicitor who is issued a license to conduct door-to-door sales. You will also be provided a sticker that needs to be posted visibly near the entrance to the house. Solicitors who ignore this and violate the provision are subject to a penalty.

CLOSE PUBLIC HEARING

318-19 On motion by Councilman Gamboli and seconded by Councilman Cancel, unanimously adopted, the Public Hearing was closed.

ADOPT RESOLUTION

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

319-19 **RESOLVED**, that the Town Board of the Town of Haverstraw, does hereby adopt Local Law No. 6 of 2019 to amend Chapter 123 of the Town Code of the Town of Haverstraw Entitled, **“PEDDLING AND SOLICITING.”**

MARISOL CANCEL
Deputy Town Clerk

TOWN BOARD
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**PUBLIC HEARING – PURSUANT TO CHAPTER 127-31 OF THE TOWN CODE OF
THE TOWN OF HAVERSTRAW**

The Town Board of the Town of Haverstraw held a Public Hearing on Monday, July 8, 2019 at 7:10 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
Councilman	John J. Gould
Councilman	Hector L. Soto (Absent)

Supervisor Phillips announced that this Public Hearing is being held for the purpose of hearing all comments and suggestions regarding the property located at 41 Palisades Court, Pomona, New York 10970 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.

The Deputy Town Clerk read proof of publication and presented the Affidavit of Publication to the Board.

PRESENTATION BY GEORGE BEHN, TOWN BUILDING INSPECTOR

George Behn, Town Building Inspector stated that he has received complaints regarding this property. Mr. Behn presented photographs to the Board showing the condition of the property. Mr. Behn issued violations and has not received a response to remediate the condition. Under Section 127-31 of the Town Code, that when there are "Zombie properties" that are in foreclosure or about to be in foreclosure or where there is no longer an interested property owner/tenant to maintain the outside of the property, the Town Board can schedule a Public Hearing to adopt a resolution allowing the Building Inspector to get estimates and hire a private contractor to do the work to maintain the outside of the property.

An Affidavit of Posting and proof that a certified letter was sent to the last known address of the property owner were presented to the Town Clerk.

BOARD MEMBERS

The Town Board found that the grass and/or weeds are significantly overgrown and also that there is an abundance of debris on the property in violation of the Town Code property maintenance provisions. The Town Board gave the Building Inspector continuing authorization to retain a contractor for the remaining of the year 2019.

PUBLIC PARTICIPATION

Supervisor Phillips stated to let the record note that no public comment was offered.

CLOSE HEARING

320-19 On motion by Councilman Gamboli, seconded by Councilman Cancel, unanimously adopted, the Public Hearing was closed.

TOWN BOARD
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**ADOPT RESOLUTION REGARDING 41 PALISADES COURT,
POMONA, NEW YORK 10970**

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

321-19 Whereas the Town Board scheduled a public hearing on June 24, 2019 at 7:10 p.m., pursuant to Town Code §127-31, Property Maintenance - Removal by Town, regarding the failure of the owner of the property located at 41 Palisades Court, Pomona, NY 10970 to maintain the exterior of the premises in accordance with requirements of §127-21 and §127-22 of the Town Code

Whereas said Notice of Public Hearing was posted on the property and sent to the last-known address of the property owner as it appears on the current tax assessment roll, sent by Certified Mail, Return Receipt Request, at least 15 days prior to the date of the public hearing, and

Whereas the Town Board held the public hearing on July 8, 2019 at 7:10 p.m. and received testimony and exhibits from the Building Inspector and the Town Board having found that the property owner has failed to maintain the premises in accordance with requirements of §127-21 and §127-22 of the Town Code entitled Maintenance of Exterior Premises. Now, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Building Inspector to retain private contractors to maintain the exterior of the premises in order that they will be in compliance with Town Code §127-21 and §127-22 with such maintenance to continue throughout the rest of the calendar year 2019, and such charges and expenses shall be an expense against the record owner of the property. These expenses shall constitute a lien and charge on the real property on which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other Town charges, including the \$500 administrative fee.

MARISOL CANCEL
Deputy Town Clerk

Supervisor Phillips stated that Resolution # 8 entitled, "PUBLIC HEARING – PURSUANT TO CHAPTER 127-31 OF THE TOWN CODE OF THE TOWN OF HAVERSTRAW" was pulled because the owner and/or tenant and/or occupant of the property 5 Skyline Drive, Thiells, New York corrected the condition complained of, specifically that the grass and/or weeds are significantly overgrown the property causing a public nuisance.

Supervisor Phillips stated to let the record note that no public comment was offered.

