

TOWN BOARD
GARNERVILLE, NY
NOVEMBER 12, 2019

The Town Board of the Town of Haverstraw met at a Regular Meeting on Tuesday, November 12, 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

415-19 ADOPTION OF MINUTES - TOWN BOARD MEETING OF OCTOBER 28, 2019 AND SPECIAL TOWN BOARD MEETING OF NOVEMBER 6, 2019 as submitted by the Town Clerk and on motion by Councilman Gamboli, seconded by Councilman Cancel were unanimously adopted.

PAYMENT OF BILLS

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

416-19 RESOLVED, that bills numbered 3406 through 3548 in the amount of \$713,821.88 and Highway bills numbered 539 through 557 in the amount of \$172,770.99 audited at this meeting, be and they are hereby paid.

ACCEPTANCE OF REPORTS

None.

BUDGET ADJUSTMENTS FOR PERIOD ENDING IN OCTOBER 31, 2019

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

417-19 RESOLVED, THAT THE SUPERVISOR IS AUTHORIZED TO MAKE BUDGET ADJUSTMENTS FROM THE GENERAL FUND (A) IN THE AMOUNT OF \$125,000.00, THE HIGHWAY FUND (DB) IN THE AMOUNT OF \$25,000.00 PURSUANT TO THE REPORT OF THE DIRECTOR OF FINANCE FOR THE TOWN OF HAVERSTRAW FOR THE PERIOD ENDING IN OCTOBER 31, 2019. (SEE ATTACHED BUDGET ADJUSTMENTS).

Town of Haverstraw
Budget Adjustments
For period ending October 31, 2019

**AWARD OF RFQ NO. 11-2019 – DOOR ACCESS FOR THE TOWN OF HAVERSTRAW
POLICE DEPARTMENT**

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

418-19 RESOLVED, THAT THREE (3) REQUEST FOR QUOTES WERE SUBMITTED TO LIEUTENANT JOHN GOULD, FOR DOOR ACCESS FOR THE TOWN OF HAVERSTRAW POLICE DEPARTMENT AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD RFQ NO. 11-2019 TO BULLET SECURITY, INC. OF NANUET, NEW YORK, THE LOWEST QUOTE, AT A COST OF \$13,245.

**APPROVAL OF SETTLEMENT AGREEMENT WITH LOCAL 363, INTERNATIONAL
BROTHERHOOD OF ELECTRICAL WORKERS, AFL-CIO**

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

419-19 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO EXECUTE A SETTLEMENT AGREEMENT WITH THE TOWN OF HAVERSTRAW AND THE LOCAL 363, INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, AFL-CIO CONCERNING AN OUTSTANDING GRIEVANCE.

RESOLUTION EXTINGUISHING RESTRICTIVE COVENANTS

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

420-19 WHEREAS, AT ALL RELEVANT TIMES, FREDERICK T. ZUGIBE AND CATHERINE F. ZUGIBE (HEREINAFTER OWNERS”) WERE THE FEE OWNERS OF PREMISES KNOWN AS 65 WEST RAMAPO ROAD, GARNERVILLE, NEW YORK 10923 (HEREINAFTER “PREMISES) AND DESIGNATED AS SECTION 26.09, BLOCK 4, LOT 13 ON THE LAND AND TAX MAP OF THE TOWN OF HAVERSTRAW, AS MORE PARTICULARLY DESCRIBED IN A CERTAIN DEED RECORDED IN THE OFFICE OF THE ROCKLAND COUNTY CLERK IN BOOK 999, PAGE 884, RECORDED NOVEMBER 17, 1977.

WHEREAS, AT ALL RELEVANT TIMES THE ZONING DESIGNATION FOR THE PREMISES WAS “NEIGHBORHOOD SHOPPING”. WHEREAS, BY INSTRUMENT ENTITLED “DECLARATION AND ESTABLISHMENT OF RESTRICTIVE COVENANTS FOR REAL PROPERTY”, RECORDED IN THE OFFICE OF THE ROCKLAND COUNTY CLERK ON DECEMBER 27, 1985 IN BOOK 0126, PAGE 0805 (THE “RESTRICTIVE COVENANT”), THE OWNERS DECLARED AND COVENANTED THAT THE PREMISES “SHALL BE USED FOR PROFESSIONAL OFFICE USE ONLY AND SHALL NOT BE USED FOR ANY OTHER OF THE OTHER DESIGNATED USES PERMITTED BY THIS ZONE”.

