

**STONY POINT TOWN BOARD MEETING – APRIL 8, 2014**

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, April 8, 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
  - proposed surcharge

Susan Filgueras – 87 Mott Farm Rd spoke about:

- Waldron Cemetery
  - Application to put it on the federal register of historical markers
  - Champlain Hudson Power Express project going through the cemetery
- Pyngyp School renovations
- Stony Point Historical Society
  - Meetings 4<sup>th</sup> Wed. of month at 7 pm
  - Outlined various planned events

**PURCHASE ORDER REQUEST**

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

|             |                        |  |             |
|-------------|------------------------|--|-------------|
| Golf Course |                        |  |             |
| PO#2549     | Metro Turf Specialties |  | \$11,820.00 |
| Highway     |                        |  |             |
| PO#2531     | Ennis Paint Inc.       |  | \$2,741.00  |
| Police      |                        |  |             |
| PO#2558     | Taser International    |  | \$1,346.09  |
| Sewer       |                        |  |             |
| PO#2569     | Clean Waters Inc.      |  | \$1,594.00  |

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

**Contractual General – March**

| <u>FUND</u>              | <u>CLAIM #</u> | <u>BILL TOTAL</u> | <u>FUND TOTAL</u> |
|--------------------------|----------------|-------------------|-------------------|
| <u>General</u>           | 341-378        | \$ 219,477.42     | \$ 219,477.42     |
| <u>Highway</u>           | 113-120        | \$ 40,961.63      | \$ 40,961.63      |
| <u>Sewer</u>             | 89-99          | \$ 17,935.80      | \$ 17,935.80      |
| <u>Special Districts</u> |                |                   |                   |

|                               |         |    |           |    |            |
|-------------------------------|---------|----|-----------|----|------------|
| Enterprise                    | 75-86   | \$ | 26,630.50 | \$ | 26,630.50  |
| Street Lighting               | 3-3     | \$ | 24,865.68 | \$ | 24,865.68  |
| <b><u>General – April</u></b> |         |    |           |    |            |
| <u>General</u>                | 379-457 |    |           | \$ | 107,774.82 |
| <u>Highway</u>                | 121-157 |    |           | \$ | 30,572.29  |
| <u>Sewer</u>                  | 100-125 |    |           | \$ | 43,139.07  |
| <u>Special Districts</u>      |         |    |           |    |            |
| Ambulance                     | 8-9     |    |           | \$ | 27,646.06  |
| Enterprise Fund               | 87-121  |    |           | \$ | 100,862.71 |
| Solid Waste                   | 8-9     |    |           | \$ | 21,652.95  |

**MINUTES** - None

### **SUPERVISOR'S REPORT**

Supervisor Finn spoke about upcoming events.

### **POLICE DEPARTMENT REPORT/BUSINESS**

Chief Moore presented the following report:

Police Department Report for the Month of March, 2014

|  |                |
|--|----------------|
| Number of calls for service:                             | 647            |
| Number of reported accidents:                            | 26             |
| Number of arrests:                                       | 44             |
| (8) Felonies      (24) Misdemeanors      (12) Violations |                |
| Fuel usage:  | 1291.5 gallons |
| Sum total of all traffic enforcement action:             | 174            |
| Number of Youth Officer sponsored events:                | 9              |
| Number of child safety seat installations:               | 6              |
| Number of commercial vehicle enforcement details:        | 0              |
| Number of traffic enforcement details:                   | 3              |
| 3 STOP DWI   |                |
| Number of training hours:                                | 288:00hrs      |
| Total fees collected:                                    | \$222.50       |

(\$57.5 for FOIL; \$100.00 for prints; \$65.00 for reports)

Miscellaneous:

Youth sponsored events: 2 PAL meetings, 2 Scout tours and talks, 1 Recreation night, 4 NR Youth Police Academy session & conducted regular checks of schools.

Chief Moore addressed the board regarding the following matters:

- **CHIEF MOORE'S TIME RECORD**

A motion was made by Councilman White, 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 March 2014 as presented.

- **OVERTIME & SICK LEAVE REPORTS**

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 overtime and sick leave reports as presented for the month of March 2014.

- **REIMBURSEMENT AGREEMENT – PARTIAL REIMBURSEMENT FOR COUNTER TERRORISM**

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 executing an agreement with the County of Rockland for Partial Reimbursement for Counter Terrorism in the amount of \$6,764.00.

