

## **STONY POINT TOWN BOARD MEETING – MARCH 11, 2014**

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, March 11, 2014 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. Tom Basile	Councilman
	Mr. Karl Javenes	Councilman
	Mr. James White	Councilman
	Mr. Jim Monaghan	Councilman
	Mr. Geoffrey Finn	Supervisor

ABSENT: None

### **PUBLIC INPUT**

George Potanovic – Old Gate Hill Rd spoke about United Water’s proposed desal plant and the proposed surcharge associated with it and about executive session.

### **PURCHASE ORDER REQUEST**

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

Golf Course			
PO#2519	Grassland Equipment		\$14,703.00
PO#2548	The Hudson River Tractor Co.		\$5,419.18
Highway			
PO#2547	Mobil Lifts Inc.		\$59,400.00
PO#2554	Corsi Tire		\$2,473.44
Sewer			
PO#2551	Slack Chemical Co. Inc.		\$1,634.70

### **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 Javenes and **unanimously carried** by a voice vote of all board members present to approve the bills as presented for payment.

### **Contractual General – February**

<b><u>FUND</u></b>	<b><u>CLAIM #</u></b>	<b><u>BILL TOTAL</u></b>	<b><u>FUND TOTAL</u></b>
<u>General</u>	214-265	\$ 236,823.59	\$ 236,823.59
<u>Highway</u>	71-79	\$ 39,127.88	\$ 39,127.88
<u>Sewer</u>	53-63	\$ 23,662.71	\$ 23,662.71
<u>Special Districts</u>			
Enterprise	50-60	\$ 60,820.29	\$ 60,820.29
Street Lighting	1-2	\$ 50,724.63	\$ 50,724.63
<b><u>General – March</u></b>			
<u>General</u>	266-340		\$ 397,713.02
<u>Highway</u>	80-112		\$ 104,948.77
<u>Sewer</u>	64-88		\$ 119,044.29
<u>Special Districts</u>			
Ambulance	7-7		\$ 27,346.06
Enterprise Fund	61-74		\$ 22,026.22
Solid Waste	8-8		\$ 21,356.25

## **MINUTES**

A motion was made by Councilman White, seconded by Councilman Javenes and **carried** by a voice vote of those board members present (Councilman Basile abstained) to approve the minutes of January 14, 2014, January 28, 2014 and February 11, 2014.

A motion was made by Councilman Monaghan, seconded by Councilman Javenes and **carried** by a voice vote of those board members present (Councilman White abstained) to approve the minutes of February 25, 2014.

## **SUPERVISOR'S REPORT**

Supervisor Finn spoke about:

- Vacant homes along the waterfront
- Simon's Recovery Consulting
- FEMA
- Proposed gasification plant
- Letchworth property – some interest has been shown
- Tractor Supply has expressed interest in coming to Stony Point
- RC High School Local Historical Conference
- Wayne Hose fund raiser
- First Responders Blood Drive

## **POLICE DEPARTMENT REPORT/BUSINESS**

Chief Moore presented the following report:

Police Department Report for the Month of February, 2014

Number of calls for service:	626
Number of reported accidents:	34
Number of arrests:	41
(5) Felonies      (23) Misdemeanors      (13) Violations	
Fuel usage:	1215.2 gallons
Sum total of all traffic enforcement action:	149
Number of Youth Officer sponsored events:	5
Number of child safety seat installations:	2
Number of commercial vehicle enforcement details:	0
Number of traffic enforcement details:	2
STOP DWI	
Number of training hours:	224:00hrs
Total fees collected:	\$146.00
	(\$6.25 for FOIL; \$100.00 for prints; \$40.00 for reports)

Miscellaneous:

Youth sponsored events: PAL Valentines Dance w/ 150 attendees, Taught 2 classes on the Dangers of Sexting @ NRHS, 1 Youth Court Session, 1 NR Youth Police Academy session, Participated in Rockland Reads @ SPE & conducted regular checks of schools.

Chief Moore addressed the board regarding the following matters:

- **CHIEF MOORE'S TIME RECORD**

A motion was made by Supervisor Finn, seconded by Councilman Basile and **unanimously carried** by a voice vote of all board members present to approve Chief Moore's time record for the month of February 2014 as presented.

- **OVERTIME & SICK LEAVE REPORTS**

A motion was made by Supervisor Finn, seconded by Councilman Basile 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 February 2014.

