

TOWN BOARD
GARNERVILLE, NY
MAY 14, 2012

The Town Board of the Town of Haverstraw held a Public Hearing on Monday, May 14, 2012 at 8:00 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 – TOWN OF HAVERSTRAW 2012 MS4 ANNUAL REPORT

Supervisor Phillips stated that the purpose of this Public Hearing is to discuss any comments and suggestions regarding the Town's 2012 MS4 Annual Report, which has been prepared pursuant to the New York State Department of Environmental Conservation SPDES General Permit for Storm Water Discharges from Municipal Separate Sewer Systems (MSRS).

PRESENTATION BY GREGORY LIBERMAN, PROJECT SCIENTIST , STERNS & WHEELER, ENVIRONMENTAL ENGINEERS & SCIENTISTS

Every year the Town is required to update their MS4 annual report. The State of New York requires all municipalities to develop and implement a Stormwater Management Program of all the drainage that goes through all the roads in the unincorporated area. The Town is required to track the water now and show evidence that we are tracking it. The Stormwater Management Program that includes the following six minimum control measures:

1. Public outreach and education on stormwater impacts.
2. Public involvement and participation.
3. Illicit discharge detection and elimination.
4. Construction site stormwater runoff control.
5. Post construction stormwater management.
6. Pollution prevention and good housekeeping for municipal operations.

PUBLIC PARTICIPATION & BOARD MEMBERS

Burt Singer, 10 Chestnut Drive, Pomona asked Mr. Liberman if he kept track of the type of fluid that is coming out of the storm drains.

Gregory Liberman, Project Scientist stated we do not.

Supervisor Phillips stated that we try to protect the quality of water going into the streams or body of water that goes into the Hudson River. We look for illicit non-storm water related conditions.

CLOSE HEARING

236-12 On motion by Councilman Gould, seconded by Councilman Soto, unanimously adopted, the Public Hearing was closed.

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**AUTHORIZATION FOR SUPERVISOR TO SIGN THE TOWN OF HAVERSTRAW'S
2012 MS4 ANNUAL REPORT**

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

237-12 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO SIGN THE TOWN OF HAVERSTRAW'S 2012 MS4 ANNUAL REPORT.

RAQUEL VENTURA
First Deputy

TOWN BOARD
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MAY 14, 2012

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, May 14, 2012 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

ADOPTION OF MINUTES

238-12 PUBLIC HEARING AND TOWN BOARD MEETING OF APRIL 23, 2012
submitted by the Town Clerk on motion by Councilman Gould, seconded by Councilman Gamboli, were unanimously adopted.

PAYMENT OF BILLS

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

239-12 RESOLVED, that bills numbered 1,442 through and including 1,691 in the amount of \$602,392.14 be and they are hereby paid; and Highway Vouchers numbered 187 through and including 209 in the amount of \$19,934.69 audited at this meeting, be and they are hereby paid.

ACCEPTANCE OF REPORTS

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

240-12 RESOLVED, THAT THE FOLLOWING POLICE ACTIVITY REPORT HAS BEEN SUBMITTED AND IS HEREBY ACCEPTED: POLICE DEPARTMENT ACTIVITY REPORT FOR THE MONTH OF MARCH 2012.

ADVERTISE FOR BIDS NO. 7-2012 – PURCHASE OF WOOD CHIPPER

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

241-12 RESOLVED, THAT BASED UPON ON THE RECOMMENDATION OF SENIOR MECHANIC, THE TOWN CLERK BE AND SHE HEREBY IS AUTHORIZED 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 THURSDAY, JUNE 7, 2012 FOR THE RECEIPT OF BIDS TO SUPPLY AND DELIVER ONE (1) MODEL 280XP (18" DISC STYLE) BRUSH BANDIT WOOD CHIPPER (OR APPROVED EQUIVALENT) FOR THE TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT, 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

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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.

ADVERTISE FOR BIDS NO. 8-2012 – PURCHASE ONE (1) TAR KETTLE CRACK SEALER

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

242-12 RESOLVED, THAT BASED UPON ON THE RECOMMENDATION OF SENIOR MECHANIC, THE TOWN CLERK BE AND SHE HEREBY IS AUTHORIZED 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 11:30 A.M. ON THURSDAY, JUNE 7, 2012 FOR THE RECEIPT OF BIDS TO SUPPLY AND DELIVER ONE (1) TAR KETTLE CRACK SEALER FOR THE TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT, 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.

