

STONY POINT TOWN BOARD MEETING – DECEMBER 10, 2013

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, December 10, 2013 at 7:00 pm at the Stony Point Community Center (Rho Building), 5 Clubhouse Lane, Stony Point, NY. Supervisor Geoffrey Finn called the meeting to order and led the group in the Pledge of Allegiance. Town Clerk Joan Skinner called the following roll:

PRESENT:	Mr. Karl Javenes	Councilman
	Mr. James McDonnell	Councilman
	Mr. James White	Councilman
	Ms. Luanne Konopko	Councilwoman
	Mr. Geoffrey Finn	Supervisor

ABSENT: None

EXECUTIVE SESSION

At 7:01 pm a motion was made by Supervisor Finn, seconded by Councilman White and **unanimously carried** by a voice vote of those members present to adjourn into executive session for a personnel matter.

RECONVENE

At 7:45 pm a motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to reconvene the December 10, 2013 Stony Point Town Board meeting.

PUBLIC INPUT

Benjamin Reid – Director of Rose Memorial Library announced that he will be leaving his position with the library on December 19th as he has accepted a position in Ohio. Jacquelyn Ryan will start as the interim director on Dec. 11, 2013. He thanked everyone for the wonderful working relationship between the town and the library.

Supervisor Finn thanked Benjamin and congratulated him for the innovation and leadership he has brought to Rose Memorial and wished him continued success in his new position.

Susan Filgueras – Mott Farm Rd. read the following:

Colonel Paul Owen
Commander, New York District
US Army Corps of Engineers
26 Federal Plaza, Room 2113
New York, NY 10278

Dear Colonel Owen:

I am writhing on behalf of many North Rockland County constituents, including the elected officials of the Towns of Haverstraw and Stony Point, who have contacted me regarding the proposal by Transmission Developers, Inc. (TDI) to construct the Champlain Hudson Power Express transmission line (CHPE). I understand the comment periods both for the Department of Energy (DOE) Draft Environmental Impact Statement (DEIS) and the Army Corps of Engineers (ACOE) Announcement of Public Hearings and Request for Public Comment on the Department of the Army Permit (Announcement) are scheduled to end December 16, 2013. I request that they be extended for sixty (60) days.

When first proposed, the CHPE transmission line was to run under the Hudson River for most of the project route, including the southern section near Rockland County. However, the current proposal has the line within the CSX Freight Railroad Tracks (CSX) right-of-way in the Rockland County towns of Stony Point, Haverstraw, and a

small section of Clarkstown. This route is strongly opposed by many local residents, business groups, and elected officials. In particular, Town of Stony Point Supervisor Geoff Finn has expressed his concern that the construction of CHPE will involve the taking of residential and commercial property through eminent domain, which will further exacerbate the town tax bases after losing the Bowline and Lovett power plants.

There is also significant concern regarding the manner in which the DEIS and Announcement were communicated to the community and discrepancies in the content of these documents. Several constituents from the North Rockland community complained that no notice was received regarding the Announcement, and they only learned of the Announcement and its comment period at the Hearing held at the Stony Point Center on November 18, 2013. Notice of the DEIS was delivered to residents in the mail, but many reported inconsistent and spotty delivery. Additionally, the notice of the DEIS was only provided in English, despite the large Hispanic community in North Rockland. Furthermore, several residents of the Ba-Mar area on the Hudson River waterfront in Stony Point complained that they did not receive any notice of the DEIS.

Discrepancies in the content of the DEIS and the Announcement also remain. These include that the route proposed in the DEIS extends the CHPE transmission line by three miles to the Ravenswood Generating Station in Long Island City, while the route discussed in the Announcement still reflects the original 333-mile route ending in Astoria.

Given the high level of ongoing local opposition to this project, the questions about timely and complete dissemination of the DEIS and Announcement, and the inconsistencies in the two documents, it is important that the Rockland elected officials, business leaders, and residents feel confident that the DOE and ACOE have thoroughly reviewed all pertinent information about the routing of the CHPE line before a final Environmental Impact Statement and ACOE Permits are issued. As such, I ask that you give full consideration to the concerns raised by my constituents regarding this project. I also request that you provide a sixty (60) day extension to the comment periods for both the DEIS and Announcement, so that my constituents have the opportunity to review the documents and make comments accordingly.

