

## STONY POINT TOWN BOARD MEETING – MAY 24, 2011

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, May 24, 2011 at 7:00 pm at the Stony Point Community Center (Rho Building), 5 Clubhouse Lane, Stony Point, NY. Supervisor William Sherwood called the meeting to order and led the group in the Pledge of Allegiance. Town Clerk, Joan Skinner, called the following roll:

PRESENT: Mr. Geoffrey Finn Councilman  
Mr. Louis Vicari Councilman  
Mr. James White Councilman  
Ms. Luanne Konopko Councilwoman  
Mr. William E. Sherwood Supervisor

ABSENT: None

### PUBLIC INPUT

Susan Filgueras, Mott Farm Rd, Tomkins Cove spoke regarding:

- Stony Point Historical Society was officially chartered on May 16, 2011
- History Roundtable is scheduled for June 5<sup>th</sup>
- Pyngyp Repair
  - Septic test pit has been dug
  - Soil has been submitted to Fairway Testing for analyzing
  - Roof has been tested to determine type of shingles

AUDREY SMITH, TIM SMITH & STEPHEN CRISPINO, Bragaglia Drive spoke regarding the Jessup Pond overflow that is affecting the residents on Bragaglia Dr. together with illegal dumping in the area. They presented a booklet documenting the situation, together with communications with various town personnel and pictures showing their concerns.

George Potanovic, Gate Hill Rd. spoke indicating he felt more presentation to the Town Board should be better publicized.

### PURCHASE ORDER REQUEST

A motion was made by Councilman White, seconded by Councilman Vicari and **unanimously carried** by a roll call vote of those board members present to approve the following purchase orders:

Highway Department		
PO#2328	McDonald & McDonald, Inc.	\$1,451.34
PO#2329	Rock n Rescue/ JE Weinel, Inc.	\$4,133.84
PO#2330	Chemung Supply	\$3,695.00
Police		
PO#2340	Culhane's A/C & Refrigeration	\$2,778.00

### ECONOMIC DEVELOPMENT COMMITTEE REPORT

Steve Porath presented a power point presentation on the proposed plan for the Liberty Drive Retail Corridor.

### POLICE DEPARTMENT REPORT/BUSINESS

Lt. Moore addressed the Board with the following matters:

- **CHIEF BROPHY'S TIME RECORD**  
A motion was made by Councilwoman Konopko, seconded by Councilman Finn and **unanimously carried** by a voice vote of all board members present to approve Chief Brophy's time record for the month of May 2011 as presented.

- **DECLARE WEAPON SURPLUS**

A motion was made by Councilman Finn, seconded by Councilman White and **unanimously carried** by a voice vote of all board members present to approve Lt. Moore's request to declare Chief Brophy's Glock .40 caliber semi-automatic handgun as surplus so that it may be presented to him upon his retirement. The P.B.A. will reimburse the Town for the full cost of a new weapon to be placed in inventory.

- **UPDATE – COPS FUNDING GRANT**

Lt. Williams has completed the application for one position. We expect to hear from this sometime in September or October.

### **SUPERVISOR'S REPORT**

Supervisor Sherwood reminded everyone that the annual Memorial Day parade will be held Monday, May 30<sup>th</sup>, at 10:00 am and will run from Rt. 9W & Teneyck St. south on Liberty Dr. to the monuments on Rt. 210. A 9:30 am ceremony will be held at Mt. Repose cemetery.

### **CORRESPONDENCE**

1. Dear Justices Franks & Phillips,

On behalf of the North Rockland High School Social Studies Department, our thanks for the wonderful and informative visitation program that you offered our students this year through the Town of Stony Point Court.

Our students found the court visitations to be a great experience, one in which gave them a look at how the court system works, the role of all involved, an opportunity to see defendants face the charges brought against them and how the court system works to ensure that their rights are followed, regardless of the outcome of the case brought against them.

Many of the North Rockland students commented to their social studies teachers that they appreciated the opportunity to experience the court room as an observer. In some cases, some lamented that they had not had that experience before they were involved with the court system.

I would be remiss in not thanking your administrative court staff for their assistance and guidance in working with us to schedule each session.

We would like to continue this partnership with you throughout the 2011-12 school year. - Kevin M. Metcalf, North Rockland Social Studies Coordinator

2. Dear Supervisor Sherwood:

The Town Council's decision to refund our permit fees and the Architectural Review Board fee was a very pleasant surprise. I would like to thank you and the Council Members for your time, consideration of this issue and all your hard work.

We are trying to keep our costs low while continuing to offer quality services to the residents of Stony Point. Your generous reversal of the permit fees will allow us to put more funding into library services.

As a small non-profit dedicated to serving the Town of Stony Point we try to keep our costs as low as possible. We will gladly work with the town to find new ways to cut costs, be they through grants, shared services or other cost-savings measures.

