

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, August 11, 2014 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**

**338-14 ADOPTION OF THE TOWN BOARD MEETING MINUTES OF JULY 14, 2014**, as submitted by the Town Clerk and on motion by Councilman Cancel, seconded by Councilman Gamboli, were unanimously adopted.

#### **PAYMENT OF BILLS**

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

**339-14 RESOLVED**, that bills numbered 2197 through and including 2478 in the amount of \$845,036.87 and Highway Vouchers numbered 428 through and including 485 in the amount of \$34,647.93 audited at this meeting, be and they are hereby paid.

#### **ACCEPTANCE OF REPORTS**

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

**340-14 RESOLVED, THAT THE FOLLOWING POLICE DEPARTMENT ACTIVITY REPORT AND HIGHWAY DEPARTMENT OPERATION REPORT HAVE BEEN SUBMITTED AND ARE HEREBY ACCEPTED: POLICE DEPARTMENT ACTIVITY REPORT FOR MAY 2014 AND HIGHWAY DEPARTMENT OPERATION REPORT FOR THE MONTH OF JULY 2014 HAVE BEEN SUBMITTED AND ARE HEREBY ACCEPTED.**

#### **APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN HAVERSTRAW POLICE DEPARTMENT AND ROCKLAND PARAMEDIC SERVICES, INC.**

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

**341-14 RESOLVED, THAT THE TOWN BOARD HEREBY AUTHORIZES THE SUPERVISOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN HAVERSTRAW POLICE DEPARTMENT AND ROCKLAND PARAMEDIC SERVICES, INC. TO PROVIDE TRAINING AND INTRA-NASAL NALOXONE WITHOUT ANY CHARGE TO NYS OPIOID OVERDOSE RESPONDERS.**

#### **RESCIND RESOLUTION NUMBER 311-14 – ACCEPTANCE OF LETTER OF RETIREMENT – EUGENE BARNUM, BUILDING INSPECTOR II**

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

**342-14 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF**

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**HAVERSTRAW, DOES HEREBY RESCIND RESOLUTION NUMBER 311-14 ACCEPTANCE OF LETTER OF RETIREMENT FOR BUILDING INSPECTOR II, EUGENE BARNUM, EFFECTIVE JULY 31, 2014.**

**FY2014 ANNUAL SUBRECIPIENT AGREEMENT WITH THE COUNTY OF ROCKLAND COMMUNITY DEVELOPMENT AGENCY**

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

**343-14 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ROCKLAND TO OBTAIN A COMMUNITY DEVELOPMENT BLOCK GRANT FOR BOWLINE POINT PARK IMPROVEMENTS-SEAWALL/ JETTIES IN THE SUM OF \$80,000.**

**ACCEPTANCE OF LETTER OF RETIREMENT – POLICE OFFICER ROBERT MORGESE**

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

**344-14 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, DOES HEREBY ACCEPT A LETTER FOR DISABILITY RETIREMENT FOR ROBERT MORGESE, POLICE OFFICER FOR THE TOWN OF HAVERSTRAW POLICE DEPARTMENT, EFFECTIVE JULY 28, 2014.**

**AUTHORIZATION FOR SUPERVISOR TO ENTER INTO AN AGREEMENT WITH ORANGE AND ROCKLAND UTILITIES, INC. FOR USE OF THE THEIR MUNICIPAL STREETLIGHT PORTAL**

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

**345-14 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH ORANGE AND ROCKLAND UTILITIES, INC. FOR THE USE OF THEIR MUNICIPAL STREET LIGHT PORTAL.**

**AUTHORIZATION FOR SUPERVISOR TO ENTER INTO A LICENSE AGREEMENT WITH BMI**

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

**346-14 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO A MUSIC PERFORMANCE LICENSE AGREEMENT WITH BMI OF NASHVILLE, TENNESSEE FOR THE ANNUAL SUM OF \$330.00.**

**WITHDRAWAL FROM ROCKLAND COUNTY WORKERS' COMPENSATION SELF-INSURANCE PLAN**

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

**347-14 WHEREAS, THE TOWN OF HAVERSTRAW IS CURRENTLY A PARTICIPANT MEMBER OF THE ROCKLAND COUNTY WORKERS' COMPENSATION SELF-INSURANCE PLAN, A SELF INSURANCE PLAN DULY ADOPTED AND ESTABLISHED BY THE COUNTY OF ROCKLAND IN**