- **REIMBURSEMENT AGREEMENT – VIDEO EQUIPMENT**

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

executing an agreement with the County of Rockland for Reimbursement for Video Equipment in the amount of \$3,596.

## **DEPARTMENTAL REPORTS**

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

### **GOLF COURSE REPORT**

March 2014:

|               |             |
|---------------|-------------|
| • Green Fees  | \$ 795.00   |
| • Merchandise | \$ 411.63   |
| • Range Fees  | \$ 700.00   |
| • Memberships | \$42,950.0  |
| • Club Rental | \$ 0.00     |
| • Total       | \$44,950.00 |

### **Architectural Review Board**

|                       |            |     |            |
|-----------------------|------------|-----|------------|
| From:                 | 03/01/2014 | To: | 03/31/2014 |
| Applications Received |            |     |            |
| Solar Panels          | 7          |     |            |
| Applications Approved |            |     |            |
| Solar Panels          | 7          |     |            |
| Applications Pending  |            |     |            |
| Solar Panels          | 1          |     |            |
| Fees Collected:       | \$ 600.00  |     |            |
| Money in Lieu of Land | \$ 0.00    |     |            |

### **Building & Zoning Department**

March

|                                    |            |
|------------------------------------|------------|
| Applications Received              | 21         |
| Applications Returned/Withdrawn    | 0          |
| Applications Denied                | 0          |
| Building & Blasting Permits Issued | 20         |
| Applications Pending               | 68         |
| Certificate of Occupancy           | 3          |
| Certificate of Compliance          | 13         |
| Fees Collected                     | \$9,115.00 |

### **Dog Control Officer**

March

|   |     |
|---|-----|
| Dogs seized and sheltered                                   | 0   |
| Dogs returned to owner                                      | 0   |
| Number of complaints received                               | 4   |
| Miles traveled patrolling the Town<br>and transporting dogs | 410 |

### **Fire Inspector**

March

|                          | Month | Total |
|--------------------------|-------|-------|
| Inspections Performed    | 25    | 60    |
| Field Correction Issued  | 6     | 21    |
| Violations Issued        | 0     | 0     |
| Violations Outstanding   | 0     | 0     |
| Permits Issued           | 0     | 0     |
| Requests by Police Dept. | 0     | 0     |
| Requests by Fire Dept.   | 1     | 6     |
| Fires Investigated       | 0     | 0     |

### **Planning Board**

|                       |            |     |            |
|-----------------------|------------|-----|------------|
| From:                 | 03/01/2014 | To: | 03/31/2014 |
| Applications Received | 0          |     |            |
| Applications Approved |            |     |            |

|                       |        |
|-----------------------|--------|
| Applications Pending  |        |
| Amended Site Plan     | 1      |
| General Category      | 1      |
| Informal Discussion   | 1      |
| Site Plan             | 5      |
| Subdivision-Major     | 1      |
| Subdivision-Minor     | 1      |
| Fees Collected:       | \$0.00 |
| Money in Lieu of Land | \$0.00 |

### **Sewer Department**

#### **March**

|                                  |                    |
|----------------------------------|--------------------|
| Overtime Hours                   |                    |
| Sunday                           | 18 hrs.            |
| Call Ins                         | 12 hrs.            |
| Controlex                        | 10 hrs.            |
| Andritz                          | 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:                 | 03/01/2014 | To: | 03/31/2014 |
| Applications Received |            |     |            |
| Area Variance         | 1          |     |            |
| Applications Closed   |            |     |            |
| Area Variance         | 1          |     |            |
| Use Variance          | 1          |     |            |
| Applications Pending  |            |     |            |
| Area Variance         | 3          |     |            |
| Use Variance          | 1          |     |            |
| Fees Collected:       | \$300.00   |     |            |

### **Town Clerk**

#### **March**

|  |             |
|--|-------------|
| Amount Paid To NYS Agriculture & Markets               |             |
| For Spay/Neuter Program                                | \$ 32.00    |
| Amount Paid To NYS Health Dept. For Marriage Licenses  | \$ 180.00   |
| Amount Paid To NYS Dept. Of Environmental Conservation | \$ 987.32   |
| Amount Paid To Supervisor                              | \$ 4,866.05 |
| TOTAL AMOUNT REMITTED                                  | \$ 6,065.37 |

### **CORRESPONDENCE** - None

### **PRESENTATION – HABITAT FOR HUMANITY**

Michael and Maureen Verschnider of Habitat for Humanity spoke giving a brief overview of Habitat. They are concentrating now on a partner-ship program called “Brush with Kindness”, where they will reach out into the community to find people who have need with outside maintenance to their homes. Its’ aimed at the disabled, seniors who can no longer maintain their homes without help and low income families.

