

**STONY POINT TOWN BOARD WORKSHOP MEETING-FEBRUARY 3,  
2010**

A Special Workshop Meeting of the Town Board of the Town of Stony Point, Rockland County, New York, was held on February 3, 2010 at 6:00 P.M. at Rho Building, 5 Clubhouse Lane, Stony Point, New York. The meeting began with the Pledge of Allegiance. The following roll call was recorded:

PRESENT:	Mr. Geoffrey Finn	Councilman
	Mr. Louis Vicari	Councilman (joined us as soon as the meeting commenced)
	Mr. James White	Councilman
	Mrs. Luanne Konopko	Councilwoman
	Mr. William E. Sherwood	Supervisor

ABSENT: None

Supervisor Sherwood opened this Workshop Meeting at 6:00 PM.

Robert Geneslaw, Planning & Development Consultants addressed the Board regarding the following items:

- **Contract Renewal** – same rates as 2009 and covers services provided directly to the Town Board, not including services for the Planning Board and Zone Board which are paid for by the applicant, and does not include any work done on the Master Plan.
- **Environmental Protection Law** – discussion between Mr. Geneslaw, Town Board members and Special Counsel regarding:
  - Court activity has now been resolved
  - Does the Town Board wish to continue with the Environmental Protection Law that was being considered last year
  - Mr. Geneslaw had prepared a progress report in December
  - As the proposed law is now written eight properties within the Town would be subject to it
    - Buildings or structures in excess of 12,000 sq. ft.
  - Planner would like clarification so they do not depart from what the Town Board is looking for
  - A public records search would need to be done to obtain environmental study
  - Planner will prepare a budget to present to Town Board
- **Comprehensive Master Plan**
  - Presented the Town Board with a memo dated 2/3/10 giving a brief history of the Master Plan Update process and the next steps to be taken.
- **Zoning Amendments to Allow Emergency Services in Certain Locations within the Town** (Item not listed on agenda)  
Mr. Geneslaw presented the Town Board with a memo dated 2/3/10 outlining cost estimate and suggestions for informational purposes.
- **Amending Zone Code to Permit Townhouses in RR District** No presentation on this item by Mr. Geneslaw. Martin Feldi, the property owner, was unable to attend this meeting. General discussion between Town Board members and Mr. Geneslaw developed.

**POLICE MATTERS:**

- **CHIEF BROPHY'S TIME RECORD**  
Chief Brophy presented his time sheet for the month of January 2010.

A motion was made by Councilwoman Konopko and seconded by Councilman White to approve Chief Brophy's time record for the month of January 2010.

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

- **DEPARTMENT OVER-TIME REPORT**

The over-time report for the month of January 2010 was presented and discussed.

- **DEPARTMENT SICK LEAVE REPORT**

The sick leave report for the month of January 2010 was presented and discussed, including the contractual item of family sick leave.

- **TRAINING REQUEST – NY Tactical Training Conference**

A motion was made by Councilman White and seconded by Councilman Finn to approve the training request for a certain police officer to attend the NY Tactical Training Conference in Verona, NY on April 27 – 29, 2010 at a cost of \$561. Use of a department vehicle was also authorized.

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

- **OBTAIN CIVIL SERVICE LIST – POLICE OFFICER POSITION**

A motion was made by Councilwoman Konopko and seconded by Councilman Vicari to authorize Chief Brophy to obtain the civil service list for the position of police officer from Rockland County Personnel.

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mrs. Konopko

NAYS:Mr. White, Supervisor Sherwood

- **LAW ENFORCEMENT OFFICERS SAFETY ACT**

A motion was made by Supervisor Sherwood and seconded by Councilman Finn to approve the following resolution:

**LAW ENFORCEMENT OFFICERS SAFETY ACT**

WHEREAS, the United States Congress amended the Gun Control Act of 1968, 18 U.S.C. Sect. 921-930 by adopting the Law Enforcement Officers Safety Act of 2004, 18 U.S.C. Sect. 926B-926C (“LEOSA”) to increase public safety by (1) establishing parity between state and local law enforcement officers (“LEO’s”) and their federal counterparts who can carry nationwide, (2) providing an additional unpaid homeland security force of active and retired LEOs who may carry firearms nationwide, and (3) enabling active and retired LEOs to defend themselves, their families, and others against criminals and terrorists; and;

WHEREAS, in accordance with 18 U.S.C. Sect. 926B, over 700,000 qualified federal, state, and local active LEOs from around the nation are authorized to carry any firearm concealed nationwide and within New York, subject to certain limitations, notwithstanding state laws to the contrary; and

WHEREAS, in accordance with 18 U.S.C. Sect. 926C, qualified and certified federal, state, and local retired LEO's are authorized to carry any firearm concealed nationwide and within New York, subject to certain limitations, notwithstanding state laws to the contrary; and

