

STONY POINT TOWN BOARD MEETING – SEPTEMBER 27, 2011

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, September 27, 2011 at 7:00 pm at the Stony Point Community Center (Rho Building), 5 Clubhouse Lane, Stony Point, NY. Supervisor William Sherwood called the meeting to order and led the group in the Pledge of Allegiance. Town Clerk, Joan Skinner, called the following roll:

PRESENT:	Mr. Geoffrey Finn	Councilman
	Mr. Louis Vicari	Councilman
	Mr. James White	Councilman
	Ms. Luanne Konopko	Councilwoman
	Mr. William E. Sherwood	Supervisor

ABSENT: None

RECOGNITION

Supervisor Sherwood recognized Police Officers Robert Hurley and Chris Schulok for their heroic work as first responders to a house fire on September 19th. The officers attempted to enter a smoked filled building in an effort to rescue the second floor resident. Due to the heavy smoke condition, they were forced outside. Members of Wayne Hose Fire Company were able to complete the rescue and they will be recognized at the next town board meeting.

PUBLIC INPUT

George Harris, Willow Grove Rd., spoke about enforcing the zoning code and in particular, running a business on residential property.

Susan Filgueras, Mott Farm Rd, Tomkins Cove indicated that the Stony Point Historical Society has received its charter from the New York State Department of Education designating the Society as a 5013C organization. The Society has presented corresponding documentation to the IRS. She presented a copy of that charter to the Supervisor.

Christine Effel-Dana, Tomkins Ridge Rd., spoke regarding the “Haunt for Hospice” event being held in memory of Joan Bender at CedarBrook Sheds on October 22, 23, 29 & 30th. Their goal is to raise \$10,000 this year.

Michael Dietrich, Route 210 spoke in regard to the school equalization issue and presented a draft of a citizen’s class action suit which he, as an attorney, is willing to bring against the State on behalf of the citizens of the Town of Stony Point with regard to the equalization issue.

PURCHASE ORDER REQUEST

A motion was made by Councilman White, seconded by Councilman Finn and **unanimously carried** by a roll call vote of all board members present to approve the following purchase orders:

Highway		
PO#2354	Ruscon Truck Service	\$4,121.92
PO#2355	Corsi Tire	\$1,308.80
Highway-Sewer		
PO#2356	Corsi Tire	\$2,101.24

AUDIT OF BILLS - None

MINUTES

A motion was made by Councilman White, seconded by Councilman Finn and **unanimously carried** by a voice vote of all board members present to approve the minutes of September 13, 2011.

POLICE DEPARTMENT REPORT/BUSINESS

Chief Moore addressed the board regarding quotes he had obtained for upgrading the interview room to bring it up to standard according to best practice policies.

ACTION

A motion was made by Councilman White, seconded by Councilman Finn and **unanimously carried** by a voice vote of those board members present to authorize Chief Moore to use seizure funds to pay for upgrading the interview room at the Stony Point Police Station in the amount of \$7,032.38 as presented.

ECONOMIC DEVELOPMENT COMMITTEE REPORT

Councilwoman Konopko reported as follows:

- Request for Expressions of Interest – the site visit scheduled for last week was rained out.
- Steering Committee-has met for a second time and offers beneficial assistance to prospective applicants.

SUPERVISOR'S 2012 BUDGET MESSAGE

I want to take a moment to thank Jennifer Sciscente and all of our department heads for working with me on a very difficult budget.

Everyone knows the State has imposed a cap on tax levies of just 2%. While this is designed to give much needed relief to our taxpayers it fails to take into consideration 20% increases in retirement contributions and double digit increases in health care costs.

With sacrifices by every department and a huge effort from Ms. Sciscente I have provided the clerk with a budget that results in an increase of just about 1.9% for homeowners and a 2% increase in our levy, thus meeting the State restrictions and the needs of our taxpayers.

Deputy Supervisor Jim White has been working with us, and his financial expertise helped us meet our goal and we relied heavily on his skills and innovative ideas.

