

TOWN BOARD
GARNERVILLE, NY
MAY 23, 2023

The Town Board of the Town of Haverstraw met at a Regular Meeting on Tuesday, May 23, 2023 at 7:00 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	Johnny Ortiz

ADOPTION OF MINUTES

279-23 **ADOPTION OF MINUTES OF THE TOWN BOARD MEETING OF MAY 9, 2023** as submitted by the Town Clerk and on motion by Councilman Cancel, seconded by Councilman Gamboli were unanimously adopted.

280-23 **RESOLVED**, that bills numbered 1263 through 1391 in the amount of \$867,476.22 (\$9,909.59– Highway Department) audited at this meeting, be and they are hereby paid.

ACCEPTANCE OF REPORTS

None.

MEMORIALIZING RESOLUTION: OPPOSITION TO NYS BILL A 02875: ACT TO AMEND THE REAL PROPERTY TAX LAW, IN RELATION TO TELECOMMUNICATIONS EQUIPMENT OWNED BY OTHER THAN A TELEPHONE COMPANY

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

281-23 **WHEREAS, TELECOMMUNICATIONS PROPERTY, UNLESS OTHERWISE EXEMPTED IN PARAGRAPH (I) OF SUBDIVISION TWELVE OF SECTION 102 OF THE REAL PROPERTY TAX LAW, IN THE PRIVATE RIGHTS-OF-WAY IS CURRENTLY ASSESSED BY THE LOCAL MUNICIPALITY WHERE SUCH PROPERTY IS LOCATED, AND SUCH VALUE IS NOT TO EXCEED THE NEW YORK STATE MANDATED TELECOMMUNICATIONS CEILINGS, AND**

WHEREAS, THE STATE LEGISLATURE IS CONSIDERING LEGISLATION AMENDING PARAGRAPH 1 OF SUBDIVISION 12 OF SECTION 102 OF THE REAL PROPERTY TAX LAW TO EXEMPT CERTAIN TELECOMMUNICATIONS PROPERTY OWNED BY OTHER THAN A TELEPHONE COMPANY AND PARAGIAPH (I) OF SUBDIVISION TWELVE OF SECTION 102 OF THE REAL PROPERTY TAX LAW TO EXEMPT CERTAIN PROPERTY USED TO PROVIDE WIRELESS SERVICES, AND

WHEREAS, THE ESTABLISHMENT OF SUCH LEGISLATION WOULD REQUIRE THAT TELECOMMUNICATIONS EQUIPMENT USED FOR WIRELESS SERVICES BE REMOVED FROM ASSESSMENT ROLLS IN ALL MUNICIPALITIES ACROSS THE STATE OF NEW YORK, AND

WHEREAS, THE REMOVAL OF THIS PROPERTY FROM ASSESSMENT

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ROLLS WOULD RESULT IN THE LOSS OF LOCAL ASSESSMENT OF TELECOMMUNICATIONS PROPERTY AND OTHER TELECOMMUNICATIONS EQUIPMENT USED FOR WIRELESS SERVICES IN PRIVATE RIGHTS-OF-WAY, WITH A SUBSTANTIAL LOSS OF TAX REVENUE TO LOCAL MUNICIPALITIES AS WELL AS EXPOSURE TO POTENTIAL PROPERTY TAX REFUNDS,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF HAVERSTRAW THAT TELECOMMUNICATIONS PROPERTY IN THE PRIVATE RIGHT-OF-WAY, INCLUDING TELECOMMUNICATIONS EQUIPMENT USED FOR WIRELESS SERVICES, REMAIN TAXABLE AND UNDER THE CONTROL OF THE LOCAL MUNICIPALITY WHERE SUCH PROPERTY IS LOCATED AND IS HEREBY OPPOSED TO NEW YORK STATE BILL A 02875 AND THE EXEMPTION FROM REAL PROPERTY TAXATION OF TELECOMMUNICATIONS EQUIPMENT USED FOR WIRELESS SERVICES, AND

BE IT FURTHER RESOLVED THAT THE TOWN CLERK IS HEREBY AUTHORIZED TO FORWARD A COPY OF SAID RESOLUTION TO THE FOLLOWING PERSONS:

