

TOWN BOARD
GARNERVILLE, NY
NOVEMBER 8, 2010

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, November 8, 2010, 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

415-10 TOWN BOARD MINUTES OF OCTOBER 25, 2010 AND 2011 PRELIMINARY BUDGET MEETING OF NOVEMBER 4, 2010 submitted by the Town Clerk on motion by Councilman Soto, seconded by Councilman Gamboli, were unanimously adopted.

PAYMENT OF BILLS

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

416-10 RESOLVED, that bills numbered 3,739 through and including 3,870 in the amount of \$230,213.74 be and they are hereby paid; and Highway Vouchers numbered 607 through and including 630 in the amount of \$6,066.80 audited at this meeting, be and they are hereby paid.

ACCEPTANCE OF REPORTS

No Reports.

BUDGET ADJUSTMENTS FOR PERIOD ENDING 10/31/10

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

417-10 RESOLVED, THAT THE SUPERVISOR IS AUTHORIZED TO MAKE BUDGET ADJUSTMENTS FROM THE GENERAL FUND IN THE AMOUNT OF \$290,000.00 AND HIGHWAY FUND (DB) IN THE AMOUNT OF \$5,000.00 PURSUANT TO THE REPORT OF THE DIRECTOR OF FINANCE FOR THE TOWN OF HAVERSTRAW FOR THE PERIOD ENDING OCTOBER 31, 2010. (SEE ATTACHED BUDGET ADJUSTMENTS.)

AGREEMENT WITH DIRECT ENERGY BUSINESS, LLC AND THE TOWN OF HAVERSTRAW

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

418-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH DIRECT ENERGY BUSINESS OF LLC OF PITTSBURGH, PENNSYLVANIA TO PROVIDE ELECTRIC FOR TOWN OF HAVERSTRAW'S ACCOUNT AT A FIXED RATE OF .06743 PER KWH FROM DECEMBER 2010 THROUGH DECEMBER 2012.

**AGREEMENT WITH GATEWAY ENERGY SERVICES AND THE TOWN OF
HAVERSTRAW**

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

419-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH GATEWAY ENERGY SERVICES OF MONTEBELLO, NEW YORK TO PROVIDE ELECTRIC FOR TOWN OF HAVERSTRAW STREET LIGHTS FOR A FIXED RATE OF .0642 PER KWH FROM DECEMBER 1, 2010 THROUGH NOVEMBER 30, 2012.

AUTHORIZATION TO SETTLE TAX CERTIORARI – KEAHON PROPERTY

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

420-10 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF DAVE ADAMS, TOWN ASSESSOR, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SETTLEMENT FOR 20.20-4-11 KEAHON PROPERTY LOCATED AT 210 BEACH ROAD IN THE TOWN OF HAVERSTRAW FOR TAX YEARS 2006-2010 BASED UPON THE FOLLOWING AMOUNTS ON THIS LOCATION:

YEAR	CURRENT ASSESSMENT	REVISED ASSESSMENT	REDUCTION AMOUNT	% REDUCTION	EST REFUND
2006	988,700	750,000	238,700	24%	\$0
2007	988,700	700,000	288,700	29%	\$3,025
2008	988,700	650,000	338,700	34%	\$2,999
2009	988,700	600,000	388,700	39%	\$3,943
2010	988,700	600,000	388,700	39%	\$4,646
				Total	\$14,613

**ADOPTION OF HOMESTEAD ADJUSTED BASE PROPORTIONS FOR THE TOWN
OF HAVERSTRAW**

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

421-10 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF DAVID ADAMS, ASSESSOR, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HERE BY ADOPT THE HOMESTEAD ADJUSTED BASE PROPORTIONS TO BE USED FOR THE 2011 TOWN TAX LEVY.

**ADOPTION OF THE ROCKLAND COUNTY MULTI-JURISDICTIONAL HAZARD
MITIGATION PLAN RESOLUTION**

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

422-10 WHEREAS, The Disaster Mitigation Act of 2000 (DMA 2000) (P.L. 106-390) provides an opportunity for States, Tribes, and local governments to take a new and revitalized approach to mitigation planning; and

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WHEREAS, DMA 2000 amended the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Act) by repealing the previous Mitigation Planning section and emphasizes the need for State, Tribal, and local entities to closely coordinate mitigation planning and implementation efforts; and

WHEREAS, the Town of Haverstraw, in partnership with the County of Rockland and with the assistance of U.R.S. Corporation, has gathered information and prepared the Rockland County Multi-Jurisdictional Hazard Mitigation Plan; and