WHEREAS, retired LEOs can either be qualified and certified for nationwide concealed carry by the government agency they retired from or by the state in which they reside. The states which have established certification programs include Arizona, Connecticut, Delaware, Florida, Hawaii, Illinois, Kentucky, Maryland, Massachusetts, Michigan, Missouri, Nevada, New Jersey, Virginia, and Washington; and

WHEREAS, New York State has not established a certification program for retired LEOs residing here, so some law enforcement agencies have established programs from their own retired LEOs. The Rockland County Police & Public Safety Academy has established such a program for its retired LEOs and has also qualified retired LEOs from other agencies; and

WHEREAS, it will increase public safety and the safety of our retired LEOs to enable retired officers from Stony Point Police Department to be qualified and certified by the Rockland County Police & Public Safety Academy; and now, therefore, be it

RESOLVED, by the Town Board of the Town of Stony Point as follows:

1. This resolution establishes the policy of the Town with respect to the qualification and certification of the Town's retired LEOs using the same course of fire required for active law enforcement officers in this State;
2. That the Rockland County Police & Public Safety Academy is hereby designated as the agency to qualify and certify retirees from the Stony Point Police Department in accordance with 18 U.S.C. Sect. 926C on behalf of the Stony Point Police Department, and at no cost or liability to the Town of Stony Point; and
3. That the Chief of Police of the Stony Point Police Department is hereby authorized to issue a retired officer photographic identification card upon request to each of the LEOs who retired in good standing from the Stony Point Police Department. Each card shall, at a minimum, include the name and photograph of the bearer, the phrase "Retired Law Enforcement Officer," the date of retirement, the name, address, and telephone number for the Stony Point Police Department; and
4. Prior issuance of a retired officer photographic identification card, the retiree shall provide the Chief with a signed acknowledgment that the identification card a) does not confer any law enforcement authority or authority to carry a firearm, b) does not establish any agency or employment relationship with the Town; c) remains the property of the Town and will be surrendered and returned to the Town upon request of the Chief for any reason; and
5. It shall be presumed that any retired LEO from the Town Police Department retired in good standing if the retiree is receiving a pension based upon their honorable service with Stony Point or is eligible therefore, unless demonstrated otherwise by a preponderance of the evidence that at the time of retirement there was a determination made or action initiated to remove, or proposing to remove the employee from employment;
6. Any appeals from the denial or revocation of a photographic identification card by the Chief of Police shall be made in writing to this Board within forty-five days of the denial or is waived;

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

- **STOP DWI FUNDING for 2010**

A motion was made by Councilwoman Konopko and seconded by Councilman White to authorize Supervisor Sherwood to execute the letter agreement for STOP- DWI Funding for 2010 in the amount of \$1,970.87.

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

- **MAINTENANCE AGREEMENT POLICE DEPT VOICE RECORDER**  
A motion was made by Councilman White and seconded by Councilman Finn to approve the maintenance agreement between the Stony Point Police Dept. and Business Electronics, Inc. for maintenance of a NICE Mirra Series Voice Recorder at the police station in the amount of \$1,050.

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

- **ORDER POLICE VEHICLES**  
After much discussion between Chief Brophy and the Town Board the following action occurred:

**ACTION**

A motion was made by Councilman Finn and seconded by Supervisor Sherwood to authorize the purchase of two police vehicles from state bid as follows:

PO 2148 Warnock Automotive Inc. 2010 Crown Vic	\$22,129.00	
PO 2149 Hoselton Chevrolet, Inc. 2010 Tahoe		\$28,203.67

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mrs. Konopko, Supervisor Sherwood

NAYS:None

ABSTAIN: Mr. White

**TOWN BOARD:**

The following items were presented after the agenda was formulated. Due to timing, action on the next four items was required:

**Mass Gathering Permit – Stony Point Seals**

A motion was made by Councilman White and seconded by Councilman Finn to waive the public hearing for the purpose of a mass gathering permit and to issue the mass gathering permit for the Stony Point Seals, Inc. for their Polar Plunge fundraising event on February 7, 2010 in the area of the Grassy Point Seawall on River Road.

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

**Thirty Day Waiver – Liquor License**

A motion was made by Councilman Vicari and seconded by Councilman White to waive the thirty day notice requirement for Hogan's Family Diner, 56 South Liberty Dr. to apply for renewal of their liquor license.

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

**Set Town Board Meetings**

A motion was made by Councilwoman Konopko and seconded by Councilman Vicari to set the 1<sup>st</sup> Wednesday of each month as the Town Board Workshop meeting and the **Tuesday following the first Wednesday** as the regular Town Board meeting. The time for both meetings was set for **7:00 pm**.

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

**Community Block Grant**

Supervisor Sherwood explained that Community Block Grant applications have been prepared and submitted for a handicap accessible bathroom in the Emergency Operations Center at the Police Dept. and one for economic development in the Town, however, authorization from the Town Board was missing.