- STOP DWI REIMBURSEMENT AGREEMENT**  
 Supervisor Finn executed an agreement with the County of Rockland for additional reimbursement of \$724.50 for the Town’s further participation in the STOP DWI Program.
- PURCHASE VOICE RECORDER**  
 A motion was made by Supervisor Finn, seconded by Councilman Monaghan and **unanimously carried** by a voice vote of those board members present to authorize purchasing a new voice recorder for the Police Department in the amount of \$11,862.98 from Business Electronics Inc. (three quotes were obtained) to be paid for from asset forfeiture funds.
- STATUS OF PD ROOF REPLACEMENT**  
 Bids will go out on March 13<sup>th</sup> with a pre-bid meeting on March 25<sup>th</sup> and bids will be read on April 2, 2014.

**STONY POINT AMBULANCE CORP**  
 Corp President, Joseph Segelbacher, spoke updating the board on many areas that the Corp has recently addressed.

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

**GOLF COURSE REPORT**

February 2014:

• Green Fees	\$	0.00
• Merchandise	\$	0.00
• Range Fees	\$	0.00
• Club Rental	\$	0.00
• Total	\$	0.00

Dave Fusco addressed the board indicating residential ID cards will go on sale March 20<sup>th</sup>, the driving range will open shortly (depending on the weather) and the course will open April 1<sup>st</sup> as of right now.

**Architectural Review Board**

From:	02/01/2014	To:	02/28/2014
Applications Received			
Solar Panels	3		
Applications Approved			
Solar Panels	2		
Applications Pending			
Solar Panels	1		
Fees Collected:	\$	400.00	
Money in Lieu of Land	\$	0.00	

**Building & Zoning Department**

February

Applications Received	18
Applications Returned/Withdrawn	1
Applications Denied	2
Building & Blasting Permits Issued	14
Applications Pending	67
Certificate of Occupancy	3
Certificate of Compliance	13
Fees Collected	\$52,445.00

**Dog Control Officer****February**

Dogs seized and sheltered	1
Dogs returned to owner	1
Number of complaints received	2
Miles traveled patrolling the Town and transporting dogs	425

**Fire Inspector****February**

	Month	Total
Inspections Performed	19	35
Field Correction Issued	9	15
Violations Issued	0	0
Violations Outstanding	0	0
Permits Issued	0	0
Requests by Police Dept.	0	0
Requests by Fire Dept.	2	5
Fires Investigated	0	0

**Planning Board**

From:	02/01/2014	To:	02/28/2014
Applications Received	0		
Applications Approved			
Informal Discussion	1		
Applications Pending			
Amended Site Plan	1		
General Category	1		
Informal Discussion	1		
Site Plan	5		
Subdivision-Major	1		
Subdivision-Minor	1		
Fees Collected:	\$26,574.65		
Money in Lieu of Land	\$12,000.00		

**Sewer Department****February**

Overtime Hours	
Sunday	20 hrs.
Call Ins	8 hrs.
Holiday	16 hrs.
Monday	4 hrs.
Monthly Flow	
Plant	21,236,200 gallons
Kay Fries	14,800 gallons
Fuel Usage	234.2 gallons
Heating Oil	275 gallons
Total to Sludge Compost Facility	26 Cu. Yds.
Solids	19.8%
Screenings	53.87 Cu. Ft.
Septage	3600 Gals.

**Zoning Board Of Appeals**

From:	02/01/2014	To:	02/28/2014
Applications Received			
Area Variance	2		
Use Variance	1		
Applications Closed			
Appeal	1		
Applications Pending			

Area Variance	3
Use Variance	2
Fees Collected:	\$700.00

### **Town Clerk**

#### **February**

Amount Paid To NYS Agriculture & Markets	
For Spay/Neuter Program	\$ 24.00
Amount Paid To NYS Health Dept. For Marriage Licenses	\$ 67.50
Amount Paid To NYS Dept. Of Environmental Conservation	\$ 344.84
Amount Paid To Supervisor	\$ 1,708.85
TOTAL AMOUNT REMITTED	\$ 2,145.19

### **CORRESPONDENCE**

Dear Mr. Brissing - I wanted to thank you and your crew for tackling the snow in front of the Tomkins Cove Public Library. This winter has taxed our ability to effectively remove the snow. Without your assistance, the sidewalks would have been impassable until Memorial Day. Thank you again for assisting us with the snow.

Sincerely, Janet Lukas-Director

### **PUBLIC INPUT**

George Fonseca – Lindbergh Rd., spoke. He indicated that he arrived late because he was not aware that the meetings took place at Rho Building. Mr. Fonseca urged the Board to please take action regarding a business being run next to his home in a residential zone.