### **Electronic Communication and Social Media Policy**

Don Ferrick, Special Counsel spoke to the board regarding a policy of this type. This item was tabled to the next meeting to enable Counsel to further look into this matter.

### **NR Soccer Association - Donation**

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 giving \$1000.00 to the North Rockland Soccer Association for the purpose of developing a North Rockland Youth Academy which will provide the children of North Rockland the ability to play soccer at different skill levels.

### **Use of Commuter Lot**

A motion was made by Councilman Javenes, seconded by Councilman Monaghan and **unanimously carried** by a voice vote of those board members present to approve the request for use of the Commuter Lot by Children of Mary Nursery School on Saturday April 26, 2014 for a tag sale; with a rain date of April 27.

### **Agreement - Gran Fondo Biking Event**

A motion was made by Councilman Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to authorize Supervisor Finn to execute the agreement with Grand Fondo New York to provide police services, including traffic control, with regard to the Grand Fondo Biking Event on Sunday, May 18, 2014 for a total amount of \$7,546.76.

### **Award Bid – RHO Building Bathroom Renovations**

This item was tabled for one month.

### **Award Bid – Sound Stage**

A motion was made by Supervisor Finn, seconded by Councilman White and **unanimously carried** by a voice vote of those board members present to award the bid for purchase of a sound stage from Century Industries, LLC, 299 Prather Lane, Sellersburg, IN 47172 in the amount of \$108,208. These monies are to be paid for by anonymous sponsor.

### **Award Bid – Police Station Roof**

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to award the bid for the re-construction of the roof on the Stony Point Police Station to Precision Roofing, Inc., 22 Kerr Lane, Southfields, NY 10975 in the amount of \$79,900 to be paid for with monies taken from the Building and Facility Improvement Fund, subject to permissive referendum. Such notice of the permissive referendum shall be published/posted within 10 days of the April 8, 2014 Town Board meeting.

### **2014 Highway School – Ithaca, NY**

A motion was made by Councilman Javenes, seconded by Councilman Basile, and **unanimously carried** by a voice vote of those board members present to approve the Superintendent of Highways request to attend the Cornell Local Roads Highway School in Ithaca College, Ithaca NY June 1 – 4 at a cost of \$556 plus meals.

### **Approve Purchase of 2 – 24 Hour Samplers for Sewer Dept**

A motion was made by Supervisor Finn, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to approve the purchase of two (2) – twenty-four hour Samplers for the Sewer Dept. from N-CON Systems Co., Inc., POB 809, 180 North Street, Crawford, GA, the sole provider, at a total cost of \$2,842 or \$1,421 each.

### **Re-hire Recreation Facility Attendants**

A motion was made by Supervisor Finn, seconded by Councilman Basile, and **unanimously carried** by a voice vote of those board members present to re-hire the following recreation facility attendants:(Park Guards) from Memorial Day thru Labor Day

8am to 8pm weekends and holidays: Joseph Dibble @ \$9.88/hr, William Frontino @ \$9.88/hr, Patrick Kennell @ \$10.70/hr. Vincent Lafalgio @ \$9.69/hr @ Charles Palmer @ \$10.28/hr.

#### **Hire/Re-Hire Playground Program Personnel**

A motion was made by Supervisor Finn, seconded by Councilman Monaghan, and **unanimously carried** by a voice vote of those board members present to hire Playground Program Counselors and Directors for Monday thru Friday 7/7/14 thru 8/15/14 from 9:45 am -1:45pm as follows: Directors - Valerie Nelson @ \$12/hr & Jaimee Nigro \$12.48/hr; Camp Counselors - Anthony Alva, Claire Perini, Christopher Alva, Kylie Priest, Steven Checco, Maria Squillini, Victoria Diederich, Richard Stephens, Dominick Greco, Dana Wirchansky, Emily Kryger and Feda Yacoub all at \$8.00 per hr.