Supervisor Phillips stated that Resolution # 9 entitled, "PUBLIC HEARING – PURSUANT TO CHAPTER 127-31 OF THE TOWN CODE OF THE TOWN OF HAVERSTRAW" was pulled because the owner and/or tenant and/or occupant of the property 12 Mountainview Drive, Thiells, New York corrected the condition complained of, specifically that the grass and/or weeds are significantly overgrown the property causing a public nuisance.

Supervisor Phillips stated to let the record note that no public comment was offered.

**PUBLIC HEARING – PURSUANT TO CHAPTER 127-31 OF THE TOWN CODE OF
THE TOWN OF HAVERSTRAW**

The Town Board of the Town of Haverstraw held a Public Hearing on Monday, July 8, 2019 at 7:25 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 (Absent)

Supervisor Phillips announced that this Public Hearing is being held for the purpose of hearing all comments and suggestions regarding the property located at 3 Dr. Marquise Drive, Thiells, New York 10984 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.

The Deputy Town Clerk read proof of publication and presented the Affidavit of Publication to the Board.

PRESENTATION BY BUILDING INSPECTOR, GEORGE BEHN

Building Inspector George Behn stated that he has received numerous complaints regarding the condition of the pool fence and presented photographs to the Town Board showing the condition of the fence. Mr. Behn issued violations and stated that the repairs have not been done to resolve the matter. Under Section 127-31 of the Town Code, the Town Board can schedule a Public Hearing to adopt a resolution allowing the Building Inspector to get estimates and hire a private contractor to do the work to maintain the outside of the property.

An Affidavit of Posting and proof that a certified letter was sent to the last known address of the property owner were presented to the Town Clerk.

BOARD MEMBERS

The Town Board found that the condition of the pool fence is in violation of the Town Code property maintenance provisions and gave the Building Inspector continuing authorization to retain a contractor to repair and erect the fence.

PUBLIC PARTICIPATION

Karen Mancini, owner of the property located 3 Dr. Marquise Drive, Thiells, New York 10984 requested an extension to remediate the problem.

CLOSE HEARING

322-19 On motion by Councilman Gould, seconded by Councilman Cancel, unanimously adopted, the Public Hearing was closed.

TOWN BOARD
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**ADOPT RESOLUTION REGARDING 3 DR. MARQUISE DRIVE, THIELLS,
NEW YORK 10984**

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

323-19 Whereas the Town Board scheduled a public hearing on June 24, 2019 at 7:25 p.m., pursuant to Town Code §127-31, Property Maintenance - Removal by Town, regarding the failure of the owner of the property located at 3 Dr. Marquise Drive, Thiells, New York 10984 to maintain the exterior of the premises in accordance with requirements of §127-21 and §127-22 of the Town Code

Whereas said Notice of Public Hearing was posted on the property and sent to the last-known address of the property owner as it appears on the current tax assessment roll, sent by Certified Mail, Return Receipt Request, at least 15 days prior to the date of the public hearing, and

Whereas the Town Board held the public hearing on July 8, 2019 at 7:25 p.m. and received testimony and exhibits from the Building Inspector and the Town Board having found that the property owner has failed to maintain the premises in accordance with requirements of §127-21 and §127-22 of the Town Code entitled Maintenance of Exterior Premises. Now, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Building Inspector to retain private contractors to maintain the exterior of the premises in order that they will be in the rest of the calendar year 2019, and such charges and expenses shall be an expense against the record owner of the property. These expenses shall constitute a lien and charge on the real property on which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other Town charges, including the \$500 administrative fee.

MARISOL CANCEL
Deputy Town Clerk

CLOSE CAPITAL PROJECT – 2018 PAVER PLACED SURFACE CAPITAL PROJECT

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

324-19 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF GEORGE WARGO, SUPERINTENDENT, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY CLOSE THE 2018 PAVER PLACED SURFACE CAPITAL PROJECT, AND BE IT FURTHER

RESOLVED, THAT THIS CAPITAL PROJECT WAS BUDGETED IN THE AMOUNT OF \$850,000.00. OF WHICH \$821,692.28 WAS EXPENDED TO COMPLETE THE ABOVE MENTIONED PROJECT THEREFORE THE REMAINING BALANCE OF \$28,307.72 WILL BE TRANSFERRED BACK TO GENERAL FUND AS AN INTERFUND TRANSFER.

