

TOWN BOARD
GARNERVILLE, NY
OCTOBER 14, 2014

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

400-14 ADOPTION OF THE TOWN BOARD MEETING MINUTES OF SEPTEMBER 22, 2014, SPECIAL MEETING OF SEPTEMBER 24, 2014 AND SPECIAL MEETING OF OCTOBER 2, 2014 as submitted by the Town Clerk and on motion by Councilman Soto, seconded by Councilman Gould, were unanimously adopted.

PAYMENT OF BILLS

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

401-14 RESOLVED, that bills numbered 2929 through and including 3175 in the amount of \$690,635.15 and Highway Vouchers numbered 558 through and including 597 in the amount of \$109,459.89 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.

402-14 RESOLVED, THAT THE FOLLOWING HIGHWAY DEPARTMENT ACTIVITY REPORT HAS BEEN SUBMITTED AND IS HEREBY ACCEPTED: HIGHWAY DEPARTMENT OPERATION REPORT FOR THE MONTH OF SEPTEMBER 2014.

AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND THE COUNTY OF ROCKLAND – ENHANCED DOMESTIC VIOLENCE GRANT-2014

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

403-14 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE HOWARD T. PHILLIPS, JR., SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF ROCKLAND FOR REIMBURSEMENT OF AN EXPERIENCED DOMESTIC VIOLENCE OFFICER FOR THE PERIOD APRIL 1, 2014 THROUGH DECEMBER 31, 2015, IN THE AMOUNT OF \$60,000.00 FOR THE TOWN OF HAVERSTRAW POLICE DEPARTMENT.

AUTHORIZATION TO SELL SURPLUS VOTING MACHINES

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

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404-14 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF HOWARD PHILLIPS, SUPERVISOR, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY DECLARE VOTING MACHINES NUMBER 174351 AND 200251 AS SURPLUS AND AUTHORIZES THE SALE OF SAID VOTING MACHINES TO THE ROCKLAND COUNTY REPUBLICAN COMMITTEE IN THE AMOUNT OF \$200.00.

BUDGET ADJUSTMENTS FOR PERIOD ENDING SEPTEMBER 30, 2014

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

405-14 RESOLVED, THAT THE SUPERVISOR IS AUTHORIZED TO MAKE BUDGET ADJUSTMENTS FROM THE GENERAL FUND (A) IN THE AMOUNT OF \$100,000.00, PART TOWN (B) IN THE AMOUNT OF \$10,000.00 AND HIGHWAY (DA) IN THE AMOUNT OF \$50,000.00 PURSUANT TO THE REPORT OF THE DIRECTOR OF FINANCE FOR THE TOWN OF HAVERSTRAW FOR THE PERIOD ENDING SEPTEMBER 30, 2014. (SEE ATTACHED BUDGET ADJUSTMENTS.)

AWARD OF RFP NO. 12 -2014 – PURCHASE & INSTALL 10,000 SQUARE FEET OF SOD @ THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE

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

406-14 RESOLVED, THAT THREE (3) RFP'S WERE SUBMITTED TO CAL FOWX, GOLF COURSE SUPERINTENDENT, TO PURCHASE AND INSTALL 10,000 SQUARE FEET OF SOD FOR A NEW TEE BOX ON HOLE NO. 7 AT THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE LOCATED AT THIELLS-MT. IVY ROAD IN THIELLS, NY, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN HAVERSTRAW DOES HEREBY AWARD RFP NO. 12-2014 TO NEW ENGLAND TURF, INC. OF WEST KINGSTON, RHODE ISLAND, THE LOW PROPOSAL, IN THE AMOUNT OF \$5,500.00.

AWARD OF RFP NO. 13 – 2014 – BUILDING/SHAPING OF TEE BOX ON THE 7TH HOLE @ THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE

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

407-14 RESOLVED, THAT TWO (2) RFP'S WERE SUBMITTED TO CAL FOWX, GOLF COURSE SUPERINTENDENT, TO BUILD/SHAPING OF A TEE ON THE 7TH HOLE AT THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE LOCATED AT THIELLS-MT. IVY ROAD IN THIELLS, NY, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN HAVERSTRAW DOES HEREBY AWARD RFP NO. 13-2014 TO TURCO GOLF, INC. OF SUFFERN, NEW YORK, THE LOW PROPOSAL, IN THE AMOUNT OF \$7,000.00.

