

STONY POINT TOWN BOARD MEETING – APRIL 22, 2014

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, April 22, 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

Barry Brooks, President of the Local Chapter of the Sons of the American Revolution spoke regarding the applications submitted to place the Waldron Cemetery on the State and National Historic Registries.

Frank Collyer, Knapp Rd., spoke about United Water’s rate case before the Public Service Commission for a rate increase.

Susan Filgueras, Mott Farm Rd., spoke about vents for the Stony Point Historical Society.

LillyAnn Wilson, Fonda Dr spoke about the safety of the drinking water that is pumped from the Letchworth area.

PRESENTATION OF 2013 AUDIT

Domenick Consolo from the auditing firm of O’Connor Davies LLP, 500 Mamaroneck Rd., Suite 301, Harrison, NY 10528 presented the 2013 Audit of the finances of the Town of Stony Point.

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 two purchase orders:

Buildings & Grounds		
PO#2572	Century Industries	\$108,208.00
Highway		
PO#2581	Corsi Tire	\$1,825.00

MINUTES

A motion was made by Councilman Javenes, seconded by Supervisor Finn and **carried** by a voice vote of those board members present, with Councilman Basile **abstaining**, to approve the minutes of March 11, 2014.

SUPERVISOR’S REPORT

Supervisor Finn:

- Thanked all those who made the “Bagels with the Bunny” event possible.
- Spoke about upcoming events in the Town.
- Announced that the annual Playground Program will run from July 7 – August 16 from 10am – 1:30pm for 3-8 year olds. Those interested must register by June 27th.

EAGLE SCOUT PROJECT

Matthew Hill, 31 De Halve Maen Drive addressed the Board describing his proposed Eagle Scout Project which is to enhance the area surrounding the piece of the Berlin Wall located on the grounds in front of the Justice Court building. The project will consist of a walkway from the road to the site, inscribed bricks with names of veterans and first responders (sold for \$60.00 each), planting of new shrubs and bushes, at least two granite benches and a framed poster describing the history of the Berlin Wall which will hang inside the court building. The Board was agreeable to this project.

NEW YORK RISING

Susan Filqueras presented a brief video that had been submitted to New York Rising.

PUBLIC HEARING – SEWER DISTRICT NOS. 1,2 & 3

The following public hearing notice was properly posted:

NOTICE OF PUBLIC HEARING TOWN OF STONY POINT – SEWER DISTRICTS NOS. 1, 2 AND 3

PLEASE TAKE NOTICE that the Town Board of the Town of Stony Point, Rockland County, New York, on behalf of the Town's Sewer District No. 1, Sewer District No. 2 and Sewer District No. 3 (collectively, "Districts"), is considering whether to authorize certain improvements to the Districts, consisting of the following: the acquisition of a refurbished computer, samplers for influent and effluent, a settling tank, and renovations to the wastewater treatment plant consisting primarily of the replacement of windows (the "Project").

The aggregate estimated maximum cost of the Project is \$75,980, of which the estimated maximum cost allocated to Sewer District No. 1 is \$5,100, the estimated maximum cost allocated to Sewer District No. 2 is \$35,440, and the estimated maximum cost allocated to Sewer District No. 3 is \$35,440.

The Town Board, by resolution dated April 8, 2014, ordered that a public hearing be held at the Town Hall, 74 East Main Street, Stony Point, New York 10980 on April 22, 2014 at 7:00 p.m. to consider whether it is in the public interest to approve the hereinafter described project:

All persons interested in the aforementioned Project and the subject matter thereof are invited to attend.

Joan Skinner, Town Clerk - Dated: April 8, 2014

OPEN PUBLIC HEARING

At 7:58 pm a motion was made by Supervisor Finn, seconded by Councilman Basile and **unanimously carried** by a voice vote of all board members present to open this public hearing.

Supervisor Finn advised that the purpose of this public hearing was to discuss the issuance of up to \$76,000 in serial bonds to undertake certain improvements to the Town's sewer districts.

PUBLIC INPUT – None

CLOSE PUBLIC HEARING

At 8:00 pm a motion was made by Supervisor Finn, seconded by Councilman White and **unanimously carried** by a voice vote of all board members present to close this public hearing.

SECTION 202-b CERTAIN IMPROVEMENTS TO SEWER DISTRICT

The following resolution was offered by Supervisor Finn, seconded by Councilman Basile, and **unanimously carried** by a voice vote of those board members present:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK (THE "TOWN") PURSUANT TO SECTION 202-b

OF THE TOWN LAW DETERMINING THAT IT IS IN THE PUBLIC INTEREST TO UNDERTAKE CERTAIN IMPROVEMENTS TO THE TOWN'S SEWER DISTRICTS NOS. 1, 2 AND 3

WHEREAS, the Town Board of the Town of Stony Point, Rockland County, New York (the "Town") is considering whether to authorize certain improvements to the Town's Sewer Districts Nos. 1, 2 and 3 consisting of the following: the acquisition of a refurbished computer, samplers for influent and effluent, a settling tank, and renovations to the wastewater treatment plant consisting primarily of the replacement of windows (collectively, the "Project"); and

WHEREAS, the aggregate estimated maximum cost of the Project is \$75,980, of which the estimated maximum cost allocated to District No. 1 is \$5,100, the estimated maximum cost allocated to District No. 2 is \$35,440, and the estimated maximum cost allocated to District No. 3 is \$35,440; and