**ACTION**

A motion was made by Councilman Vicari and seconded by Councilman White as follows:

**RESOLUTION REGARDING COMMUNITY BLOCK GRANT**

**WHEREAS**, the Town of Stony Point wishes to submit an application to be considered for a Community Block Grant administered by the Rockland County Office of Community Development, now therefore, be it

**RESOLVED** that the Town of Stony Point is hereby authorized to submit an application for federal funding under the Community Block Grant Program.

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

**TOWN BOARD:**

The following agenda items and were discussed and action was taken on those items as indicated:

**Discharge of Firearms Complaints**

Councilman Finn reported that a meeting had been held and attended by approximately 25 residents, as well as Chief Brophy and Councilman Vicari. It was decided that prior to next hunting season classes will be offered to educate the people as to where they are able to hunt within the Town. The Town Clerk's Office will be asked to distribute flyers to the hunters with regard to these classes and press releases will be done closer to hunting season. No further action is necessary at this time.

**Appointment of Planning Board Member**

Supervisor Sherwood is in the process of obtaining more resumes. This matter will be put off until the March meeting.

**Appointment of Zoning Board Member**

Supervisor Sherwood is in the process of obtaining more resumes. This matter will be put off until the March meeting.

**Insurance Coverage**

This matter was addressed during Executive Session by our insurance agent, Frank Borelli from the Ducey Agency.

**Permits for Private Snow Plow Contractors**

Pros and cons were discussed between Town Board members, the Superintendent of Highways and the Chief of Police.

**Letter of Credit – Lily Pond**

Deputy Special Counsel, Elizabeth Verrier explained that there had been no response from the builder after various attempts to reach them. The proper paperwork has been sent to Key Bank. They now have 3 business days to review our site draft and respond. An updated report will be given at the February 9, 2010 meeting.

**Highway Work for the Cliffs**

Town Engineer, Kevin Maher has requested proposals for topographical work.

**Patriot Hills Golf Course- Re-Hires**

A motion was made by Councilman White and seconded by Councilman Finn to rehire the following people to be employed at the Patriot Hills Golf Club for operations purposes at the wages indicated:

Starters:

- Rich Sloboda \$9.69 per hour
- John Esposito \$9.69 per hour
- Mike Telesco \$9.69 per hour
- Al Standish \$9.69 per hour
- Mike McFadden \$9.69 per hour

Cart Attendants:

- Joe Gizzi \$7.75 per hour
- Alex Filor \$7.75 per hour
- Jim Monaghan \$7.75 per hour
- Tim McLoughlin \$7.75 per hour
- Sean Murray \$7.75 per hour
- Philip Hirsch \$7.75 per hour
- Ryan Condon \$7.75 per hour
- Alex Filor \$7.75 per hour
- Daniel Gizzi \$7.75 per hour
- Neil O’Sullivan \$7.75 per hour
- Kyle Sullivan \$7.75 per hour

Pro Shop:

- Hughann Limpert \$10.20 per hour
- Sooky Welsh \$10.20 per hour
- Jeri Meany \$10.20 per hour
- Pete Muller \$10.20 per hour
- Lauren Capul \$ 8.16 per hour

Rangers:

- Joe Anginoli \$7.75 per hour
- Gary Dwyer \$7.75 per hour
- John Giblin \$7.75 per hour
- John Hanchar \$7.75 per hour
- Pete Larkin \$7.75 per hour
- Pat Sullivan \$7.75 per hour
- Kevin Sullivan \$7.75 per hour
- Kevin Twibell \$7.75 per hour
- Rich Coyne \$7.75 per hour
- Bob Rennie \$7.75 per hour
- Paul Tirc \$7.75 per hour
- Frank Bevelacqua \$7.75 per hour
- William Goetz \$7.75 per hour
- Anthony Losquadro \$7.75 per hour

Cart/Range Supervisor:

John Sottile \$9.69

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

**Golf Course Maintenance - Conference**

A motion was made by Councilwoman Konopko and seconded by Councilman Finn to approve Joe Smyth and Vincent Moreno’s attendance at the NYS Turfgrass Southeast Regional Conference, February 23-24 at a cost of \$300.00.

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

**Bids - Golf Course Pesticides & Fertilizers**

A motion was made by Councilman White and seconded by Supervisor Sherwood to authorize the Town Clerk to advertise for bids for pesticides and fertilizers for the 2010 golf season.

The following roll call vote was recorded and the motion was duly **adopted**:

AYES:Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

**Golf Course Maintenance Seasonal Employees**

A motion was made by Councilman White and seconded by Councilman Vicari to rehire the following seasonal employees for 2010 golf course maintenance at \$11.93 per hour: Jose Deleon, Rafael Moncion, Pedro Delosangles, Richard Hernandez, Louis Reyes, Alex Deleon, Andre Vasquez, Pedro Taveras.