AWARD OF RFP NO. 14 – 2014 – INSTALLATION OF SPRINKLERS FOR NEW 7TH HOLE TEE BOX @ THE PHILIP J. ROTELLA MEMORIAL GOLF COURSE

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

408-14 RESOLVED, THAT TWO (2) RFP'S WERE SUBMITTED TO CAL FOWX, GOLF COURSE SUPERINTENDENT, TO INSTALL SPRINKLERS FOR THE NEW TEE BOX ON THE 7TH HOLE AT THE PHILIP J. ROTELLA MEMORIAL

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GOLF COURSE LOCATED AT THIELLS-MT. IVY ROAD IN THIELLS, NY, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN HAVERSTRAW DOES HEREBY AWARD RFP NO. 14-2014 TO NATIONAL LAWN SPRINKLERS, INC. OF WHITE PLAINS, NEW YORK, THE LOW PROPOSAL, IN THE AMOUNT OF \$5,500.00.

ADOPT LOCAL LAW TO AMEND CHAPTER 137 OF THE TOWN CODE ENTITLED, "SEWERS"

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

409-14 RESOLVED, THAT TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY ADOPTS LOCAL LAW NO. 7 TO AMEND CHAPTER 137-27 ENTITLED, SEWERS- SPECIFIC POLLUTANT LIMITATIONS, SPECIFICALLY THE LIMIT FOR BORON WILL BE INCREASED FROM 0.23 TO 1.0.

SCHEDULE PUBLIC HEARING – RENEWAL FRANCHISE AGREEMENT WITH CABLEVISION OF WAPPINGERS FALLS, NEW YORK

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

410-14 RESOLVED, THE TOWN BOARD HEREBY SCHEDULES A PUBLIC HEARING TO CONSIDER RENEWAL OF THE CABLE FRANCHISE AGREEMENT WITH CABLEVISION OF WAPPINGERS FALLS, INC.,

SAID PUBLIC HEARING WILL HELD ON MONDAY, NOVEMBER 10, 2014 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.

APPROVAL OF EMERGENCY REPAIR OF PRIMARY ELECTRICAL FEEDERS AT THE TOWN OF HAVERSTRAW SANITARY LANDFILL

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

411-14 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF PATRICK BRADY, ENGINEER, THE TOWN BOARD HEREBY APPROVES THE EMERGENCY REPAIR OF PRIMARY ELECTRICAL FEEDERS AT THE TOWN OF HAVERSTRAW SANITARY LANDFILL TO BE PERFORMED BY DELEONARDIS ELECTRIC, INC. OF GARNERVILLE, NEW YORK AT A COST OF \$4,896.00.

ELECTION TO SECURE WORKERS' COMPENSATION AS A SELF-INSURER

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

412-14 THE TOWN BOARD HEREBY ELECTS TO SECURE WORKERS' COMPENSATION AS A SELF-INSURER AND AUTHORIZES THE SUPERVISOR TO PROVIDE THE NECESSARY NOTIFICATION TO THE STATE OF NEW YORK WORKERS' COMPENSATION BOARD.

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**APPROVAL OF CHANGE ORDER NO. 1 FOR ACCESS CONTROL INTRUSION
ALARM AND VIDEO SURVEILLANCE SYSTEM FOR TOWN OF
HAVERSTRAW TOWN HALL**

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

413-14 BASED UPON THE RECOMMENDATION OF ALLAN SCHWARTZ, TOWN CONSULTANT, THE TOWN HEREBY APPROVES CHANGE ORDER NO. 1 WITH BLUE DRAGON CONNECTIONS IN THE SUM OF \$4,547.00 TO ADD ONE (1) WINDOW CONTACT IN THE COURT HOLDING ROOM; ADD DETECTIVE OUTER DOOR TO KEYSKAN SYSTEM; SUPPLY AND INSTALL DOOR HARDWARE ON THE TWO (2) DOORS IN THE DETECTIVE AREA AND ADD ONE (1) KEYPAD IN THE COURT CLERK AREA.