WHEREAS, by resolution adopted on April 8, 2014, at a regular meeting of the Town Board held on such date, the Town Board directed that a public hearing be held on whether to authorize the Project, and to hear all persons interested in the subject thereof concerning the same on April 22, 2014 at 7:00 p.m. at the Town Hall, 74 East Main Street, Stony Point, New York 10980; and

WHEREAS, notice of said public hearing certified by the Town Clerk was duly published and posted as required by law, to wit: a duly certified copy thereof was published in the *Rockland County Times*, the official newspaper of the Town, on April 10, 2014 and a copy of such notice was posted on April 11, 2014 on the signboard maintained by the Town Clerk, and on the Town's website, pursuant to Town Law Section 193; and

WHEREAS, said public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; and

NOW THEREFORE, THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK HEREBY RESOLVES, AS FOLLOWS:

It is hereby determined that the Project constitutes a "Type II" action under the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, "SEQRA") and therefore no further action need be taken by the Town Board under SEQRA as a pre-condition to the adoption of this resolution.

Based upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to undertake the Project as hereinabove described at the aggregate estimated maximum cost of \$75,980, of which the estimated maximum cost allocated to District No. 1 is \$5,100, the estimated maximum cost allocated to District No. 2 is \$35,440, and the estimated maximum cost allocated to District No. 3 is \$35,440. The Town is hereby authorized on behalf of the Districts to undertake the Project at such estimated maximum cost, as so allocated among the Districts.

The Town Clerk is hereby authorized and directed to cause a certified copy of this resolution to be duly recorded in the office of the Clerk of Rockland County, New York within ten (10) days after the adoption hereof, in accordance with Section 195 of the Town Law.

This resolution shall take effect immediately.

BOND RESOLUTION \$76,000 IMPROVEMENTS TO SEWER DISTRICT

The following resolution was offered by Supervisor Finn, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present:

BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ISSUANCE OF UP TO \$76,000 IN SERIAL BONDS OF THE TOWN TO UNDERTAKE CERTAIN IMPROVEMENTS TO TOWN'S SEWER DISTRICTS NOS., 1, 2 AND 3

WHEREAS, the Town Board of the Town of Stony Point, Rockland County, New York (the "Town") is considering whether to authorize certain improvements to the Town's Sewer Districts Nos., 1, 2 and 3 consisting of the following: the acquisition of a

refurbished computer, samplers for influent and effluent, a settling tank, and renovations to the wastewater treatment plant consisting primarily of the replacement of windows (collectively, the "Project");

WHEREAS, by resolution dated April 22, 2014, adopted immediately prior to the consideration of this resolution, the Town Board determined that:

- (i) in accordance with Section 202-b of the Town Law (the "202-b Order"), that it is in the public interest to undertake the Project; and
- (ii) the Project constitutes a "Type II" action under the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, "SEQRA") and therefore no further action need be taken by the Town Board under SEQRA as a pre-condition to the adoption of this resolution; and

WHEREAS, the Town Board now wishes to appropriate funds for the Project and to authorize the issuance of the Town's serial bonds or bond anticipation notes to finance said appropriation.

THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

SECTION 1. The Town is hereby authorized to undertake the Project as hereinabove described and issue up to \$76,000 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the estimated cost of the Project.

SECTION 2. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$76,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of the \$76,000 in serial bonds of the Town authorized to be issued pursuant to Section 1 of this resolution, or bond anticipation notes issued in anticipation thereof, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is thirty (30) years, pursuant to subdivision 4. of paragraph a. of Section 11.00 of the Law.

SECTION 4. The final maturity of the bonds herein authorized to be issued pursuant to Section 1 of this resolution shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued.

SECTION 5. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 1 of this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00 and Sections 62.10 and 63.00 of

the Law, the powers and duties of the Town Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters relating thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor of the Town, the chief fiscal officer of the Town (the "Supervisor"). Further, in connection with bonds and bond anticipation notes issued under the authority of Section 1 hereof, the power to contract with and issue bonds and bond anticipation notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Law and to approve the terms, form and content of such bonds and bond anticipation notes, consistent with the provisions of the Law, is hereby delegated to the Supervisor. Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for one or more of the objects or purposes authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of this Town Board, then the power of the Town Board to determine the "weighted average period of probable usefulness" (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Supervisor, as the chief fiscal officer of the Town.

SECTION 8. The Supervisor is hereby further authorized, at his sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a serial bond, and, or a bond anticipation note issue in the event of the sale of same to the New York State Environmental Facilities Corporation.

SECTION 9. The Supervisor of the Town is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipating thereof, if applicable, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 10. The Supervisor is further authorized to enter into continuing disclosure undertakings with or for the benefit of the initial purchaser of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The intent of this resolution is to give the Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Town Board.

SECTION 12. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

SECTION 13. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in full, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Local Finance Law, in the official newspaper(s) of the Town for such purpose.

PROCLAMATION POLICE WEEK

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

PROCLAMATION POLICE WEEK

WHEREAS, the Congress of the United States of America has designated the week of May 11-17, 2014 to be dedicated as "National Police Week" and May 15th of each year to be "Peace Officers' Memorial Day", and

WHEREAS, Police Officers' Memorial Day is to be dedicated to Police Officers who have died in the line of duty, and

WHEREAS, the International Association of Chiefs of Police has requested that all municipalities honor Police Officers' Memorial Day by flying all flags within the municipality at half mast.