#### **Hire/Re-Hire Pool Personnel**

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 the following as Pool Personnel: Cashiers – Joan Dubois @ \$15.22/hr and Debra Wirchansky @ \$10.61/hr; Pool Operator - Amanda Cloer @ \$15.30; Head Lifeguards - Brandon Finn @ \$13.26/hr, Deana Jones @ \$13/hr, Erin Madden @ \$13/hr; Lifeguards - Steven Fejes @ \$10/hr, Daulton Newbury @ \$10/hr, Shawn Fenton @ \$10/hr, Samantha Newbury @ \$10.20/hr, Sam Finn @ \$10.20/hr, Sydney Newbury @ \$10/hr, Seamus Finucane @ \$10.20/hr, Shane Phillips @ \$10/hr, John Greeley @ \$10.20/hr, Danielle Sandusky @ \$10.20/hr, Daniela Herrera @ \$10/hr, Eric Sandusky @ \$10/hr, Luis Herrera @ \$10/hr, Nicole Strianese @ \$10/hr, Nick Jones @ \$10.20/hr, Victoria Vetter @ \$10/hr and Tara Monaghan @ \$10/hr.

#### **Approve Summer Recreation Fees**

A motion was made by Councilman Javenes, seconded by Councilman Basile, and **unanimously carried** by a voice vote of those board members present to approve the following Summer Recreation Fees:

- Pool Registration: \$10.00 per person for the summer for residents
- Guest Pass: \$10.00 per day for non-resident accompanied by resident
- Sr. Guest Pass: \$5.00 for non-resident accompanied by resident
- Seniors: Free for town residents
- Swim Lessons: \$125.00 for 5 1hr. lessons
- Tennis Lessons \$90.00 for 5 1 hr. lessons
- Playground Program \$ 60 for residents and \$80 for non-residents

#### **Extend Contract – Comingled Recyclables**

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to extend the contract with Charles Capasso and Sons Carting, Inc. 65 Grassy Point, Rd., Stony Point, NY to extend the current contract for pickup of comingled recycling for a period of one year to run thru May 31, 2015.

#### **Removal of Waterfront Structures**

After discussion, this item was tabled to the April 22, 2014 meeting.

#### **Pyngyp School Renovations**

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of all board members present to add purchase of a well pump at an approximate cost of \$300 for the Pyngyp School location to the list of capital improvements to be paid from building & facility improvements for Pyngyp School. This resolution shall be subject to permissive referendum as permitted by law. Such notice of the permissive referendum shall be published/posted within 10 days of the April 8, 2014 Town Board meeting.

#### **Appoint Member Architectural Review Board**

A motion was made by Councilman Javenes, seconded by Councilman Monaghan, and **unanimously carried** by a voice vote of those board members present to re-appoint Dolores Morlang to the ARB for another three year term, term to expire in April 2017.

**Bond Resolution – 2014 Equipment (3 Year Property)**

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 the following resolution:

**BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK (THE “TOWN”), AUTHORIZING THE ISSUANCE OF UP TO \$65,000 IN SERIAL BONDS OF THE TOWN TO FINANCE THE ACQUISITION OF THREE REPLACEMENT PASSENGER VEHICLES AND APPROPRIATING SAID AMOUNT THEREFOR**

WHEREAS, the Town Board (the “Board”) of the Town of Stony Point, Rockland County (the “Town”) is considering to undertake the acquisition of three replacement passenger vehicles for use by the Town’s Police Department, Maintenance Department and Recreation Department, including other costs incidental to the financing thereof (the “Project”); and

WHEREAS, 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 Board under SEQRA as a pre-condition to the adoption of this resolution; and

WHEREAS, the Board now wishes to appropriate funds for such purpose and to authorize the issuance of the Town’s serial bonds and bond anticipation notes to be issued to finance said appropriation.

NOW THEREFORE, 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 issue up to \$65,000 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 acquisition of three replacement passenger vehicles for use by the Town’s Police Department, Maintenance Department and Recreation Department, including other costs incidental to the financing thereof. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$65,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$65,000 in serial bonds of the Town authorized to be issued pursuant to this resolution, or bond anticipation notes issued in anticipation of such serial bonds, to finance said appropriation, and (ii) 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 2: It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is three (3) years, pursuant to subdivision 77(first). of paragraph a. of Section 11.00 of the Law.