Sincerely, Nita M. Lowery - Member of Congress

cc: Brian Mills, NEPA Document Manager, Department of Energy

Jodi McDonalds, Chief, Regulatory Branch, Army Corps of Engineers

PURCHASE ORDER REQUEST

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

Highway		
PO#2522	Ruscon Truck Service	\$1,990.63
Sewer		
PO#2523	Controlex Service Corp.	\$3,987.00
PO#2524	Clean Waters Inc.	\$1,594.00
PO#2525	ERA	\$1,043.23

AUDIT OF BILLS

Joan Skinner, Town Clerk, presented the following bills to the Town Board for audit and a motion was made by Councilman White, seconded by Councilman McDonnell and **unanimously carried** by a voice vote of all board members present to approve the bills as presented for payment.

Contractual General – November

<u>FUND</u>	<u>CLAIM #</u>	<u>BILL TOTAL</u>	<u>FUND TOTAL</u>
General	1460-1499	\$ 199,885.52	\$ 199,885.52
Highway	373-381	\$ 55,377.47	\$ 55,377.47
Sewer	337-344	\$ 16,788.96	\$ 16,788.96
<u>Special Districts</u>			
Enterprise	410-421	\$ 21,200.66	\$ 21,200.29
Street Lighting	13-13	\$ 25,326.11	\$ 25,326.11
<u>General – December</u>			
General	1500-1570		\$2,132,998.55
Highway	382-406		\$ 176,937.06
Sewer	345-364		\$ 111,461.99
<u>Special Districts</u>			
Ambulance	21-22		\$ 27,393.10
Enterprise Fund	422-445		\$ 86,717.94
Solid Waste	14-14		\$ 21,356.25

MINUTES

A motion was made by Councilman Javenes, seconded by Supervisor Finn, and **unanimously carried** by a voice vote of all board members present to approve the minutes of November 26, 2013.

SUPERVISOR'S REPORT

Supervisor Finn announced:

- Special Counsel, Feerick Lynch MacCartney waived their \$21,270 fee for services performed with regard to the negotiations and modification of the cell tower leases.

Supervisor Finn thanked:

- Councilman Jim McDonnell for his two years of service on the Town Board and his twenty plus years of service as a member and Chairman of the Zoning Board of Appeals. He presented him with a Certificate of Appreciation from the Town of Stony Point and a gift certificate from himself, thanking him for the many different ways Councilman McDonnell has helped not only the Supervisor's Office but all the offices throughout the Town.
- Councilwoman Konopko for her four years of services on the Town Board, presenting her with a Certificate of Appreciation from the Town of Stony Point and flowers, in thanks for her contributions to the Town.

POLICE DEPARTMENT REPORT/BUSINESS

Chief Moore presented the following report:

Police Department Report for the Month of November, 2013

Number of calls for service:	628
Number of reported accidents:	34
Number of arrests:	74
Fuel usage:	1319 gallons
Sum total of all traffic enforcement action:	
Number of Youth Officer sponsored events:	8
Number of child safety seat installations:	
Number of commercial vehicle enforcement details:	1
Number of traffic enforcement details:	3
Number of training hours:	208:00hrs
Total fees collected:	\$20.00
(\$0.00 for FOIL; \$0.00 for prints; \$20.00 for reports)	

Miscellaneous:

Youth sponsored events: 4 Youth Police Academy sessions; 1 PAL Recreation Night; 1 PAL Meeting, Scout meeting and station visit; 1 NR Explores meeting and helped prepare for tree lighting.

Chief Moore addressed the board regarding the following matters:

- CHIEF MOORE’S TIME RECORD**
 A motion was made by Supervisor Finn, seconded by Councilman McDonnell and **unanimously carried** by a voice vote of all board members present to approve Chief Moore’s time record for the month of November 2013 as presented.
- OVERTIME & SICK LEAVE REPORTS**
 A motion was made by Councilman White, seconded by Councilman McDonnell and **unanimously carried** by a voice vote of all board members present to approve the overtime and sick leave reports as presented for the month of November 2013.
- NOMINATE POLICE OFFICER TO FILL VACANCY**
 A motion was made by Councilwoman Konopko and seconded by Supervisor Finn to nominate Police Officer Candidate, Robert Bertrand to the position of Police Officer in the Stony Point Police Department, subject to completion of all pre-employment requirements as per Rockland County Department of Personnel.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Supervisor Finn	[x]	[]	[]	[]
Councilman Javenes	[x]	[]	[]	[]
Councilman McDonnell	[x]	[]	[]	[]
Councilman White	[x]	[]	[]	[]
Councilwoman Konopko	[x]	[]	[]	[]

The Resolution was thereupon **duly adopted**.