NOW, THEREFORE, I, Geoffrey Finn, by virtue of the authority vested in me as Supervisor of the Town of Stony Point, hereby proclaim May 11th through May 17th, 2014 as Police Week in the Town of Stony Point and in honor of those Police Officers who have died in the line of duty in this Country, all flags in the Town of Stony Point shall be flown at half mast on May 15th, 2014.

I DO FURTHER call upon all our citizens to make every effort to express their thanks to our men and women who make it possible for us to leave our homes knowing they are protected by men and women willing to sacrifice their lives, if necessary, to guard our loved ones, property and government against all who would violate the law.

IN RECOGNITION THEREOF, I affix my signature and the Seal of the Town of Stony Point to this proclamation this 22nd day of April in the year of Our Lord, Two Thousand and Fourteen.

Geoffrey Finn, Supervisor

Joan Skinner, Town Clerk

ELECTRONIC COMMUNICATION AND SOCIAL MEDIA POLICY

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

ADOPTING AN ELECTRONIC COMMUNICATION AND SOCIAL MEDIA POLICY TO RESCIND AND REPLACE TOWN EMPLOYEE HANDBOOK, SECTION 511

WHEREAS, the growth of social media and electronic communication has significantly expanded the immediacy and flow of information from people and organizations; and

WHEREAS, the Town Board of the Town of Stony Point ("Town Board"), via Resolution dated September 12, 2000 previously adopted an Employee Handbook setting forth personnel policies and practices governing Town Employees and Elected Officials; and

WHEREAS, the Town Board, as set forth in section 103 of the Employee Handbook, may modify and eliminate any provisions of the Employee Handbook; and

WHEREAS, the Town Board desires to update and amend its Employee Handbook to reflect rules and policies governing electronic communications consistent with the growth of such forms of communication and to implement appropriate policy controls over such forms of communications with respect to Town employees and Town electronic devices; and

WHEREAS, the Town Board desires to ensure that Town employees do not engage in unauthorized or improper use of social media.

NOW THEREFORE BE IT RESOLVED

1. That the above "Whereas" clauses are incorporated herein by reference.
2. That, as set forth in section 103 of the Employee Handbook, the Town of Stony Point hereby amends the Employee Handbook by rescinding the current section 511 of the Employee Handbook and replacing it with the attached section 511 entitled "The Town of Stony Point's Electronic Communications and Social Media Policy," effective immediately.
3. The Town Clerk (or her designee) is hereby directed to take any and all actions necessary to deliver copies of the annexed policy to all Department Heads whose employees are subject to the provisions of the Employee Handbook.
4. All Department Heads are directed to provide copies of the annexed amended policy to their subordinate employees and to have each employee execute a document acknowledging receipt of such policy.
5. This Resolution shall take effect immediately.

The Resolution was thereupon duly adopted.

DISCUSS BID PROCESS

After discussion between the Supervisor, Town Clerk and Special Counsel it was decided that the Town Board will authorize an item to go out to bid on a date set by the Town Clerk once the specs are received and acceptable.

REMOVAL OF WATER FRONT STRUCTURES

REMOVAL OF 39 BEACH RD.

A motion was made by Supervisor Finn and seconded by Councilman Javenes to adopt the following resolution:

RESOLUTION ORDERING REMOVAL/REPAIR OF STRUCTURE OWNED BY KATHLEEN BROOKS

WHEREAS, the Building Inspector/Code Enforcement Officer (hereinafter "Building Inspector") of the Town of Stony Point has filed his report in writing with the Town Board of the Town of Stony Point containing his findings and recommendations regarding a certain structure situate on premises on 39 Beach Road, designated on the Tax Map of the Town of Stony Point as Section 20.08, Block 1, Lot 17, in which report said Building Inspector states his opinion that said structure is unsafe and a public nuisance under Town Code, Chapter 78 and recommends its immediate securing or removal, and

WHEREAS, the Town Board of the Town of Stony Point after reviewing said report and after hearing said Building Inspector in regard thereto and after having duly deliberated upon the same, having determined that said report warrants the securing of said structure or its removal.

NOW, THEREFORE, BE IT RESOLVED, that:

1. The above "Whereas" clauses are incorporated herein by reference.
2. Notice is to be given to Kathleen Brooks, reputed owner of the structure situate on premises on 39 Beach Road designated as Section 20.08, Block 1, Lot 17 on the Town Tax Map No in the form required by Section 78-6 of the Town of Stony Point Town Code.
3. Said notice to be served in accordance with Town Code § 78-7 upon said owner.
4. Said notice shall order the securing and/or repair of said structures in the manner set forth in Exhibit "A" or in the alternative such structures shall be removed from the premises with all such securing/removal/repair to be completed by June 6, 2014.
5. A notice of public hearing shall be published and such hearing shall be scheduled for May 13, at 7:00 p.m. at Rho Building, 5 Clubhouse Lane, Stony Point, New York 10980, in relation to such unsafe/damaged structures.

- 6. The Town Supervisor of the Town of Stony Point be and he hereby is authorized to execute said notice and arrange for the service thereof in accordance with the requirements of said Local Law and by filing in the Office of the County Clerk.
- 7. This Resolution shall take effect immediately.

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

	<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]	[]	[]	[]

The Resolution was thereupon duly adopted.