Thanks again for being so supportive and for continuing to help further the mission of the Rose Memorial Library. - Adele Puccio, Director, Rose Memorial Library

3. Dear Ms. Skinner and the Town Board of Stony Point,

As the programming librarian for the adults and teens of Stony Point, I am always looking for new and exciting ways to inform and engage my patrons in public programs. The summer season is traditionally a time of a wide variety and number of public programs for patrons of all ages, especially due to the focus of summer reading. The Rose Memorial Library fully supports the summer reading requirements of the NRCSD as well as the parochial high schools in our area. The Library also presents its own Summer Reading Program every year with increasing success. The Summer Reading Kick-off is an important event as it

marks the official beginning of our Summer Reading Program and is a time when students can learn of all the resources, programs, and volunteer opportunities that are available to them at the Rose Memorial Library.

The summer I have planned a kick-off event that will feature the local talent of our teens and will utilize our property at 61 E. Main St. This summer's kick-off is an outdoor concert, featuring music by two local bands made up primarily of NRHS students. The planned date for the event is Monday, June 20<sup>th</sup> in the afternoon. This is finals week at NRHS and the library does not want to interfere with study time so the event will last from 4:30PM to 6:30PM at the latest. I have made plans with the Ken Larson Company to supply a small stage deck for the afternoon. Ken Larson builds sets for the Penguin Rep Theatre and is a supporter of the Library's mission. I will advertise this event on our website, with our social media services, and be word of mouth. I would not expect any more than 50 people to attend this event. I would be happy to write a letter to the neighbors that surround the 61 E. Main St. property to let them know of the event.

I appreciate your consideration of the event, which I feel will be engaging, inclusive and will support and encourage the talented students in Stony Point. I expect to have a very busy summer in and around the Library and this event would be a tremendous way to celebrate the beginning of Summer Reading at the Rose Memorial Library. Thank you very much. - Benjamin Reid, Youth and Adult Services Librarian, Rose Memorial Library

### **ACTION**

#### **ROSE MEMORIAL LIBRARY – MASS GATHERING PERMIT**

A motion was made by Councilman Finn, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of those board members present to waive the public hearing and grant Rose Memorial Library's request for a mass gathering permit for their summer reading kick-off concert to be held at 61 East Main Street on June 20, 2011.

#### **PRESENTATION – RE-DEVELOPMENT LETCHWORTH VILLAGE**

Vincent Ferrandino, Ferrandino Associates, a planning and consulting firm located in Westchester County spoke to the Board regarding re-development of the Letchworth Properties indicating what services they could offer.

#### **CONTINUED PUBLIC HEARING – MASTER PLAN**

Supervisor Sherwood opened the continued public hearing at 8:21 pm.

#### **PUBLIC INPUT**

Susan Filgueras, Mott Farm Rd, Tomkins Cove spoke regarding drainage issues in the town, and asked that the Town look at existing issues and protect those who are experiencing problems.

Frank Collyer, Knapp Rd indicated that he had spoke at length at the last meeting and is still attempting to put his concerns in writing. He asked that the public hearing be extended in order to give him time to do this.

#### **Town of Haverstraw**

The following letter was read:

On behalf of the Town of Haverstraw, we are requesting that the public hearing regarding reviewing the Stony Point Master Plan be left open so that the Town could have an adequate amount of time to review and respond to any impact it may have on your neighboring town. We respectfully request a 30-day extension in order for our Planning Consultant, Engineer and Council to complete their review. Howard T. Phillips, Jr. Supervisor

Robert Geneslaw, Town Planner, spoke indicating that once the public hearing is closed the Town Board needs to indicate which of the items in the proposed plan presented by the Commission are acceptable to the Board so that the environmental review can be started.

### **ACTION - CONTINUE PUBLIC HEARING**

It was the general consensus of the Town Board to continue the public hearing to the June 28, 2011 meeting.

### **AGENDA ITEMS**

Supervisor Sherwood indicated that three items were added to the agenda at the last minute as follows:

### **DONATION - NORTH ROCKLAND COMMUNITY DAY**

A motion was made by Councilman Vicari, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of those board members present to approve a contribution of \$1,500 for the North Rockland Community Day on June 5<sup>th</sup>.

### **SEWER DEPT - SEMINAR**

A motion was made by Councilman Vicari, seconded by Councilman White and **unanimously carried** by a voice vote of those board members present to approve our Sewer Department Chief Operator's attendance at the NY Water Environment Association's Seminar in Yonkers, NY at a total cost of \$50.00.

