

TOWN BOARD
GARNERVILLE, NY
NOVEMBER 22, 2010

The Town Board of the Town of Haverstraw met at a Regular Meeting on Monday, November 22, 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

ADOPTION OF MINUTES

428-10 TOWN BOARD MINUTES OF NOVEMBER 8, 2010 submitted by the Town Clerk 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.

429-10 RESOLVED, that bills numbered 3,871 through and including 4,124 in the amount of \$788,205.40 be and they are hereby paid; and Highway Vouchers numbered 631 through and including 663 in the amount of \$17,404.02 audited at this meeting, be and they are hereby paid.

ACCEPTANCE OF REPORTS

No Reports.

PRESENTATION OF PLAQUES BY RAMON LOPEZ, TRUSTEE IN THE VILLAGE OF WEST HAVERSTRAW AND THE QUISQUEYA SPORTS CLUB COMMITTEE TO SUPERVISOR HOWARD PHILLIPS AND COUNCILMEN FOR DONATING AN AMBULANCE TO THE MUNICIPAL DISTRICT OF CANCA LA PIEDRA

**PRESENTATION BY SUSAN SHAPIRO AND LEE ROSS
PATRICK FARM DEVELOPMENT**

Susan Shapiro and Lee Ross came to tonight's Town Board meeting to make a presentation concerning Patrick Farm Development in Ramapo and Rockland County's aquifer, an underground lake that supplies clean water to the residents of the Town of Haverstraw and Rockland County. Ms. Shapiro is an attorney who specializes in environmental law and Mr. Ross is an aerial photographer who resides in the Town of Ramapo. Ms. Shapiro stated that the Town of Ramapo has approved Scenic Development to build on Patrick Farm and further explained what affect this project would have on the environment as well as the water supply for the residents of Rockland County and parts of Jersey.

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**AWARD OF BIDS NO. 17-2010 – SAMPLING AND ANALYTICAL SERVICES FOR
THE GROUNDWATER, LEACHATE DISCHARGE, AND SURFACE WATER
MONITORING SYSTEMS AT THE TOWN OF HAVERSTRAW SANITARY
LANDFILL**

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

430-10 RESOLVED, THAT BASED UPON THE RECOMMENDATION OF CONVERSE ENGINEERING CONSULTANTS, P.C. AND THE BIDS HAVING BEEN FOUND IN ORDER BY WILLIAM M. STEIN, TOWN ATTORNEY, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY RETAIN THE SERVICES OF ENVIROTEST LABORATORIES, INC. OF NEWBURGH, NEW YORK, THE LOW BIDDER, TO PROVIDE SAMPLING AND ANALYTICAL SERVICES FOR THE GROUNDWATER, LEACHATE DISCHARGE AND SURFACE WATER MONITORING SYSTEMS AT THE TOWN OF HAVERSTRAW SANITARY LANDFILL AT AN ANNUAL COST OF \$41,485.00.

**APPOINTMENT OF EDWARD BITTS, GROUNDS WORKER TO THE TOWN OF
HAVERSTRAW PARKS DEPARTMENT**

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

431-10 RESOLVED, THAT UPON THE RECOMMENDATION OF MICHAEL COTIER, DIRECTOR OF PARKS, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPOINT EDWARD BITTS OF GARNERVILLE, NEW YORK TO THE POSITION OF GROUNDS WORKER, FULL TIME FOR THE TOWN OF HAVERSTRAW PARKS DEPARTMENT AT A SALARY OF \$16.00 PER HOUR, AND BE IT FURTHER

RESOLVED, THAT THIS APPOINTMENT IS SUBJECT TO THE RULES AND REGULATIONS OF THE ROCKLAND COUNTY DEPARTMENT OF PERSONNEL.