REMOVAL OF 41 BEACH RD

A motion was made by Supervisor Finn and seconded by Councilman White to adopt the following resolution:

**RESOLUTION ORDERING REMOVAL/REPAIR OF STRUCTURE
OWNED BY PETER ALLISON**

WHEREAS, the Building Inspector/Code Enforcement Officer (hereinafter “Building Inspector”) of the Town of Stony Point has filed his report in writing with the Town Board of the Town of Stony containing his findings and recommendations regarding a certain structure situate on premises on 41 Beach Road, designated on the Tax Map of the Town of Stony Point as Section 20.08, Block 1, Lot 16, in which report said Building Inspector states his opinion that said structure is unsafe and a public nuisance under Town Code, Chapter 78 and recommends its immediate securing or removal, and

WHEREAS, the Town Board of the Town of Stony Point after reviewing said report and after hearing said Building Inspector in regard thereto and after having duly deliberated upon the same, having determined that said report warrants the securing of said structure or its removal.

NOW THEREFORE, BE IT RESOLVED, that:

- 1. The above “Whereas” clauses are incorporated herein by reference.
- 2. Notice is to be given to Peter Allison, reputed owner of the structure situate on premises on 41 Beach Road designated as Section 20.08, Block 1, Lot 16 on the Town Tax Map No in the form required by Section 78-6 of the Town of Stony Point Town Code.
- 3. Said notice to be served in accordance with Town Code § 78-7 upon said owner.
- 4. Said notice shall order the securing and/or repair of said structures in the manner set forth in Exhibit “A” or in the alternative such structures shall be removed from the premises with all such securing/ removal/ repair to be completed by June 6, 2014.
- 5. A notice of public hearing shall be published and such hearing shall be scheduled for May 13, at 7:00 p.m. at Rho Building, 5 Clubhouse Lane, Stony Point, New York 10980, in relation to such unsafe/damaged structures.
- 6. The Town Supervisor of the Town of Stony Point be and he hereby is authorized to execute said notice and arrange for the service thereof in accordance with the requirements of said Local Law and by filing in the Office of the County Clerk.
- 7. This Resolution shall take effect immediately.

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

	<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]	[]	[]	[]

The Resolution was thereupon duly adopted.

REMOVAL OF 53-55 BEACH RD

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

RESOLUTION ORDERING REMOVAL/REPAIR OF STRUCTURE OWNED BY RALPH TARANTINO, JR.

WHEREAS, the Building Inspector/Code Enforcement Officer (hereinafter "Building Inspector") of the Town of Stony Point has filed his report in writing with the Town Board of the Town of Stony containing his findings and recommendations regarding a certain structure situate on premises on 53-55 Beach Road, designated on the Tax Map of the Town of Stony Point as Section 15.20, Block 1, Lot 21, in which report said Building Inspector states his opinion that said structure is unsafe and a public nuisance under Town Code, Chapter 78 and recommends its immediate securing or removal, and

WHEREAS, the Town Board of the Town of Stony Point after reviewing said report and after hearing said Building Inspector in regard thereto and after having duly deliberated upon the same, having determined that said report warrants the securing of said structure or its removal.

NOW, THEREFORE, BE IT RESOLVED, that:

1. The above "Whereas" clauses are incorporated herein by reference.
2. Notice is to be given to Ralph Tarantino, Jr., reputed owner of the structure situate on premises on 53-55 Beach Road designated as Section 15.20, Block 1, Lot 21 on the Town Tax Map No in the form required by Section 78-6 of the Town of Stony Point Town Code.
3. Said notice to be served in accordance with Town Code § 78-7 upon said owner.
4. Said notice shall order the securing and/or repair of said structures in the manner set forth in Exhibit "A" or in the alternative such structures shall be removed from the premises with all such securing/ removal/ repair to be completed by June 6, 2014.
5. A notice of public hearing shall be published and such hearing shall be scheduled for May 13, at 7:00 p.m. at Rho Building, 5 Clubhouse Lane, Stony Point, New York 10980, in relation to such unsafe/damaged structures.
6. The Town Supervisor of the Town of Stony Point be and he hereby is authorized to execute said notice and arrange for the service thereof in accordance with the requirements of said Local Law and by filing in the office of the County Clerk.
7. This Resolution shall take effect immediately.

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

	<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]	[]	[]	[]

The Resolution was thereupon duly adopted.

REMOVAL OF 19 GRASSY POINT RD

A motion was made by Supervisor Finn and seconded by Councilman White to adopt the following resolution:

**RESOLUTION ORDERING REMOVAL/REPAIR OF STRUCTURE
OWNED BY RALPH TARANTINO, JR.**

WHEREAS, the Building Inspector/Code Enforcement Officer (hereinafter "Building Inspector") of the Town of Stony Point has filed his report in writing with the Town Board of the Town of Stony Point containing his findings and recommendations regarding a certain structure situate on premises on 53-55 Beach Road, designated on the Tax Map of the Town of Stony Point as Section 15.20, Block 1, Lot 21, in which report said Building Inspector states his opinion that said structure is unsafe and a public nuisance under Town Code, Chapter 78 and recommends its immediate securing or removal, and

WHEREAS, the Town Board of the Town of Stony Point after reviewing said report and after hearing said Building Inspector in regard thereto and after having duly deliberated upon the same, having determined that said report warrants the securing of said structure or its removal.

