

STONY POINT TOWN BOARD MEETING – JUNE 24, 2014

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, June 24, 2014 at **6:30 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

The following Notice of the change of meeting time was properly posted:

NOTICE STONY POINT TOWN BOARD CHANGE OF TIME

This will advise you that the regular Stony Point Town Board Meeting scheduled for June 24, 2014 will start at 6:30 pm rather than at 7:00 pm. The Board will convene at 6:30 pm and immediately go into Executive Session to discuss personnel matters in the Police Department. The regular business portion of the meeting will convene when Executive Session has ended. Joan Skinner-Stony Point Town Clerk-June 19, 2014

EXECUTIVE SESSION

At 6:35 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 enter into executive session for police department personnel matters and to conduct interviews.

RECONVENE

At 7:35 pm a motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of all board members present to reconvene the June 24, 2014 Stony Point Town Board Meeting. Supervisor Geoffrey Finn called the meeting to order and again led the group in the Pledge of Allegiance.

PUBLIC INPUT

Susan Filgueras, Mott Farm Rd., spoke about:

- Renovations at Pyngyp School building
- Stony Point Lighthouse Tours
- Eagle Scout project at Berlin Wall site
- United States Gypsum
- CSX
- Beautification Committee

George Potanovic – Old Gate Hill Rd spoke about:

- Waterfront zoning
- United States Gypsum

Lilliann Wilson – Fonda Dr. spoke about:

- Rose Memorial Library fundraiser

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 six purchase orders:

Highway			
	PO#2556	Beyer Bros. Corp.	\$492.54
	PO#2598	Mohawk Lifts	\$43,930.59
	PO#2599	Corsi Tire	\$1,241.78
	PO#2600	H.O. Penn Machinery	\$2,347.20
Sewer			
	PO#2595	Sewer Equip. Co. of Florida	\$1,598.00
	PO#2597	Controlex Service Corp.	\$2,886.00

MINUTES

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 minutes of June 10, 2014.

SUPERVISOR'S REPORT

Supervisor Finn reported on the following:

- Pool opens June 28th
- FEMA will most likely reimburse the Town for removal of any waterfront homes
- The interest rate on 2014 bond anticipation notes is at a much lower rate of 0.734%
- Congratulations to Larry Brissing on receiving an award from NYS for ten years of service as Highway Superintendent
- Press release at Town Hall on 6/25/14 regarding passage of the McElroy Bill
- Article 78 brought against the Town of Stony Point by the Town of Haverstraw regarding the proposed gasification plant

POLICE DEPT REPORT/BUSINESS

NEW YORK ASSOCIATION OF POLICE CHIEFS

A motion was made by Supervisor Finn, seconded by Councilman Monaghan and **unanimously carried** by a voice vote of all board members present to authorize the Chief of Police to attend the Association of Chiefs of Police held in Lake Placid at a cost of \$627.

CONTINUED PUBLIC HEARING – PROPOSED TEXT AMENDMENT BU DISTRICT

This continued public hearing was reopened at 7:46 pm.

Ira Emmanuel, attorney for the applicant, Tractor Supply, reviewed the letter received from Rockland County Planning and asked that all items be overridden.

PUBLIC INPUT

Frank Collyer asked about the impact on other businesses in Town.

Susan Filgueras spoke about the small businesses already located in Town.

Brian Nugent, Special Counsel, advised that the public hearing can be closed since the time period to hear from anyone else has passed.

CLOSE PUBLIC HEARING

A motion was made by Supervisor Finn, seconded by Councilman Basile and **unanimously carried** by a voice vote of all board members present to close the public hearing.

RESOLUTION DECLARING A NEGATIVE DECLARATION

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

**A RESOLUTION DETERMINING THE
ENVIRONMENTAL NON-SIGNIFICANCE
OF THE PROPOSED LOCAL LAW AMENDING
THE ZONING ORDINANCE OF THE
TOWN OF STONY POINT REGARDING
OUTDOOR STORAGE IN THE
BUSINESS (BU) DISTRICT**

WHEREAS, the Town Board as lead agency in the matter of the text amendment to the Zoning Code regarding the Business (BU) District, has reviewed such matter and received input from the Town's Planning Board, the Rockland County Planning Board and the Town's professionals.

NOW THEREFORE BE IT RESOLVED THAT:

Section 1. The Town Board of the Town of Stony Point (hereinafter the "Town") hereby finds and determines that: (a) it has considered the action, reviewed the Full Environmental Assessment Form, reviewed the criteria set forth in 6 NYCRR § 617.7(c), thoroughly analyzed the relevant areas of potential environmental concern, and has duly considered all of the potential project environmental impacts and their magnitude in connection with the proposed Town of Stony Point Amendment to Local Law (hereinafter referred to as the "Text Amendment to the BU District") entitled, "A Local Law Amending the Town of Stony Point Zoning Ordinance Regarding Outdoor Storage in the Business (BU) District;" (b) the project (to wit, the adoption by the Town Board of the Amendment to the Zoning Code) will not result in any large and important environmental impacts, and, therefore, is one which will not have a significant impact on the environment, and, therefore, a negative declaration has been prepared; and (c) the reasons supporting this determination are set forth on Part 2 of the Full Environmental Assessment Form with respect to this project (a copy of which said form is on file in the Office of the Town Clerk).

Section 2. The Town Board of the Town of Stony Point, as Lead Agency with reference to the above-described project, hereby: (a) adopts a negative declaration pursuant to 6 NYCRR § 617.7 with respect to the project in the form annexed hereto, and (b) authorizes the Town Clerk to forward a copy of said Negative Declaration Determination of Non-Significance to the New York State Department of Environmental Conservation, the Planning Board, the Zoning Board of Appeals, Building and Code Inspector of the Town and the Rockland County Department of Planning.

Section 3. This Resolution shall take effect immediately.

**RESOLUTION – OVERRIDING COUNTY PLANNING DEPT
RECOMMENDATIONS**

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

**A RESOLUTION OVERRIDING RECOMMENDATIONS OF
THE ROCKLAND COUNTY PLANNING DEPARTMENT
ON BUSINESS (BU) DISTRICT TEXT AMENDMENT**

WHEREAS, the Town Board of the Town of Stony Point ("Town Board") previously received a petition of the Gator Stony Point, LLC for a Zoning Text Amendment for lands in the Business (BU) Zoning District in the Town of Stony Point; and

WHEREAS, such outdoor storage is not currently permitted in the BU District and the proposed Zoning Text Amendment would permit outdoor storage in the BU District for local convenience commercial uses; and

WHEREAS, the Town Board declared Lead Agency status ("Lead Agency") for the purposes of environmental review with respect to the review of the proposed Zoning Text Amendment and potential future uses pursuant to securing applicable approvals, in accordance with Article 8 of the Environmental Conservation Law of the State of New York, and the regulations promulgated there under at 6 NYCRR 617.6; and

WHEREAS, the Town Board hereby previously classified the action as a Type 1 Action under SEQRA and distributed lead agency notification, the proposed Zoning Text Amendment and Part 1 of the EAF and other documents submitted by the Petitioner; and

WHEREAS, a public hearing was duly noticed, and opened with respect to such proposed Zoning Text Amendment by the Town Board on June 10, 2014 at 7:00 p.m. at the RHO Building, 5 Clubhouse Lane, Stony Point, NY 10980 and appropriate notice was issued to the Rockland County Planning Department and other municipalities, boards and agencies entitled to notice thereof as set forth herein; and

WHEREAS, by Letter dated May 27, 2014, the Town of Stony Point Planning Board recommended that the Town Board adopt the proposed Zoning Text Amendment ; and

WHEREAS, the Rockland County Planning Department, by letter dated June 20, 2014, recommended certain modifications to the proposed Zoning Text Amendment ; and

WHEREAS, such public hearing on the proposed text amendment to the Town Zoning Code was continued on June 24, 2014 at 7:00 p.m. at the RHO Building, 5 Clubhouse Lane, Stony Point, NY 10980 and all interested parties were provided with an opportunity to speak on behalf of or in opposition to said Proposed Zoning Text Amendment ; and

WHEREAS, such public hearing was closed on June 24, 2014; and

WHEREAS, the Town Board reviewed the Part 2 Environmental Assessment Form (EAF) submitted with respect to such proposed Zoning Text Amendment, and issued a negative declaration With respect to such proposed Zoning Text Amendment; and

WHEREAS, Pursuant to the provisions of New York State General Municipal Law § 239-m, the Town Board reviewed and considered the proposed recommendations of the Rockland County Planning Department.