### **FEE REDUCTIONS FOR VOLUNTEER EMERGENCY SERVICES**

A motion was made by Councilman Basile and seconded by Councilman Monaghan to adopt the following resolution:

#### **RESOLUTION PROVIDING FOR FEE REDUCTIONS IN RECOGNITION OF THE SERVICE OF VOLUNTEER EMERGENCY SERVICES**

WHEREAS, Stony Point's place in history was made by people who had the courage to serve a cause greater than themselves and our volunteer emergency services volunteers exhibit that spirit every day; and

WHEREAS, the Town of Stony Point is served today by dedicated citizens who give of their time and talents to ensure public safety often at significant personal risk; and

WHEREAS, these residents repeatedly demonstrate a courage and commitment that significantly contributes to protecting our health, safety and overall high quality of life;

WHEREAS, the Town seeks to recognize those volunteers of the Stony Point Fire District, Stony Point Ambulance Corps and Stony Point Auxiliary Police for their exemplary service; and

WHEREAS, the Town of Stony Point has a significant interest in fostering a culture of service within our community particularly with respect to supporting the volunteer emergency services; and

WHEREAS, the Town seeks to aid in the recruitment process for these organizations by providing recognition for service that demonstrates the Town's appreciation for our volunteers; and

NOW, THEREFORE, be it resolved as follows:

1. The above "Whereas" paragraphs are incorporated herein by reference.
2. The Town shall offer eligible volunteers of the above emergency services organizations the set of discounts at Stony Point Town facilities, amenities and offerings as enumerated in Addendum A.

3. "Eligible volunteers" shall be defined as those members who are active and in good standing, including those recognized as life members of their respective organizations so long as such life members maintain Stony Point residency.
4. Social members, honorary members or persons with any other form of membership other than active members shall not be eligible to receive these benefits.
5. Discounts shall be extended to spouses and minor children of eligible volunteers. Minor children shall be defined as children under eighteen (18) years of age that are residents of the Town. A minor child shall also include a child residing with an eligible volunteer where the eligible volunteer is the legal guardian of such child.
6. In order to establish and/or maintain eligibility, each organization shall furnish a list of active members in good standing to the Town Recreation Department, Patriot Hills Golf Course and the Town Clerk every six (6) months, indicating any roster changes.
7. The discounts may be offered as a family discount when multiple registrations are necessary or requested. Discounts will be taken from the total fee of multiple registrants unless specific discounts for multiple registrations are enumerated in Addendum A. All other discounts are offered per individual registrant.
8. In order to be eligible for such discounts, the eligible volunteer must be present with the organization's official valid, identification documentation designating said individual as an eligible volunteer of the organization at the time discount is to be applied or at time of registration.
9. Town Recreation Programs such as day trips, field trips and special events that require a fee are not subject to the discounts offered in this resolution.
10. Spouses of eligible volunteers may also be eligible for the above discounts provided proper documentation and/or identification issued by an eligible organization is presented.
11. In addition to any other rights the Town may have, the Town shall have the right to deny or revoke the above discounts for any otherwise eligible volunteer who is determined by the Town Board to have engaged in any improper act, including but not limited to, misrepresentation as to eligibility, identity or any other information pursuant to this discount program. Any person subject to such denial or revocation shall be afforded an opportunity to be heard by the Town Board before such denial/revocation.
12. The Town Board shall review the discount program annually and may, at its sole discretion, amend the discounts offered, eligibility requirements, or any aspect of the discount program, including discontinuance of the discount program entirely.
13. This Resolution shall be effective immediately and supersede Resolution 08-136 as Resolution 08-136 pertains to Volunteers as defined by both resolutions. Provisions of 08-136 pertaining to fee reductions for Town employees remain in effect.

#### **ADDENDUM A**

a. Stony Point Town Pool	No Fee
b. Highway Department Dump Pass	No Fee
c. Patriot Hills Resident Golf Card fee	\$10 Fee (Adult, Senior, and Junior)
d. Individual Rounds at Patriot Hills	\$7 discount (All Tee Times)
e. Stony Point Playground Program	\$10 discount (Per Week, Per Registrant)
f. Stony Point Day Camp Registration	\$50 discount – First Child; \$20 discount – Second Child; \$10 discount – Third Child
g. Town Swim Lessons	\$25 discount (Per Registration)

- h. Town Tennis Lessons
- i. Use of Facilities

\$15 discount  
25% discount

### **ACTION**

After discussion between the board members, Councilman Monaghan withdrew his second of the motion and there being no other second, **THERE WAS NO ACTION ON THE MOTION.**