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

**Solid Waste Fund Balance**

A motion was made by Councilman White and seconded by Councilman Finn to authorize an appropriation of \$3,000 to the Solid Waste Fund balance.

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

**Budget Transfers**

A motion was made by Councilman White and seconded by Supervisor Sherwood to authorize budget transfers as follows:

<u>GENERAL FUND:</u>	<u>NO CONTINGENCY USED</u>	<u>Debits</u>	<u>Credits</u>
A1010.2	TOWN BOARD EQUIPMENT	\$1,863.00	
A1110.1	JUSTICE COURT PERSONAL SERVICE	\$5,400.75	
A1110.2	JUSTICE COURT EQUIPMENT		\$1,548.22
A1110.201	JUSTICE COURT EQUIPMENT-GRANT	\$10,317.50	

A1220.1	SUPERVISOR'S PERSONAL SERVICE	\$1,377.08	
A1220.2	SUPERVISOR'S EQUIPMENT	\$19,652.62	
A1330.4	TAX RECEIVER'S EXPENSE	\$5,587.54	
A1355.1	ASSESSOR'S PERSONAL SERVICE	\$1,649.05	
A1355.402	TAX CERT EXPENSE		\$178,288.65
A1355.403	TAX CERT EXPENSE-MIRANT	\$113,527.85	
A1410.1	TOWN CLERK'S PERSONAL WAGES	\$2,813.46	
A1420.402	TOWN ATTORNEY-SPECIAL COUNSEL	\$36,391.61	
A1420.403	LEGAL FEES HUDSON LANDING	\$766.66	
A1440.2	ENGINEER EQUIPMENT	\$8,361.30	
A1440.4	ENGINEER EXPENSE	\$4,126.63	
A1460.2	REC MANAGEMENT EQUIPMENT	\$1,130.23	
A1620.201	BUILDINGS EQUIPMENT-TOWN HALL	\$4,272.02	
A1620.205	BUILDINGS EQUIPMENT-RHO	\$1,915.56	
A1620.206	BUILDINGS EQUIPMENT-JUSTICE COURT	\$4,800.00	
A1620.401	BUILDING EXPENSE-TOWN HALL	\$877.39	
A1620.402	BUILDING EXPENSE-TRAILER	\$494.56	
A1620.404	BUILDING EXPENSE-KIRKBRIDE	\$13,430.18	
A1620.405	BUILDING EXPENSE-RHO	\$681.15	
A1620.406	BUILDING EXPENSE-JUSTICE COURT	\$9,965.00	
A1620.407	BUILDING EXPENSE-POLICE	\$1,277.90	
A1620.408	BUILDING EXPENSE-PARKS GARAGE	\$966.46	
A1620.410	BUILDING EXPENSE-LETCHWORTH	\$7,751.11	
A1950.4	TAXES	\$1,641.40	
A3120.201	POLICE EQUIPMENT RESTRICTED SALES	\$14,415.95	
A3120.201	POLICE EQUIPMENT	\$55,988.50	
A3310.4	TRAFFIC CONTROL	\$4,312.40	
A3410.4	FIRE INSPECTOR EXPENSE	\$9.38	
A3510.1	DOG WARDEN-PERSONAL SERVICES	\$94.75	
A3610.1	ARB-PERSONAL SERVICE	\$367.25	
A4020.1	REGISTRAR-PERSONAL SERVICE	\$17.83	
A5010.1	SUPT. OF HIGHWAYS-PERSONAL SERVICE	\$307.67	
A5010.4	SUPT. OF HIGHWAYS EXPENSE	\$46.29	
A5132.1	HIGHWAY GARAGE-PERSONAL SERVICE	\$4,132.92	
A5132.4	HIGHWAY GARAGE-EXPENSE	\$5,479.26	
A7110.102	PARK GUARDS		\$13,102.19
A7110.104	YOUTH LABORERS	\$6,068.40	
A7110.11	PARKS-PERSONAL SERVICE	\$22,681.56	
A7110.202	PARKS EQUIPMENT-NEW BUS	\$48,346.00	
A7110.2	PARKS EQUIPMENT		\$36,995.93
A7110.4	LIEU OF LAND	\$1,017.00	
A7150.4	POOL-EXPENSE	\$1,615.67	
A7310.102	RECREATION PROGRAM WAGES		\$12,412.24
A7310.103	PLAYGROUND COUNSELORS	\$12,407.33	
A7310.104	MINI CAMP WAGES	\$107.10	
A7310.105	ICE SKATING WAGES	\$883.79	
A7310.2	YOUTH EQUIPMENT		\$3,038.01
A7310.401a	DAY CAMP TRIPS	\$22,800.00	
A7310.401a	DAY CAMP EXPENSE	\$1,122.08	
A7310.403	PLAYGROUND EXPENSES	\$827.48	