NOW THEREFORE BE IT RESOLVED that:

1. The above WHEREAS clauses are hereby incorporated by reference.
2. The proposed modifications set forth in the June 20, 2014 response of the Rockland County Department of Planning are hereby overridden for the reasons set forth below:
 - a. With respect proposed Modification #1: The concerns on parking are related to the site plan application for Tractor Supply and not the proposed Local Law. Provisions to waive the parking requirements with that particular application are based on separate provisions not under consideration here. These parking concerns would exist where the outdoor areas contained within structures as is currently permitted, illustrating how this is not a concern related to the proposed amendment to the local zoning law.
 - b. With respect proposed Modification #2: It is noted that the Planning Board in permitting front yard exceptions must subject such exception to conditions of fencing, security, sight distance, landscaping and other appropriate factors. This gives the Planning Board the necessary discretion to ensure that appropriate separations between road and use remain. Further, the ability to waive other bulk requirements of the Code is only permitted insofar as it is necessary to address concerns of fencing, security, sight distance, landscaping and other appropriate factors. The proposed amendment does not allow additional discretion to the Planning Board on the ability to mitigate the Front Yard exception were exercised.
 - c. With respect to propose Modifications #s 3, 4 and 5: While it is appropriate to refer individual site plans of the New York State Department of Transportation, Rockland County Highway Department and the Rockland County Drainage Agency, such agencies are not, in this instance, appropriate sources of meaningful input on the proposed zoning amendment legislation given their jurisdiction, authority and expertise. For these reasons and those set forth above, the Town Board has determined that the input recommended from the stated agencies is not reasonably necessary for the Town Board to make their legislative determination to allow outdoor accessory storage in the BU

District, and in some cases in Front Yards but only subject to safeguards. The Town Board further notes that site plans are required for the proposed outdoor storage, and most of the BU District is located along State and County roads and therefore, subject to General Municipal Law reviews by the County. The County may continue to require reviews by the listed agencies as individual site plans are submitted, in consideration of their comments will certainly be appropriate at that time.

- 3. This Resolution shall only be effective if it is approved by a majority plus one of the members of the Town Board.
- 4. The Town Clerk is hereby directed to provide a copy of this Resolution to the Rockland County Planning Department within thirty (30) days of the date of this Resolution in accordance with the provisions of New York State General Municipal Law § 239-m.
- 5. This Resolution shall be effective 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]	[]	[]	[]

RESOLUTION – APPROVING TEXT AMENDMENT

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 resolution:

**RESOLUTION APPROVING TEXT AMENDMENT TO
BUSINESS (BU) DISTRICT**

WHEREAS, the Town Board of the Town of Stony Point (“Town Board”) previously received a petition of the Gator Stony Point, LLC for a Zoning Text Amendment for lands in the Business (BU) Zoning District in the Town of Stony Point; and

WHEREAS, such outdoor storage is not currently permitted in the BU District and the proposed Zoning Text Amendment would permit outdoor storage in the BU District for local convenience commercial uses; and

WHEREAS, the Town Board previously declared Lead Agency status (“Lead Agency”) for the purposes of environmental review with respect to the review of the proposed Zoning Text Amendment and potential future uses pursuant to securing applicable approvals, in accordance with Article 8 of the Environmental Conservation Law of the State of New York, and the regulations promulgated thereunder at 6 NYCRR 617.6; and

WHEREAS, the Town Board hereby previously classified the action as a Type 1 Action under SEQRA and distributed Lead Agency notification, the proposed Zoning Text Amendment and Part 1 of the Environmental Assessment Form (“EAF”) and other documents submitted by the Petitioner; and

WHEREAS, a public hearing was duly noticed, and opened with respect to such proposed Zoning Text Amendment by the Town Board on June 10, 2014 at 7:00 p.m. at the RHO Building, 5 Clubhouse Lane, Stony Point, NY 10980 and appropriate notice was issued to the Rockland County Planning Department and other municipalities, boards and agencies entitled to notice thereof as set forth herein; and

WHEREAS, by Letter dated May 27, 2014, the Stony Point Planning Board reviewed the proposed Zoning Text Amendment and determined that the Planning Board recommended adoption of the Proposed Zoning Text

Amendment and had no objections to the Proposed Zoning Text Amendment; and

WHEREAS, the Town of Stony Point Planning Board recommended that the Town Board adopt the proposed Zoning Text Amendment; and

WHEREAS, the Rockland County Planning Department, by letter dated June 20, 2014, recommended certain modifications to the proposed Zoning Text Amendment ; and

WHEREAS, under separate Resolution of June 24, 2014, for Town Board, by a unanimous vote of 5-0 voted to override the recommended modifications to the proposed Zoning Text Amendment set forth by the Rockland County Department of Planning for the reasons set forth in such separate Resolution; and

WHEREAS, such public hearing on the proposed text amendment to the Town Zoning Code was continued on June 24, 2014 at 7:00 p.m. at the RHO Building, 5 Clubhouse Lane, Stony Point, NY 10980 and all interested parties were provided with an opportunity to speak on behalf of or in opposition to said Proposed Zoning Text Amendment ; and

WHEREAS, such public hearing was closed on June 24, 2014; and

WHEREAS, no changes were proposed to the Zoning Text Amendment as previously presented to the Town Board and no modifications were made to the proposed Zoning Text Amendment during or after such public hearing; and

WHEREAS, the Town Board reviewed the Part 2 EAF submitted with respect to such proposed Zoning Text Amendment, and issued a Negative Declaration with respect to such proposed Zoning Text Amendment; and

NOW, THEREFORE, BE IT RESOLVED that:

1. The above WHEREAS clauses are incorporated herein by reference.
2. The Town Board of the Town of Stony Point hereby adopts said Amended Local Law No. 2 of 2014 entitled Zoning Text Amendment in the BU District (Outdoor Storage), a copy of which is attached hereto and made a part of this Resolution.
3. Such Amended Local Law shall amend the current Zoning Code (Chapter 215 of the Town Code) and appurtenant Use/Bulk tables appurtenant thereto.
4. Such Local Law shall be effective immediately upon filing with the Secretary of State.
5. The Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Stony Point, and to give due notice of the adoption of said Local Law to the Secretary of State of New York and the New York State Department of Environmental Conservation.

LOCAL LAW NO. 2 OF 2014
TEXT AMENDMENTS
TOWN OF STONY POINT ZONING CODE

*Amend Table of General Use Requirements
Part II: BU District*

Add to Column E (Accessory Uses Permitted by Right):

9. Accessory to local convenience commercial uses, only: outdoor retail sales and storage of retail goods to be delivered to customers on the premises, provided such sales and storage are confined to areas designated on an approved site development plan.