- GOVERNOR KATHY HOCHUL
- ASSEMBLYMAN DANIEL ROSENTHAL
- STATE SENATOR KEVIN PARKER
- ASSEMBLYWOMAN JAIME R. WILLIAMS

APPOINTMENT OF JOSEPH G. MACK – WATCHMAN

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

282-23 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY APPOINT JOSEPH G. MACK OF HAVERSTRAW, NEW YORK TO THE POSITION OF WATCHMAN (PART-TIME) WITH THE TOWN OF HAVERSTRAW PARKS DEPARTMENT AT AN HOURLY RATE OF \$14.50, EFFECTIVE MAY 9, 2023 AND BE IT FURTHER

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

AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND MARY J D'URSO PHOTOGRAPHY

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

283-23 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE HOWARD T. PHILLIPS, JR., SUPERVISOR TO ENTER INTO AN AGREEMENT WITH MARY J D'URSO PHOTOGRAPHY FOR THE SERVICE OF PHOTOGRAPHING THE 4TH OF JULY EVENT AT BOWLINE POINT PARK ON FRIDAY, JUNE 30, 2023 WITH RAIN DATE OF SATURDAY, JULY 1, 2023 AT A COST OF \$850.

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AGREEMENT WITH SPRAGUE OPERATING RESOURCES LLC AND THE TOWN OF HAVERSTRAW

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

284-23 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH SPRAGUE OPERATING RESOURCES LLC OF PORTSMOUTH, NEW HAMPSHIRE TO SUPPLY NATURAL GAS TO THE TOWN OF HAVERSTRAW COMMENCING JUNE 1, 2023 AND ENDING MAY 31, 2025 AT A FIXED RATE OF \$0.4272 PER THERM.

APPROVAL AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND INTERSTATE WASTE SERVICES

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

285-23 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY APPROVES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH INTERSTATE WASTE SERVICES OF CHESTER, NEW YORK FOR GARBAGE REMOVAL AT THE HAVERSTRAW TOWN HALL AT A MONTHLY FEE OF \$373.47.

SCHEDULE PUBLIC HEARING – TO HEAR ALL COMMENTS AND SUGGESTIONS REGARDING THE TOWN OF HAVERSTRAW 2023 MS4 ANNUAL REPORT

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

286-23 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY SCHEDULE A PUBLIC HEARING TO HEAR ALL COMMENTS AND SUGGESTIONS REGARDING THE TOWN OF HAVERSTRAW 2023 MS4 ANNUAL REPORT WHICH HAS BEEN PREPARED PURSUANT TO THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM MUNICIPAL SEPARATE SEWER SYSTEMS (MSRS), PERMIT NO. GP-02-02. SAID PUBLIC HEARING WILL BE HELD ON TUESDAY, JUNE 13, 2023 AT 7:30 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.

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RETAINER AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND BART GORDON- HIGHWAY DEPARTMENT

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

287-23 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY RETAINS THE SERVICES OF BART GORDON OF HAVERSTRAW, NEW YORK FOR THE PURPOSE OF PROVIDING SERVICES AS A TEMPORARY CONSULTANT FOR THE TOWN OF HAVERSTRAW HIGHWAY DEPARTMENT AT AN HOURLY RATE OF \$40.00, AND BE IT FURTHER

RESOLVED, THAT SAID SERVICE WILL INCLUDE ATTENDING ALL NECESSARY SEMINARS, WORKSHOPS AND MEETINGS AS PER TOWN BOARD REQUEST.

AWARD OF RFP NO. 11-2023 – CERTIFICATE COVERS

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

288-23 RESOLVED, THAT THREE (3) PROPOSALS WERE REQUESTED AND ONE (1) RFP WAS SUBMITTED TO ALEX GUARINO, ASSISTANT TO THE SUPERVISOR, TO PROVIDE CERTIFICATE COVERS FOR DISTINGUISH SERVICE AWARDS FOR TOWN OF HAVERSTRAW, AND BE IT FURTHER

RESOLVED, THAT THE TOWN BOARD OF THE TOWN HAVERSTRAW DOES HEREBY AWARD RFP NO. 11-2023 TO GRAPHIC MANAGEMENT PRINTERS OF PORT CHESTER, NEW YORK FOR 500 CERTIFICATE COVERS, ONE COLOR SILVER WITH TOWN EMBLEM ON FRONT COVER, AT A PRICE OF \$2,675.00, THE SOLE BIDDER.