I believe the budget is so tight it squeaks. All of our departments are feeling the pinch but they understand the need to keep a lid on taxes for our citizens.

As always I request the board to carefully review the plan and I welcome and encourage your input to find further cuts.

We have reduced our reliance on reserves from \$2.5 million to \$1.4 million this year and just \$500,000 for 2012 in the budget I have presented. Our reserve funds are rapidly approaching critically low levels that will imperil our credit rating.

It has been my goal to control taxes through lowering expenses and seeking alternate revenue streams that don't further burden our homeowners. The future of our town literally relies on our ability to find new income from commercial tax ratables as well as other sources of revenue.

I want to acknowledge the really great effort Councilwoman Konopko has put into both economic development and grant applications for both long term and immediate relief for homeowners. She has been an active partner in taking positive steps to give our taxpayers much needed relief by building our commercial tax base.

I will continue to focus my efforts in that direction. I know I will get cooperation from the entire board in attempting to increase our tax base without increasing our tax rates for homeowners.

GOLF COURSE REPORT - None

DEPARTMENTAL REPORTS - None

CORRESPONDENCE - None

PRESENTATION OF 2012 TENTATIVE BUDGET

Joan Skinner, Town Clerk presented the 2012 Tentative Budget to the Town Board.

DUNDERBERG DRAINAGE

Kevin Maher, Town Engineer advised that he is preparing a Request for Proposals for cleaning the detention pond and will be releasing that RFP shortly. The pond needs to be cleaned out so that proper assessment can be made of the work that needs to be done.

UPDATE – COMMUNITY DEVELOPMENT BLOCK GRANT

Councilwoman Konopko announced that the Citizen's Advisory Committee has been formed and the following people, including Larry Brissing Superintendent of Highways and herself, comprise the committee: Cynthia Salters, Irina Gonzalez-Garcia, Lilyanne Wilson, Frank Collyer, Simone Schassler, Tom Schassler, Karenanne Nigro, Dylan Skriloff.

SCHOOL TAX APPORTIONMENT

Dennis Lynch and Mary Marzolla spoke to the board regarding this issue.

ACTION

A motion was made by Councilman White, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of those board members present to remove the pending resolution from the 9/13/2011 Town Board meeting from the table.

ACTION

A motion was made by Councilman Vicari and seconded by Councilman Finn and **unanimously carried** by a voice vote of those board members present to authorize special counsel to commence litigation challenging the administrative decision of the state Office of Real Property Tax Services in connection with Stony Point's request for a special segment equalization rate.

REQUEST FOR REFUND – BUILDING PERMIT

A motion was made by Councilman Finn, seconded by Councilman White and **unanimously carried** by a roll call vote of those board members present to refund building permit #20100197 for parcel 14.04-4-21 to Prestige Pool & Patio in the amount of \$725.00.

McKesson Governmental Entity Class Action

A motion was made by Councilman Vicari, seconded by Councilman Finn and **unanimously carried** by a roll call vote of those board members present to that the Town of Stony Point not be removed from this class action.

CARLTON MEADOWS – LETTER OF CREDIT

A motion was made by Councilman Finn, seconded by Councilwoman Konopko and **unanimously carried** by a roll call vote of those board members present to, after receiving Planning Board recommendation, reduce the Letter of Credit for Carlton Meadows to \$40,000, and upon recommendation of Special Counsel, to require that the new letter of credit provide language containing no limitations of time and provide that "if the principal shall hereinafter complete the improvements as specified on the plat to the satisfaction of the Town, then this obligation shall be void, otherwise it shall remain in full force and effect."

STONY POINT CENTER – FLOODING ISSUES

Kevin Maher, Town Engineer, reported as follows regarding the letter received from the Stony Point Center and the flooding issues they are experiencing:

The main problem lies in the fact that the center's drainage system is tied to one of two outfall lines from the detention basin on JFK Drive. That is

why their site floods during very large storms as the water from the detention basin backs up into their drainage network.