A7310.405	DIRECT ICE SKATING EXPENSE	\$850.00	
A7320.4	CAMP VENTURE		\$2,000.00
A7550B	WALDRON CEMETARY EXCPENSES	\$163.82	
A7550C	QUADRACENTENNIAL EXPENSES	\$3,792.42	
A7550.4	CELEBRATION EXPENSES	\$619.25	
A7620.4	SENIOR CITIZENS- EXPENSE	\$3,147.15	
A8010.1	ZONING PERSONAL SERVICE	\$1,386.66	
A8010.2	ZONING EQUIPMENT	\$534.30	
A8020.1	PLANNING PERSONAL SERVICE	\$103.29	
A8020.2	PLANNING EQUIPMENT	\$608.04	
A8160.4	SANITATI ON		\$138,859.47
A9010.8	STATE RETIREMENT	\$4,987.93	
A9015.8	POLICE RETIREMENT		\$376,155.00
A9060.8	HEALTH AND DENTAL- GENERAL		\$93,139.93
A9089.8	METRO TAX	\$17,550.66	
A9710.4	DEBT SERVICE EXPENSE	\$2,025.50	
A9725	NYS LOAN PRINCIPAL	\$66,703.00	
A9735	NYS LOAN INTEREST	\$27,815.00	
A9785.6	INSTALLMENT PURCHASE DEBT	\$100,893.00	
A9785.7	INSTALLMENT PURCHASE DEBT INTEREST EXP	\$7,345.00	
A9901	INTERFUND TRANSFER EXPENSE	\$152,928.00	
		<hr/>	
		<u>\$855,539.64</u>	<u>\$855,539.64</u>

HIGHWAY:

NO CONTINGENCY USED	
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D2620.1	HUDSON LANDING FORFEITURE		\$8,220.84
D3501A	STATE AID - CHIPS		\$14,381.64
D2770A	MISC. INCOME		\$444.33
D5110.1	GENERAL REPAIRS-PERSONAL SERVICES	\$7,896.30	
D5110.4	GENERAL EXPENSE- REGULAR	\$38,491.07	
D5130.1	MACHINERY-PERSONAL SERVICES	\$513.33	
D5130.2	MACHINERY- EQUIPMENT		\$180,446.03
D5130.4	EQUIPMENT/MACHINE EXPENSE		\$26,592.22
D5142.1	SNOW REMOVAL-PERSONAL EXPENSE		\$1,735.25
D5142.4	SNOW REMOVAL-O/T EXPENSE	\$21,939.30	
D9010.8	RETIREME NT	\$4,331.30	
D9030.8	EMPLOYEE BENEFITS- SOCIAL SECURITY	\$664.33	
D9060.8	EMPLOYEE BENEFITS-HEALTH AND DENTAL		\$17,880.65
D9089.8	METRO TAX	\$2,033.33	
D9785.6	INSTALLMENT PURCHASE DEBT	\$155,888.00	
D9785.7	INSTALLMENT PURCHASE DEBT INTEREST	\$17,944.00	
		<hr/>	
		<u>\$249,700.96</u>	<u>\$249,700.96</u>

SEWER:

NO CONTINGENCY
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	<u>USED</u>		
S1989.4	MISC.-	\$4,454.59	
	OTHER		
S8130.1	SEWER-PERSONAL	\$3,946.36	
	SERVICES		
S8130.2	EQUIPMENT-TREATMENT		\$46,724.26
	AND DISPOSAL		
S9089.8	METRO	\$1,003.31	
	TAX		
S9785.6	SEWER-	\$31,049.00	
	INSTALLMENT DEBT		
S9785.7	SEWER-INSTALLMENT	\$6,271.00	
	INTEREST		
		<u>\$46,724.26</u>	<u>\$46,724.26</u>

SOLID  
WASTE:

SR8160.4	SOLID WASTE	\$3,000.00	
	EXPENSES		
SR599	APPROPRIATED FUND		\$3,000.00
	BALANCE		
	(necessary as interest income came in low)		

ENTERPRISE: NO CONTINGENCY  
USED

E7140.1	PERSONAL SERVICES-	\$50,000.00	
	MAINTENANCE		
E7140.2	GOLF MAINTENANCE		\$54,114.90
	EQUIPMENT		
E7180.1	GOLF OPERATIONS PERSONAL	\$10,000.00	
	SERVICES		
E7180.402	RESALE	\$58,101.48	
	MERCHANDISE		
E7180.401	GOLF COURSE OPERATIONS		\$60,863.44
	EXPENSE		
E7197	CLUBHOUSE EXPENDITURES	\$2,425.00	
E9060.8	HEALTH AND DENTAL-GOLF		\$12,073.98
	COURSE		
E9089.8	METRO	\$2,394.84	
	TAX		
E9785.7	INSTALLMENT DEBT	\$4,131.00	
	INTEREST		
		<u>\$127,052.32</u>	<u>\$127,052.32</u>

AMBULANCE:

M4540.404	MEDICAL AMBULANCE	\$313,301.77	
	BILLING MONIES		
M1640	AMBULANCE BILLING INCOME		\$313,301.77
		<u>\$313,301.77</u>	<u>\$313,301.77</u>

STREET  
LIGHTING

NONE

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

**Reserve Annual Restricted Balances in Existing Accounts**

A motion was made by Councilman White and seconded by Councilwoman Konopko to authorize reserving annual restricted balances in existing accounts as follows.