Add to Column F (Minimum Off-Street Parking Spaces:

11. Accessory outdoor retail
Sales and storage

1 per 200 square feet of area shown on
site plan

Amend Column G (Additional Use Requirements), #2, as follows:

2.[All retail sales and service establishments and accessory storage of goods shall be within completely enclosed buildings.] No production of goods is permitted and all processing and servicing of goods shall be limited to 50% of the floor area and in no event more than 1,000 square feet.

Amend §215-23 Front yard exceptions

Add:

D. The Planning Board may permit, as an accessory to a local convenience commercial use, outdoor sales and storage of retail goods within a required front yard, subject to fencing, security, sight distance, landscaping or other factors as the Planning Board deems appropriate. In the context of addressing such concerns, the Planning Board may waive other dimensional requirements of this Code upon good cause shown.

CONTINUED PUBLIC HEARING – UNSAFE BUILDINGS

Supervisor Finn opened this public hearing at 8:12 pm.

PUBLIC INPUT

Daniel Bertilino, Esq. 407 Upper Highland Avenue, Upper Nyack, NY representing Leslie Arzoomanian, owner of 7 Fourth St. spoke indicating that they disagree with the Building Inspector's evaluation that renovations are more than 50% of the fair market value of the building.

Supervisor Finn – indicted that the Town was following FEMA regulations and at anytime a second request to re-evaluate the building could be done. (This has not been requested for this property). Supervisor Finn urged the homeowner to submit and necessary paperwork to the Building Dept as soon as possible.

Discussion developed between Supervisor Finn, Daniel Bertilino and the homeowner.

CLOSE PUBLIC HEARING

A motion was made by Supervisor Finn, seconded by Councilman Basile and **unanimously carried** by a voice vote of all board members present to close the public hearing.

RESOLUTIONS ORDERING SECURING OF STRUCTURES

A motion was made by Supervisor Finn, seconded by Councilman Monahan and unanimously carried by a voice vote of all board members present to approve the following nine (9) resolutions:

RESOLUTION ORDERING SECURING OF STRUCTURE OWNED BY KATHLEEN BROOKS

WHEREAS, the Enforcement Officer 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 certain structures situate on premises on 39 Beach Road, Stony Point, New York, designated by Tax Map No. Section 20.08, Block 1, Lot 17 in which report said Enforcement Officer states his opinion that said structures are unsafe and dangerous to the public and recommends their immediate securing or removal as set forth in written reports submitted by the Building Inspector to the Town Board of the Town of Stony Point; and

WHEREAS, the Town Board of the Town of Stony Point, after considering said report, and pursuant to the provisions of said Code, by Resolution duly adopted at its April 22, 2014 Town Board meeting, scheduled a public hearing for May 13, 2014 at 7:00 p.m. at 5 Clubhouse Lane in said Town, to determine whether said structure is

unsafe and dangerous and if so to order that the owner or other person responsible for such structure secure, repair or remove same; and

WHEREAS, notice of said public hearing was served on Kathleen Brooks (Owner) at 39 Beach Road, Stony Point, New York 10980 on April 25, 2014 by registered mail pursuant to Chapter 78 of the Town Code; and

WHEREAS, notice of said public hearing was served on Bradley Deal at Wells Fargo Home Mortgage, 1 Home Campus, MAC (X2302-04D), Des Moines, Iowa 50328 via Federal Express (877125113940); and

WHEREAS, notice of said public hearing was duly advertised in the Rockland County Times, the official newspaper of the Town on May 1, 2014 and posted on the Town Clerk's sign board on April 30, 2014; and

WHEREAS, the Town Board of the Town of Stony Point, pursuant to Chapter 78 of the Town Code of the Town of Stony Point has notified such owner(s) via registered mail; via posting on the subject properties, by registered mail to agents or representatives determined by due diligence, and where unable to locate a representative, agent, owner or other interested party, by publication of a public notice in the Rockland Journal News on June 15, 2014 and the Rockland County Times on June 19, 2014 advising any such owner(s) of the necessity for repair/removal of said structures and of the public hearing in regard thereto, such newspapers having circulation in the County of Rockland and the Town of Stony Point; and

WHEREAS, said public hearing was duly held on May 13, 2014 at 7:00 P.M., at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report, and

WHEREAS, such public hearing was continued on May 27, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report, and

WHEREAS, such public hearing was continued on June 10, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report, and

WHEREAS, such public hearing was continued on June 24, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report and such public hearing was closed on June 24, 2014 at 7:00 P.M., and

NOW THEREFORE, BE IT RESOLVED as follows:

1. The above WHEREAS clauses are incorporated herein by reference.
2. The Town Board of the Town of Stony Point, after due deliberation, hereby:
 - a. determines that said structure is unsafe and dangerous and unfit for the purposes for which it may lawfully be used as a dwelling as determined by the Building Inspector and set forth specifically in the annexed report of the Building Inspector (see Appendix A); and
 - b. orders that the doors and windows be secured against unauthorized entry until such time as the structure can be rebuilt and made fit for residential occupancy or demolished, all of which must be commenced by **June 27, 2014**, and be completed within **10 days** thereafter unless for good cause shown such time shall be extended.
3. In the event of any neglect or refusal to comply with the order of said Board, the Board shall provide for the doors and windows to be secured against unauthorized entry until such time as the structure can be rebuilt and made fit for residential occupancy or demolished as determined by the Building Inspector, and to assess all expenses thereof including legal expenses against the land on which it is located.
4. The expense so assessed shall constitute a lien and charge on the real property against which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other town charges, and the same shall be placed on the tax assessment roll and levied against the property.

5. Such securing, repair and/or demolition may be accomplished in whole or in part by Town employees as directed by the Town Supervisor or may be accomplished after compliance with the State and Town bidding requirements. Compliance with State and/or Town bidding requirements shall not be required in the case of an emergency.
6. The Town Clerk, Town Building Inspector and any other necessary Town Employees are hereby authorized to take any and all actions required to carry out the provisions of this Resolution.
7. This Resolution shall take effect immediately.

**RESOLUTION ORDERING SECURING OF STRUCTURE
OWNED BY PETER ALLISON**

WHEREAS, the Enforcement Officer 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 certain structures situate on premises on 41 Beach Road, Stony Point, New York, designated by Tax Map No. Section 20.08, Block 1, Lot 16 in which report said Enforcement Officer states his opinion that said structures are unsafe and dangerous to the public and recommends their immediate securing or removal as set forth in written reports submitted by the Building Inspector to the Town Board of the Town of Stony Point; and

WHEREAS, the Town Board of the Town of Stony Point, after considering said report, and pursuant to the provisions of said Code, by Resolution duly adopted at its April 22, 2014 Town Board meeting, scheduled a public hearing for May 13, 2014 at 7:00 p.m. at 5 Clubhouse Lane in said Town, to determine whether said structure is unsafe and dangerous and if so to order that the owner or other person responsible for such structure secure, repair or remove same; and

WHEREAS, notice of said public hearing was served on Peter Allison (Owner) at 41 Beach Road, Stony Point, New York 10980 on April 25, 2014 by registered mail pursuant to Chapter 78 of the Town Code; and

WHEREAS, notice of said public hearing was duly advertised in the Rockland County Times, the official newspaper of the Town on May 1, 2014 and posted on the Town Clerk's sign board on April 30, 2014; and

WHEREAS, the Town Board of the Town of Stony Point, pursuant to Chapter 78 of the Town Code of the Town of Stony Point has notified such owner(s) via registered mail; via posting on the subject properties, by registered mail to agents or representatives determined by due diligence, and where unable to locate a representative, agent, owner or other interested party, by publication of a public notice in the Rockland Journal News on June 15, 2014 and the Rockland County Times on June 19, 2014 advising any such owner(s) of the necessity for repair/removal of said structures and of the public hearing in regard thereto, such newspapers having circulation in the County of Rockland and the Town of Stony Point; and

WHEREAS, said public hearing was duly held on May 13, 2014 at 7:00 P.M., at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report, and

WHEREAS, such public hearing was continued on May 27, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report; and

WHEREAS, such public hearing was continued on June 10, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report; and

WHEREAS, such public hearing was continued on June 24, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report and such public hearing was closed on June 24, 2014 at 7:00 P.M.; and

NOW THEREFORE, BE IT RESOLVED as follows:

1. The above WHEREAS clauses are incorporated herein by reference.
2. The Town Board of the Town of Stony Point, after due deliberation, hereby:
 - a. determines that said structure is unsafe and dangerous and unfit for the purposes for which it may lawfully be used as a

dwelling as determined by the Building Inspector and set forth specifically in the annexed report of the Building Inspector (see Appendix B); and

b. orders that the doors and windows be secured against unauthorized entry until such time as the structure can be rebuilt and made fit for residential occupancy or demolished, all of which must be commenced by **June 27, 2014**, and be completed within **10 days** thereafter unless for good cause shown such time shall be extended.