NOW, THEREFORE, BE IT RESOLVED, that:

1. The above "Whereas" clauses are incorporated herein by reference.
2. Notice is to be given to Ralph Tarantino, Jr., reputed owner of the structure situate on premises on 53-55 Beach Road designated as Section 15.20, Block 1, Lot 21 on the Town Tax Map No in the form required by Section 78-6 of the Town of Stony Point Town Code.
3. Said notice to be served in accordance with Town Code § 78-7 upon said owner.
4. Said notice shall order the securing and/or repair of said structures in the manner set forth in Exhibit "A" or in the alternative such structures shall be removed from the premises with all such securing/ removal/ repair to be completed by June 6, 2014.
5. A notice of public hearing shall be published and such hearing shall be scheduled for May 13, at 7:00 p.m. at Rho Building, 5 Clubhouse Lane, Stony Point, New York 10980, in relation to such unsafe/damaged structures.
6. The Town Supervisor of the Town of Stony Point be and he hereby is authorized to execute said notice and arrange for the service thereof in accordance with the requirements of said Local Law and by filing in the office of the County Clerk.
7. This Resolution shall take effect immediately.

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

	<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]	[]	[]	[]

The Resolution was thereupon duly adopted.

REMOVAL OF 42 RIVER RD

A motion was made by Supervisor Finn and seconded by Councilman White to adopt the following resolution:

**RESOLUTION ORDERING REMOVAL/REPAIR OF STRUCTURE
OWNED BY REGINA FREDERICK (SEELEY)**

WHEREAS, the Building Inspector/Code Enforcement Officer (hereinafter "Building Inspector") of the Town of Stony Point has filed his report in writing with the Town Board of the Town of Stony containing his findings and recommendations regarding a certain structure situate on premises on 42 River Road, designated on the Tax Map of the Town of Stony Point as Section 21.09, Block 1, Lot 8, in which report said Building Inspector states his opinion that said structure is unsafe and a public nuisance under Town Code, Chapter 78 and recommends its immediate securing or removal, and

WHEREAS, the Town Board of the Town of Stony Point after reviewing said report and after hearing said Building Inspector in regard thereto and after having duly deliberated upon the same, having determined that said report warrants the securing of said structure or its removal.

NOW, THEREFORE, BE IT RESOLVED, that:

1. The above "Whereas" clauses are incorporated herein by reference.
2. Notice is to be given to Regina Frederick (Seeley), reputed owner of the structure situate on premises on 42 River Road designated as Section 21.09, Block 1, Lot 8 on the Town Tax Map No in the form required by Section 78-6 of the Town of Stony Point Town Code.
3. Said notice to be served in accordance with Town Code § 78-7 upon said owner.
4. Said notice shall order the securing and/or repair of said structures in the manner set forth in Exhibit "A" or in the alternative such structures shall be removed from the premises with all such securing/ removal/ repair to be completed by June 6, 2014.
5. A notice of public hearing shall be published and such hearing shall be scheduled for May 13, at 7:00 p.m. at Rho Building, 5 Clubhouse Lane, Stony Point, New York 10980, in relation to such unsafe/damaged structures.
6. The Town Supervisor of the Town of Stony Point be and he hereby is authorized to execute said notice and arrange for the service thereof in accordance with the requirements of said Local Law and by filing in the office of the County Clerk.
7. This Resolution shall take effect immediately.

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

	<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]	[]	[]	[]

The Resolution was thereupon duly adopted.

REMOVAL OF 30 RIVER RD

A motion was made by Supervisor Finn and seconded by Councilman Javenes to adopt the following resolution:

**RESOLUTION ORDERING REMOVAL/REPAIR OF STRUCTURE
OWNED BY KENNETH NICHOLAS**

WHEREAS, the Building Inspector/Code Enforcement Officer (hereinafter "Building Inspector") of the Town of Stony Point has filed his report in writing with the Town Board of the Town of Stony containing his findings and recommendations regarding a certain structure situate on premises on 30 River Road, designated on the Tax Map of the Town of Stony Point as Section 21.09, Block 1, Lot 10, in which report

said Building Inspector states his opinion that said structure is unsafe and a public nuisance under Town Code, Chapter 78 and recommends its immediate securing or removal, and

WHEREAS, the Town Board of the Town of Stony Point after reviewing said report and after hearing said Building Inspector in regard thereto and after having duly deliberated upon the same, having determined that said report warrants the securing of said structure or its removal.

NOW, THEREFORE, BE IT RESOLVED, that:

1. The above "Whereas" clauses are incorporated herein by reference.
2. Notice is to be given to Kenneth Nicholas, reputed owner of the structure situate on premises on 30 River Road designated as Section 21.09, Block 1, Lot 10 on the Town Tax Map No in the form required by Section 78-6 of the Town of Stony Point Town Code.
3. Said notice to be served in accordance with Town Code § 78-7 upon said owner.
4. Said notice shall order the securing and/or repair of said structures in the manner set forth in Exhibit "A" or in the alternative such structures shall be removed from the premises with all such securing/ removal/ repair to be completed by June 6, 2014.
5. A notice of public hearing shall be published and such hearing shall be scheduled for May 13, at 7:00 p.m. at Rho Building, 5 Clubhouse Lane, Stony Point, New York 10980, in relation to such unsafe/damaged structures.
6. The Town Supervisor of the Town of Stony Point be and he hereby is authorized to execute said notice and arrange for the service thereof in accordance with the requirements of said Local Law and by filing in the office of the County Clerk.
7. This Resolution shall take effect immediately.

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

	<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]	[]	[]	[]

The Resolution was thereupon duly adopted.