SECTION 3: 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 Section 1 of 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 4: The final maturity of the bonds herein authorized to be issued shall not be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to Section 1 of this resolution.

SECTION 5: 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 6: 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 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, as the chief fiscal officer of the Town (the "Supervisor"). Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for the object or purpose authorized by this resolution are combined for sale, pursuant to paragraph 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 the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph 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 7: The Supervisor 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 anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 8: The Supervisor is further authorized to enter into continuing disclosure undertaking 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 9: 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 affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Board.

SECTION 10: 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 11: 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, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the Town for such purpose, together with a notice of the Town Clerk substantially the form provided in Section 81.00 of the Law.

The resolution shall take effect immediately.

**Bond Resolution – 2014 Equipment (5 Year Property)**

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

**BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK (THE “TOWN”), AUTHORIZING THE ISSUANCE OF UP TO \$36,000 IN SERIAL BONDS OF THE TOWN TO FINANCE THE ACQUISITION OF EQUIPMENT AND APPROPRIATING SAID AMOUNT THEREFOR**

WHEREAS, the Town Board (the “Board”) of the Town of Stony Point, Rockland County (the “Town”) is considering to undertake the acquisition of equipment for use by various Town Departments, consisting of computer servers, computers, laptops, monitors, scanners, software, security cameras, copy machines and communication radios, including other costs incidental to the financing thereof (collectively, the “Project”); and

WHEREAS, 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 Board under SEQRA as a pre-condition to the adoption of this resolution; and

WHEREAS, the Board now wishes to appropriate funds for such purpose and to authorize the issuance of the Town’s serial bonds and bond anticipation notes to be issued to finance said appropriation.

NOW THEREFORE, 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:

The Town is hereby authorized to issue up to \$36,000 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 acquisition of equipment for use by various Town Departments, consisting of computer servers, computers, laptops, monitors, scanners, software, security cameras, copy machines and communication radios, including other costs incidental to the financing thereof. It is hereby determined that the maximum estimated cost of the aforementioned specific objects or purposes is \$36,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$36,000 in serial bonds of the Town authorized to be issued pursuant to this resolution, or bond anticipation notes issued in anticipation of such serial bonds, to finance said appropriation, and (ii) 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.

It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is five (5) years, pursuant to subdivision 32. of paragraph a. of Section 11.00 of the Law.

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 Section 1 of 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.

The final maturity of the bonds herein authorized to be issued shall not be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to Section 1 of this resolution.

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.

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 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, as the chief fiscal officer of the Town (the “Supervisor”). Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for the object or purpose authorized by this resolution are combined for sale, pursuant to paragraph 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 the Board, then the power of the Board to determine the “weighted average period of probable usefulness” (within the meaning of paragraph 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. The Supervisor 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 anticipation thereof, if applicable, as “qualified tax-exempt bonds” in accordance with Section 265(b)(3)(B)(i) of the Code.

The Supervisor is further authorized to enter into continuing disclosure undertaking 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.

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 affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Board.

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:

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

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

such obligations are authorized in violation of the provisions of the Constitution.

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, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the Town for such purpose, together with a notice of the Town Clerk substantially the form provided in Section 81.00 of the Law.

The resolution shall take effect immediately.

**Bond Resolution – 2014 Equipment (15 Year Property)**

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

**BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK (THE “TOWN”), AUTHORIZING THE ISSUANCE OF UP TO \$301,000 IN SERIAL BONDS OF THE TOWN TO FINANCE THE ACQUISITION OF VARIOUS MACHINERY AND MAINTENANCE EQUIPMENT FOR USE BY THE TOWN’S HIGHWAY, MAINTENANCE AND RECREATION DEPARTMENTS AND APPROPRIATING SAID AMOUNT THEREFOR**

WHEREAS, the Town Board (the “Board”) of the Town of Stony Point, Rockland County (the “Town”) proposes to authorize the issuance of \$301,000 in serial bonds of the Town to finance the acquisition of various pieces of machinery and maintenance equipment for use by the Town’s Highway, Maintenance and Recreation Departments, including, without limitation, one bucket truck, one plow truck, one truck lift, trailers, carts, blowers, a tool chest and a front end attachment to mowers (collectively, the “Project”); and

WHEREAS, 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 Board under SEQRA as a pre-condition to the adoption of this resolution; and

WHEREAS, the Board now wishes to appropriate funds for such various public purposes and to authorize the issuance of the Town’s serial bonds and bond anticipation notes to be issued to finance said appropriations.