Kevin met with the Center's director and head of maintenance in the early spring of this year and told them that they should plug the old outfall line (to which their storm drains are connected) and extend and/or enlarge the other line to the storm drain under West Main Street that discharges to the Cedar Pond Brook.

There is some excess vegetation that the Town may need to remove from the basin that may be adding to the problem (reducing storage in the detention basin). The outlet controls may also need to be repaired or replaced.

PYNGYP SCHOOL-NOMINATION TO NATIONAL & STATE REGISTERS OF HISTORIC PLACES

A motion was made by Councilman Konopko, seconded by Councilman Vicari and **unanimously carried** by a voice vote of those board members present to vote in favor of the nomination of the Pyngyp School to the National & State Registers of Historic Places.

AMBULANCE CORP AUDIT & REVIEW

A motion was made by Councilman White, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of those board members present to:

- Authorize the accounting firm of O'Connor, Davies, Munns & Dobbins to review the 2010 independent audit of the Ambulance Corp and report back to the Town Board with the results of that review at a cost of \$7,000, to be paid by the Ambulance Corp as per the existing contract.
- Authorize Frank Simeone, Esq. to review the existing contract between the Town and the Ambulance Corp. and report back to the Town Board with the results of that review.

EXECUTIVE SESSION

At 8:24 pm a motion was made by Councilwoman Konopko, seconded by Councilman Vicari and **unanimously carried** by a voice vote of all board members present to adjourn into executive session for the purpose of discussing personnel and litigation issues.

RECONVENE

At 8:58 pm a motion as made by Councilwoman Konopko, seconded by Councilman Vicari and **unanimously carried** by a voice vote of all board members present to reconvene the September 27, 2011 Stony Point Town Board meeting.

RETIREMENT INCENTIVE

A motion was made by Councilman Finn, seconded by Supervisor Sherwood and **unanimously carried** by a roll call vote of those board members present to approve the following resolution:

RESOLUTION TOWN OF STONY POINT 2011 RETIREMENT INCENTIVE

WHEREAS, the Town of Stony Point has determined that ever-increasing costs necessitate an effort to consider a range of possibilities for reducing Town expenditures; and

WHEREAS, the Town has determined that a retirement incentive plan for Town employees is in the best interests of the Town:

NOW, THEREFORE BE IT RESOLVED THAT: the Town Board of the Town of Stony Point hereby approves the 2011 Voluntary Retirement Incentive Plan of the Town of Stony Point ("Plan") in the form attached hereto. Participation in the Plan is conditioned on the eligible employee meeting the

election time period requirements and other conditions and requirements of attached Plan; and

BE IT FURTHER RESOLVED THAT: the Plan is further conditioned upon a minimum of three eligible employees electing to participate in the Plan; and

BE IT FURTHER RESOLVED THAT: if fewer than three eligible employees participate in the Plan, the Plan shall be immediately terminated and take no effect; and

BE IT FURTHER RESOLVED THAT: the Plan shall expire on January 31, 2012 for all purposes and shall be a one-time measure with no precedential effect; and

BE IT FURTHER RESOLVED THAT: the undersigned, being all of the members of the Town Council of the Town of Stony Point, hereby approve, adopt and confirm the passage of the Plan in the form attached hereto; and

BE IT FURTHER RESOLVED that the Town Supervisor is hereby authorized to take such action as necessary to carry out and implement the Plan.

The Resolution set forth herein was adopted as of September 27, 2011.

EXECUTIVE SESSION

At 9:05 pm a motion was made by Councilwoman Konopko, seconded by Councilman Vicari and **unanimously carried** by a roll call vote of those board members present to return to executive session for the purpose of discussing personnel and litigation matters.

ADJOURN

A motion was made by Councilman Finn, seconded by Councilman Vicari and **unanimously carried** by a voice vote of all board members present to adjourn the September 13, 2011 Stony Point Town Board Meeting at 10:30 pm.

Respectfully submitted,

Joan Skinner
Town Clerk