**APPOINTMENT OF NICHOLAS ROMAN, LABORER TO THE TOWN OF
HAVERSTRAW HIGHWAY DEPARTMENT**

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

432-10 RESOLVED, THAT UPON THE RECOMMENDATION OF FRANK BROOKS, SUPERINTENDENT OF HIGHWAYS, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPOINT NICHOLAS ROMAN OF WEST HAVERSTRAW, NEW YORK TO THE POSITION OF LABORER, FULL TIME FOR THE TOWN OF HAVERSTRAW PARKS DEPARTMENT AT A SALARY OF \$21.96 PER HOUR, AND BE IT FURTHER

RESOLVED, THAT THIS APPOINTMENT IS SUBJECT TO THE RULES AND REGULATIONS OF THE ROCKLAND COUNTY DEPARTMENT OF PERSONNEL.

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CANCELLATION OF TOWN BOARD MEETING

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

433-10 RESOLVED, THAT THERE WILL BE ONLY ONE TOWN BOARD MEETING FOR THE MONTH OF DECEMBER, WHICH WILL BE HELD ON MONDAY, DECEMBER 13, 2010 AT 8:00 P.M., AND BE IT FURTHER

RESOLVED, THAT THE SECOND TOWN BOARD MEETING FOR DECEMBER 27, 2010, HAS BEEN CANCELLED IN OBSERVANCE OF THE LEGAL HOLIDAY FOR CHRISTMAS.

ADVERTISE FOR BIDS – BID NO. 1-2011 - 2011 BUS TRANSPORTATION FOR HAVERSTRAW SENIOR CITIZENS

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

434-10 RESOLVED, THAT THE TOWN CLERK BE AND SHE IS HEREBY 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, JANUARY 7, 2011 FOR THE PROVISION OF BUS TRANSPORTATION FOR THE HAVERSTRAW SENIOR CITIZENS CLUB FOR THE YEAR 2011 IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS ON FILE IN THE OFFICE OF THE TOWN CLERK, COPIES OF WHICH, TOGETHER WITH FORM OF PROPOSAL, MAY BE OBTAINED AT HER OFFICE. BIDDERS SHALL INCLUDE WITH THEIR BIDS A STATEMENT OF THEIR TERMS FOR CANCELLATION OF TRIPS AND ANY CANCELLATION CHARGE THEY MAY HAVE AND THAT BIDS WILL PROVIDE FOR THE USE OF NOT LESS THAN FIFTY-SIX (56) PASSENGERS, KNEELING BUSES WITH LAVATORY ON BOARD. ALL BUSES SHALL BE EQUIPPED WITH SENIOR STEPS. 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-COLLISION WITH THEIR BIDS.

SCHEDULE PUBLIC HEARING – ADOPTION OF LOCAL LAW FOR DOG LICENSING

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

435-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY SCHEDULE A PUBLIC HEARING TO CONSIDER ADOPTING A LOCAL LAW FOR DOG LICENSING. SAID PUBLIC HEARING WILL BE HELD ON MONDAY, DECEMBER 13, 2010 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.

ADOPTION OF TERMS & CONDITIONS OF EMPLOYMENT FOR POLICE CHIEF AND LIEUTENANTS JANUARY 1, 2010 – DECEMBER 31, 2010

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

436-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY ADOPTS THE TERMS AND CONDITIONS OF EMPLOYMENT FOR POLICE CHIEF CHARLES MILLER; LIEUTENANT MARTIN LUND; LIEUTENANT JOHN HICKEY AND LIEUTENANT PETER MURPHY FOR THE YEAR JANUARY 1, 2010 THROUGH DECEMBER 31, 2010 AS SET FORTH IN THE WRITTEN TERMS AND CONDITIONS DATED NOVEMBER 22, 2010, AND AS FURTHER AMENDED BY THE TOWN BOARD.

ADOPTION OF TERMS & CONDITIONS OF EMPLOYMENT FOR POLICE CHIEF AND LIEUTENANTS JANUARY 2008 – DECEMBER 2009

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

437-10 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY ADOPTS THE TERMS AND CONDITIONS OF EMPLOYMENT FOR POLICE CHIEF CHARLES MILLER; LIEUTENANT MARTIN LUND; LIEUTENANT JOHN HICKEY; LIEUTENANT PETER MURPHY; LIEUTENANT MICHAEL MOORE AND LIEUTENANT JOHN CAMPBELL FOR THE YEAR JANUARY 1, 2008 THROUGH DECEMBER 31, 2009 AS SET FORTH IN THE WRITTEN TERMS AND CONDITIONS DATED NOVEMBER 22, 2010.