WHEREAS, THE RESTRICTIVE COVENANT FURTHER PROVIDED THAT “THE SAID RESTRICTIVE COVENANT SHALL CEASE TO APPLY ONLY UPON THE CONSENT AND APPROVAL OF THE TOWN OF HAVERSTRAW (THE “TOWN”).

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WHEREAS, IN 2017 THE TOWN ADOPTED LOCAL LAW NO. 4 OF 2017 ("LOCAL LAW NO. 4") CREATING A NEW OVERLAY ZONE ENTITLED "ROUTE 202 FLOATING OVERLAY DISTRICT" TO PROVIDE AND ENCOURAGE GREATER FLEXIBILITY IN FUTURE LAND USES AND FOSTER NEW DEVELOPMENT AND TO ADDRESS A NEED FOR HOUSING OF THE SENIOR POPULATION THROUGH THE CREATION OF A FLOATING ZONE APPLICABLE TO PROPERTIES ALONG ROUTE 202, INCLUDING THE PREMISES, THAT MEET CERTAIN STANDARDS RECITED IN LOCAL LAW NO. 4.

WHEREAS, THE PREMISES, TOGETHER WITH FOUR ADJOINING PROPERTIES, WAS DETERMINED BY A VOTE OF THE TOWN OF HAVERSTRAW TOWN BOARD TO MEET THE NECESSARY MINIMUM REQUIREMENTS FOR INCLUSION IN THE OVERLAY ZONE.

WHEREAS, THE PURPOSE AND UNDERLYING NEED FOR THE RESTRICTIVE COVENANTS ON THE PREMISES NO LONGER EXIST, AND THE RESTRICTIVE COVENANTS WOULD FRUSTRATE THE PURPOSE OF THE OVERLAY ZONE, WOULD PREVENT THE DEVELOPMENT OF THE PREMISES FOR THE SPECIFIC PURPOSES FOR WHICH LOCAL LAW NO. 4 WAS INTENDED TO PROMOTE, AND WOULD UNNECESSARILY BURDEN THE PREMISES WITH NO ATTENDANT BENEFIT TO THE TOWN.

WHEREAS, THE CURRENT OWNERS HAVE FORMALLY REQUESTED THE TOWN TO CONSENT TO THE REMOVAL OF THE RESTRICTIVE COVENANTS TO ALLOW THE PREMISES TO BE USED IN ACCORDANCE WITH THE NEW OVERLAY ZONE.

RESOLVED THAT THE TOWN OF HAVERSTRAW HEREBY APPROVES AND CONSENTS THAT THE RESTRICTIVE COVENANT SHALL CEASE TO APPLY TO THE PREMISES AND ARE HEREBY EXTINGUISHED AGAINST THE PREMISES.

**APPROVAL OF CHANGE ORDER NO. 1 FOR CONTRACT WITH
ENVIRONMENTAL CONSTRUCTION, INC. FOR THE BOWLINE PARK
PLAYGROUND IMPROVEMENTS PROJECT**

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

421-19 RESOLVED, UPON THE RECOMMENDATION OF TOWN OF HAVERSTRAW CONSULTING ENGINEER COSIMO PAGANO, PE THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPROVE CHANGE ORDER NO. 1 WITH ENVIRONMENTAL CONSTRUCTION, INC. FOR THE BOWLINE PARK PLAYGROUND IMPROVEMENTS PROJECT TO INCLUDE THE ADDITION OF THE DASH SECTION TO THE PLAYGROUND ALONG WITH ADDITIONAL BORDER AND SURFACE WORK, AND BE IT FURTHER

RESOLVED, THAT SAID CHANGE ORDER IS IN THE AMOUNT OF \$35,300.00.