3. In the event of any neglect or refusal to comply with the order of said Board, the Board shall provide for the doors and windows to be secured against unauthorized entry until such time as the structure can be rebuilt and made fit for residential occupancy or demolished as determined by the Building Inspector, and to assess all expenses thereof including legal expenses against the land on which it is located.
4. The expense so assessed shall constitute a lien and charge on the real property against which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other town charges, and the same shall be placed on the tax assessment roll and levied against the property.
5. Such securing, repair and/or demolition may be accomplished in whole or in part by Town employees as directed by the Town Supervisor or may be accomplished after compliance with the State and Town bidding requirements. Compliance with State and/or Town bidding requirements shall not be required in the case of an emergency.
6. The Town Clerk, Town Building Inspector and any other necessary Town Employees are hereby authorized to take any and all actions required to carry out the provisions of this Resolution.
7. This Resolution shall take effect immediately.

RESOLUTION ORDERING SECURING OF STRUCTURE OWNED BY RALPH TARANTINO, JR.

WHEREAS, the Enforcement Officer 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 certain structures situate on premises on 53-55 Beach Road, Stony Point, New York, designated by Tax Map No. Section 15.20, Block 1, Lot 21 in which report said Enforcement Officer states his opinion that said structures are unsafe and dangerous to the public and recommends their immediate securing or removal as set forth in written reports submitted by the Building Inspector to the Town Board of the Town of Stony Point; and

WHEREAS, the Town Board of the Town of Stony Point, after considering said report, and pursuant to the provisions of said Code, by Resolution duly adopted at its April 22, 2014 Town Board meeting, scheduled a public hearing for May 13, 2014 at 7:00 p.m. at 5 Clubhouse Lane in said Town, to determine whether said structure is unsafe and dangerous and if so to order that the owner or other person responsible for such structure secure, repair or remove same; and

WHEREAS, notice of said public hearing was served Ralph Tarantino, Jr. (Owner) at 53-55 Beach Road, Stony Point, New York on April 25, 2014 by registered mail pursuant to Chapter 78 of the Town Code; and

WHEREAS, notice of said public hearing was served on Bradley Deal at Wells Fargo Home Mortgage, 1 Home Campus, MAC (X2302-04D), Des Moines, Iowa 50328 via Federal Express (877125113940); and

WHEREAS, notice of said public hearing was duly advertised in the Rockland County Times, the official newspaper of the Town on May 1, 2014 and posted on the Town Clerk's sign board on April 30, 2014; and

WHEREAS, the Town Board of the Town of Stony Point, pursuant to Chapter 78 of the Town Code of the Town of Stony Point has notified such owner(s) via registered mail; via posting on the subject properties, by registered mail to agents or representatives determined by due diligence, and where unable to locate a representative, agent, owner or other interested party, by publication of a public notice

in the Rockland Journal News on June 15, 2014 and the Rockland County Times on June 19, 2014 advising any such owner(s) of the necessity for repair/removal of said structures and of the public hearing in regard thereto, such newspapers having circulation in the County of Rockland and the Town of Stony Point; and

WHEREAS, said public hearing was duly held on May 13, 2014 at 7:00 P.M., at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report, and

WHEREAS, such public hearing was continued on May 27, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report, and

WHEREAS, such public hearing was continued on June 10, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report, and

WHEREAS, such public hearing was continued on June 24, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report and such public hearing was closed on June 24, 2014 at 7:00 P.M., and

NOW THEREFORE, BE IT RESOLVED as follows:

1. The above WHEREAS clauses are incorporated herein by reference.
2. The Town Board of the Town of Stony Point, after due deliberation, hereby:
 - a. determines that said structure is unsafe and dangerous and unfit for the purposes for which it may lawfully be used as a dwelling as determined by the Building Inspector and set forth specifically in the annexed report of the Building Inspector(See Appendix C); and
 - b. orders that the doors and windows be secured against unauthorized entry until such time as the structure can be rebuilt and made fit for residential occupancy or demolished, all of which must be commenced by **June 27, 2014**, and be completed within **10 days** thereafter unless for good cause shown such time shall be extended.
3. In the event of any neglect or refusal to comply with the order of said Board, the Board shall provide for the doors and windows to be secured against unauthorized entry until such time as the structure can be rebuilt and made fit for residential occupancy or demolished as determined by the Building Inspector, and to assess all expenses thereof including legal expenses against the land on which it is located.
4. The expense so assessed shall constitute a lien and charge on the real property against which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other town charges, and the same shall be placed on the tax assessment roll and levied against the property.
5. Such securing, repair and/or demolition may be accomplished in whole or in part by Town employees as directed by the Town Supervisor or may be accomplished after compliance with the State and Town bidding requirements. Compliance with State and/or Town bidding requirements shall not be required in the case of an emergency.
6. The Town Clerk, Town Building Inspector and any other necessary Town Employees are hereby authorized to take any and all actions required to carry out the provisions of this Resolution.
7. This Resolution shall take effect immediately.

RESOLUTION ORDERING SECURING OF STRUCTURE OWNED BY KENNETH NICHOLAS

WHEREAS, the Enforcement Officer 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 certain structures situate on premises on 30 River Road, Stony Pont, New York designated by Tax Map No. Section 21.09, Block 1, Lot 10

in which report said Enforcement Officer states his opinion that said structures are unsafe and dangerous to the public and recommends their immediate securing or removal as set forth in written reports submitted by the Building Inspector to the Town Board of the Town of Stony Point; and

WHEREAS, the Town Board of the Town of Stony Point, after considering said report, and pursuant to the provisions of said Code, by Resolution duly adopted at its April 22, 2014 Town Board meeting, scheduled a public hearing for May 13, 2014 at 7:00 p.m. at 5 Clubhouse Lane in said Town, to determine whether said structure is unsafe and dangerous and if so to order that the owner or other person responsible for such structure secure, repair or remove same; and

WHEREAS, notice of said public hearing was served on Kenneth Nicholas (Owner) at 30 River Road, Stony Point, New York 10980 on April 25, 2014 by Registered Mail/Return Receipt Requested pursuant to Chapter 78 of the Town Code; and

WHEREAS, notice of said public hearing was duly advertised in the Rockland County Times, the official newspaper of the Town on May 1, 2014 and posted on the Town Clerk's sign board on April 30, 2014; and

WHEREAS, the Town Board of the Town of Stony Point, pursuant to Chapter 78 of the Town Code of the Town of Stony Point has notified such owner(s) via registered mail; via posting on the subject properties, by registered mail to agents or representatives determined by due diligence, and where unable to locate a representative, agent, owner or other interested party, by publication of a public notice in the Rockland Journal News on June 15, 2014 and the Rockland County Times on June 19, 2014 advising any such owner(s) of the necessity for repair/removal of said structures and of the public hearing in regard thereto, such newspapers having circulation in the County of Rockland and the Town of Stony Point; and

