

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, April 12, 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
Councilman	Vincent J. Gamboli
Councilman	John J. Gould
Councilman	Hector L. Soto

### **PRESENTATION**

**Supervisor Phillips presented a check for \$100 to Sandy Tejada for the first home run of the 2010 Haverstraw Little League season.**

### **ADOPTION OF MINUTES**

**201-10 TOWN BOARD MEETING MINUTES OF MARCH 22, 2010** submitted by the Town Clerk on motion by Councilman Cancel, seconded by Councilman Soto, were unanimously adopted.

### **PAYMENT OF BILLS**

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

**202-10 RESOLVED**, that bills numbered 973 through and including 1,208 in the amount of \$388,698.99 be and they are hereby paid; and Highway Vouchers numbered 149 through and including 186 in the amount of \$23,527.59 audited at this meeting, be and they are hereby paid.

### **ACCEPTANCE OF REPORTS**

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

**203-10 RESOLVED THAT THE FOLLOWING POLICE ACTIVITY REPORT HAS BEEN SUBMITTED AND IS HEREBY ACCEPTED: POLICE DEPARTMENT ACTIVITY REPORT FOR THE MONTH OF FEBRUARY 2010.**

### **AWARD OF BID NO. 09-2010 - BUNKER SAND, TOP DRESSING & DIVOT MIX TO BE UTILIZED AT THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE**

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

**204-10 RESOLVED, UPON THE RECOMMENDATION OF CAL FOWX, GREENSKEEPER, AND THE BIDS HAVING BEEN FOUND IN ORDER BY TOWN ATTORNEY, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD BID NO. 09-2010 FOR THE PROVIDING OF BUNKER SAND, TOP DRESSING AND DIVOT MIX TO BE UTILIZED AT THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE DURING THE 2010 GOLF SEASON TO JAMES CARRIERE & SON, THE LOW BIDDER, OF PORT CHESTER, NEW YORK, AT A PRICE OF \$89.50 PER YARD FOR TOP DRESSING, BUNKER SAND AT \$34.50 PER YARD AND \$98.50 PER YARD FOR DIVOT MIX.**

**REJECTION OF BID NO. 6-2010 ROADWAY RESURFACING PROGRAM**

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

**205-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY REJECTS ALL BIDS FOR THE 2010 ROADWAY RESURFACING PROGRAM.**

**ESTABLISH CAPITAL PROJECT – HAVERSTRAW TOWN HALL PARKING LOT IMPROVEMENTS**

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

**206-10 RESOLVED, THAT THE TOWN BOARD HEREBY APPROVES HAVERSTRAW TOWN HALL PARKING LOT IMPROVEMENTS, AS A CAPITAL PROJECT IN THE AMOUNT OF \$500,000.00, WHICH BE FUNDED THROUGH THE GENERAL FUND.**

**AWARD OF BID NO. 8-2010 - HAVERSTRAW TOWN HALL PARKING LOT IMPROVEMENTS**

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

**Let the record show that Councilman Gamboli opposed to voting for Resolution #207-10. Councilman Gamboli stated that he is not comfortable with the bid specs and would prefer to see a breakdown of all the items of what will be done.**

**207-10 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF JOSEPH CARUSO, PE, OF MASER CONSULTANTS, PA, AND THE BIDS HAVING BEEN FOUND IN ORDER BY WILLIAM M. STEIN, TOWN ATTORNEY, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD BID NO. 08-2010 HAVERSTRAW TOWN HALL PARKING LOT IMPROVEMENTS AT THE BASE PRICE OF \$348,648.00 WITH THE FOLLOWING ADD/ALTERNATES:**

<b>ADD/ALTERNATE #1</b>	<b>HANDICAP RAMP</b>	<b>\$27,900.00</b>
<b>ADD/ALTERNATE #2</b>	<b>CATCH BASINS FRAME &amp; GRATES</b>	<b>\$12,600.00</b>
<b>ADD/ALTERNATE #3</b>	<b>PETROMAT</b>	<b>\$ 6,000.00</b>
<b>ADD/ALTERNATE #4</b>	<b>BINDER COURSE</b>	<b>\$ 6,150.00</b>
<b>ADD/ALTERNATE #5</b>	<b>ITEM 4</b>	<b>\$11,600.00</b>