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INCREASE IN RATES – COMMUTER PARKING LOT

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

422-19 RESOLVED, THAT THE FEES FOR THE TOWN OF HAVERSTRAW COMMUTER PARKING PERMITS SHALL BE INCREASED TO \$50.00 PER YEAR PER AUTOMOBILE FOR RESIDENTS AND \$60.00 PER YEAR PER AUTOMOBILE FOR NONRESIDENTS. THIS RESOLUTION SHALL BE EFFECTIVE JANUARY 1, 2020.

AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND VJ NETWORKS, INC.

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

423-19 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH VJ NETWORKS, INC. OF GARNERVILLE, NEW YORK FOR THE DIGITAL EVIDENCE MANAGEMENT (DEMS) PROJECT FOR THE TOWN OF HAVERSTAW POLICE DEPARTMENT AT A COST OF \$23,157.

SET DATE FOR PUBLIC HEARING - SEWER ASSESSMENT ROLL 2019

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

424-19 RESOLVED, THAT PURSUANT TO THE TOWN LAW A PUBLIC HEARING WITH REFERENCE TO THE SEWER ROLL FOR THE YEAR 2019 SHALL BE HELD ON MONDAY, DECEMBER 9, 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.

AMENDMENT OF RESOLUTION NO. 393-19

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

425-19 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, HEREBY AMENDS RESOLUTION NO. 393-19 TO CHANGE THE COST TO \$7,077.95.

PURCHASE OF COMPUTERS FOR THE TOWN OF HAVERSTRAW POLICE DEPARTMENT

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

426-19 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO PURCHASE TEN (10) OPTIPLEX 3070 SFF XCTO FOR THE TOWN OF HAVERSTRAW POLICE DEPARTMENT AT A COST OF \$870.23 EACH UNDER NYS CONTRACT # PM20820.

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**RETAINER AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND VERDE
ELECTRIC MAINTENANCE CORP.**

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

427-19 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY RETAINS VERDE ELECTRIC MAINTENANCE CORP. OF MT. VERNON, NEW YORK TO REPLACE THE TRAFFIC SIGNAL AT THE INTERSECTION OF LETCHWORTH VILLAGE ROAD, PATRIOT HILLS LANE AND WILLOW GROVE ROAD, AND BE IT FURTHER

RESOLVED, THAT THE WORK WILL INCLUDE: FURNISH AND INSTALL ONE (1) 2" RISER ASSEMBLY FOR TRAFFIC SIGNAL CABLE, FURNISH AND INSTALL ONE (1) TRAFFIC SIGNAL CONTROLLER CABINET AND 2070 CONTROLLER, FURNISH AND INSTALL TRAFFIC SIGNAL WIRE FROM CONTROLLER CABINET TO EXISTING TRAFFIC SIGNAL HEADS, AND START-UP AND COMMISSION, AT A COST OF \$29,650.00 WHICH WILL BE SPLIT BETWEEN THE TOWN OF HAVERSTRAW (\$14,825.00) AND THE TOWN OF STONY POINT (\$14,825.00).

**AUTHORIZATION TO BID NO. 12 - 2019 – PURCHASE OF ONE (1) NEW 2019 OR
2020 MODEL YEAR 4X4 MIDSIZE EXTENDED CAB PICKUP TRUCK FOR THE
TOWN OF HAVERSTRAW DOG WARDEN**

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

428-19 RESOLVED, UPON THE RECOMMENDATION OF CHRISTOPHER SCHULOK, SENIOR MECHANIC, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE TOWN CLERK 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, JANUARY 10, 2020 FOR THE RECEIPT OF BID NO. 12 - 2019 TO PURCHASE ONE (1) NEW 2019 OR 2020 MODEL YEAR 4X4 MIDSIZE EXTENDED CAB PICKUP TRUCK FOR THE TOWN OF HAVERSTRAW DOG WARDEN 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.