REMOVAL OF 4 FIFTH ST

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

RESOLUTION ORDERING REMOVAL/REPAIR OF STRUCTURE OWNED BY VIVIAN TAYLOR

WHEREAS, the Building Inspector/Code Enforcement Officer (hereinafter "Building Inspector") of the Town of Stony Point has filed his report in writing with the Town Board of the Town of Stony containing his findings and recommendations regarding a certain structure situate on premises on 4 Fifth Street, designated on the Tax Map of the Town of Stony Point as Section 21.09, Block 1, Lot 26, in which report said Building Inspector states his opinion that said structure is unsafe and a public nuisance under Town Code, Chapter 78 and recommends its immediate securing or removal, and

WHEREAS, the Town Board of the Town of Stony Point after reviewing said report and after hearing said Building Inspector in regard thereto and after having duly deliberated upon the same, having determined that said report warrants the securing of said structure or its removal.

NOW, THEREFORE, BE IT RESOLVED, that:

- 1. The above "Whereas" clauses are incorporated herein by reference.
- 2. Notice is to be given to Vivian Taylor, reputed owner of the structure situate on premises on 4 Fifth Street designated as Section 21.09, Block 1, Lot 26 on the Town Tax Map No in the form required by Section 78-6 of the Town of Stony Point Town Code.
- 3. Said notice to be served in accordance with Town Code § 78-7 upon said owner.
- 4. Said notice shall order the securing and/or repair of said structures in the manner set forth in Exhibit "A" or in the alternative such structures shall be removed from the premises with all such securing/removal/repair to be completed by June 6, 2014.
- 5. A notice of public hearing shall be published and such hearing shall be scheduled for May 13, at 7:00 p.m. at Rho Building, 5 Clubhouse Lane, Stony Point, New York 10980, in relation to such unsafe/damaged structures.
- 6. The Town Supervisor of the Town of Stony Point be and he hereby is authorized to execute said notice and arrange for the service thereof in accordance with the requirements of said Local Law and by filing in the office of the County Clerk.
- 7. This Resolution shall take effect immediately.

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

	<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]	[]	[]	[]

The Resolution was thereupon duly adopted.

REMOVAL OF 7 FOURTH ST

A motion was made by Supervisor Finn and seconded by Councilman Javenes to adopt the following resolution:

RESOLUTION ORDERING REMOVAL/REPAIR OF STRUCTURE OWNED BY SYLVIA ARZOOMANIAN

WHEREAS, the Building Inspector/Code Enforcement Officer (hereinafter "Building Inspector") of the Town of Stony Point has filed his report in writing with the Town Board of the Town of Stony containing his findings and recommendations regarding a certain structure situate on premises on 7 Fourth Street, designated on the Tax Map of the Town of Stony Point as Section 21.09, Block 1, Lot 29, in which report said Building Inspector states his opinion that said structure is unsafe and a public nuisance under Town Code, Chapter 78 and recommends its immediate securing or removal, and

WHEREAS, the Town Board of the Town of Stony Point after reviewing said report and after hearing said Building Inspector in regard thereto and after having duly deliberated upon the same, having determined that said report warrants the securing of said structure or its removal.

NOW, THEREFORE, BE IT RESOLVED, that:

- 1. The above "Whereas" clauses are incorporated herein by reference.
- 2. Notice is to be given to Sylvia Arzoomanian, reputed owner of the structure situate on premises on 7 Fourth Street designated as Section 21.09, Block 1, Lot 29 on the Town Tax Map No in the form required by Section 78-6 of the Town of Stony Point Town Code.
- 3. Said notice to be served in accordance with Town Code § 78-7 upon said owner.

- 4. Said notice shall order the securing and/or repair of said structures in the manner set forth in Exhibit “A” or in the alternative such structures shall be removed from the premises with all such securing/ removal/ repair to be completed by June 6, 2014.
- 5. A notice of public hearing shall be published and such hearing shall be scheduled for May 13, at 7:00 p.m. at Rho Building, 5 Clubhouse Lane, Stony Point, New York 10980, in relation to such unsafe/damaged structures.
- 6. The Town Supervisor of the Town of Stony Point be and he hereby is authorized to execute said notice and arrange for the service thereof in accordance with the requirements of said Local Law and by filing in the office of the County Clerk.
- 7. This Resolution shall take effect immediately.

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

	<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]	[]	[]	[]

The Resolution was thereupon duly adopted.

REMOVAL OF 12 FOURTH ST

A motion was made by Supervisor Finn and seconded by Councilman White to adopt the following resolution:

RESOLUTION ORDERING REMOVAL/REPAIR OF STRUCTURE OWNED BY VIVIAN TAYLOR

WHEREAS, the Building Inspector/Code Enforcement Officer (hereinafter “Building Inspector”) of the Town of Stony Point has filed his report in writing with the Town Board of the Town of Stony containing his findings and recommendations regarding a certain structure situate on premises on 12 Fourth Street (Trailer), designated on the Tax Map of the Town of Stony Point as Section 21.09, Block 1, Lot 26, in which report said Building Inspector states his opinion that said structure is unsafe and a public nuisance under Town Code, Chapter 78 and recommends its immediate securing or removal, and

WHEREAS, the Town Board of the Town of Stony Point after reviewing said report and after hearing said Building Inspector in regard thereto and after having duly deliberated upon the same, having determined that said report warrants the securing of said structure or its removal.