### **HOME RULE LEGISLATION**

The following resolution was moved by Councilwoman Konopko, seconded by Councilman Vicari and **unanimously carried** by a role call vote of those board members present:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT (THE "TOWN") ADOPTING A "HOME RULE" REQUEST WITH RESPECT TO THE ENACTMENT OF SPECIAL LEGISLATION BY THE NEW YORK STATE LEGISLATURE TO AMEND THE LOCAL FINANCE LAW SO AS TO AUTHORIZE AND EMPOWER THE TOWN TO AMORTIZE THE COSTS OF PAYMENTS TO OR FOR THE BENEFIT OF EMPLOYEES UPON SEPARATION OF SERVICE FROM THE TOWN.

WHEREAS, by resolution adopted on April 12, 2011, the Town Board (the "Town Board") of the Town of Stony Point (the "Town") authorized the submission of a request to the New York State Legislature of the enactment of special legislation to amend the New York State Local Finance Law Section 11.00 TO authorize and empower the Town to amortize the cost of the costs of payments to or for the benefit of employees upon separation of service from the Town; and

WHEREAS, there has been introduced into the State Senate as Bill No. S 5362 and into the Assembly as Bill No. A 7273, an amendment to the Local Finance Law that would add a new Subdivision 105 of paragraph A. of Section 11.00, to read as follows:

105. Payments by the town of Stony Point to or for the benefit of employees upon separation from employment, as may be approved by the town and including, but not limited to, cash payment for separation incentives and/or payment of the monetary value of accrued and accumulated but unused and unpaid sick leave, personal leave, holiday leave, vacation time, time allowances granted in lieu of overtime compensation, premiums or contributions with respect to health, dental and vision care insurance plans for the fiscal year in which such separation occurs, and any other forms of payment required to be paid to or for the benefit of such employees in connection with the separation from employment, ten years.

(the "Special Legislation");

WHEREAS, as a condition precedent to the approval of such Special Legislation by the State Senate and Assembly, the Town Board is required to adopt a Home Rule Request requesting the enactment thereof and declaring that a necessity exists for such enactment;

NOW, THEREFORE, IT IS RESOLVED BY THE TOWN BOARD OF THE TOWN AS FOLLOWS:

1. The submission of the request for enactment of the Special Legislation by the State Legislature is hereby approved and the Town Board hereby declares that a necessity exists for such enactment.
2. The Town Supervisor and the Town Clerk are each hereby authorized to complete the Home Rule Request, in the form presented to the Town Board and attached hereto as Exhibit A, evidencing the Town Board's request for enactment of the Special Legislation; and are hereby further authorized to certify to the approval of such Home Rule Request by the Town Board and to submit the same to the State Legislature on behalf of the Town.

#### **BID – MOTOR CONTROL CENTER – SEWER DEPT**

A motion was made by Councilman White, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of those board members present to authorize the Town Clerk to advertise for bids for a Motor Control Center for the sewer plant, subject to approval of the specifications by the sewer department and the town engineer.

#### **BID-FILTRATION SYSTEM –MUNI POOL**

A motion was made by Councilman Finn, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of those board members present to award the bid for replacement of the filtration system at the Bulsontown Road pool to All State Technology Inc. in the amount of \$124,000 upon correction of the several correctable deficiencies in the bid as advised by Special Counsel.

#### **BID – ROAD RESURFACING**

A motion was made by Councilman Finn, seconded by Councilman White and **unanimously carried** by a voice vote of all board members present to award the bid for roadway resurfacing to Tilcon New York , Inc, as follows:

Milling	\$6.00 per sq. yd.
Tack Coat	\$0.27 per sq. yd.
Asphalt	\$85.75 per ton
Keyway is asphalt	\$390.00 each

#### **SEASONAL WORKER-BUILDINGS & GROUNDS**

A motion was made by Councilwoman Konopko and seconded by Supervisor Sherwood to hire Thomas Cass Jr. as a seasonal worker for the Buildings & Grounds (Parks) Dept. at the rate of \$19.88 per hour pursuant to the union contract.

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

AYES: Mr. Finn, Mr. Vicari, Mr. White, Ms. Konopko, Supervisor Sherwood  
NAYS: None  
ABSTAIN: None  
ABSENT: None

#### **DAY CAMP COUNSELORS & STAFF**

A motion was made by Councilman Finn, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of those board members present to approve hiring the following counselors and staff for the 2011 Day Camp at the budgeted salaries:

Returning Counselors: Alexis, Bonelli, Richard Bertrand, Elizabeth Brophy, Kristi Callanan, Jessica Falcon, Nicole Diaz, Alexa Fox, Jennifer Fox, Dylan Gillespie, Darren Healy, Nicholas Konicoff, Dayna McLaughlin, Taylor Moore, Nicole Rizzi, Sarah Rodriguez, and Taylor Vippolis.

New Counselors: Melissa Carey, Jennifer Cole-Hatchard, Zachary Cucolo, Spencer Duboff, Sarah Hillebrand, Emily Hylas, David Luther, Brian Michella, Dan O'Connor, Olivia Olberman, Nicole Gagano, Andrew Raju, Alexandra Seeley, Gina Tiso and Amanda Ventola.