### **FEE REDUCTIONS FOR VOLUNTEER EMERGENCY SERVICES**

A motion was made by Supervisor Finn and seconded by Councilman Basile to adopt the following resolution with certain changes to Schedule A:

#### **RESOLUTION PROVIDING FOR FEE REDUCTIONS IN RECOGNITION OF THE SERVICE OF VOLUNTEER EMERGENCY SERVICES**

WHEREAS, Stony Point's place in history was made by people who had the courage to serve a cause greater than themselves and our volunteer emergency services volunteers exhibit that spirit every day; and

WHEREAS, the Town of Stony Point is served today by dedicated citizens who give of their time and talents to ensure public safety often at significant personal risk; and

WHEREAS, these residents repeatedly demonstrate a courage and commitment that significantly contributes to protecting our health, safety and overall high quality of life;

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registrants unless specific discounts for multiple registrations are enumerated in Addendum A. All other discounts are offered per individual registrant.

8. In order to be eligible for such discounts, the eligible volunteer must be present with the organization's official valid, identification documentation designating said individual as an eligible volunteer of the organization at the time discount is to be applied or at time of registration.

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12. The Town Board shall review the discount program annually and may, at its sole discretion, amend the discounts offered, eligibility requirements, or any aspect of the discount program, including discontinuance of the discount program entirely.

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b. Highway Department Dump Pass	No Fee
c. Patriot Hills Resident Golf Card fee	\$0 Fee (Adult, Senior, and Junior)
d. Stony Point Playground Program	\$10 discount (Per Week, Per Registrant)
e. Stony Point Day Camp Registration	\$50 discount – First Child; \$20 discount – Second Child; \$10 discount – Third Child
f. Town Swim Lessons	\$25 discount (Per Registration)
g. Town Tennis Lessons	\$15 discount
h. Use of Facilities	25% discount

The following roll call vote was taken and the resolution was duly **adopted**.

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Supervisor Finn	[ X ]	[ ]	[ ]	[ ]
Deputy Supervisor White	[ X ]	[ ]	[ ]	[ ]
Councilperson Javenes	[ X ]	[ ]	[ ]	[ ]
Councilperson Basile	[ X ]	[ ]	[ ]	[ ]
Councilperson Monaghan	[ X ]	[ ]	[ ]	[ ]

#### **FEE REDUCTIONS FOR STONY POINT TOWN EMPLOYEES**

Supervisor Finn made a motion to adopt the identical resolution for Stony Point Town Employees. **There being no second on the motion, the motion was not acted upon.**

#### **HIGHWAY DEPARTMENT REQUEST FOR SNOWPLOW**

A motion was made by Councilman Javenes, seconded by Supervisor Finn and **carried** by a voice vote of all board members present, with Councilman White voting no, to approve the purchase of a snowplow from municipal bid at a cost of \$156,548.92.



### **NYS BUILDING OFFICIALS CONFERENCE**

A motion was made by Councilman Javenes, seconded by Councilman Monaghan, and **unanimously carried** by a voice vote of all board members present to approve a request for the Fire Inspector to attend the NYS Building Officials Conference on April 29, 2014 – May 1, 2014 at a cost of \$275.

### **VEHICLE DAMAGE**

A motion was made by Supervisor Finn, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to authorize the Town to negotiate with the owner of a parked vehicle that was damaged during a snowstorm by one of our plow trucks for repairs to his vehicle, with the final amount to be presented to the Town Board for approval at the next meeting.

### **ADVERTISE FOR BIDS – DRAINAGE IMPROVEMENTS**

A motion was made by Supervisor Finn, seconded by Councilman Basile and **unanimously carried** by a voice vote of all board members present to authorize the Town Clerk to advertise for bids for drainage improvements at Lake Road, Williams Road, High Ridge Road, Major Andre Drive and Rosebud Drive.

### **BID RESULTS – SCRAP METAL COLLECTION**

No bids were received for this, therefore no action was taken. Special Counsel will review the bid specifications and we will rebid at a later date. In the meantime we will continue with the company who is already collecting for us.

### **ANNUAL FUNDING – TOMKINS COVE LIBRARY**

A motion was made by Councilman Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of all board members present to approve the request for budgeted annual funding of \$10,000 to Tomkins Cove Library.

### **USE OF COMMUTER PARKING LOT**

A motion was made by Supervisor Finn, seconded by Councilman Monaghan and **unanimously carried** by a voice vote of all board members present to approve the request of the Senior Citizen's group to park in the commuter lot on Sunday April 12, 2014 from 8:30AM – 9:00PM.