**TO TILCON NEW YORK INC. OF WEST NYACK, NEW YORK, THE LOW BIDDER FOR A TOTAL PROJECT PRICE OF \$412,898.00.**

**TOWN OF HAVERSTRAW RESOLUTION OF THE LEGISLATIVE BODY – LAND USE LEADERSHIP ALLIANCE TRAINING PROGRAM**

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

**208-10 WHEREAS, COMPREHENSIVE PLANNING, LAND USE REGULATION AND THE REVIEW AND APPROVAL OF LAND DEVELOPMENT PROPOSALS ARE AMONG THE MOST IMPORTANT FUNCTIONS O LOCAL GOVERNMENTS IN THE STATE OF NEW YORK; AND**

**WHEREAS, MEMBERS OF LOCAL ADMINISTRATIVE BOARDS SUCH AS THE PLANNING BOARD, ZONING BOARD OF APPEALS, AND CONSERVATION ADVISORY BOARDS CONSIDER AND DISPOSE OF MANY IMPORTANT APPLICATIONS FOR PERMITS, VARIANCES AND INTERPRETATIONS OF LOCAL LAND USE REGULATIONS; AND**

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WHEREAS, LOCAL LEGISLATIVE BODIES ARE AUTHORIZED TO USE THEIR DELEGATED AUTHORITY UNDER STATE LAW TO ADOPT A WIDE VARIETY OF LAND USE REGULATIONS, CONTROLS AND INCENTIVES TO PROVIDE FOR THE BALANCED AND HARMONIOUS DEVELOPMENT OF THE COMMUNITY; AND

WHEREAS, LAND OWNERS, DEVELOPERS, AND LEADERS OF LOCAL CIVIC ORGANIZATIONS ARE REGULARLY INVOLVED IN TESTIFYING REGARDING MATTERS PENDING BEFORE THESE LEGISLATIVE AND ADMINISTRATIVE BODIES; AND

WHEREAS, KNOWLEDGE OF THE AUTHORITY OF LOCAL GOVERNMENTS REGARDING LAND USE CONTROL AND RESPONSIBLE DECISION-MAKING REGARDING THESE MATTERS IS IMPORTANT TO THE QUALITY OF LIFE AND FUTURE SUCCESS OF THE COMMUNITIES; AND

WHEREAS, THE LAND USE LAW CENTER OF PACE UNIVERSITY SCHOOL OF LAW HAS ESTABLISHED AN EXEMPLARY PROGRAM OF TRAINING AND SUPPORTING LOCAL OFFICIALS, PRIVATE SECTOR REPRESENTATIVES AND CIVIC LEADERS IN LAND USE DECISION-MAKING;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE BODY OF THE TOWN OF HAVERSTRAW THAT IT SUPPORTS THE CONTINUATION AND EXPANSION OF THE LAND USE LEADERSHIP ALLIANCE TRAINING PROGRAM OF THE LAND USE LAW CENTER,

THAT IT SUPPORTS THE CONTINUATION AND EXPANSION OF THE LAND USE LEADERSHIP ALLIANCE TRAINING PROGRAM OF THE LAND USE LAW CENTER,

THAT IT OFFERS ITS OFFICIAL SPONSORSHIP OF THE TRAINING SESSIONS CONDUCTED UNDER THE CENTER'S PROGRAMS, AND

THAT IT ENCOURAGES OTHER CITIES, TOWNS AND VILLAGES IN THE HUDSON VALLEY REGION TO OFFER THEIR SUPPORT AND SPONSORSHIP OF THESE LAND USE TRAINING PROGRAMS AND TO NOMINATE LOCAL LEADERS FOR PARTICIPATION IN THESE PROGRAMS.

**ACCEPTANCE OF LETTER OF RESIGNATION - MICHAEL VIOHL, JR., POLICE  
RADIO DISPATCHER PART TIME**

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

**209-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY ACCEPT THE LETTER OF RESIGNATION FROM MICHAEL VIOHL, JR., AS POLICE RADIO DISPATCHER PART TIME, EFFECTIVE MARCH 22, 2010.**

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**AGREEMENT WITH THE TOWN OF HAVERSTRAW AND VISUAL COMPUTER SOLUTIONS, INC.**

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

**210-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO A LICENSE AND SOFTWARE SUPPORT AGREEMENT WITH VISUAL COMPUTER SOLUTIONS, INC. OF FREEHOLD, NEW JERSEY TO PROVIDE THE TOWN OF HAVERSTRAW POLICE DEPARTMENT WITH SCHEDULING SOFTWARE, INSTALLATION AND DATA INPUT TRAINING AND THREE (3) DAYS OF ONSITE TRAINING AT A COST OF \$20,500.00. TO BE PAID THROUGH ASSET SEIZURE FUND.**