EASEMENT AGREEMENT FOR 42 RIVERGLEN DRIVE, THIELLS, NY

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

429-19 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN EASEMENT AGREEMENT WITH CHAIM HAMMELBURGER TO OBTAIN AN EMERGENCY ACCESS EASEMENT FOR THE TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT OVER THE PREMISES KNOWN AS 42 RIVERGLEN DRIVE, THIELLS, NEW YORK AND TO PAY MR. HAMMELBURGER THE SUM OF \$10,000.

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AGREEMENT WITH COUNTY OF ROCKLAND FOR INTERMUNICIPAL SHARED SERVICES AND COLLABORATION

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

430-19 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO SIGN AN INTERMUNICIPAL SHARED SERVICES AND COLLABORATION AGREEMENT WITH THE COUNTY OF ROCKLAND FOR THE TERM ENDING IN JANUARY 2024.

SCHEDULE PUBLIC HEARING – ADOPTION OF LOCAL LAW NO. 7 - 2019

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

431-19 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY SCHEDULE A PUBLIC HEARING TO CONSIDER ADOPTING LOCAL LAW NO. 7 – 2019 TO AMEND CHAPTER 84 OF THE TOWN CODE OF THE TOWN OF HAVERSTRAW, ENTITLED “FIRE PREVENTION AND BUILDING CONSTRUCTION” SUBSECTION 84-27 ENTITLED, “KEY BOXES.” SAID PUBLIC HEARING WILL BE HELD ON MONDAY, DECEMBER 9, 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.

PUBLIC PARTICIPATION

Keith Shikowitz, Garnerville, NY asked what an overlay zone is.

Supervisor Phillips stated that the overlay zone is a regulatory tool used to attract new business into our community and create rateables. The overlay zone is a special zone placed over an existing zoning district. The overlay zone includes a set of regulations that is applied to property within the overlay zone in addition to the requirements of the underlying or base zoning district.

ANNOUNCEMENTS

We would like to express our heartfelt condolences and sympathy to the family and friends of former Village of Haverstraw Mayor Thomas Watson who recently passed away.

Congratulations to the North Rockland Lions and North Rockland Rotary for hosting a very successful Taste of North Rockland which was held on Thursday, November 7th at the West Haverstraw Village Hall. A portion of the proceeds will benefit Leo Laders American Legion Post 130 and the Center for Safety & Change.

Leo Laders Post 130 hosted a wonderful Veteran’s Day ceremony on Monday, November 11th at Calico Hill in West Haverstraw. We want to honor and remember our veterans for the service they gave to our country.

The Habitat for Humanity’s Key Ceremony and “Welcome to Haverstraw” will be held on November 14th at 12 noon. The new house is located at 28 Westside Avenue in Haverstraw and we are glad we can participate in making that a success for a family.

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Dancing with the Stars will be held on November 15th from 7-11 pm at St. Peter and St. Mary Church with performances by parishioners: Maria Berrios, Carolyn Floriman, Noemi Martinez, Deyanira Peralta, Papo Cancel, Ron Olori and Andres Vasquez. This is a partnership with professional dancers from the Fred Astaire Dance Studio in Bardonia, NY.

The Youth Police Academy graduation for the 2019 Fall class will be held on November 19th at the North Rockland High School Auditorium at 7:00 pm.

The Town of Haverstraw Senior Citizens Club will be celebrating its 65th Anniversary on Wednesday, November 20th at Terrace on the Hudson. Congratulations!

The Town of Haverstraw Youth Board has several trips planned: Radio City Christmas Spectacular and the Polar Express.

ADJOURNMENT

432-19 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Thomas L. Watson, Sr., Mary Jane Degroat, Elizabeth Jean Talcott Phillips Corey, Rita Ezzie, Veronica June, Gloria Mary Shea (Gassmann), Leon E. Yates, Ronald Allen Cohen, Nora (Walsh) Fitzpatrick, Maureen Lamb, Helen Niminski, Ashley Caggiano, Anthony J. Barry, and Camila Dunn who recently passed away. A motion was made by Councilman Gamboli, seconded by Councilman Cancel and unanimously adopted and the Town Board Meeting was adjourned.

**MARISOL CANCEL
DEPUTY TOWN CLERK**