<u>A/C #</u>	<u>TITLE</u>	<u>BALANCE</u>	<u>TO RESERVE ACCOUNT</u>	<u>12/31/2009 RESERVE BALANCES</u>
<u>REVENUES</u>				
A2620.1	HUDSON LANDING INCOME-RESTRICTED	\$766.66	A0889I	\$0.0
A2626A	FORFEITED LOCAL CRIME PROCEEDS	\$2,001.00	A0889A	\$2,683.8
A2626b	FORFEITED FEDERAL CRIME PROCEEDS	\$52,623.88	A0889G	\$52,623.8
A2665B	SALE OF EQUIPMENT-PD RESTRICTED	\$26,863.63	A0889B	\$14,778.6
A2705.B	WALDRON CEMETERY RESTORATION	\$500.00	A0889D	\$836.1
A2705.C	QUADRACENTENIAL CELEBRATION	\$1,100.00	A0889E	\$0.0
	INCOME			
A3589	STATE AID-SENIOR BUS	\$45,000.00	A08898	\$0.0

D5001	INTERFUND TRANSFER (SALT)	\$142,553.00	D0889D	\$142,553.00
D2620.1	HUDSON LANDING INCOME-RESTRICTED	\$29,295.34	D0889I	\$0.00
D2650	SALE OF SCRAP-RESTRICTED	\$22,316.10	D0889B	\$25,999.80
D2665B	SALE OF EQUIPMENT-RESTRICTED	\$3,670.00	D0889A	\$14,028.00
M2401A	INTEREST INCOME-AMB. BLDG FUND	\$4,485.61	M0889	\$531,557.60
 <u>EXPENSES</u>				
A1110.201	JUSTICE COURT GRANT EXPENSES	-\$10,317.50	A0889F	\$1,232.50
A1420.403	LEGAL FEES-HUDSON LANDING	-\$766.66	A0889I	
A3120.201	POLICE EQUIPMENT SALES-RESTRICTED	-\$14,415.95	A0889B	
A7110.202	SENIOR BUS	-\$45,000.00	A0889I	
A7550B	WALDRON CEMETARY EXPENSES	-\$163.82	A0889D	
A7550C	QUADRACENTENIAL EXPENSES	-\$1,600.00	A0889E	
D5110.401	HUDSON LANDING PAVING	-\$29,295.34	D0889I	
D5130.401	HIGHWAY TOOLS	-\$16,870.26	D0889B	
S8130.201	REPAIR AND IMPROVEMENTS-RESTRICTED	-\$23,345.00	S0889	\$0.00
 <u>RESERVE ACCOUNTS WITH NO ACTIVITY</u>				
	MISCELLANEOUS RESERVE-DARE		A0889C	\$9,445.70
	MISCELLANEOUS RESERVE-CAP IMPROVEMENTS		D0889C	\$135,000.00
		\$189,400.69		\$930,739.20
		<u>\$741,338.55</u>		
		<u>\$930,739.24</u>		

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

**Discuss: Credit Card Processing Firms**

This item was discussed between the Town Board and the Financial Director and no action was taken at this time.

**Highway Salt Appropriation**

A motion was made by Councilman Finn and seconded by Councilman White to authorize a \$143,553 appropriation to the reserve account for highway salt for 2010.

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

**Reserve – Retirement Payouts**

A motion was made by Councilman White and seconded by Councilman Finn to authorize reserving \$13,640.67 under-expended in the reserve for retirement payouts for future retirements and retro increases for retired police officers.

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

**NYSERTA Energy Audits**

NYSERTA energy audits have been performed on Rho & Kirkbride. Grant applications are being worked on for energy improvements for the two buildings as well as one other town owned facility.

**Competitive Bidding For Leasing**

Discussion developed regarding our current leasing policy for capital leases (leases for equipment that is purchased at the end of the lease). The Financial Director is to

look into the possibility of using a prior bond resolution deemed for paving, as a means of paying for these leases. (After inquiry it was determined that a bond earmarked for paving cannot be utilized for equipment purchases).

**Stipulation Regarding Assignment of Supervisory Personnel**

This matter was discussed in executive session.