NOW, THEREFORE, BE IT RESOLVED, that:

- 1. The above “Whereas” clauses are incorporated herein by reference.
- 2. Notice is to be given to Vivian Taylor, reputed owner of the structure situate on premises on 12 Fourth Street (Trailer) designated as Section 21.09, Block 1, Lot 26 on the Town Tax Map No in the form required by Section 78-6 of the Town of Stony Point Town Code.
- 3. Said notice to be served in accordance with Town Code § 78-7 upon said owner.
- 4. Said notice shall order the securing and/or repair of said structures in the manner set forth in Exhibit “A” or in the alternative such structures shall be removed from the premises with all such securing/ removal/ repair to be completed by June 6, 2014.
- 5. A notice of public hearing shall be published and such hearing shall be scheduled for May 13, at 7:00 p.m. at Rho Building, 5 Clubhouse Lane, Stony Point, New York 10980, in relation to such unsafe/damaged structures.

- 6. The Town Supervisor of the Town of Stony Point be and he hereby is authorized to execute said notice and arrange for the service thereof in accordance with the requirements of said Local Law and by filing in the office of the County Clerk.
- 7. This Resolution shall take effect immediately.

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

	<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]	[]	[]	[]

The Resolution was thereupon duly adopted.

SET PUBLIC HEARING – REMOVAL OF WATERFRONT STRUCTURES

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

**RESOLUTION TO SET PUBLIC HEARING REGARDING REMEDY
OR REMOVAL OF UNSAFE STRUCTURES**

WHEREAS, that the Building Inspector of the Town of Stony Point, County of Rockland, has filed written documents with the Town Board of the Town of Stony Point pursuant to the provisions of the Town’s Unsafe Buildings Law (Town Code, Chapter 78) regarding a structures situate on the premises set forth below and owned by the persons/entities set forth below and designated on the Town Tax Map as set forth below, deeming the same to be a public nuisance as set forth in the reports and communications submitted to the Town Board and considered by the Town Board and requiring said owners to remedy such conditions set forth in such reports or to remove the structure from the premises.

WHEREAS, the Town Board has considered the submissions of the Building Inspector with respect to the structures upon the properties listed below and has authorized issuance of Notice pursuant to Town Code, Chapter 78 to the property owners, directing the respective property owners to remove and/or repair such structures as directed in the report of the Building Inspector.

NOW THEREFORE, the Town Board of the Town of Stony Point, in regular session, duly convened resolves as follows:

- 1. The above “Whereas” clauses are incorporated herein by reference.
- 2. After considering the report and written communication from the Building Inspector, William Sheehan and pursuant to the provisions of said Local Law, the Town Board does hereby schedule a public hearing on May 13, 2014 at 7:00 p.m. at 5 Clubhouse Lane, Stony Point, New York 10980, to allow the owners or their representatives to present information and otherwise be heard with respect to such structures and to issue a determination after hearing such information and submissions of the owners.
- 3. The Public Hearing shall concern the following reported unsafe structures:

<u>Property Owner</u>	<u>Property Address in Stony Point</u>	<u>Section - Block - Lot</u>
Kathleen Brooks 39 Beach Road Stony Point, New York 10980	39 Beach Road	20.08-1-17
Peter Allison 3 W. Ramapo Road Garnerville, New York 10923	41 Beach Road	20.08-1-16
Ralph Tarantino, Jr.	53-55 Beach Road	15.20-1-21

(Wells Fargo)
53-55 Beach Road
Stony Point, New York 10980

Rudy Anderson 19 Grassy Point Road Stony Point, New York 10980	19 Grassy Point Road	21.05-1-11
--	----------------------	------------

Regina Frederich (Seeley) 42 River Road Stony Point, New York 10980	42 River Road	21.09-1-8
---	---------------	-----------

Kenneth Nicholas 30 River Road Stony Point, New York 10980	30 River Road	21.09-1-10
--	---------------	------------

Vivian Taylor 4 Fifth Street Stony Point, New York 10980	4 Fifth Street	21.09-1-26
--	----------------	------------

Vivian Taylor 4 Fifth Street Stony Point, New York 10980	12 Fourth Street (Trailer)	21.09-1-26
--	----------------------------	------------

Sylvia Arzoomanian 10 Timp Brook Lane Stony Point, New York 10980	7 Fourth Street	21.09-1-29
---	-----------------	------------

4. This resolution shall take effect immediately

HIRE SUMMER HELP-PARKS DEPT

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 summer help for the Parks Dept. as follows:

- Jeffery O'Dell - \$10.20 per hour commencing May 19th
- Jack Terbush - \$8.00 per hour commencing June 30th
- Christopher Cass - \$8.00 per hour commencing June 30th
- Kenneth Ryder - \$8.00 per hour commencing June 30th

HIRE ADDITIONAL SEASONAL WORKER GOLF COURSE MAINTENANCE

A motion was made by Supervisor Finn, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to hire Silvio Abreu at \$11.00 per hour as a Golf Course Maintenance seasonal worker.

HOME RULE LEGISLATION POLICE PENSION PLAN

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:

A Resolution Requesting Senator William J. Larkin and Assemblyman James Skoufis to Sponsor Legislation to Allow full-time Police Officer Dennis Tobin and part-time Police Officers Thomas Clarke and Christopher Schulok to Participate in the Twenty-Year Retirement Plan Provided for in Section 384-d of the Retirement and Social Security Law

WHEREAS, the Town of Stony Point maintains a Police Department, including full-time and part-time police officers; and

WHEREAS, Police Officer Dennis Tobin is a full-time Police Officer with the Town of Stony Point Police Department and has been so employed since July of 1999; and

WHEREAS, Police Officers Christopher Schulok and Thomas Clarke are part-time Police Officers with the Town of Stony Point since September of 1998; and