ADVERTISE FOR BIDS NO. 9-2012 - BUS TRANSPORTATION FOR SUMMER RECREATION PROGRAM - 2012

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

243-12 RESOLVED, THAT THE TOWN CLERK BE AND SHE HEREBY IS AUTHORIZED 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 10:00 A.M. ON FRIDAY, MAY 25, 2012, FOR THE RECEIPT OF BIDS FOR THE PROVISION OF BUS TRANSPORTATION FOR THE CHILDREN IN THE TOWN OF HAVERSTRAW'S SUMMER RECREATION PROGRAM 2012 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.

RETAINER AGREEMENT WITH WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP TO SERVE AS LEGISLATIVE AND LEGAL COUNSEL

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

244-12 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO A RETAINER AGREEMENT WITH THE LAW FIRM OF WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP OF ALBANY, NEW YORK TO SERVE AS LEGAL AND LEGISLATIVE COUNSEL IN NEW YORK STATE FOR THE TOWN OF HAVERSTRAW COMMENCING MAY 11, 2012 UNTIL MAY 10, 2013 AT AN ANNUAL COST OF \$50,000.

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**APPROVAL OF ONETIME INCREASE IN THE 2012 HAVERSTRAW AMBULANCE
CORPS BUDGET**

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

245-12 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY APPROVES THE ONETIME INCREASE IN THE 2012 AMBULANCE BUDGET IN THE AMOUNT OF \$24,207.00 TO CHANGE THE CURRENT RADIO FREQUENCY TO NARROW BANDING PER FCC REGULATIONS.

AWARD OF RFP NO. 3-2012 – BOWLINE POOL BROCHURES

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

246-12 RESOLVED, THAT THREE (3) RFPs WERE SUBMITTED TO SHERRI STILA, TELEPHONE OPERATOR TO PROVIDE 15,000 BOWLINE POOL BROCHURES FOR TOWN OF HAVERSTRAW, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN HAVERSTRAW DOES HEREBY AWARD RFP NO. 3-2012 TO DEXTER PRINTING SERVICES OF GUTTENBERG, NEW JERSEY AT A PRICE OF \$2,230.00, THE LOW BIDDER.

**APPROVAL FOR EMERGENCY GAS PUMP REPAIRS AT THE TOWN OF
HAVERSTRAW HIGHWAY DEPARTMENT**

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

247-12 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY APPROVES THE EMERGENCY REPAIRS TO THE GAS PUMPS AT THE TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT BY CONKLIN SERVICES & CONSTRUCTION INC. FROM NEWBURGH, NEW YORK AT A COST OF \$5,276.00.

PAYMENT IN LIEU OF TAXES AGREEMENT

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

248-12 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO EXECUTE A PAYMENT IN LIEU OF TAXES AGREEMENT WITH CAMBRIDGE SECURITY SEALS, LLC REGARDING THE PROPERTY LOCATED AT 230 ROUTE 202 IN POMONA, NEW YORK.

AUTHORIZATION TO SETTLE TAX CERTIORARI – AMERICAN TOWER

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

249-12 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 AMERICAN TOWERS (18.00-1-16) LOCATED OFF ROUTE 210 FOR TAX YEARS 2007-2012 BASED UPON THE FOLLOWING:

YEAR	CURRENT ASSESSMENT	REVISED ASSESSMENT	REDUCTION AMOUNT	% REDUCTION	EST REFUND
2007	1,817,500	1,539,150	278,350	15%	\$0
2009	1,817,500	1,716,470	101,030	6%	\$2,649
2010	1,817,500	1,687,175	130,325	7%	\$1,156
2011	1,817,500	1,679,115	138,385	8%	\$1,999
2012	1,817,500	1,679,115	138,385	8%	\$2,475
				Total	\$8,278

AGREEMENT WITH HESS SMALL BUSINESS SERVICES, LLC AND THE TOWN OF HAVERSTRAW

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

250-12 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH HESS SMALL BUSINESS SERVICES, LLC OF WOODBRIDGE, NEW JERSEY TO SUPPLY NATURAL GAS TO THE TOWN OF HAVERSTRAW COMMENCING JUNE 2012 AND ENDING MAY 2015 AT A FIXED RATE OF \$0.5930 PER THERM.