**Building Inspector/Fire Inspector Attendance at Conference**

A motion was made by Councilman White and seconded by Councilman Finn to approve the Building Inspector and the Fire Inspector to attend the NYSBOC Conference in New York City, February 15-17, 2010 at a cost of \$100.00 each. Parking and meals are not included in the daily total.

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

**Assistant Building Inspector Attendance at Conference**

A motion was made by Councilman White and seconded by Councilman Finn to approve the Assistant Building Inspector's attendance at the Hudson Valley CEO Educational Conference April 7-9, 2010 in Poughkeepsie at a cost of \$275.00.

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

**TOWN BOARD - Town Procurement Policy**

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

**RESOLUTION REGARDING TOWN PROCUREMENT POLICY**

WHEREAS, the Town Board for the Town of Stony Point wishes by Resolution to adopt policies and procedures regarding the procurement of goods and services which are not required to be made pursuant to the competitive bidding requirements of state laws; and

WHEREAS, the Procurement Policy shall pursuant to Town Law Section 104-b(2)(f) shall be updated biennially concerning the individual or individuals responsible for purchasing and their respective titles; and

WHEREAS, the individuals responsible for purchasing is the Department heads for each Department and the assistant to the Supervisor for all Town Board requirements whose names are attached to this Resolution; and

WHEREAS, the Procurement Policy of the Town shall be set forth in detail and shall be reviewed annually pursuant to Town Law Section 104-b(4).

NOW, THEREFORE, it is resolved as follows:

1. **Adoption; applicability.** The Town of Stony Point, New York does hereby adopt the following procurement policy which is intended to apply to all goods and services which are not required by law to be publicly bid.
2. **Determination of purchase.** Every purchase made will be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good-faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. As a general guide, items of work of the same or similar nature which are customarily handled by the

same vendors or contractors should be treated as single items for purposes of determining whether the dollar threshold will be exceeded.

3. **Purchases not subject to competitive bidding.** The following items are not subject to competitive bidding pursuant to § 103 of the General Municipal Law:

- A. Purchase contracts under \$10,000 and public works contracts under \$30,000.
- B. Emergency purchases.
- C. Goods purchased from correctional institutions or agencies for the blind or severely handicapped.
- D. Purchases under state and county contracts.
- E. Surplus and secondhand purchases from another governmental entity.
- F. Items which may only be purchased from one source.
- G. Goods purchased at auction.
- H. Professional Services.
- I. True Leases.

4. **Documentation of decision regarding bidding.** The decision that a purchase is not subject to competitive bidding will be documented, in writing. This documentation may include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase or any other written documentation that is appropriate.

5. **Purchase to be at lowest price and responsible provider.** All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest price and responsible provider.

6. **Methods of purchase.**

A. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

<b>Estimated Amount of Purchase Contract</b>	<b>Method</b>
\$250 to \$2,999	2 verbal quotations
\$3,000 to \$9,999	3 written/FAX quotations or written request for proposals

<b>Estimated Amount of Public Works Contract</b>	<b>Method</b>
\$250 to \$2,999	2 verbal quotations
\$3,000 to \$4,999	2 written/FAX quotations
\$5,000 to \$19,999	3 written/FAX quotations or written request for proposals

B. A good-faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

7. **Documentation required.**

- A. Documentation is required for each action taken in connection with each procurement.
- B. Documentation and an explanation is required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings and/or why it is in the best

interests of the Town and its taxpayers to make an award to other than the low bidder and/or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may be reviewed by the Town Board.

- C. A Request for Proposal may be restricted within the Town or county, provided that it does not violate this Policy. In the event that a Request for Proposal will contain such a geographic restriction the purchaser shall document the manner in which it does not violate this Policy.

8. **Alternative proposals not required.**

Pursuant to General Municipal Law § 104-b, Subdivision 2f, a procurement policy may contain circumstances when, or types of procurements for which, in the sole discretion of the Town Board, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the Town of Stony Point to solicit quotations or document the basis for not accepting the lowest bid:

- A. Professional services or services requiring special or technical skill, training or expertise.

(1) The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price, and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures. In determining whether a service fits into this category, the Town Board shall take into consideration the following guidelines:

- (a) Whether the services are subject to state licensing or testing requirements.
- (b) Whether substantial formal education or training or successful experience is a necessary prerequisite to the performance of the services.
- (c) Whether the services require a personal relationship between the individual and municipal officials.

(2) Professional shall include but not be limited to the following: services of an attorney; services of a physician; services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; economic development; professional; printing services involving extensive writing, editing or art work; management of municipally owned property; and computer software or programming services for customized programs or services involved in substantial modification and customizing of prepackaged software.