**RESOLUTION DECLARING THE WEEK OF APRIL 11<sup>TH</sup> 9-1-1 DISPATCHER WEEK**

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

**211-10 WHEREAS, IN 1991 THE UNITED STATES CONGRESS PASSED THE FIRST JOINT RESOLUTION DESIGNATING THE SECOND WEEK IN APRIL AS “NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK”; AND**

**WHEREAS, IN OCTOBER OF 2003 THE ROCKLAND COUNTY 9-1-1 DISPATCHERS ASSOCIATION WAS FORMED; AND**

**WHEREAS, THE INTENT OF THIS ASSOCIATION WAS TO PROVIDE A FRATERNAL ORGANIZATION WHERE ROCKLAND’S 9-1-1 DISPATCHERS COULD BOND AND DISCUSS ISSUES FACING PUBLIC SAFETY DISPATCHERS; AND**

**WHEREAS, EVERY DAY, IN ALL OF OUR COMMUNITIES, DEDICATED 9-1-1 DISPATCHERS ANSWER OUR CALLS FOR ASSISTANCE. CALMLY SERVING AS “THE FIRST RESPONDERS,” DISPATCHING ASSISTANCE TO HELP SAVE THE LIVES AND PROPERTY OF OUR CITIZENS; AND**

**WHEREAS, THEY PROFESSIONALLY DISPATCH OUR CALLS FOR HELP TO LOCAL POLICE, FIRE, EMERGENCY MEDICAL TECHNICIANS (EMTs), AND PARAMEDICS, FACILITATING THE EXECUTION OF EMERGENCY RESCUE, FIRE SUPPRESSION AND LAW ENFORCEMENT OPERATIONS IN ALL OF OUR TOWNS AND VILLAGES; AND**

**WHEREAS, ON AVERAGE, OUR 9-1-1 DISPATCHERS PROCESS OVER 400,000 LANDLINE AND CELLULAR TELEPHONE CALLS PER YEAR, SERVING AS THE VITAL LINKS BETWEEN OUR EMERGENCY SERVICES PERSONNEL AND OUR CITIZENS DURING THE WORST OF TIMES; AND**

**WHEREAS, THE SAFETY OF OUR POLICE OFFICERS, FIREFIGHTERS, EMTs, AND PARAMEDICS IS DEPENDENT UPON THE QUALITY, ACCURACY AND TIMELESS OF THE INFORMATION OBTAINED BY OUR 9-1-1 DISPATCHERS; AND**

**WHEREAS, THE ROCKLAND COUNTY 9-1-1 DISPATCHERS ASSOCIATION AND THE ROCKLAND COUNTY ENHANCED 9-1-1 OFFICE WISH TO HONOR THE INVALUABLE LIFE SAVING CONTRIBUTION OF THESE MEN AND WOMEN WHO HAVE DEVOTED THEIR TIME AND ENERGY TO THE SAVING OF LIVES AND PROPERTY;**

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NOW, THEREFORE, I, HOWARD T. PHILLIPS, JR., SUPERVISOR OF THE TOWN OF HAVERSTRAW, DO HEREBY PROCLAIM APRIL 11 – 17, 2010 AS “9-1-1 DISPATCHER WEEK” IN THE TOWN OF HAVERSTRAW AND ENCOURAGE THE PUBLIC AND OTHER GOVERNING BODIES TO ALSO EXTEND ITS GRATITUDE TO THE 9-1-1 DISPATCHERS OF ROCKLAND COUNTY FOR BEING THE COUNTY’S “FIRST RESPONDERS” DURING OUR MOST FRANTIC AND PANICKED MOMENTS.

**AMEND RESOLUTION NO. 359-09 ENTITLED, “AUTHORIZATION TO ENTER INTO CONTRACT WITH AAA COOLERATION-HVAC FOR THE HAVERSTRAW AMBULANCE CORP BUILDING”**

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

**212-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AMENDS RESOLUTION NO. 359-09 TO INCREASE THE ORIGINAL AMOUNT OF \$26,995.00 TO \$29,695.00. FOR THE CONTRACT WITH AAA COOLERATION-HVAC FOR THE HAVERSTRAW AMBULANCE CORP BUILDING.**

**AUTHORIZATION TO SETTLE TAX CERTIORARI – POMONA PARK CONDOMINIUMS**

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

**213-10 RESOLVED, UPON THE RECOMMENDATION OF DAVE ADAMS, TOWN ASSESSOR AND WILLIAM M. STEIN, TOWN ATTORNEY, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SETTLEMENT FOR POMONA PARK CONDOMINIUMS (11-388 RICHARD COURT), FOR TAX YEARS 2001-2009 BASED UPON THE FOLLOWING AMOUNTS ON THIS LOCATION:**