WHEREAS, said public hearing was duly held on May 13, 2014 at 7:00 P.M., at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report, and

WHEREAS, such public hearing was continued on May 27, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report; and

WHEREAS, such public hearing was continued on June 10, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report; and

WHEREAS, such public hearing was continued on June 24, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report and such public hearing was closed on June 24, 2014 at 7:00 P.M.; and

NOW THEREFORE, BE IT RESOLVED as follows:

1. The above WHEREAS clauses are incorporated herein by reference.
2. The Town Board of the Town of Stony Point, after due deliberation, hereby:
 - a. determines that said structure is unsafe and dangerous and unfit for the purposes for which it may lawfully be used as a dwelling as determined by the Building Inspector and set forth specifically in the annexed report of the Building Inspector (See Appendix D); and
 - b. orders that the doors and windows be secured against unauthorized entry until such time as the structure can be rebuilt and made fit for residential occupancy or demolished, all of which must be commenced by June 27, 2014, and be completed within 10 days thereafter unless for good cause shown such time shall be extended.
3. In the event of any neglect or refusal to comply with the order of said Board, the Board shall provide for the doors and windows to be secured against unauthorized entry until such time as the structure can be rebuilt and made fit for residential occupancy or demolished as determined by the Building Inspector, and to assess all expenses thereof including legal expenses against the land on which it is located.

4. The expense so assessed shall constitute a lien and charge on the real property against which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other town charges, and the same shall be placed on the tax assessment roll and levied against the property.
5. Such securing, repair and/or demolition may be accomplished in whole or in part by Town employees as directed by the Town Supervisor or may be accomplished after compliance with the State and Town bidding requirements. Compliance with State and/or Town bidding requirements shall not be required in the case of an emergency.
6. The Town Clerk, Town Building Inspector and any other necessary Town Employees are hereby authorized to take any and all actions required to carry out the provisions of this Resolution.
7. This Resolution shall take effect immediately.

**RESOLUTION ORDERING SECURING OF STRUCTURE
OWNED BY REGINA FREDERICK (SEELEY)**

WHEREAS, the Enforcement Officer 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 certain structures situate on premises on 42 River Road, Stony Point, New York, designated by Tax Map No. Section 21.09, Block 1, Lot 8 in which report said Enforcement Officer states his opinion that said structures are unsafe and dangerous to the public and recommends their immediate securing or removal as set forth in written reports submitted by the Building Inspector to the Town Board of the Town of Stony Point; and

WHEREAS, the Town Board of the Town of Stony Point, after considering said report, and pursuant to the provisions of said Code, by Resolution duly adopted at its April 22, 2014 Town Board meeting, scheduled a public hearing for May 13, 2014 at 7:00 p.m. at 5 Clubhouse Lane in said Town, to determine whether said structure is unsafe and dangerous and if so to order that the owner or other person responsible for such structure secure, repair or remove same; and

WHEREAS, notice of said public hearing was served on Regina Frederick (Seeley) (Owner) at 42 River Road, Stony Point, New York 10980 on April 25, 2014 by registered mail pursuant to Chapter 78 of the Town Code; and

WHEREAS, notice of said public hearing was served on Bradley Deal at Wells Fargo Home Mortgage, 1 Home Campus, MAC (X2302-04D), Des Moines, Iowa 50328 via Federal Express (877125113940); and

WHEREAS, notice of said public hearing was duly advertised in the Rockland County Times, the official newspaper of the Town on May 1, 2014 and posted on the Town Clerk's sign board on April 30, 2014; and

WHEREAS, the Town Board of the Town of Stony Point, pursuant to Chapter 78 of the Town Code of the Town of Stony Point has notified such owner(s) via registered mail; via posting on the subject properties, by registered mail to agents or representatives determined by due diligence, and where unable to locate a representative, agent, owner or other interested party, by publication of a public notice in the Rockland Journal News on June 15, 2014 and the Rockland County Times on June 19, 2014 advising any such owner(s) of the necessity for repair/removal of said structures and of the public hearing in regard thereto, such newspapers having circulation in the County of Rockland and the Town of Stony Point; and

WHEREAS, said public hearing was duly held on May 13, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report, and

WHEREAS, such public hearing was continued on May 27, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report, and

WHEREAS, such public hearing was continued on June 10, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report, and

WHEREAS, such public hearing was continued on June 24, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York and all parties in attendance were permitted

an opportunity to speak on behalf of or in opposition to said report and such public hearing was closed on June 24, 2014 at 7:00 P.M.; and

NOW THEREFORE, BE IT RESOLVED as follows:

1. The above WHEREAS clauses are incorporated herein by reference.
2. The Town Board of the Town of Stony Point, after due deliberation, hereby:
 - a. determines that said structure is unsafe and dangerous and unfit for the purposes for which it may lawfully be used as a dwelling as determined by the Building Inspector and set forth specifically in the annexed report of the Building Inspector (See Appendix E); and
 - b. orders that the doors and windows be secured against unauthorized entry until such time as the structure can be rebuilt and made fit for residential occupancy or demolished, all of which must be commenced by June 27, 2014, and be completed within 10 days thereafter unless for good cause shown such time shall be extended.
3. In the event of any neglect or refusal to comply with the order of said Board, the Board shall provide for the doors and windows to be secured against unauthorized entry until such time as the structure can be rebuilt and made fit for residential occupancy or demolished as determined by the Building Inspector, and to assess all expenses thereof including legal expenses against the land on which it is located.
4. The expense so assessed shall constitute a lien and charge on the real property against which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other town charges, and the same shall be placed on the tax assessment roll and levied against the property.
5. Such securing, repair and/or demolition may be accomplished in whole or in part by Town employees as directed by the Town Supervisor or may be accomplished after compliance with the State and Town bidding requirements. Compliance with State and/or Town bidding requirements shall not be required in the case of an emergency.
6. The Town Clerk, Town Building Inspector and any other necessary Town Employees are hereby authorized to take any and all actions required to carry out the provisions of this Resolution.
7. This Resolution shall take effect immediately.

RESOLUTION ORDERING SECURING OF STRUCTURE OWNED BY RUDY ANDERSON

WHEREAS, the Enforcement Officer 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 certain structures situate on premises on 19 Grassy Point Road, Stony Point, New York, designated by Tax Map No. Section 21.05, Block 1, Lot 11 in which report said Enforcement Officer states his opinion that said structures are unsafe and dangerous to the public and recommends their immediate securing or removal as set forth in written reports submitted by the Building Inspector to the Town Board of the Town of Stony Point; and

WHEREAS, the Town Board of the Town of Stony Point, after considering said report, and pursuant to the provisions of said Code, by Resolution duly adopted at its April 22, 2014 Town Board meeting, scheduled a public hearing for May 13, 2014 at 7:00 p.m. at 5 Clubhouse Lane in said Town, to determine whether said structure is unsafe and dangerous and if so to order that the owner or other person responsible for such structure secure, repair or remove same; and

WHEREAS, notice of said public hearing was served on Rudy Anderson (Owner) at 19 Grassy Point Road, Stony Point, New York 10980 on April 25, 2014 by registered mail pursuant to Chapter 78 of the Town Code; and

WHEREAS, notice of said public hearing was served a second time on Rudy Anderson (Owner) at 18 Berea Road, Walden, New York 12586-2905 on June 5, 2014 by Certified Mail/ Return Receipt Requested; and

