

STONY POINT TOWN BOARD MEETING – JANUARY 28, 2015

The Town Board of the Town of Stony Point convened in Regular Session on Wednesday, January 28, 2015 at 7:00 pm at the Stony Point Community Center (Rho Building), 5 Clubhouse Lane, Stony Point, NY. (The meeting date was changed from January 27th due to predicted blizzard conditions for the area.) 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

PRESENTATION

Supervisor Finn and the Stony Point Town Board presented a plaque of appreciation to Stony Point resident and New York City Police Officer, Andrew Dossi. Officer Dossi was shot twice when he and his partner, Officer Aliro Pellerano, who was also injured, attempted to apprehend two robbery suspects in the Bronx. In addressing Officer Dossi, Supervisor Finn expressed to him the following; “Andrew, you are a true hero and we are honored to have you as a Stony Point citizen. On behalf of the people of Stony Point we wish you the best and a speedy recovery.”

PUBLIC INPUT

George Potanovic – Old Gate Hill Rd asked that due to the change in the meeting date the scheduled public hearings remain open until the next meeting.

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 purchase orders. Purchase Orders **#2663** and **#2664** were **NOT** voted on at this time.

Building & Zoning		
PO#2663	Main Motorcar	\$20,244.30
Highway		
PO#2661	Corsi Tire	\$1,673.00
PO#2662	Ruscon Truck Service	\$1,737.18
PO#2664	J. Krokus Nursery	\$1,197.00
PO#2665	A&F Tire & Battery	\$1,328.00
PO#2666	Expanded Supply	\$1,328.40
PO#2667	Chemung Supply Corp.	\$1,025.00
PO#2668	Chemung Supply Corp.	\$1,825.00
Sewer		
PO#2626	Clean Waters Inc.	\$1,594.00
PO#2627	Controlex Serv. Corp.	\$74,445.00

AUDIT OF BILLS

Joan Skinner, Town Clerk, presented the following bills to the Town Board for audit and a motion was made by Councilman White, seconded by Councilman Monaghan and **carried** by a voice vote of all board members present, with Councilman Basile abstaining, to approve the bills as presented for payment.

General – Jan. 28, 2015

<u>General</u>	93-101	\$	79,801.09
<u>Highway</u>	25-26	\$	30.75
<u>Sewer</u>	20-20	\$	13.98
<u>Special Districts</u>			
Enterprise	16-16	\$	596.28
Solid Waste	3-3	\$	3,721.42

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 January 13, 2015.

SUPERVISOR'S REPORT

Supervisor Finn urged everyone to come out and support the Stony Point Seals and their 16th Annual Polar Plunge being held on Sunday, February 1st at the Grassy Point Seawall.

POLICE DEPARTMENT REPORT/BUSINESS

Chief Moore addressed the board regarding acceptance of monies from the Crackdown Enforcement Grant from the NYS Governor's Traffic Safety Committee in the amount of \$1,217.56. Supervisor Finn signed the acceptance papers.

DEPARTMENTAL REPORTS - None

CORRESPONDENCE - None

PUBLIC HEARING – Community Development Block Grant

At 7:23 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 open the public hearing on the 2015 Community Development Block Grant.

The public notice for this hearing was published by the Rockland County Office of Community Development and said notice is contained in the records.

Supervisor Finn indicated that the recommended project to be submitted is to purchase and install a portable handicap accessible bathroom for Veteran's Memorial Park.

PUBLIC INPUT

Supervisor Finn opened the hearing for public input. There was none.

CLOSE PUBLIC HEARING

At 7:25 pm a motion was made by Supervisor Finn, seconded by Councilman White and **unanimously carried** by a voice vote of those board members present to close the public hearing on the 2015 Community Development Block Grant.

MOTION

A motion was made by Supervisor Finn, seconded by Councilmen Basile, Javenes, White and Monaghan and **unanimously carried** by a voice vote of those board members present to authorize submission of the 2015 Community Development Block Grant application for federal funding in the amount of \$100,000 to purchase a portable handicap accessible bathroom to be placed at Veteran's Memorial Park which also houses the Stony Point Little League.

Continued Public Hearing - Letchworth Village Zoning Amendments

Supervisor Finn reopened this continued public hearing at 7:26 pm.

Max Stach, Town Planner addressed the board, outlining the steps that have been taken thus far and pointing out the various comments received thus far regarding the proposed zone amendments.

Public Input

George Potanovic – Old Gate Hill Rd spoke, indicating that he felt the plan was basically a good one.

Close Public Hearing

At 7:32 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 close this public hearing.

Resolution 2015/5

The following resolution was duly offered by Councilman Javenes, seconded by Councilman Basile and **unanimously carried** by a voice vote of all board members present to wit:

RESOLUTION 2015/5

RESOLUTION ADOPTING A LOCAL LAW ENTITLED, “A LOCAL LAW AMENDING THE TOWN ZONING ORDINANCE REGARDING THE LETCHWORTH VILLAGE REDEVELOPMENT INCENTIVE OVERLAY DISTRICT (LW-RIO).”