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ACCORDANCE WITH L.L. NO. 7-1980 OF THE LAWS OF ROCKLAND COUNTY, AS AMENDED (CODIFIED AT CHAPTER 189 OF THE LAWS OF ROCKLAND COUNTY), AS AUTHORIZED BY THE N.Y.S. WORKERS' COMPENSATION LAW; AND

WHEREAS, THE TOWN BOARD HAS DETERMINED THAT, AT THIS POINT IN TIME, IT IS IN THE BEST FINANCIAL INTERESTS OF THE TOWN TO WITHDRAW FROM THE COUNTY PLAN, AND PROVIDE WORKER'S COMPENSATION INSURANCE COVERAGE, AS REQUIRED BY LAW, AS A SELF-INSURED PARTY; AND

WHEREAS, IN ACCORDANCE WITH § 189-3(E), A PARTICIPANT MEMBER MUST PROVIDE AT LEAST 120 DAYS NOTICE TO THE COUNTY OF ITS INTENTION TO WITHDRAW FROM THE PLAN, SUCH TIME PERIOD MEASURED FROM THE SERVICE OF A CERTIFIED BOARD RESOLUTION INDICATING THE PARTICIPANT MEMBERS INTENT TO DO SO,

NOW, THEREFORE, BE IT RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY RESOLVES TO WITHDRAW AS A PARTICIPANT MEMBER OF THE ROCKLAND COUNTY WORKERS' COMPENSATION SELF-INSURANCE PLAN, EFFECTIVE JANUARY 1, 2015, ON OR BEFORE WHICH DATE IT SHALL HAVE IN EFFECT OTHER WORKERS' COMPENSATION INSURANCE COVERAGE ADEQUATE TO MEET ITS OBLIGATIONS AS AN EMPLOYER UNDER THE LAW; AND

BE IT FURTHER RESOLVED, THAT THE TOWN CLERK SHALL PROVIDE THE COUNTY WITH A CERTIFIED COPY OF THIS RESOLUTION, AND SHALL TAKE SUCH OTHER AND FURTHER STEPS AS MAY BE REQUIRED TO EFFECT THE TOWN'S WITHDRAWAL FROM THE PLAN BY SUCH DATE. THE TOWN HEREBY RESERVES ITS RIGHT TO RESCIND THIS RESOLUTION PRIOR TO JANUARY 1, 2015.

**AUTHORIZATION TO PURCHASE TWO 72" MOWER DECKS FOR JACOBSEN 600 SERIES OUT FRONT ROTARY MOWER FOR THE TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT**

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

348-14 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF GEORGE WARGO, SUPERINTENDENT OF HIGHWAYS, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE PURCHASE OF TWO 72" MOWER DECKS FOR JACOBSEN 600 SERIES OUT FRONT ROTARY MOWER FROM WILFRED MACDONALD, INC. OF SOUTH HACKENSACK, NEW JERSEY FOR THE TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT, THROUGH NEW YORK STATE CONTRACT #PC64364, AT A COST OF \$4,638.07 EACH FOR A TOTAL OF \$9,276.14 .

**ESTABLISH CAPITAL PROJECT – STORMWATER DRAINAGE REPAIR AT HAVERSTRAW LANDFILL**

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

349-14 RESOLVED, THAT THE TOWN BOARD HEREBY APPROVES STORMWATER DRAINAGE REPAIR AT THE HAVERSTRAW LANDFILL, AS A CAPITAL PROJECT IN THE AMOUNT OF \$50,000.00, WHICH WILL BE FUNDED FROM THE GENERAL FUND \$25,000.00 AS INTERFUND TRANSFER AND \$25,000.00 AS DUE TO/DUE FROM.