WHEREAS, The Rockland County Multi-Jurisdictional Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Town of Haverstraw has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the Town of Haverstraw has reviewed the Plan and affirms that sections pertaining to the Town will be updated no less than every five years;

NOW, THEREFORE, BE IT RESOLVED that the Town of Haverstraw adopts the Rockland County Multi-Jurisdictional Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

**AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND NYACK HOSPITAL
EMPLOYEE ASSISTANCE PROGRAM**

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

423-10 RESOLVED, UPON THE RECOMMENDATION OF THE TOWN BOARD OF THE TOWN OF HAVERSTRAW THE SUPERVISOR IS HEREBY AUTHORIZED TO ENTER INTO AN AGREEMENT WITH NYACK HOSPITAL FOR THE PURPOSES OF PROVIDING TO THE TOWN EMPLOYEES AN EMPLOYEE ASSISTANCE PROGRAM, AND BE IT FURTHER

RESOLVED, THAT SAID AGREEMENT SHALL COMMENCE ON JANUARY 1, 2011 AND EXPIRE ON DECEMBER 31, 2011, AND BE IT FURTHER

RESOLVED, THAT SAID AMENDED AGREEMENT SHALL BE AT A TOTAL COST OF \$7,200.

**AUTHORIZATION TO ENTER INTO AN AGREEMENT FOR GRANT DISPERSALS
WITH NEW YORK DORMITORY AUTHORITY OF THE STATE OF NEW YORK
FOR PLAYGROUND EQUIPMENT AT BOWLINE POINT PARK**

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

424-10 RESOLVED, THAT THE TOWN BOARD IS HEREBY AUTHORIZES THE SUPERVISOR TO EXECUTE A GRANT DISPERSALS AGREEMENT WITH THE DORMITORY AUTHORITY OF THE STATE OF NEW YORK TO RECEIVE A \$50,000.00 GRANT FOR PLAYGROUND EQUIPMENT AT BOWLINE POINT PARK.

AUTHORIZATION TO ENTER INTO A SUPPLEMENTAL ORDER ON CONSENT

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

425-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE TOWN ATTORNEY TO ENTER INTO A SUPPLEMENTAL ORDER ON CONSENT WITH THE STATE OF NEW YORK REGARDING THE FORMER TOWN OF HAVERSTRAW LANDFILL, AND BE IT FURTHER

RESOLVED, THAT THE SUPPLEMENTAL ON ORDER ON CONSENT PROVIDES FOR A DEED RESTRICTION, AND BE IT FURTHER

RESOLVED, THAT THE DEED RESTRICTION IS A TYPE II ACTION UNDER SEQRA PURSUANT TO 6 NYCRR 617.5(c) (29) AND THEREFORE, NO SEQRA ACTION IS REQUIRED.

RESCHEDULE PUBLIC HEARING – ADOPTION OF LOCAL LAW TO ADD A NEW SECTION PROVIDING FOR THE LOCATION OF HOUSES OF WORSHIP AND OTHER RELIGIOUS USES

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

426-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY RESCIND RESOLUTION NUMBER 402-10 AND RESCHEDULES THE PUBLIC HEARING TO CONSIDER ADOPTING A LOCAL LAW TO ADD A NEW SECTION PROVIDING FOR THE LOCATION OF HOUSES OF WORSHIP AND OTHER RELIGIOUS USES. SAID PUBLIC HEARING WILL BE HELD ON MONDAY, JANUARY 10, 2011 AT 8:00 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

None.

TOWN BOARD MEMBERS

Supervisor Phillips stated Belgian Block curb replacement is being completed on Havervale and Tulip Drive, as well as on Locust and Woodridge. The curbs look very nice and we have received many compliments from the residents.

Town of Haverstraw Youth Board scheduled the Radio City Christmas Show and the Nutcracker. More trips are planned for the New Year and a flyer will be sent out to the schools.

ADJOURNMENT

427-10 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Colin Ossman, Bernadette Martorelli, Benjamin Woods, Elsie McDermott, Robert Arthur Blasser, Stephanie Terilli and Michael Russo, who recently passed away. Supervisor Phillips, the Town Board members and the Elected Officials further extended their condolences and sympathy to the families. Thereafter, a motion was made by Councilman Soto, seconded by Councilman Gould the Town Board Meeting to adjourn the meeting.

RAQUEL VENTURA
First Deputy