**APPROVAL OF ADDITIONAL WORK FOR STORMWATER DRAINAGE REPAIR AT
HAVERSTRAW LANDFILL**

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

414-14 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF PATRICK BRADY, P.E., THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY APPROVES THE INSTALLATION OF APPROXIMATELY 130 FEET OF ADDITIONAL PIPE BY VICTOR P. ZUGIBE, INC. IN THE SUM OF \$29,500.00 FOR STORMWATER DRAINAGE REPAIR AT THE HAVERSTRAW LANDFILL, ON AN EMERGENCY BASIS.

**AUTHORIZATION FOR ASSISTANT ZONING INSPECTOR TO ATTEND NYSDEC
ENDORSED 4 HOUR EROSION & SEDIMENT CONTROL REQUIRED
TRAINING SEMINAR**

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

415-14 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, HEREBY GRANTS PERMISSION FOR FRED VIOHL, ASSISTANT ZONING INSPECTOR, TO ATTEND THE NYSDEC ENDORSED 4 HOUR EROSION & SEDIMENT CONTROL REQUIRED TRAINING SEMINAR TO BE HELD ON DECEMBER 9, 2014 FROM 12:00 PM TO 4:30 PM IN POMONA, NEW YORK AT A COST OF \$65.00 PER PERSON.

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

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

416-14 RESOLVED, THAT THE TOWN BOARD HEREBY APPROVES THE INCREASE IN THE CAPITAL PROJECT FOR STORMWATER DRAINAGE REPAIR AT THE HAVERSTRAW LANDFILL IN THE AMOUNT OF \$30,000.00, WHICH WILL BE FUNDED FROM THE GENERAL FUND \$15,000.00 AS INTERFUND TRANSFER AND \$15,000.00 AS DUE TO/DUE FROM, OF WHICH \$15,000.00 WILL BE REIMBURSED TO THE TOWN FROM THE VILLAGE OF WEST HAVERSTRAW.

**EXTENSION OF AGREEMENT WITH MICHAEL LAUDIEN, GOLF PRO AND THE
TOWN OF HAVERSTRAW**

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

members.

417-14 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY EXERCISES ITS OPTION TO EXTEND THE CONTRACT OF MICHAEL LAUDIEN, GOLF PRO FOR THE TOWN OF HAVERSTRAW'S PHILIP J. ROTELLA MEMORIAL GOLF COURSE FOR THE PERIOD COMMENCING MARCH 1, 2015 AND TERMINATING FEBRUARY 28, 2016.

PUBLIC PARTICIPATION

Christina Roldan, 7 North Wayne Avenue, W. Haverstraw, NY stated that there is a very bad odor from paint fumes coming from a warehouse behind her house. She has contacted Mayor Ramundo, the Village of W. Haverstraw Building Inspector and the Department of Environmental Conservation. DEC has told her that they can't check the air quality or ventilation.

Supervisor Phillips stated that he has spoken to Mayor Ramundo and the Village of W. Haverstraw Building Inspector at least twice.

Christina Roldan, 7 North Wayne Avenue, W. Haverstraw, NY stated that the Health Department said it wasn't in their budget for someone to come out and inspect the property.

John Roldan, 7 North Wayne Avenue, W. Haverstraw, NY said that they went to the Village of West Haverstraw Board Meeting and told them that the odor was so strong that you could taste it.

Supervisor Phillips stated that he will call the Village but it is not in his jurisdiction. He will also call the DEC and see if they can send someone to measure the air quality or recommend a company to do so.

Supervisor Phillips stated that he will call Senator Larkin and Assemblyman Zebrowski to see if they can help.

Larry Levine, 1414 Round Pointe Drive, Haverstraw, NY stated that there are trucks coming out of Tilcon in the left lane.

Chief Charles Miller stated that he will have a police car out there to monitor the situation.

Larry Levine, 1414 Round Pointe Drive, Haverstraw, NY stated that 9W by South Mountain Road is getting ruttier and ruttier.