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**AWARD OF BID NO. 8-2014 – STORMWATER DRAINAGE REPAIR AT  
HAVERSTRAW LANDFILL**

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

**350-14 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF PATRICK BRADY, P.E., THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AWARDS THE BID TO REPAIR STORMWATER DRAINAGE AT THE TOWN OF HAVERSTRAW LANDFILL, TO VICTOR P. ZUGIBE, INC. OF GARNERVILLE, NEW YORK, THE LOW BIDDER, IN THE AMOUNT OF \$42,500.00.**

**INTERMUNICIPAL AGREEMENT WITH VILLAGE OF WEST  
HAVERSTRAW**

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

**351-14 THE TOWN BOARD HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH THE VILLAGE OF WEST HAVERSTRAW TO PERFORM STORMWATER DRAINAGE REPAIR AT THE HAVERSTRAW LANDFILL IN AN AMOUNT OF ONE HALF OF THE COST OF SAID PROJECT NOT TO EXCEED \$25,000.00.**

**AUTHORIZE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH PMA  
MANAGEMENT CORP. FOR THIRD PARTY ADMINISTRATOR FOR TOWN'S  
WORKER COMPENSATION INSURANCE PROGRAM**

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

**352-14 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH PMA MANAGEMENT CORP. LOCATED IN BLUE BELL PENNSYLVANIA FOR THIRD PARTY ADMINISTRATOR SERVICES FOR TOWN'S WORKER COMPENSATION INSURANCE PROGRAM FOR A THREE YEAR PERIOD BEGINNING JANUARY 1, 2015 THROUGH DECEMBER 31, 2017 AT THE ANNUAL SUM OF \$21,500.00 WITH ADDITIONAL FEES FOR SERVICES AS NEEDED PER FEE SCHEDULE.**

**AUTHORIZATION FOR JUSTICE COURT TO APPLY FOR 2014-2015 GRANTS FOR  
THE JUSTICE COURT ASSISTANCE PROGRAM**

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

**353-14 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY GRANTS PERMISSION FOR CLAUDIA OSSMAN, COURT CLERK TO APPLY FOR A GRANT FROM THE 2014-15 JUSTICE COURT ASSISTANCE PROGRAM FOR THE PURPOSE OF PURCHASING SOFTWARE TO SCAN COURT DOCUMENTS AND FOR THE SERVICES TO SCAN AND DESTROY ALL CLOSED CASE FILES.**

**RELEASE OF BOND FOR WILLOW GROVE DELI AKA CEDAR POND  
ENTERPRISES**

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

**354-14 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF FRED VIOHL, CHIEF FIRE INSPECTOR, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE RELEASE OF THE BOND IN THE AMOUNT OF \$1,000.00 THAT WAS BEING HELD IN ESCROW SINCE THE PARKING LOT HAS BEEN BROUGHT INTO COMPLIANCE.**

**PRESENTATION OF 3 MILE FUN/RUN CHECKS TO THE RECIPIENTS – ARIS GOMEZ AND LAURA MARIOTTI**

**ADJOURNMENT TO TAKE A ONE MINUTE RECESS**

**355-14** On motion by Councilman Cancel, seconded by Councilman Gould, and unanimously adopted, the Regular Town Board Meeting was adjourned for a one minute recess.

**356-14 RECONVENED TO REGULAR TOWN BOARD MEETING**

On motion by Councilman Soto, seconded by Councilman Gould, and unanimously adopted, the Regular Town Board Meeting was reconvened.

**PUBLIC PARTICIPATION**

Alex Bogoluboff, 16 Lewis Road, Garnerville, NY stated that his wife has been complaining of hearing high pitched noises and she has been acting strangely. He stated that at 25 Roman Acres Drive they have a device that creates a high pitched noise that scares the deer away from their garden. He said that the device operates 24 hours a day.

Noel Rappaport, 7 Lewis Road, Garnerville, NY stated that his wife has been having headaches that he believes are being caused by this device.

Supervisor Phillips stated that he would have the Building Inspector and Fire Inspector investigate this matter. He also stated that he would contact the Rockland County Health Department.

Tom Zeller, 9 Kensington Circle, Garnerville, NY stated that he is having a problem with noise coming from 13 and 17 Trimble Street. The noise goes on from 1:00 PM until sometimes 3:00 AM. He respects the Town of Haverstraw Police Department and is a Corrections Officer himself, but feels the police are doing nothing about the situation. He also stated that another concern is that he has issues with an 8-year old living there that exposes himself. Mr. Zeller hopes something can be done because he works long hours and this noise situation is causing him to lose sleep.