NOW THEREFORE, 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:

The Town is hereby authorized to issue \$301,000 principal amount of serial bonds pursuant to the Law to finance the estimated cost of the acquisition of various pieces of machinery and maintenance equipment for use by the Town’s Highway, Maintenance and Recreation Departments, including, without limitation, one bucket truck, one plow truck, one truck lift, trailers, carts, blowers, a tool chest and a front end attachment to mowers. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$301,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$301,000 in serial bonds of the Town authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds and (ii) 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.

It is hereby determined that the period of probable usefulness for the aforementioned specific objects or purposes is fifteen (15) years, pursuant to subdivision 28. of paragraph a. of Section 11.00 of the Law.

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 Section 1 of 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 Sections 1 and 2 hereof with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

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

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.

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 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, as the chief fiscal officer of the Town (the "Supervisor"). Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for the object or purpose authorized by this resolution are combined for sale, pursuant to paragraph 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 the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph 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.

The Supervisor 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 anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

The Supervisor is further authorized to enter into continuing disclosure undertaking 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.

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 affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Board.

Pursuant to subdivision b. of Section 35.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article Seven of the Town Law of the State of New York (the "Town Law"). The Town Clerk is hereby authorized and directed, within ten (10) days after the date of adoption of this resolution, to post and publish a notice satisfying the requirements of Section 90 of the Town Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and

shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Town for such purpose.

This resolution shall take effect thirty (30) days after the date of its adoption or, if within such thirty (30) day period there is filed with the Town Clerk a petition subscribed and acknowledged by the number of qualified electors of the Town required by Section 91 of the Town Law and in the manner specified in such Section, until approved by the affirmative vote of a majority of such qualified electors voting on a proposition for its approval.

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:

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

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

such obligations are authorized in violation of the provisions of the Constitution.

As soon as reasonably possible after the date this resolution takes effect, the Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the Town for such purpose, together with a notice of the Town Clerk substantially the form provided in Section 81.00 of the Law.

The resolution shall take effect immediately.

#### **Set Public Hearing – Sewer District Purchases**

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

#### **RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK (THE “TOWN”) AUTHORIZING A PUBLIC HEARING UNDER TOWN LAW SECTION 202-B RELATING TO 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 District No. 1 (“District No. 1”), the Town’s Sewer District No. 2 (“District No. 2”), and the Town’s Sewer District No. 3 (“District No. 3” and, collectively with District No. 1 and District No. 2, 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 (collectively, the “Project”);

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, the Town Board now wishes to schedule a public hearing in accordance with Section 202-b of the Town Law on whether it is in the public interest to undertake the Project at such estimated maximum cost, as so allocated among the Districts.

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

SECTION 1. A public hearing shall be held by the Town Board of the Town of Stony Point on April 22, 2014 at 7:00 p.m. at the Town Hall, 74 East Main Street, Stony Point, New York 10980 to hear all interested parties on whether it is in the public interest to undertake the Project as described above at an 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.

SECTION 2. Notice of said public hearing shall be published and posted as required by Sections 193 of the Town Law.

This resolution shall take effect immediately.

**Reimbursement – Sewer Problem Jackson Dr.**

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 paying \$321.00 to the homeowner at 18 Jackson Dr. for an expense incurred by her that was a result of a problem on our side of the sewer line.

**Extend Date of Return – Bid for Drainage Improvements**

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to extend the bid date for drainage improvements at Lake Rd., Williams Rd., High Ridge Rd., Major Andre Dr. and Rosebud Dr. to May 2, 2014 as it is necessary to revise the drawings for this work.

**EXECUTIVE SESSION**

A motion was made at 8:15 pm 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 possible litigation, negotiations and financial/credit information. No votes will be taken.

**ADJOURN**

The April 8, 2014 Stony Point Town Board meeting adjourned at 9:10 pm.

Respectfully submitted

Joan Skinner – Town Clerk