AWARD OF BID - TOWN OF HAVERSTRAW BID NO. 6- 2023 – BUS TRANSPORTATION FOR SUMMER RECREATION PROGRAM – 2023

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

289-23 RESOLVED, THAT UPON THE RECOMMENDATION OF PHILIP G. REICHERTER, DIRECTOR OF THE TOWN OF HAVERSTRAW SUMMER RECREATION PROGRAM, AND THE BIDS HAVING BEEN FOUND IN ORDER BY THE TOWN ATTORNEY, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AWARD THE BID FOR THE BUS TRANSPORTATION FOR THE TOWN OF HAVERSTRAW SUMMER RECREATION PROGRAM 2023 TO FIRST STUDENT INC. OF CINCINNATI, OHIO, THE SOLE BIDDER, AT DAILY BUS ROUTES OF \$304.88 PER BUS PER DAY AND SPECIAL TRIPS AS MENTIONED IN THE BID SPECIFICATIONS.

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**AUTHORIZATION FOR SUPERVISOR TO ENTER INTO A LICENSE AGREEMENT
WITH APEX SOFTWARE**

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

290-23 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN APEX SKETCH 7 PRO ASSESSOR SINGLE LICENSE AGREEMENT WITH APEX SOFTWARE OF SAN ANTONIO, TEXAS FOR ONE (1) LICENSE AND THE FIRST YEAR OF MAINTENANCE AND SUPPORT FOR THE FEE OF \$655.00, AND EACH ADDITIONAL YEAR OF MAINTENANCE AND SUPPORT FOR THE FEE OF \$260.

**AGREEMENT BETWEEN THE TOWN OF HAVERSTRAW AND STONEFIELD
ENGINEERING AND DESIGN, LLC**

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

291-23 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH STONEFIELD ENGINEERING AND DESIGN, LLC OF NEW YORK, NEW YORK FOR THE PURPOSE OF PROVIDING PROFESSIONAL TRAFFIC ENGINEERING SERVICES FOR THE TOWN OF HAVERSTRAW ON STREET PARKING STUDY AS PER THE FEE SCHEDULE PROVIDED.

**AUTHORIZATION TO PURCHASE EQUIPMENT FOR THE TOWN OF
HAVERSTRAW PARKS DEPARTMENT**

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

292-23 RESOLVED, BASED UPON THE RECOMMENDATION OF JOHN FRIZALONE, GROUNDSKEEPER, THE TOWN BOARD OF THE TOWN OF HAVERSTRAW HEREBY AUTHORIZES THE SUPERVISOR TO PURCHASE ONE (1) NIERBO HUGE LARGE PROJECTOR SCREEN 300 INCH OF CANVAS MATERIAL, ONE (1) EPSON HOME CINEMA 1080 3- CHIP 3LCD 1080P PROJECTOR AND ONE (1) LG BP350 BLU-RAY DISC PLAYER FOR THE TOWN OF HAVERSTRAW PARKS DEPARTMENT FROM AMAZON.COM, INC. AT A TOTAL COST OF \$962.86.

ACCEPTANCE OF LETTER FOR LEAVE OF ABSENCE

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

293-23 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW, DOES HEREBY ACCEPT A REQUEST FOR A FOUR WEEK LEAVE OF ABSENCE, WITHOUT PAY, FROM MICHELLE VENTURA, JUSTICE COURT CLERK FOR THE TOWN JUSTICE COURT, EFFECTIVE JUNE 19, 2023 THROUGH JULY 14, 2023.

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AUTHORIZATION TO RETAIN DICHTER LAW LLC – VEOLIA WATER NEW YORK, INC. RATE CASE

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

294-23 RESOLVED, THAT THE TOWN BOARD OF THE TOWN OF HAVERSTRAW DOES HEREBY AUTHORIZE THE SUPERVISOR TO ENTER INTO A RETAINER AGREEMENT WITH DICHTER LAW LLC TO UNDERTAKE REPRESENTATION OF THE TOWN IN THE VEOLIA WATER NEW YORK, INC. RATE CASE AT A COST NOT TO EXCEED \$10,000.00.

ADJOURNMENT OF REGULAR TOWN BOARD MEETING

295-23 A motion was made by Councilman Cancel, seconded by Councilman Gamboli to adjourn the Regular Town Board Meeting.