Supervisor Phillips spoke with Chief Miller who was in attendance and the Chief said that he would see that the situation is addressed.

Ken Rubin, 326 Country Club Lane, Pomona has an issue with the timing of the traffic light on Route 202 and Thiells-Mt. Ivy Road. He has a hard time coming out onto Thiells-Mt. Ivy road because of the traffic back-up.

Supervisor Phillips stated that he will have the timing of the traffic light checked by the New York State DOT.

Debra Rubin, 326 Country Club Lane, Pomona wanted to know if the school taxes will be going up this year.

Supervisor Phillips stated that we haven't heard anything from the school district. The budget has passed, but they haven't indicated what the increase will be.

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### **TOWN BOARD MEMBERS**

Supervisor Phillips stated that Bowline Point Park is being utilized by a large number of our residents and many members have been having parties.

Michael Cotier, Parks Director, stated that a rededication ceremony for the Vietnam Monument down at the park is being held on Thursday, August 14, 2014 at 12:00 noon.

Supervisor Phillips stated that week's open-air concert will feature "Eve Fingal Band".

The Latin Festival went very well.

Councilman Cancel thanked the Police Department, Town Parks Department and Village of Haverstraw DPW. He also thanked Alex Guarino for his tremendous help. Dancing Under the Stars will be held on Friday, August 22<sup>nd</sup> in the Village of Haverstraw.

### **ANNOUNCEMENTS**

The Fifth Annual Hudson Valley Radio Control Club Air Show will be held on Saturday, August 23<sup>rd</sup> from 10:00 AM to 4:00 PM.

Volunteer Recognition Night will be held on Wednesday, August 27<sup>th</sup> at Bowline Point Park.

The Village of Haverstraw Fire Department will be hosting the Annual Firemen's Parade.

The Neighborhood Cruisers Car Show will be held on September 28<sup>th</sup> at Bowline Point Park.

The 90+ Recognition Day will be held on September 22<sup>nd</sup> at the Knights of Columbus.

### **ADJOURNMENT TO WORKSHOP**

**357-14** On motion by Councilman Cancel, seconded by Councilman Gould, and unanimously adopted, the Town Board Meeting was adjourned to workshop.

### **358-14 RECONVENED TO REGULAR TOWN BOARD MEETING**

On motion by Councilman Soto, seconded by Councilman Gould, and unanimously adopted, the Regular Town Board Meeting was reconvened.

### **AUTHORIZATION TO BID – BID NO. 9-2014 – SUPPLY AND DELIVER A NEW 2014 OR 2015 SUV FOR THE TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT**

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

**359-14 RESOLVED, THAT ON THE RECOMMENDATION OF GEORGE WARGO, SUPERINTENDENT OF HIGHWAYS, 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 THURSDAY, SEPTEMBER 4, 2014, FOR THE RECEIPT OF BIDS TO SUPPLY AND DELIVER A NEW 2014 OR 2015 SUV 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**

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**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.**

**AUTHORIZATION TO BID – BID NO. 10-2014 – SUPPLY AND DELIVER A NEW 2014 OR 2015 PICK UP TRUCK FOR THE TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT**

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

**360-14 RESOLVED, THAT ON THE RECOMMENDATION OF GEORGE WARGO, SUPERINTENDENT OF HIGHWAYS, 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 10:05 A.M. ON THURSDAY, SEPTEMBER 4 2014, FOR THE RECEIPT OF BIDS TO SUPPLY AND DELIVER A NEW 2014 OR 2015 PICK UP TRUCK 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.**

**ADJOURNMENT**

**361-14** Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Lazaro A. Rodriquez, William Martin Malloy, Dorothy Schwartz, Kevin D. Kavanagh, Richard Wismar, Frances M. Dykes and Joey Kanter-Durden who recently passed away. The Town Board members further extended their condolences and sympathy to the families. Therefore, a motion was made by Councilman Soto, seconded by Councilman Gamboli, unanimously adopted and the Town Board Meeting was adjourned.

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**KAREN L. BULLEY**  
Town Clerk