WHEREAS, the above three Police Officers, (hereinafter “Members of the Department”), at the time of their initial employment with the Town were enrolled in a default retirement plan under section 375-i of the New York State Retirement and Social Security Law (hereinafter “Retirement and Social Security Law”); and

WHEREAS, at the time of commencement of their employment, such Members of the Department were eligible to participate in a more desirable retirement plan under Section 384-d of the Retirement and Social Security Law; and

WHEREAS, all other active full-time Police Officers of the Town of Stony Point that were eligible for the twenty-year retirement plan under section 384-d were placed into such 384-d plan; and

WHEREAS, the Stony Point Policemen’s Benevolent Association (hereinafter “PBA”), in 2011, initiated a grievance on behalf of full-time members of the Stony Point Police Department, Dennis Tobin and Edward Schoales, and such grievance proceeded to a hearing in April of 2012 before an Arbitrator appointed by the New York State Public Employment Relations Board (Case #A2011-396); and

WHEREAS, at the time of such grievance, the costs of placing the above three full-time members of the department into the Section 384-d retirement plan would have been between \$250,000 and \$300,000; and

WHEREAS, the Town Board of the Town of Stony Point (hereinafter “Town Board”) and the PBA agreed to hold such proceedings in abeyance in an effort to reach a resolution of the issues raised therein due to an impending retirement that would significantly reduce the costs to the Town of placing such Members of the Department into retirement plan 384-d; and

WHEREAS, since the time that the arbitration proceeding was held in abeyance, another affected member of the police department retired from the Stony Point Police Department, greatly reducing the potential past-service costs that would have been incurred by the Town placing all eligible employees into the section 384-d retirement plan; and

WHEREAS, the total estimated past costs for past service costs to place such officers in retirement plan 384-d is now approximately \$14,300 and the annual contributions required upon the enactment of such legislation would be approximately \$14,700 ; and

WHEREAS, the Town Board and the PBA wish to resolved the pending grievance (A2011-396); and

WHEREAS, the Town Board desires to place Police Officer Dennis Tobin and the two part-time Officers, Thomas Clarke and Christopher Schulok into the retirement plan under section 384-d of the Retirement and Social Security Law; and

WHEREAS, in order to allow Police Officers Tobin, Clarke and Schulok to elect participation in such 384-d retirement plan, legislation must be passed by the New York State legislature as the Town does not have the legal authority to adopt a local law to enact the required legislation.

THEREFORE, BE IT RESOLVED THAT

Section 1. The Town Board hereby requests that Senator Larkin and Assemblyman Skoufis sponsor legislation, to be introduced in the New York State Senate and New York State Assembly in relation to allowing Police Officers Dennis Tobin, Christopher Schulok and Thomas Clark to participate in the twenty-year retirement plan provided for in Section 384-d of the Retirement and Social Security Law.

Section 2. The Town Board determines that said police officers, for reasons not ascribable to their own negligence, failed to make timely applications to participate in such retirement plan; that the Town may elect to make participation in such plan available to such police officers; and that the Town is prepared to pay the cost for any past service associated with that election as a one-time payment if such police officers choose to participate in such plan upon enactment of appropriate legislation and the Town shall pay the annual contributions required to continue such plan for said police officers.

Section 3. The Town Board finds and determines that it does not have the legal authority to adopt a local law relating to the proposed legislation or enact the legislation it is requesting.

Section 4. The Town Clerk shall send certified copies of this Resolution to Senator Larkin and Assemblyman Skoufis.

Section 5. This Resolution shall take effect immediately.
The question of the adoption of the foregoing Resolution was duly put to a voice vote, which resulted as follows:

	<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]	[]	[]	[]

The Resolution was thereupon duly adopted.

PURCHASE VEHICLES – STATE BID

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 purchasing the following vehicles from state bid:

- Recreation Dept - 1 2014 Ford Fusion 4 door sedan from Henderson Ford for \$16,838.98
- Golf Course Maintenance - 1 2014 Jeep Compass 4 door from Main Motorcar for \$19,520.24

MAINTENANCE AGREEMENT CLOCK AT MALLOY’S PARK

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to enter into a maintenance agreement for the year 2014 with the Verdin Company for the new clock at Malloy’s Park in the amount of \$550.00.

SURPLUS VEHICLES – BUILDINGS & GROUNDS

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

- 2000 Ford Explorer – Vin # 1FMZU71X6YUB57919
- 1993 F150 Ford pickup – Vin#2FTEF14N6PCA07725

TEXT AMENDMENT – PLANNED WATERFRONT DEVELOPMENT ZONE

The Town will seek proposals for a planner to carry us through the SEQRA process.

SEA-LEVEL RISE MODEL 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 approve the Sea-Level Rise Model Proposal presented by Associate Ecologist/GIS Specialist, 1020 Prospect St., Suite 310, LaJolla, CA for a cost not to exceed \$35,660, paid for by grant monies received by the Town.

CLOSE MEETING

The April 22, 2014 Stony Point Town Board meeting was closed in loving memory of Natalie Casscles, a lifelong resident of the Town of Stony Point who recently passed away at 106 years of age, and Arthur June, a long time resident of the Town who recently passed away unexpectedly.

EXECUTIVE SESSION

At 8:30 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 enter into executive session to discuss pending litigation and a grievance filed by one of our retired police officers. No votes will be taken.

ADJOURN

The April 22, 2014 Stony Point Town Board meeting adjourned at 9:20 pm. No further votes were taken.

Respectfully submitted

Joan Skinner – Town Clerk