### **TOWN HALL UPGRADES**

Supervisor Finn announced that the Town will be requesting quotes on various improvements for Town Hall, including windows, a new roof, heat and air conditioning and siding. Funding for these projects will come from the building and facilities fund.

### **DOG PARK COMMITTEE**

A motion was made by Councilman Basile, seconded by Councilman Monaghan and **unanimously carried** by a voice vote of all board members present to approve the following resolution:

#### **RESOLUTION APPOINTING MEMBERS OF THE STONY POINT DOG PARK COMMITTEE**

WHEREAS, pursuant to Sections V and VI of Resolution approved by the Town Board on January 28, 2014, the Town Board committed to establishing a Stony Point Dog Park and establishing a Stony Point Dog Park Advisory Committee; and

WHEREAS, various individuals have expressed an interested in being members of such Committee;

NOW THEREFORE, BE IT RESOLVED THAT:

1. The following individuals are hereby appointed to constitute the Stony Point Dog Park Advisory Committee: Mr. Joshua Fisher, Ms. Gina Guadagnino, Dr. Maria Molders, Ms. Christine Diaz, Mr. Dave Zeigler.
2. The following members of the Town Board shall serve as liaisons to the committee: Councilman Basile and Councilman Monaghan.

3. The following individual shall be an Ex-officio Member of the Committee by virtue of his position as Chairman of the Town Planning Board: Tom Gubitosa.
4. The Committee shall be established effective with the passage of this Resolution and shall meet as necessary until ninety (90) days after the completion of the design and construction of the Stony Point Dog Park at which time the Stony Point Dog Park Advisory Committee shall be discontinued, unless otherwise extended or modified by the Town Board.
5. Members of the Committee may be removed at the discretion of the Town Board and any vacancies on the Committee shall be filled by the Town Board.

### **ELECTRIC EMBOSSER**

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of all board members present to approve the purchase of an electric town seal for the Town Clerk's Office at an approximate cost of \$969.00.

### **LEGAL SERVICES – ARTICLE 78**

A motion was made by Supervisor Finn, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to adopt the following resolution:

#### **AUTHORIZING LEGAL SERVICES BY SPECIAL TOWN COUNSEL IN AN ARTICLE 78 PROCEEDING AGAINST THE TOWN OF STONY POINT**

WHEREAS, the Town of Stony Point previously retained Special Counsel, Feerick Lynch MacCartney, PLLC, to represent the Town of Stony Point in certain legal matters; and

WHEREAS, Kevin Maher, resident of the Town of Stony Point has commenced an Article 78 court proceeding (as an individual resident and purportedly as Town Engineer) against the Town of Stony Point Zoning Board of Appeals in addition to naming as nominal defendants, the Town Building Inspector, William Sheehan and Town residents Erich & Kimberly Von Hein under Index Number 2014/400 in the County of Rockland Supreme Court, State of New York; and

WHEREAS, the Town of Stony Point requires legal Counsel to undertake representation of the Town in the litigation; and

NOW, THEREFORE, it is resolved as follows:

Section 1. Special Counsel, Feerick Lynch MacCartney, PLLC, is authorized to have appear and defend the and shall be compensated for all services performed for the Town of Stony Point with regard to the aforesaid Article 78 against the Zoning Board of Appeals for the Town of Stony Point, et al. litigation under Index Number 2014/400, at the hourly rate of \$250 as set forth in the Town Board resolution appointing Special Counsel Feerick Lynch MacCartney, PLLC (as revised February 28, 2012), and as set forth in said Resolution, such services will be paid separate and apart from those services for which Special Counsel has previously been retained to handle for the Town and specifically set forth in such February 28, 2012 resolution.

Section 2. This Resolution shall be effective immediately.

### **CONTRACT HI-TOR ANIMAL CARE CENTER**

A motion was made by Supervisor Finn, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to authorize Supervisor Finn to sign the renewal contract with Hi-Tor Animal Care Center for the year 2014 in the amount of \$1,837.50 per quarter.

### **EXECUTIVE SESSION**

A motion was made by Supervisor Finn, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to adjourn into

executive session to discuss personnel matters and an Article 78 at 8:42 pm. Supervisor Finn announced that no votes will be taken after Executive Session.

**ADJOURN**

The March 11, 2014 Stony Point Town Board meeting adjourned at 9:15 pm.

Respectfully submitted

Joan Skinner – Town Clerk