WHEREAS, notice of said public hearing was duly advertised in the Rockland County Times, the official newspaper of the Town on May 1, 2014 and posted on the Town Clerk's sign board on April 30, 2014; and

WHEREAS, the Town Board of the Town of Stony Point, pursuant to Chapter 78 of the Town Code of the Town of Stony Point has notified such owner(s) via registered mail; via posting on the subject properties, by registered mail to agents or representatives determined by due diligence, and where unable to locate a representative, agent, owner or other interested party, by publication of a public notice in the Rockland Journal News on June 15, 2014 and the Rockland County Times on June 19, 2014 advising any such owner(s) of the necessity for repair/removal of said structures and of the public hearing in regard thereto, such newspapers having circulation in the County of Rockland and the Town of Stony Point; and

WHEREAS, said public hearing was duly held on May 13, 2014 at 7:00 P.M., at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report, and

WHEREAS, such public hearing was continued on May 27, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report; and

WHEREAS, such public hearing was continued on June 10, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report; and

WHEREAS, such public hearing was continued on June 24, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report and such public hearing was closed on June 24, 2014 at 7:00 P.M.; and

NOW THEREFORE, BE IT RESOLVED as follows:

1. The above WHEREAS clauses are incorporated herein by reference.
2. The Town Board of the Town of Stony Point, after due deliberation, hereby:
 - a. determines that said structure is unsafe and dangerous and unfit for the purposes for which it may lawfully be used as a dwelling as determined by the Building Inspector and set forth specifically in the annexed report of the Building Inspector (See Appendix F); and
 - b. orders that the doors and windows be secured against unauthorized entry until such time as the structure can be rebuilt and made fit for residential occupancy or demolished, all of which must be commenced by June 27, 2014, and be completed within 10 days thereafter unless for good cause shown such time shall be extended.
3. In the event of any neglect or refusal to comply with the order of said Board, the Board shall provide for the doors and windows to be secured against unauthorized entry until such time as the structure can be rebuilt and made fit for residential occupancy or demolished as determined by the Building Inspector, and to assess all expenses thereof including legal expenses against the land on which it is located.
4. The expense so assessed shall constitute a lien and charge on the real property against which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other town charges, and the same shall be placed on the tax assessment roll and levied against the property.
5. Such securing, repair and/or demolition may be accomplished in whole or in part by Town employees as directed by the Town Supervisor or may be accomplished after compliance with the State and Town bidding requirements. Compliance with State and/or Town bidding requirements shall not be required in the case of an emergency.
6. The Town Clerk, Town Building Inspector and any other necessary Town Employees are hereby authorized to take any and all actions required to carry out the provisions of this Resolution.

7. This Resolution shall take effect immediately.

**RESOLUTION ORDERING SECURING OF STRUCTURE
OWNED BY SYLVIA ARZOOMANIAN**

WHEREAS, the Enforcement Officer 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 certain structures situate on premises at 7 Fourth Street, Stony Point, New York, designated by Tax Map No.: Section 21.09, Block 1, Lot 29 in which report said Enforcement Officer states his opinion that said structure is unsafe and dangerous to the public and recommends its immediate securing or removal as set forth in written reports submitted by the Building Inspector to the Town Board of the Town of Stony Point; and

WHEREAS, the Town Board of the Town of Stony Point, after considering said report, and pursuant to the provisions of said Code, by Resolution duly adopted at its April 22, 2014 Town Board meeting, scheduled a public hearing for May 13, 2014 at 7:00 p.m. at 5 Clubhouse Lane in said Town, to determine whether said structure is unsafe and dangerous and if so to order that the owner or other person responsible for such structure secure, repair or remove same; and

WHEREAS, notice of the said public hearing was served on Sylvia Arzoomanian (Owner) at 10 Timp Brook Lane, Stony Point, New York 10980 on April 25, 2014 by registered mail pursuant to Chapter 78 of the Town Code; and

WHEREAS, notice of the said public hearing was served a second time on Sylvia Arzoomanian (Owner) c/o Leslie M. Arzoomanian at 10 Timp Brook Lane, Stony Point, New York 10980 by Certified Mail/Return Receipt Requested; and

WHEREAS, notice of said public hearing was duly advertised in the Rockland County Times, the official newspaper of the Town on May 1, 2014 and posted on the Town Clerk's sign board on April 30, 2014; and

WHEREAS, the Town Board of the Town of Stony Point, pursuant to Chapter 78 of the Town Code of the Town of Stony Point has notified such owner(s) via registered mail; via posting on the subject properties, by registered mail to agents or representatives determined by due diligence, and where unable to locate a representative, agent, owner or other interested party, by publication of a public notice in the Rockland Journal News on June 15, 2014 and the Rockland County Times on June 19, 2014 advising any such owner(s) of the necessity for repair/removal of said structures and of the public hearing in regard thereto, such newspapers having circulation in the County of Rockland and the Town of Stony Point; and

WHEREAS, said public hearing was duly held on May 13, 2014 at 7:00 P.M., at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report, and

WHEREAS, such public hearing was continued on May 27, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report; and

WHEREAS, such public hearing was continued on June 10, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report; and

WHEREAS, such public hearing was continued on June 24, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report and such public hearing was closed on June 24, 2014 at 7:00 P.M.; and

NOW THEREFORE, BE IT RESOLVED as follows:

1. The above WHEREAS clauses are incorporated herein by reference.
2. The Town Board of the Town of Stony Point, after due deliberation, hereby:
 - a. determines that said structure is unsafe and dangerous and unfit for the purposes for which it may lawfully be used as a dwelling as determined by the Building Inspector and set forth specifically in the annexed report of the Building Inspector (See Appendix G); and
 - b. orders that the doors and windows be secured against unauthorized entry until such time as the structure can be

rebuilt and made fit for residential occupancy or demolished, all of which must be commenced by June 27, 2014, and be completed within 10 days thereafter unless for good cause shown such time shall be extended.

3. In the event of any neglect or refusal to comply with the order of said Board, the Board shall provide for the doors and windows to be secured against unauthorized entry until such time as the structure can be rebuilt and made fit for residential occupancy or demolished as determined by the Building Inspector, and to assess all expenses thereof including legal expenses against the land on which it is located.
4. The expense so assessed shall constitute a lien and charge on the real property against which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other town charges, and the same shall be placed on the tax assessment roll and levied against the property.
5. Such securing, repair and/or demolition may be accomplished in whole or in part by Town employees as directed by the Town Supervisor or may be accomplished after compliance with the State and Town bidding requirements. Compliance with State and/or Town bidding requirements shall not be required in the case of an emergency.
6. The Town Clerk, Town Building Inspector and any other necessary Town Employees are hereby authorized to take any and all actions required to carry out the provisions of this Resolution.
7. This Resolution shall take effect immediately.