WHEREAS, the Town Board of the Town of Stony Point (“Town Board”) previously received and reviewed a proposed local law amending the Town Zoning Ordinance regarding the Letchworth Village Redevelopment Incentive Overlay District (“LW-RIO”) in the Town of Stony Point (“Local Law”); 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 Local Law, 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 Local Law and Part 1 of the Environmental Assessment Form (“EAF”) and other documents related thereto; and

WHEREAS, a public hearing was duly noticed, and opened with respect to such proposed Local Law by the Town Board on January 13, 2015 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 December 16, 2014, the Stony Point Planning Board reviewed the proposed Local Law and determined that the Planning Board recommended adoption of the Proposed Local Law and had no objections to the Proposed Local Law; and

WHEREAS, the Town of Stony Point Planning Board recommended that the Town Board adopt the proposed Local Law with several suggested changes; and

WHEREAS, the Rockland County Planning Department, by letter dated December 18, 2014, recommended certain modifications to the proposed Local Law; and

WHEREAS, such public hearing on the proposed Local Law to the Town Zoning Code was continued on **January 28, 2015 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 Local Law; and

WHEREAS, the Rockland County Department of Highways, by letter dated January 26, 2015 provided several "suggestions for zoning consideration;" and

WHEREAS, such public hearing was closed on **January 28, 2015**; and

WHEREAS, no material changes were proposed to the proposed Local Law as previously presented to the Town Board and no modifications were made to the Local Law during or after such public hearing; and

WHEREAS, the Town Board previously reviewed the Part 2 EAF submitted with respect to such proposed Local Law, and issued a Negative Declaration with respect to such proposed Local Law; and

NOW, THEREFORE, BE IT RESOLVED that:

1. The above WHEREAS clauses are incorporated herein by reference.
2. The proposed modifications set forth in the December 18, 2014 response of the Rockland County Department of Planning are hereby incorporated or overridden as noted below for the reasons set forth below:
 - a. With respect to Rockland County comment #5: The lands currently are owned by the Town of Stony Point, and any future development must happen through lease or transfer of fee title. At such time as such a sale or lease is contemplated, the Town will subdivide an appropriately sized lot given the proposed use. There is therefore no need to establish minimum lot sizes in the Zoning, since these minimums will be established by the Town through sale or lease agreements. The one exception to this is the parking lot opposite Rho, which is owned
 - b. With respect to Rockland County comment #7: There are no steep slopes as defined by the Code on the project site. These sections were omitted by reference, to simplify the zoning as it relates to the site in question, thereby making the land and structures more attractive for sale.
 - c. With respect to Rockland County comment #9: The wetlands in question are DEC-regulated. As the DEC regulates the same buffer as local regulations, the proposed elimination should not reduce the protections of these natural resources. Relief from local regulation is given to make the land more desirable for redevelopment. Having a tertiary layer of controls (in addition to DEC and US ACE) only makes the development of the land more process-intensive without adding any protection to resources.
 - d. With respect to Rockland County comment #10: As part of the SEQR for the proposed local law, cross-sections were prepared from the PIP in order to determine the visibility of the site. Generally, vegetation along the Parkway will block views of the site, which will be at a significant angle right to the direction of travel. Additionally, vegetation along Willow Grove Road will block the lower four or so stories of a tall building. Intermittent "through the trees" views of the top of buildings are possible, but will not be significant. Therefore prescribed controls are not warranted and future site-specific SEQR should be adequate to more fully mitigate visual impacts as necessary.
 - e. With respect to Rockland County Planning comment #11: To clarify, the maximum floor area would be controlled by the maximum development coverage and height requirements.
 - f. With respect to Rockland County Planning comment #13: To clarify, the current golf course is mapped parkland. Any reduction

in parkland will require approval of the New York State Legislature and will likely require mitigation area to be provided. The Town included these lands in order to provide flexibility to future development proposals, and it is likely that such arrangements as relocation of holes and abandonment of parkland would be explored at the time of sale or lease by the Town. And the impact of such a change on Town recreational resources, adequately explored at that time.

- g. All other suggestions of the Rockland County Planning Department have been incorporated.

3. The Town Board of the Town of Stony Point hereby adopts said Local Law No. 1 of 2015 entitled "A Local Law amending the Town Zoning Ordinance regarding the Letchworth Village Redevelopment Incentive Overlay District ("LW-RIO")", a copy of which is attached hereto and made a part of this Resolution.

4. Such Amended Local Law shall amend the current Zoning Code (Chapter 215 of the Town Code).

5. Such Local Law shall be effective immediately upon filing with the Secretary of State.

6. 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.