ECONOMIC DEVELOPMENT
Councilwoman Konopko read the following:

The SPEDC is an all-volunteer advisory committee that has been trying to help the Town Board identify ways in which we can improve our business climate since our establishment in 2010. I’d like to take a few moments to recap the contributions we’ve made during that time.

First of all, for one last time, I’d like to publicly acknowledge and thank my fellow committee members for their assistance, time, dedication, and most importantly, vision for the Town. They include my former co-chair Steve Porath, Councilman Karl Javenes, Superintendent of Highways Larry Brissing, Recreation Facilities Director Karen Ann Nigro, and community members Lily Ann Wilson, Frank Collyer, Bruce Smith, Barnaby Joyce, Kathy Leroy, Brenda Cirruzzo, Malcolm Dean, Ava Seavey, Cynthia Branca, Benjamin Reid, Ruth Aspinall, MaryJane DiGiorgio, Nicki Olori, Nancy Nicks, Noreen Smith and Councilman-elect Jim Monaghan. A number of other residents also participated, and while I couldn’t begin to name them all, I appreciate their input as well.

During our first few meetings, the Committee focused on evaluating the Town’s strengths and weaknesses. The following are some of the actions that arose from those discussions:

- A Beautification Subcommittee was established to improve Stony Point’s “curb appeal,” and one of its first tasks was to install “Welcome” signs at key locations throughout the Town. The first sign, installed at Exit 14 and unveiled in May of this year, was designed by local resident and veteran Joe Humphrey, sponsored by Environmental Construction, and surrounded by landscaping donated by Northeastern Landscape. The team has committed to providing signage at Exit 15 as well. The subcommittee also solicited sponsorships for the park benches along Liberty Drive that were installed in the fall, and would like to seek sponsors for planters as its next project.
- On behalf of the committee, I researched, wrote and distributed a Request for Expressions of Interest for the development of the Patriot Hills complex, which incorporated

recommendations of a citizens' advisory committee that was formed in 2003 to study the reuse of our Letchworth Village property, as well as the recommendations of Clough Harbor Associates who had been hired by the Town for the same purpose. Two developers who had previously expressed their interest approached the Board after the deadline with revised ideas for the property, but the Board felt their proposals were not responsive. We learned that others did not submit proposals because of the known asbestos and lead contamination in the buildings, so the committee proposed that some of the buildings be remediated and reused temporarily until a viable proposal is received for the entire property.

- I also submitted an application to the US Environmental Protection Agency (EPA) for Economic Development assistance under its Sustainable Communities Building Blocks program in 2011. In June of 2012 we learned that we were one of 56 communities subsequently selected nationwide to receive this assistance, funded entirely by the federal government. The assistance included detailed research conducted by BAE Urban Economics and representatives of the EPA into Stony Point's financial state and demographics, and culminated in a 2-day workshop that involved local government and public input. Approximately 60 residents and business owners attended the workshops, which were hosted by the SPEDC. As a result, the consultants provided a "next steps" memo designed to help the Town plan for a fiscally sound future. Many of their recommendations have been incorporated into the amendments to the Town's Comprehensive Master Plan and, more recently, into the NY Rising Community Reconstruction Zone documents.

One of the workshop discussions centered around the need for improved communications between the Town and its residents. It was agreed that, while the Town has an active website and facebook page, not all residents have access to the Internet. A subcommittee was thus created to address that need—which led to the development of a newsletter entitled "To the Point." The subcommittee spent nearly a year interviewing, writing and designing the newsletter and securing partial funding from the local business community to help offset the cost of publication, but couldn't get a subsidy for the balance. Unfortunately, the newsletter never made it to print.

Other SPEDC initiatives include:

- A plan to create a Town Center District at the intersection of Main Street and Liberty Drive.
- A plan for the redevelopment of the Liberty Drive Retail Corridor. This was supported by the Town Board in a resolution dated June 28, 2011 that authorized the Town's Departments, professionals and consultants to participate and assist in a preliminary review and investigation of the economic revitalization of the Liberty Drive Corridor, including:
 - 1) the identification of parcels appropriate for inclusion in such an economic revitalization area;
 - 2) the exploration of state and federal programs that may facilitate such revitalization;
 - 3) the review and research similar initiatives undertaken by other communities; and
 - 4) taking any other steps necessary to facilitate the adoption of a final resolution by the Town Board at a later date.
- A subcommittee that identified the steps for opening or expanding a business in Stony Point, the fact-finding for which led to a number of suggestions that could help make the Town more "business friendly." A Flow Chart that outlines the process is posted on the Town's website.