Staff: Ashley Kardian (Recreation Leader), Karen Lima (Recreation Activity Specialist) and Phil Lima (Camp Director).

### **SEWER EXTENSION – 82 WAYNE AVENUE**

A motion was made by Councilman White, seconded by Councilman Vicari and **unanimously carried** by a voice vote of those board members present to set a public hearing on a sewer extension for 82 Wayne Avenue for June 28, 2011.

### **USE OF FACILITIES – SENIOR CLUB II**

A motion was made by Councilman White, seconded by Councilwoman Konopko and **unanimously carried** to grant permission to the Stony Point Senior Citizens Club II to hold a fund raiser at the Community Center on June 30, 2011, including use of the kitchen facilities.

### **CONCESSION STAND AT POOL**

A motion was made by Councilman Finn, seconded by Councilman White and **unanimously carried** by a voice vote of those board members present to grant approval to Gary Wyrachnaksy to run a concession stand at the pool for the 2011 season if he is still interested in doing so.

### **COLLECTION OF SCHOOL TAXES**

Councilman Vicari challenged the notion that we can relinquish our right to collect school taxes and receive a fee for doing so, as indicated in a recent letter from the Superintendent of Schools.

### **ACTION**

A motion was made by Councilman Vicari, seconded by Councilman Finn and **unanimously carried** by a voice vote of those board members present to authorize and direct Special Council to respond to the letter received from the North Rockland Superintendent of Schools indicating that the Stony Point Town Board declines to relinquish their right to collect school taxes and stating our intention to continue to do so in the future.

### **EXECUTIVE SESSION**

At 9:14 pm a motion was made by Councilwoman Konopko, seconded by Councilman White and **unanimously carried** by a voice vote of those board members present to adjourn into executive session for the purpose of discussing personnel matters.

### **RECONVENE**

At 10:10 pm a motion was made by Councilwoman Konopko, seconded by Councilman Vicari and **unanimously carried** by a voice vote of those board members present to reconvene the May 24, 2011 Stony Point Town Board meeting.

### **POLICE DEPARTMENT – SERGEANTS LIST**

A motion was made by Councilman Vicari, seconded by Councilman Finn and **unanimously carried** by a voice vote of those board members present to authorize Lt. Moore to request a current sergeants list from Rockland County Personnel.

### **POLICE DEPARTMENT – YOUTH BUREAU SECRETARY**

A motion was made by Councilman Vicari, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of those board members present to authorize Lt. Moore to hire Jennifer Strianese and the part-time Youth Bureau secretary at \$11.04 per hour commencing July 1, 2011.

**POLICE DEPARTMENT – PART-TIME POLICE OFFICER**

A motion was made by Councilman White, seconded by Councilman Vicari and **unanimously carried** by a voice vote of those board members present to authorize Lt. Moore to explore hiring a part time police officer.

**HIRING FREEZE**

A motion was made by Councilwoman Konopko and seconded by Councilman Vicari to lift the hiring freeze in existence in order to authorize the hirings that are being done this evening.

The following **voice vote** was recorded and the motion was **adopted**:

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

NAYS: Mr. White

ABSTAIN: None

ABSENT: None

**RECREATION DEPT – SEASONAL WORKER**

A motion was made by Councilwoman Konopko and seconded by Councilman Vicari to hire Karenanne Nigro as a seasonal worker in the Recreation Dept. commencing June 1<sup>st</sup> and ending December 31<sup>st</sup> at \$14.00 per hour.

The following **voice vote** was recorded and the motion was **adopted**:

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

NAYS: Mr. White

ABSTAIN: None

ABSENT: None

**BUILDINGS & GROUNDS – PAY RATE**

A motion was made by Councilwoman Konopko and seconded by Councilman Vicari to authorize Jared Stalter to receive the pay of Maintenance Supervisor Grounds while filling in during the absence of the department supervisor.

The following **voice vote** was recorded and the motion was **adopted**:

AYES: Mr. Vicari, Ms. Konopko, Supervisor Sherwood

NAYS: Mr. Finn, Mr. White

ABSTAIN: None

ABSENT: None

**BUILDINGS & GROUNDS – PROMOTION**

A motion was made by Councilwoman Konopko, seconded by Councilman Vicari and **unanimously carried** by a voice vote of those board members present to promote Frank Lopresti to Maintenance Mechanic 1 at a pay grade 12 at \$24.51 an hour.

**ADJOURN**

A motion was made by Councilman Finn, seconded by Councilman Vicari and **unanimously carried** by a voice vote of those board members present to adjourn the May 24, 2011 Stony Point Town Board Meeting at 10:25 pm.

Respectfully submitted,

Joan Skinner  
Town Clerk