(3) The Town by and through the Town Board may, at its discretion, require that the professional provide the following:

- (a) A completed acquisition form submitted to the department head which provides a request for work to be performed, including hours to be spent, description of work to be performed and projected cost.
- (b) The Town shall have the option of obtaining additional quoted for the services to be provided and may accept a lower quote.
- (c) In the event that the cost of services to be provided shall exceed the amounts specified on the acquisition form the professional shall submit an extension request form to the Town Board for approval prior to expending additional materials or services in excess of the amount specified in the original acquisition form.
- (d) Prior to payment the professional shall submit the following:
  - [1] Complete description of work performed;
  - [2] Where appropriate, hours for each item with appropriate rate charged; and
  - [3] Copy of approved acquisition form signed by any appropriate department head together with any signed extension forms for sums due in addition to the amounts set forth in the original acquisition form.

- B. Emergency purchases pursuant to § 103, Subdivision 4, of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately, and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This subsection does not preclude alternate proposals, if time permits.
  - C. Purchases of surplus and secondhand goods from any source. If alternate proposals are required, the Town is precluded from purchasing surplus and secondhand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods, and a lower price may indicate an older product.
  - D. Goods or services under \$250. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition it is not likely that such small contracts would be awarded based on favoritism.
9. **Effective date; annual review.** This policy shall go into effect February 3, 2010, and will be reviewed annually.

**NAMES OF INDIVIDUALS RESPONSIBLE FOR PURCHASING  
PURSUANT TO THIS TOWN PROCUREMENT POLICY**

1. Rosemarie Caramanno, Assistant to Supervisor, is responsible for the purchase of all office supplies.
2. Larry Brissing, Superintendent of Highways for Highway Department.
3. Chief Patrick M. Brophy, Police Chief for the Police Department.
4. Kathy Lyons Campbell, Tax Receiver for Tax Receiver's Office
5. Judge William Franks, Senior Judge for Justice Court
6. David Fusco, Director of Golf for Golf Operations
7. James O'Connor, Chief Operator Stony Point Sewer Department for Sewer Department
8. John O'Shaughnessy, Tax Assessor for Assessor's Office
9. Richard Ryder, Superintendent Buildings, Grounds and Parks for Buildings, Ground and Parks
10. William Sheehan, Building Inspector for Building Department and Safety
11. Joan Skinner, Town Clerk for Clerk's Office
12. Joseph Symth, Golf Course Superintendent for Golf Course Maintenance

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

**Approval of RFP for Paramedic Services**

No Requests for Proposals were received for paramedic services and since the town is covered for these services until the end of 2010 and the Supervisor is in negotiations with the Town of Haverstraw regarding resuming the former arrangements for shared services, this matter will be removed until August.

**Approval of RFP for Golf Course Soft Ware**

This item was discussed and no action was taken at this time.

**Approval of Solid Bowl Centrifuge Decanter Contract**

A motion was made by Councilman White and seconded by Councilman Vicari to authorize Supervisor Sherwood, upon approval of Special Counsel, to execute the agreement with Andritz Environment & Process in the amount of \$416,950 for the Solid Bowl Centrifuge Decanter for the sewer department.

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

**Highway Department Bid for Equipment**

This item was discussed at length between the Superintendent of Highways and the Town Board and no action was taken at this time.

**AAU Basketball - Use of Facility**

The Town Board asked for clarification on this item.

**Cablevision – Public Access**

Supervisor Sherwood will complete the application.

**Stony Point vs. Horowitz**

This matter was addressed during Executive Session.

**Highway/Building Dept - WINK’S/TBC Service Agreement**

A motion was made by Councilman Finn and seconded by Councilwoman Konopko to authorize one pesticide/weed application in 2010 by WINK’S/TBC for the Highway Department at an approximate cost of \$1,800 and one application in 2010 for the Buildings & Grounds Department at an approximate cost of \$1,500. If additional applications are needed Town Board approval must be given.

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

**Environmental Compliance Training**

This item was discussed and removed from the agenda.

**Attendance Association of Towns**

A motion was made by Councilman White and seconded by Councilman Finn to authorize Supervisor Sherwood and Councilwoman Konopko to attend the Association of Towns Conference in New York City and for each of them to be reimbursed for the \$135 registration fee and travel expenses.

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

**Superintendent of Highways - Conference**

A motion was made by Councilman Finn and seconded by Councilwoman Konopko to approve the Superintendent of Highways’ attendance at the 2010 Grossroots Local Roads & Bridges Conference in Albany on March 9-10 at a cost of \$145 for hotel accommodations.

The following roll call vote was recorded and the motion was duly **adopted**:

AYES: Mr. Finn, Mr. Vicari, Mr. White, Mrs. Konopko, Supervisor Sherwood

NAYS:None

**Executive Session**

At 9:32 PM a motion was made by Supervisor Sherwood, seconded by Councilman Vicari and carried by a voice vote to adjourn into executive session for the purpose of legal updates and personnel matters.

**ADJOURN**

Executive Session was adjourned at 11:59 pm

Respectfully submitted - Joan Skinner - Town Clerk