One of those suggestions was to create a Steering Committee that would work with business owners before their applications are actually filed with the Building Department in an effort to streamline the process and contain their costs. This Steering Committee was made up of members of the Town Board; the Building Inspector; members of the Planning Board, Zoning Board of Appeals and Economic Development Committee; and the Town Engineer. In its first year, the Steering Committee met with several business owners who wanted to either expand or start new businesses here to guide them through application procedures, identify potential obstructions to their projects, and discuss ways in which they might properly overcome those obstacles.

- The submission of "Brownfields Redevelopment" funding applications to several State and Federal agencies.
- A Film Commission that is creating a website and marketing plan with collateral materials to help attract more film and television production companies to Stony Point.

- A database of commercial vacancies throughout the Town for distribution to the Rockland Economic Development Corporation and the Hudson Valley Economic Development Corporation, as well as other organizations that can help attract new ratables to the Town. Most of the research has been done; however, the database needs to be finalized and formatted before it can be shared.

The full committee hasn’t met in the recent months but the subcommittees remained active through the fall, and it is our sincere hope that the new administration will continue the work we began in earnest.

While I’m not sure what my role would be going forward, I have been and will remain an active member of the NY Rising Committee and its Economic Development subcommittee. Some very insightful and viable discussions have been held during those meetings that warrant additional consideration, as well.

DEPARTMENTAL REPORTS

Joan Skinner, Town Clerk offered the following reports for the record:

GOLF COURSE REPORT

November 2013:

• Green Fees	\$	66,913.20
• Merchandise	\$	5,273.94
• Range Fees	\$	2,134.00
• Club Rental	\$	129.16
• Total	\$	74,450.30

Architectural Review Board

From:	11/01/2013	To:	11/30/2013
Applications Received			
Site Plan	1		
Solar Panels	6		
Applications Approved			
Solar Panels	6		
Applications Pending			
Site Plan	1		
Fees Collected:	\$	700.00	
Money in Lieu of Land	\$	0.00	

Building & Zoning Department

November

Applications Received	23
Applications Returned/Withdrawn	0
Applications Denied	0
Building & Blasting Permits Issued	19
Applications Pending	70
Certificate of Occupancy	6
Certificate of Compliance	11
Fees Collected	\$16,275.00

Dog Control Officer

November

Dogs seized and sheltered	0
Dogs returned to owner	0
Number of complaints received	3
Miles traveled patrolling the Town and transporting dogs	454

Fire Inspector

<u>November</u>	Month	Total
Inspections Performed	17	411
Field Correction Issued	5	217

Violations Issued	0	141
Violations Outstanding	0	0
Permits Issued	0	0
Requests by Police Dept.	2	2
Requests by Fire Dept.	3	34
Fires Investigated	0	5
Flood Damaged Buildings Inspected	0	34

Planning Board

From:	11/01/2013	To:	11/30/2013
Applications Received			
Site Plan	1		
Applications Approved	0		
Applications Pending			
Amended Site Plan	1		
General Category	1		
Informal Discussion	2		
Site Plan	6		
Subdivision-Major	1		
Subdivision-Minor	1		
Fees Collected:	\$1,990.00		
Money in Lieu of Land	\$ 0.00		

Sewer Department

November

Overtime Hours	
Sunday	16 hrs.
Saturday	4 hrs.
Holiday	36 hrs.
Monthly Flow	
Plant	19,049,200 gallons
Kay Fries	723,900 gallons
Fuel Usage	334.6 gallons
Heating Oil	7 gallons
Total to Sludge Compost Facility	95 Cu. Yds.
Solids	20%
Screenings	62.73 Cu. Ft.
Septage	4100 Gals.