Supervisor Phillips stated that we will write to the State to advise them of the situation.

Larry Levine, 1414 Round Pointe Drive, Haverstraw, NY said that there is a health issue concerning Tilcon. The mountain is getting higher and higher and there is a lot of dust. Tilcon had promised to spray it to keep the dust down.

Supervisor Phillips stated that Tilcon is in the jurisdiction of the Village of Haverstraw.

Mel Post, 1422 Round Pointe Drive, Haverstraw, NY stated that he met with someone from Tilcon and after the meeting he sent him a letter. It didn't really solve anything. He would like to have a meeting with himself, Supervisor Phillips, Mayor Kohut and a representative from Tilcon.

Supervisor Phillips stated that he will call John Cooney, President of Tilcon.

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Mel Post, 1422 Round Pointe Drive, Haverstraw, NY wanted to know what was happening with Walmart.

Supervisor Phillips stated that there are still pending lawsuits. The Village of Pomona is the obstacle. We are waiting for the judge's decision. Walmart is still very interested.

Mel Post, 1422 Round Pointe Drive, Haverstraw, NY at the Village of Haverstraw Board Meeting, Mayor Kohut mentioned there was similar litigation with AAA.

Supervisor Phillips stated that the case was turned down by the Court of Appeals.

Andrew Kolesar, 49 Conklin Avenue, Haverstraw, a Boy Scout from Troop 61 was at the meeting to earn his Citizen in the Community Merit Badge. He asked several questions regarding Legoland and how it would affect the schools, traffic, taxes and jobs.

Supervisor Phillips gave an update on the plans for Legoland. The public is very concerned about traffic. The State is really in the driver's seat.

Anthony Rao, 14 Johnson Drive, Stony Point, NY also a Boy Scout from Troop 61 asked if everyone has recovered from Hurricane Sandy.

Supervisor Phillips stated that Bowline Point Park was completely under water from the storm. At least three tons of silt was in the pool and the bathhouse roof was damaged. All repairs have been made.

Michael Gamboli, Director of Finance stated that we will receive approximately \$800,000.00 from FEMA for the shoreline.

Supervisor Phillips stated that we will be installing a fishing pier at Bowline.

Anthony Rao, 14 Johnson Drive, Stony Point, NY asked if the Town was any closer to a settlement with Mirant.

Supervisor Phillips stated that the case was settled and it will be reflected in the Town and school taxes. NRG will only have to pay \$3 million dollars in taxes. They are going down from \$8 million dollars to \$3 million dollars. They are paying such a small amount now that if they fight their taxes in the future, it won't mean that much.

Anthony Rao, 14 Johnson Drive, Stony Point, NY wanted to know if there are any plans with Stony Point for the Letchworth property.

Supervisor Phillips stated that Stony Point has indicated that they have 25 acres of land available and there is a strong possibility that like the Legoland site in California, hotels will want to build in close proximity to a Legoland Amusement Park.

ANNOUNCEMENTS

We have had a very active Fall.

The 28th Annual Neighborhood Cruisers Car Show was held on September 28th at Bowline Point Park. Over 200 vintage cars were there.

On September 27th the Police Benevolent Association hosted the Second Annual Triathlon Challenge at Bowline Point Park.

The Annual Halloween Festival will be held on Saturday, October 25, 2014 with a rain date of Sunday, October 26th. There will be a haunted house, hay rides, inflatables for the kids and refreshments.

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The Civil War flag in the meeting room was from the battle of Gettysburg and the battle flag of the 95th regiment.

ADJOURNMENT

418-14 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Kenneth Stuber, William T. Bicknell, Sr., Germosen "Max" Maximiliano, Ramonita Rodriguez, Ricky Fit, Joseph Derasmo, Leonard Rocci, Melvin Zane, Catherine Eberhardt, Robert John Del Genovese, Mary E. Kostrubal, Angelo Lucrezia, Antolin Vallejo, Jamie Robert Conklin, Caridad Castillo and Irene Tirelli 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 Cancel, and unanimously adopted and the Town Board Meeting was adjourned.

KAREN L. BULLEY
Town Clerk