PUBLIC PARTICIPATION

Noel Rapport, 7 Lewis Drive, Garnerville stated that United Water did a job about six or seven months ago to repair a water leak. They dug up along the curb and left stone and the curb unfinished. The stone is still sitting there on my neighbor's lawn between 5 & 7 Lewis Drive.

Supervisor stated that he will call United Water and address the problem with them.

Burt Singer, 10 Chestnut Drive, Pomona stated that last month you talked about a problem with lawn signs.

William Stein, Town Attorney stated that he did not mean to cut you short but there will be a Public Hearing on signs at the next Town Board Meeting on Tuesday, May 29.

Thomas Cooney, 6 Castle Ct., Thiells thanked the Town for providing free mulch. Every year he wanted to stop by and say thank you very much – it's a wonderful service.

Supervisor Phillips stated that he appreciated that. The mulch is good quality and has been a very big success for us.

Mel Post, 1422 Roundpoint Drive, Haverstraw stated that when we typically vote for elections, school budgets, etc. in the Village or Town are you required to show a photo I.D.?

Supervisor Phillips stated that they can request I.D. I don't believe it has to be a photo in the state of New York.

William Stein, Town Attorney stated that just a signature is required.

Mr. Ortega, 23 Pratt Street, Haverstraw stated that he wants to complain about the scooters that are riding all over the village and half of them have no licenses. They are transporting drugs in the Village on the scooters. On Pratt Street there are four crack houses. I would like for the cops to come down on Pratt Street and observe what is going on down there.

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Supervisor Phillips stated that we will set a meeting up with the Chief of Police for either Wednesday or Friday of this week to go over these issues.

ANNOUNCEMENTS

Councilman Gould stated that the Emerald Society held their 13th Annual 3 Mile Run at Bowline Park. It was their first time at Bowline and they were very pleased with the park. There were over 300 runners and a good amount of money was raised for two Rockland County residents. They are looking forward to coming back next year.

Supervisor Phillips stated that we are in the process of preparing a newsletter to go out the end of May to the residents.

The Watch Fire is scheduled for Tuesday, May 29th at Bowline Point Park and will burn all day Wednesday.

On Sunday, June 3, 2012 at 9:00 am the Town of Haverstraw will hold its annual North Rockland Community 3-Mile Run/Walk fundraiser at Bowline Park. Three North Rockland families are being honored and they are Brenda Fay, Gabrielle DiCarlo and Krystian Santiago.

The Town of Haverstraw fireworks are scheduled for Tuesday, July 3 and the rain date is Wednesday, July 4th at Bowline Park.

This will be the fourth year in a row that GenOn (Mirant) have filed for a 97% reduction in their assessment. They have gone from paying approximately \$45 million dollars in total taxes to \$10.5 million. The Palisades Mall pays over \$23 million dollars in taxes to Clarkstown. That means that the Bowline Power Plants are paying less than half of what the Palisades Mall is paying. A State Supreme Court Judge issued a ruling setting the value at approximately \$380 million and the Town Assessor has reduced their assessment by \$220 million. It is very hard and very scary. I don't believe that any court would warrant a 97% reduction.

Congresswoman Nita Lowey will now represent the entire Town of Haverstraw. We worked closely with the Congresswoman on the construction of the new bridge on Route 9W in the Village of Haverstraw. She is a hands-on person.

The Town has new representation from Senator William Larkin. He is from Orange County and will be representing Haverstraw and Stony Point. Senator Larkin reminds me of the late Senator, Tom Morahan. He is a very involved and very active. If Senator Larkin represents the Town of Haverstraw it will turn out to be a good thing. The Senator has been in touch with us constantly. We have made several trips to his office in Albany to discuss Town issues.

Councilman Cancel inquired about the bridge on Samsondale Ave. how bad it needs to be repaired. For the last few years, the state has addressed it and they keep pushing it back because there is no money to repair it. They said it was the worse in the state – it was the 9th worse. It needs to be repaired.

ADJOURNMENT

251-12 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Genevieve R. Schuler, Robert Mahoney, Andrew William Koval, Sr., Rita Leonard, Glen T. Miller, Mary Louise Niegocki, Nathaniel Lopez, Donato Ameruoso, Daniel Espinal, Teresa C. Neary, Michael Simko and Edward Hitchcock, who recently passed away. Supervisor Phillips and the Town Board members further extended their condolences and sympathy to the families. Thereafter, a motion was made by Councilman Gamboli, seconded by Councilman Soto to adjourn the Town Board Meeting.

RAQUEL VENTURA
First Deputy