Zoning Board Of Appeals

From:	11/01/2013	To:	11/30/2013
Applications Received	0		
Applications Closed			
Area Variance	2		
Applications Pending			
Appeal	1		
Area Variance	1		
Use Variance	1		
Fees Collected:	\$225.00		

Town Clerk

November

Amount Paid To NYS Agriculture & Markets	
For Spay/Neuter Program	\$ 19.00
Amount Paid To NYS Health Dept. For Marriage Licenses	\$ 90.00
Amount Paid To NYS Dept. Of Environmental Conservation	\$ 1,425.42
Amount Paid To Supervisor	\$ 1,835.55
TOTAL AMOUNT REMITTED	\$ 3,369.97

CORRESPONDENCE - None

CONTINUED PUBLIC HEARING – PROPOSED LOCAL LAW-FLOOD DAMAGE PREVENTION

Supervisor Finn opened this public hearing.

Special Counsel Brian Nugent explained that the thirty day period for responses extends to December 12, 2013. We have heard from the County of Rockland who indicated that the issues are local and therefore offered no comments. The DEC had a question regarding fees that was answered. It was his suggestion to leave the public hearing opened until January 14, 2014, by which time any outstanding comments would be received.

Public Input – none

BUDGET MODIFICATIONS

A motion was made by Supervisor Finn, seconded by Councilman McDonnell and **unanimously carried** by a voice vote of those board members present to approve the Budget Modifications as submitted by the Financial Director for December.

DEMOLITION OF 15 SMITH STREET

A motion was made by Supervisor Finn, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of those board members present to approve the demolition of the Town owned building located at 15 Smith Street. The work is to be done in-house at a cost not to exceed \$5,000, paid from the Highway Capital Projects Fund or the Highway Fund.

Councilman White suggested that all surrounding residents be notified prior to the demolition.

REQUEST FOR REFUND-ZONING BOARD APPLICATION FEES

A motion was made by Supervisor Finn, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of those board members present to approve refunding a zoning board application fee of \$300 since the original violation at 83 Tomkins Avenue was withdrawn by the Building Department.

SET REORGANIZATION MEETING

A motion was made by Supervisor Finn, seconded by Councilman McDonnell and **unanimously carried** by a voice vote of those board members present to set the reorganization meeting for the Town of Stony Point for January 7, 2014 at 7:00 pm at the Stony Point Community Center (Rho Building) 5 Clubhouse Lane, Stony Point, NY.

PGA MERCHANDISE SHOW

A motion was made by Supervisor Finn, seconded by Councilman White and **unanimously carried** by a voice vote of those board members present to approve Dave Fusco's request to attend the 2014 PGA Merchandise Show in Orlando, FL from January 21-24th at a cost not to exceed \$800.

APPOINT – MEO II – HIGHWAY DEPARTMENT

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to appoint Peter J. Gessner to the position of MEO II in the Highway Department, effective February 1, 2014 at his current rate of \$28.11 per hour.

REALLOCATION OF FUNDS – COMMUNITY DEVELOPMENT BLOCK GRANT

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to accept an additional \$20,000 reallocation of funds from the 2013 Community Development Block Grant.

RECREATION FACILITY ATTENDANT – HIGHWAY DEPARTMENT

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to hire Bruce Brown as a Recreation Facility Attendant at \$10.00 per hour, commencing December 14, 2013 to work four (4) hours each Saturday at the Highway Department.

ECOLOGICAL ANALYSIS – ADDENDUM TO CONTRACT

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to authorize Supervisor Finn to execute an addendum to the contract with Ecological Analysis for preparation of the EAF Part 3 as requested by the Town Planner to complete SEQRA on the damaged sewer line in the Holt Dr. area for an additional cost of \$5,000.

EXECUTIVE SESSION

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to adjourn into executive session to discuss personnel matters at 8:40 pm.

COUNCILMAN WHITE LEFT THE MEETING AT THIS POINT.

RECONVENE

A motion was made by Supervisor Finn, seconded by Councilman McDonnell and **unanimously carried** by a voice vote of those board members present (Councilman White was absent at this time) to reconvene the November 12, 2013 Stony Point Town Board meeting at 8:50 pm.

EXTENSION OF SICK LEAVE

A motion was made by Supervisor Finn, seconded by Councilman McDonnell and **unanimously carried** by a voice vote of those board members present (Councilman White was absent at this time) to approve extended sick leave at half pay pursuant to the CSEA Collective Bargaining Agreement for a certain Parks Department Employee, per the employee's request, from December 11, 2013 through January 10, 2014 at which time the extended sick leave approval shall be re-evaluated by the Town Board.

ADJOURN

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of all board members present Councilman White was absent at this time) to adjourn the December 10, 2013 Stony Point Town Board meeting at 8:52 pm.

Respectfully submitted

Joan Skinner – Town Clerk