AUTHORIZATION TO SETTLE TAX CERTIORARI – WENDY’S (DOUBLE WINGS REALTY CORP 26.11-1-12.2)

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

438-10 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 WENDY’S (DOUBLE WINGS REALTY CORP 26.11-1-12.2) LOCATED AT 95 ROUTE 9W SOUTH IN THE VILLAGE OF WEST HAVERSTRAW FOR TAX YEARS 2006-2010 BASED UPON THE FOLLOWING AMOUNTS ON THIS LOCATION:

YEAR	ORIGINAL ASSESSMENT	REVISED ASSESSMENT	REDUCTION AMOUNT	% REDUCTION	EST REFUND
2006	1,161,200	900,000	261,200	22%	\$0
2007	1,161,200	900,000	261,200	22%	\$1,716
2008	1,161,200	900,000	261,200	22%	\$1,856
2009	1,161,200	850,000	311,200	27%	\$2,559
2010	1,161,200	780,000	381,200	33%	\$3,236
				Total	\$9,367

AWARD OF RFP NO. 9-2010 – PURCHASE OF TOWN HALL FLAG POLES

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

439-10 RESOLVED, THAT FIVE (5) REQUEST FOR PROPOSALS WERE SUBMITTED TO MICHAEL COTIER, PARK DIRECTOR FOR THE PURCHASE OF THREE (3) FLAG POLES FOR THE TOWN OF HAVERSTRAW TOWN HALL, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD THE RFP TO AMERICAN FLAGPOLES AND FLAGS OF MOUNT PLEASANT, SOUTH CAROLINA, THE LOWEST PROPOSAL, AT A COST OF \$5,291.50.

PUBLIC PARTICIPATION

Ilan Schulein, Hillside Drive, Thiells stated that the presentation that was made about the aquifer made him aware of the situation and that a lot of people don't realize that our lives depend upon water. Is it possible for the Board to engage other Towns so that they would have this type of presentation or have a joint presentation? It's a Rockland County problem. I am concerned what will happen five or ten years later.

Supervisor Phillips stated that we would look into that. Perhaps we could send a letter to the EPA as well as a resolution about the concerns of building on top of an aquifer.

Barry Burman, 19 Turner Drive, Garnerville stated that for the past couple of months he has been studying the Police Department and that on each shift there is a 15 minute gap during the change of shift when most of the guys are in the police station. Why are all of the guys at the police station?

Supervisor Phillips stated that we have to negotiate the shifts.

Barry Burman, 19 Turner Drive, Garnerville stated that what if someone gets hurt between that 15 minute lap when you only have two men working. I think the public deserves three extra cops three times a day.

Supervisor Phillips stated that we do not impose it because it must be negotiated. The crime unit overlaps on the two shifts. We would love to have every shift be overlapping. It's something we are working on and trying to achieve.

Chief Miller stated that most of the guys do not get to the station until 5:00. Most of them are coming up from the Village of Haverstraw. We turn out the guys as quickly as possible.

Supervisor Phillips stated that it is a good point and something we are trying to achieve.

ANNOUNCEMENTS

Supervisor Phillips wished everybody a wonderful Thanksgiving and to give thanks to God for all of the wonderful things.

Councilman Gamboli stated that the installation of the golf course's irrigation system is progressing on time.

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On Tuesday, November 23 at 3:00 pm, United Water New York will be hosting a pilot facility dedication for the Haverstraw Water Supply Project in West Haverstraw.

On Thanksgiving Day, the Quisqueya Sports Club will be serving dinners for free from 12:00 pm – 5:00 pm.

ADJOURNMENT

440-10 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Mary Elizabeth Piperato, Dr. Herman Yee, Lucien J. "Lucy" Slade, Thomas M. Mancuso, Lydia M. Bonilla, Dewey F. Vitarbo, Willia Mae Blackwell, Joseph Mezzacappa and Diane Brown, 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 Gamboli, seconded by Councilman Cancel the Town Board Meeting to adjourn the meeting.

RAQUEL VENTURA
First Deputy