<b>TAX YEAR</b>	<b>ORIGINAL ASSESSMENT</b>	<b>REVISED ASSESSMENT</b>	<b>AMOUNT OF REDUCTION</b>
2001	\$1,747,300	\$1,643,100	\$104,200
2002	1,747,300	1,532,200	215,100
2003	1,747,300	1,574,100	173,200
2004	1,747,300	1,443,200	304,100
2005	1,747,300	1,573,400	173,900
2006	52,790,200	52,790,200	0
2007	52,790,200	52,790,200	0
2008	52,790,200	52,790,200	0
2009	50,161,400	50,161,400	0

**AGREEMENT WITH THE TOWN OF HAVERSTRAW AND THE COUNTY OF ROCKLAND - REIMBURSEMENT FOR COUNTER-TERRORISM TRAINING**

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

**214-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ROCKLAND COUNTER-TERRORISM TRAINING PROGRAM FOR REIMBURSEMENT IN THE SUM OF \$8,979.00.**

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**AUTHORIZATION TO DRAW DOWN LETTER OF CREDIT FOR DESIMONE-  
SOTTOVIA SUBDIVISION**

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

**215-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO EXECUTE A CERTIFICATE TO DRAW DOWN THE LETTER OF CREDIT NUMBER S903355 WITH CITIZENS BANK, NA IN THE NAMES OF TINDARO MONDELLO, PAULO DESIMONE AND PETER DESIMONE IN THE AMOUNT OF \$225,000.**

**EASEMENT AGREEMENT WITH VILLAGE OF POMONA**

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

**216-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN EASEMENT AGREEMENT WITH THE VILLAGE OF POMONA TO GAIN EMERGENCY ACCESS TO CHEESECOTE PARK FROM CHEESECOTE LANE OVER A PARCEL OWNED BY THE VILLAGE OF POMONA.**

**DESIGNATION OF POLICE COMMISSION MEETING DATES**

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

**217-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY DESIGNATES POLICE COMMISSION MEETINGS TO BE HELD ON THE THIRD MONDAY OF EACH MONTH AT 4:00 P.M. AT THE HAVERSTRAW TOWN HALL. PERSONNEL MATTERS WILL BE DISCUSSED IN EXECUTIVE SESSION.**

**AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND CATHOLIC  
COMMUNITY SERVICES OF ROCKLAND**

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

**218-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH CATHOLIC COMMUNITY SERVICES OF ROCKLAND FOR A ONE TIME PAYMENT OF \$1,000.00 FOR THE PURCHASE OF A SHED TO BE LOCATED IN THE VILLAGE OF HAVERSTRAW TO BE USED FOR A COMMUNITY VEGETABLE GARDEN.**

**PUBLIC PARTICIPATION**

None.

**BOARD MEMBERS**

Supervisor Phillips stated that this Friday, April 16, a Striped Bass Fishing Contest will commence at midnight at the Haverstraw Water club and last through the weekend.

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\$100,000 in prize money will be awarded to the person who catches a striped bass that is at least 48" long and weighs 50 lbs. There will also be a boat show at the Haverstraw Marina the same weekend. To help with the fishing contest, the Town Clerk's office will be open on Fri., April 16 from 5:00 p.m. – 10:00 p.m. issuing fishing licenses to those who have not registered.

Congratulations to the Haverstraw Little League on another baseball season. A parade was held on Saturday to commence the new season and Supervisor Phillips and Town Board Members participated in the Opening Day Ceremony. Good luck to a great season!

Supervisor Phillips thanked Officer Spatta for his presentation on sexting at North Rockland High School. Mrs. Bassani, a North Rockland teacher and the students provided thank you letters to Officer Spatta. The students really appreciated the presentation.

Also, Gary Dworkowitz, North Rockland Varsity Ice Hockey Coach wrote a letter to Supervisor Phillips thanking the Town for their donation and support to the hockey program. The donation will help to fund ice time and to purchase equipment for the players. Supervisor Phillips stated that it was very nice of Gary to send a thank you letter.

### **ADJOURNMENT**

**219-10** Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Rose Brennan, Mary Benicasa, Sebastian Lomonico, Loretta Peterson, Kenneth Begbie and Mary Kay Rose, 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 Gould, seconded by Councilman Cancel the Town Board Meeting was adjourned.

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**RAQUEL VENTURA**  
**FIRST DEPUTY**