RESOLUTION ORDERING SECURING OF STRUCTURE OWNED BY VIVIAN TAYLOR

WHEREAS, the Enforcement Officer 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 certain structures situate on premises at 4 Fifth Street, Stony Point, New York, designated by Tax Map No. Section 21.09, Block 1, Lot 26 in which report said Enforcement Officer states his opinion that said structure is unsafe and dangerous to the public and recommends its immediate securing or removal as set forth in written reports submitted by the Building Inspector to the Town Board of the Town of Stony Point; and

WHEREAS, the Town Board of the Town of Stony Point, after considering said report, and pursuant to the provisions of said Code, by Resolution duly adopted at its April 22, 2014 Town Board meeting, scheduled a public hearing for May 13, 2014 at 7:00 p.m. at 5 Clubhouse Lane in said Town, to determine whether said structure is unsafe and dangerous and if so to order that the owner or other person responsible for such structure secure, repair or remove same; and

WHEREAS, notice of said public hearing was served on Vivian Taylor (Owner) at 4 Fifth Street, Stony Point, New York 10980 on April 25, 2014 by registered mail pursuant to Chapter 78 of the Town Code; and

WHEREAS, notice of said public hearing was served a second time on Vivian Taylor (Owner) at 37A Roosevelt Place, Stony Point, New York 10980 by Certified Mail/Return Receipt Requested; and

WHEREAS, notice of said public hearing was duly advertised in the Rockland County Times, the official newspaper of the Town on May 1, 2014 and posted on the Town Clerk's sign board on April 30, 2014;

WHEREAS, the Town Board of the Town of Stony Point, pursuant to Chapter 78 of the Town Code of the Town of Stony Point has notified such owner(s) via registered mail; via posting on the subject properties, by registered mail to agents or representatives determined by due diligence, and where unable to locate a representative, agent, owner or other interested party, by publication of a public notice in the Rockland Journal News on June 15, 2014 and the Rockland County Times on June 19, 2014 advising any such owner(s) of the necessity for repair/removal of said

structures and of the public hearing in regard thereto, such newspapers having circulation in the County of Rockland and the Town of Stony Point; and

WHEREAS, said public hearing was duly held on May 13, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report, and

WHEREAS, such public hearing was continued on May 27, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report, and

WHEREAS, such public hearing was continued on June 10, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report, and

WHEREAS, such public hearing was continued on June 24, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report and such public hearing was closed on June 24, 2014 at 7:00 P.M.; and

NOW THEREFORE, BE IT RESOLVED as follows:

1. The above WHEREAS clauses are incorporated herein by reference.
2. The Town Board of the Town of Stony Point, after due deliberation, hereby:
 - a. determines that said structure is unsafe and dangerous and unfit for the purposes for which it may lawfully be used as a dwelling as determined by the Building Inspector and set forth specifically in the annexed report of the Building Inspector (See Appendix H); and
 - b. orders that the doors and windows be secured against unauthorized entry until such time as the structure can be rebuilt and made fit for residential occupancy or demolished, all of which must be commenced by **June 27, 2014**, and be completed within **10 days** thereafter unless for good cause shown such time shall be extended.
3. In the event of any neglect or refusal to comply with the order of said Board, the Board shall provide for the doors and windows to be secured against unauthorized entry until such time as the structure can be rebuilt and made fit for residential occupancy or demolished as determined by the Building Inspector, and to assess all expenses thereof including legal expenses against the land on which it is located.
4. The expense so assessed shall constitute a lien and charge on the real property against which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other town charges, and the same shall be placed on the tax assessment roll and levied against the property.
5. Such securing, repair and/or demolition may be accomplished in whole or in part by Town employees as directed by the Town Supervisor or may be accomplished after compliance with the State and Town bidding requirements. Compliance with State and/or Town bidding requirements shall not be required in the case of an emergency.
6. The Town Clerk, Town Building Inspector and any other necessary Town Employees are hereby authorized to take any and all actions required to carry out the provisions of this Resolution.
7. This Resolution shall take effect immediately.

RESOLUTION ORDERING SECURING OF STRUCTURE OWNED BY VIVIAN TAYLOR

WHEREAS, the Enforcement Officer 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 certain structures situate on premises at 12 Fourth Street (**Trailer**), Stony Point, New York, designated by Tax Map No. Section 21.09, Block 1, Lot 26 in which report said Enforcement Officer states his opinion that said structure is unsafe and dangerous to the public and recommends its immediate

securing or removal as set forth in written reports submitted by the Building Inspector to the Town Board of the Town of Stony Point; and

WHEREAS, the Town Board of the Town of Stony Point, after considering said report, and pursuant to the provisions of said Code, by Resolution duly adopted at its April 22, 2014 Town Board meeting, scheduled a public hearing for May 13, 2014 at 7:00 p.m. at 5 Clubhouse Lane in said Town, to determine whether said structure is unsafe and dangerous and if so to order that the owner or other person responsible for such structure secure, repair or remove same; and

WHEREAS, notice of said public hearing was served on Vivian Taylor (Owner) at 4 Fifth Street, Stony Point, New York 10980 on April 25, 2014 by registered mail pursuant to Chapter 78 of the Town Code; and

WHEREAS, notice of said public hearing was served a second time on Vivian Taylor (Owner) at 37A Roosevelt Place, Stony Point, New York 10980 by Certified Mail/Return Receipt Requested; and

WHEREAS, notice of said public hearing was duly advertised in the Rockland County Times, the official newspaper of the Town on May 1, 2014 and posted on the Town Clerk's sign board on April 30, 2014; and

WHEREAS, the Town Board of the Town of Stony Point, pursuant to Chapter 78 of the Town Code of the Town of Stony Point has notified such owner(s) via registered mail; via posting on the subject properties, by registered mail to agents or representatives determined by due diligence, and where unable to locate a representative, agent, owner or other interested party, by publication of a public notice in the Rockland Journal News on June 15, 2014 and the Rockland County Times on June 19, 2014 advising any such owner(s) of the necessity for repair/removal of said structures and of the public hearing in regard thereto, such newspapers having circulation in the County of Rockland and the Town of Stony Point; and

WHEREAS, said public hearing was duly held on May 13, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report, and

WHEREAS, such public hearing was continued on May 27, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report; and

WHEREAS, such public hearing was continued on June 10, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report; and

WHEREAS, such public hearing was continued on June 24, 2014 at 7:00 P.M. at 5 Clubhouse Lane, Stony Point, New York and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said report and such public hearing was closed on June 24, 2014 at 7:00 P.M.; and

NOW THEREFORE, BE IT RESOLVED as follows:

1. The above WHEREAS clauses are incorporated herein by reference.
2. The Town Board of the Town of Stony Point, after due deliberation, hereby:
 - a. determines that said structure is unsafe and dangerous and unfit for the purposes for which it may lawfully be used as a dwelling as determined by the Building Inspector and set forth specifically in the annexed report of the Building Inspector; and
 - b. orders that the doors and windows be secured against unauthorized entry until such time as the structure can be rebuilt and made fit for residential occupancy or demolished, all of which must be commenced by **June 27, 2014**, and be completed within **10 days** thereafter unless for good cause shown such time shall be extended.
3. In the event of any neglect or refusal to comply with the order of said Board, the Board shall provide for the doors and windows to be secured against unauthorized entry until such time as the structure can be rebuilt and made fit for residential occupancy or demolished as determined by the Building Inspector, and to assess all expenses thereof including legal expenses against the land on which it is located.

4. The expense so assessed shall constitute a lien and charge on the real property against which it is levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other town charges, and the same shall be placed on the tax assessment roll and levied against the property.
5. Such securing, repair and/or demolition may be accomplished in whole or in part by Town employees as directed by the Town Supervisor or may be accomplished after compliance with the State and Town bidding requirements. Compliance with State and/or Town bidding requirements shall not be required in the case of an emergency.
6. The Town Clerk, Town Building Inspector and any other necessary Town Employees are hereby authorized to take any and all actions required to carry out the provisions of this Resolution.
7. This Resolution shall take effect immediately.

PROPERTY MAINTENANCE 13 JERBEN DRIVE (20.15-2-29)

A motion was made by Supervisor Finn, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to exercise Section 161-12 of the Property Maintenance Law of the Town of Stony Point at 13 Jerben Drive.

PROPERTY MAINTENANCE 2 FLORUS CROM CT (20.07-1-46)

A motion was made by Supervisor Finn, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to exercise Section 161-12 of the Property Maintenance Law of the Town of Stony Point at 2 Florus Crom Court.

PROPERTY MAINTENANCE 7A ELM DR (20.05-3-4)

A motion was made by Supervisor Finn, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to exercise Section 161-12 of the Property Maintenance Law of the Town of Stony Point at 7A Elm Drive.