CONVENE TO A MEETING OF THE SANITATION COMMISSION

296-23 A motion was made by Commissioner Ortiz seconded by Commissioner Gould to convene to a Meeting of the Sanitation Commission.

SANITATION COMMISSION
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The Town Board of the Town of Haverstraw met at a Meeting of The Sanitation Commission of the Town of Haverstraw on Tuesday, May 23, 2023 at 7:30 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:

Chairman	Howard T. Phillips, Jr.
Commissioner	Isidro Cancel
Commissioner	Vincent J. Gamboli
Commissioner	John J. Gould
Commissioner	Johnny Ortiz

APPROVAL OF LICENSE FOR GARBAGE REMOVAL FOR CHARLES CAPASSO & SONS CARTING INC.

Commissioner Ortiz, offered the following resolution, which was seconded by Commissioner Gould, on roll call unanimously adopted.

297-23 RESOLVED, THAT THE SANITATION COMMISSION OF THE TOWN OF HAVERSTRAW HEREBY APPROVES THE APPLICATION FOR A LICENSE FOR CHARLES CAPASSO & SONS CARTING, INC. OF STONY POINT, NEW YORK TO EXPIRE ON APRIL 30, 2024.

APPROVAL OF LICENSE FOR GARBAGE REMOVAL FOR MONSEY CARTING CO INC.

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

298-23 RESOLVED, THAT THE SANITATION COMMISSION OF THE TOWN OF HAVERSTRAW HEREBY APPROVES THE APPLICATION FOR A LICENSE FOR MONSEY CARTING CO, INC., OF WEST NYACK, NEW YORK TO EXPIRE ON APRIL 30, 2024.

APPROVAL OF LICENSE FOR GARBAGE REMOVAL FOR CARLO MINUTO CARTING CO. INC.

Commissioner Gould, offered the following resolution, which was seconded by Commissioner Ortiz, on roll call unanimously adopted.

299-23 RESOLVED, THAT THE SANITATION COMMISSION OF THE TOWN OF HAVERSTRAW HEREBY APPROVES THE APPLICATION FOR A LICENSE FOR CARLO MINUTO CARTING CO, INC., OF WEST NYACK, NEW YORK TO EXPIRE ON APRIL 30, 2024.

ADJOURNMENT OF THE SANITATION COMMISSION MEETING

300-23 On motion by Commissioner Gamboli, seconded by Commissioner Cancel, unanimously adopted, the Sanitation Meeting was adjourned.

PUBLIC PARTICIPATION

None.

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RECONVENED TO REGULAR TOWN BOARD MEETING

301-23 On motion by Councilman Ortiz, seconded by Councilman Gould the Regular Town Board Meeting was reconvened.

PUBLIC PARTICIPATION

None.

ANNOUNCEMENTS

The 18th Annual North Rockland Community 5K Run/Walk at Bowline Point Park is scheduled for Sunday, June 4th from 7:00 am – 11:00 am. The community will be donating the proceeds from the 5K Run/Walk to Jarred Monroe and Maria Pineda who both have medical issues and medical bills have become a hardship to their families

Fitness Classes at Bowline Point Park start Friday, June 2nd.

The Annual Youth Board Baseball trip to Citifield is scheduled for June 14th for the Yankees vs. the NY Mets game.

The 8th Annual Juneteenth Celebration in the Village of Haverstraw hosted by the Haverstraw African American Connection featuring live music, food, vendors and entertainment and more, will be held starting June 16th through Sunday June 18th. For more information please visit their website at www.thehaac.com.

The Independence Day Fireworks at Bowline Point Park are scheduled for Friday, June 30th

The Town of Haverstraw Latin Night at Bowline Point Park is scheduled for Saturday, July 22nd starting at 7:00 pm

ADJOURNMENT

302-23 Supervisor Howard T. Phillips, Jr. stated that he would like to close tonight's meeting in memory of Nabor Pineiro –Soto, Mary A. Accattato, Louis J. Toscano, Stephen J. Pies, Hedy Chisholm, Lane John Schnell, Brian Keith Valero, Ramon Antonio Ramos, Yuderis A. Estrella Hidalgo and Orlando Infante who recently passed away. A motion was made by Councilman Ortiz, seconded by Councilman Gould, and unanimously adopted and the Town Board Meeting was adjourned.

**RAQUEL VENTURA
TOWN CLERK**