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CLOSE CAPITAL PROJECT – STREET LIGHT LED CONVERSION PHASE I

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

325-19 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF GEORGE WARGO, SUPERINTENDENT, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY CLOSE THE STREET LIGHT LED CONVERSION PHASE I CAPITAL PROJECT, AND BE IT FURTHER

RESOLVED, THAT THIS CAPITAL PROJECT WAS BUDGETED IN THE AMOUNT OF \$75,000.00. OF WHICH \$72,006.78 WAS EXPENDED TO COMPLETE THE ABOVE MENTIONED PROJECT THEREFORE THE REMAINING BALANCE OF \$2,993.22 WILL BE TRANSFERRED BACK TO GENERAL FUND AS AN INTERFUND TRANSFER.6

BUDGET ADJUSTMENTS FOR PERIOD ENDING IN JUNE 30, 2019

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

326-19 RESOLVED, THAT THE SUPERVISOR IS AUTHORIZED TO MAKE BUDGET ADJUSTMENTS FROM THE GENERAL FUND (A) IN THE AMOUNT OF \$365,000.00, THE HIGHWAY (DA) FUND IN THE AMOUNT OF \$10,000.00 AND THE HIGHWAY FUND (DB) IN THE AMOUNT OF \$300,000.00 PURSUANT TO THE REPORT OF THE DIRECTOR OF FINANCE FOR THE TOWN OF HAVERSTRAW FOR THE PERIOD ENDING IN JUNE 30, 2019. (SEE ATTACHED BUDGET ADJUSTMENTS).

Town of Haverstraw
 Budget Adjustments
 For Period ending 6-30-19

Mb 7/2/19

<u>General Fund</u>					
Parks & Recreation Equipment	A. 7110.02		40000 ⁰⁰		
Transfer to Capital Projects	A. 9950.09		325000 ⁰⁰		
Unallocated Insurance	A. 1910.04			40000 ⁰⁰	
Contingency	A. 1990.04			325000 ⁰⁰	
			365000 ⁰⁰	365000 ⁰⁰	
			✓	✓	
<u>Highway Fund DA</u>					
Machinery Equipment	DA. 5130.02		10000 ⁰⁰		
Snow Removal Equipmt	DA. 5142.02			10000 ⁰⁰	
			10000 ⁰⁰	10000 ⁰⁰	
			✓	✓	
<u>Highway Fund DB</u>					
(REV) Interfund Transfer Capital Project	DB. 9950.09		300000 ⁰⁰		
Appropriated Fund Balance	DB. 0000.2999			300000 ⁰⁰	
			300000 ⁰⁰	300000 ⁰⁰	
			✓	✓	

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**ACCEPTANCE OF LETTER OF RETIREMENT – GAIL PETERSON, ASSESSING
CLERK II AT THE TOWN OF HAVERSTRAW ASSESSOR’S OFFICE**

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

327-19 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, DOES HEREBY ACCEPT THE LETTER OF RETIREMENT FOR ASSESSING CLERK II, TOWN OF HAVERSTRAW ASSESSOR’S OFFICE, GAIL PETERSON, EFFECTIVE JULY 27, 2019.

**AUTHORIZATION FOR SUPERVISOR TO ENTER INTO AN AGREEMENT WITH
PAX SURVEYING & ENVIRONMENTAL CONSULTANTS, LLC**

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

328-19 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH PAX SURVEYING & ENVIRONMENTAL CONSULTANTS, LLC OF FAIRFIELD, NEW JERSEY FOR SURVEYING SERVICES TO POSSIBLY EXPAND THE PARKING LOT AT THE TOWN OF HAVERSTRAW POLICE STATION AT A COST OF \$3,150.

PUBLIC PARTICIPATION

Noel Rappaport, Garnerville, NY stated that some roads are a mess due to the pavement utility cuts in our streets and wants to know what is going to be done to resolve this matter.

Supervisor Phillips stated that the Town and Orange and Rockland Utilities came into an agreement for the indemnification of road restorations in the unincorporated area of the Town of Haverstraw. The Town hired a contractor but due to all the rain in the spring they are behind in their work but it will get resolved.

Keith Shikowitz, Garnerville, NY provided information to Supervisor Phillips and the Board regarding his request for a speed hump on his street.

Supervisor Phillips stated they would go over the information with the Board and the Superintendent of Highways, George Wargo.

ANNOUNCEMENTS

The Town of Haverstraw Day Camp started on July 1st.

We had a wonderful 4th of July Celebration at Bowline Point Park. The band was great and everyone had a great time.

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.

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 and Parade will be held on Sunday, August 4th starting at 12 pm.

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

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.

ADJOURNMENT

329-19 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of June Oakley, Regina Doherty, and Willard (Bounce) Jones who recently passed away. A motion was made by Councilman Gamboli, seconded by Councilman Gould and unanimously adopted and the Town Board Meeting was adjourned.

MARISOL CANCEL
DEPUTY TOWN CLERK