PROPERTY MAINTENANCE 9 CHESTNUT ST. (15.04-2-54)

A motion was made by Supervisor Finn, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to exercise Section 161-12 of the Property Maintenance Law of the Town of Stony Point at 9 Chestnut Street.

DISCUSS – BROADCASTING TOWN BOARD MEETINGS

Supervisor Finn spoke, advising that he will be obtaining further quotes for this and will report back at a future meeting.

EMERGENCY WORK – GOLF COURSE

A motion was made by Supervisor Finn, seconded by Councilman Basile and **unanimously carried** by a voice vote of all board members present to approve the emergency repair of the irrigation heads and valves at Patriot Hills Golf Club by National Lawn Sprinklers at a cost of \$1,978.00.

EMERGENCY WORK – PARKS VEHICLE

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 an emergency repair of a Buildings and Grounds vehicle with a bent axle. The repair was done by McDonald and McDonald at a cost of \$1484.00.

APPROVE MONIES - BUILDING & FACILITIES IMPROVEMENT FUND

A motion was made by Supervisor Finn, seconded by Councilman White and **unanimously carried** by a voice vote of all board members present to approve monies (\$13,427.23) to be taken out of Building & Facilities Improvement Fund and disbursed

as follows: Town Hall bathroom renovation (2nd floor) \$4,237.46, Chimney installation at Rho \$3,950.00, Taco circulator pump Honeywell thermostat at Justice Court \$3,850.00, and Town Hall bathroom renovation (1st floor) \$1,389.77. Monies cannot be withdrawn from this fund until 30 days after July 3rd, 2014.

APPROVE BUDGET TRANSFERS

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 budget transfers per Financial Director and filed in the Town Clerk's Office.

SUMMIT SCHOOL SUMMER WORK PROGRAM

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 Sy Samuels' request to run the 2014 Summit School Youth Program at the Highway Department in the Town of Stony Point.

SUPPORT – PROPOSAL FOR CASINO IN THE TOWN OF TUXEDO, NY

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

RESOLUTION – TOWN BOARD OF STONY POINT, NEW YORK IN SUPPORT OF THE APPLICATION TO DEVELOP AND OPERATE A DESTINATION CASINO RESORT ON LAND LOCATED ADJACENT TO NEW YORK STATE HIGHWAY ROUTE 17A IN THE TOWN OF TUXEDO BY RW ORANGE COUNTY LLC

WHEREAS, on March 31, 2014, the New York Gaming Facility Location Board (the "**State Gaming Board**") issued a Request for Applications to Develop and Operate a Gaming Facility in New York State (the "**RFA**") pursuant to The Upstate New York Gaming Economic Development Act of 2013; and

WHEREAS, RW Orange County LLC, an affiliate of Genting Americas Inc., has entered into contracts relating to purchase of land in the Town of Tuxedo, County of Orange, known as Tax IDs 1-1-52.25, 1-1-36.32, 1-1-59.2, 1-1-52.26 and 1-1-37.2 on the Orange County website (the "**Project Site**"). The Project Site is situated on New York State Route 17A approximately two and one half miles northwest of the intersection of New York State Route 17 and New York State Route 17A; and

WHEREAS, RW Orange County LLC, its affiliates and principals, are qualified applicants with substantial experience in financing, developing and operating entertainment, restaurant and gaming facilities; and

WHEREAS, RW Orange County LLC has stated an intent to file an application with the State Gaming Board in response to the RFA (the "**Application**") seeking a license to develop and operate a Gaming Facility, with a hotel and other amenities, including retail space and entertainment venues (the "**Gaming Project**") on the Project Site. As a condition of filing its application with the State Gaming Board, RW Orange County LLC is required to demonstrate community support for its application; and

WHEREAS, the Town Board of the Town of Stony Point ("**Town Board**") recognizes the uniqueness of the Project Site, the qualifications of RW Orange County LLC and the opportunity the Gaming Project represents to the region; and

WHEREAS, by encouraging the development and operation of the Gaming Project at the Project Site by RW Orange County LLC, the Town of Stony Point ("**Town**") and the County of Rockland ("**County**") will substantially expand their tourism base by providing services and overnight accommodations for visitors as part of a balanced economy and will expand the tax base of the Town and the County. For these, and other reasons, the Town Board believes that the development and operation of the Gaming Project at the Project Site would have a positive impact on the Town; and

WHEREAS, representatives of Genting Americas have contacted the Town of Stony Point and requested the support of the Town of Stony Point for the Gaming Project; and

WHEREAS, the Town Board is in full support of the Gaming Project and RW Orange County LLC's Application to the State Gaming Board for a license to develop and operate the Gaming Facility at the Project Site; and

NOW, THEREFORE, IT IS HEREBY RESOLVED, that in furtherance of the above goals, the Town Board fully supports the Application to be filed by RW Orange County LLC with the State Gaming Board for the development and operation of the Gaming Project on the Project Site and fully supports and encourages the development and operation of the Gaming Project on the Project Site by RW Orange County LLC and its successors and assigns.

This Resolution shall be effective immediately.

RESOLUTION AUTHORIZING CROSS MARKETING LETTER OF INTENT FOR GENTING AMERICAS INC.

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

**RESOLUTION AUTHORIZING CROSS MARKETING
LETTER OF INTENT FOR GENTING AMERICAS INC.**

WHEREAS, on March 31, 2014, the New York Gaming Facility Location Board (the "**State Gaming Board**") issued a Request for Applications to Develop and Operate a Gaming Facility in New York State (the "**RFA**") pursuant to The Upstate New York Gaming Economic Development Act of 2013; and

WHEREAS, RW Orange County LLC, an affiliate of Genting Americas Inc., has entered into contracts relating to purchase of land in the Town of Tuxedo, County of Orange, known as Tax IDs 1-1-52.25, 1-1-36.32, 1-1-59.2, 1-1-52.26 and 1-1-37.2 on the Orange County website (the "**Project Site**"). The Project Site is situated on New York State Route 17A approximately two and one half miles northwest of the intersection of New York State Route 17 and New York State Route 17A; and

WHEREAS, RW Orange County LLC, its affiliates and principals, are qualified applicants with substantial experience in financing, developing and operating entertainment, restaurant and gaming facilities; and

WHEREAS, Genting Americas seeks to partner with various businesses in the region to cross-market local businesses and the proposed Genting Americas Casino in Tuxedo, New York; and

WHEREAS, the Town of Stony Point operates and maintains the Patriot Hills Golf Course in the Town of Stony Point, a facility that would benefit from the influx of visitors and patrons that would result from construction of such casino; and

WHEREAS, the representatives of Genting Americas contacted the Town of Stony Point seeking to have the Town and Genting Americas execute a cross-marketing letter of intent; and

THEREFORE, BE IT RESOLVED that:

1. The above "WHEREAS" clauses are hereby incorporated by reference.
2. The Town Board hereby approves the execution of the annexed cross-marketing letter of intent by the Supervisor.
3. The Resolution shall take effect immediately.

SUPERVISOR'S APPOINTMENT – DIRECTOR OF FINANCE

Supervisor Finn announced that he was appointing Karen Cappabianca as Director of Finance for the Town of Stony Point, effective June 30, 2014 to replace Jennifer Sciscente who will be moving out of state.

EXECUTIVE SESSION

At 8:45 pm a motion was made by Supervisor Finn, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to enter into executive session to discuss contract negotiations. Supervisor Finn announced that no votes would be taken.

ADJOURN

The June 24, 2014 Stony Point Town Board meeting adjourned at 10:45 pm and no further votes were taken.

Respectfully submitted

Joan Skinner – Town Clerk