Continued Public Hearing - Sign Law

Supervisor Finn reopened this continued public hearing at 7:33 pm

Brian Nugent, Special Counsel addressed the Board indicating that we are still within the thirty day window for review by interested agencies and that all these agencies have been properly notified.

Public Input

John Dineen, 1 O'Dell Dr spoke against this proposed law indicating that it is out of character with the Town, distracting to drivers and that there are better ways to communicate to the people within the Town.

George Potanovic – Old Gate Hill Rd spoke against this proposed law indicating that it would be an unnecessary distraction, it is not within the character of the Town, and it is much too large.

Since we are still within the thirty-day response period for agencies, this public hearing will be heard again at the February 24, 2015 meeting.

Special Use Permit

Mike Sheridan, from Snyder & Synder spoke on behalf of Wireless Verizon explaining the location and proposed design.

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

RESOLUTION 2015/6 RESOLUTION REGARDING A SPECIAL PERMIT APPLICATION FOR A WIRELESS TELECOMMUNICATIONS FACILITY

WHEREAS, the Town of Stony Point ("Town") has received an application for a Special Permit for installation of a public utility wireless telecommunications facility consisting of antennas with any proposed stealth flagpole and related equipment from SMSA Limited Partnership d/b/a Verizon Wireless on tax map lot 10.02 (560 North Liberty Drive) on the east side of North Liberty Drive in the Town of Stony Point ("Special Permit Application").

NOW THEREFORE BE IT RESOLVED that:

Section 1. The above "Whereas" clause is incorporated herein by reference.

Section 2. The Town Board hereby refers the Special Permit Application to the Town of Stony Point Planning Board pursuant to Chapter 215 of the Town Code.

Section 3. The Town Board recommends that the Town of Stony Point Planning Board act as Lead Agency for environmental review purposes with respect to the Special Permit Application.

Section 4: Pursuant to Chapter 215 of the Town Code, the Town Board designates the Town Planning Board as the designated agent authorized to select a Radio Frequency (RF) consultant to assist in the review of the Special Permit Application.

Section 5. Upon selection of a consultant by the Planning Board, the Supervisor is authorized to execute an Agreement with an RF consultant in a form approved by Special Town Counsel.

Section 6. The Supervisor is authorized to direct any other Town officer or employee to take any necessary actions to effectuate the provisions of this Resolution.

Section 7. This Resolution shall take effect immediately.

Approve Purchase Order #2663

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to approve Purchase Order #2663 for Main Motorcar for the purchase of a 2015 Jeep Patriot Sport 4 x 4 for use by the Assistant Building Inspector in the amount of \$20,244.30. This price was obtained from state bid.

Approve Purchase Order #2664

A motion was made by Councilman Javenes, seconded by Councilman Basile and **carried** by a voice vote of those board members present, with Supervisor Finn voting no, to approve Purchase Order #2664 for purchasing 12 trees by the Highway Dept. from J. Krokus Nursery Inc. in the amount of \$1,197. These trees are to be used as screening at 15 Smith St. This purchase order will lock in the indicated price and fresh trees are to be purchased in the springtime.

New York State Building Officials Conference

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to approve the Building Inspector, Asst. Building Inspector, and the Fire Inspector to attend the New York State Building Officials Conference at the Fire Training Center on April 28th to April 30th, 2015 at a cost to the Town of \$275 per employee.

2015 Grassroots Advocacy Campaign

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to approve the request of the Superintendent of Highway to attend the 2015 Grassroots Advocacy Campaign for local road and bridges on March 3 & 4, 2015 at Albany. The cost to the town is \$137.00.

Equipment Ban/Bond

A motion was made by Councilman White and seconded by Councilman Javenes to approve the 2015 New Capital Project List as presented by the Director of Finance, with the exception of increasing the total amount from \$922,876 to \$1,250,000.

TOWN OF STONY POINT				
2015 - NEW CAPITAL PROJECT ESTIMATES				
(PROJECTED BAN/BOND ISSUE)				
GENERAL FUND PROJECTS				
Department	Project	BAN Amount	Est. 2016 Principal	Est. 2016 Interest
Town Hall	Security Doors	2,000.00	0.00	0.00
BUILDINGS	FENCING FOR KIRKBRIDE HALL PERIMETER (~\$10k)	10,000.00	2,000.00	100.00
POLICE	NEW VEHICLE-2015 CHEVY TAHOE (1)	33,400.00	6,680.00	334.00
POLICE	COMPUTER SYSTEM UPGRADES & COMPUTERS(\$4,150)	4,150.00	830.00	41.50
POLICE	CVE EQUIPMENT-RETRO-FIT VAN (\$1,000)	1,000.00	200.00	10.00
POLICE	RADAR UNITS (2) \$1400 each (\$2,800)	2,800.00	560.00	28.00
POLICE ***	PENSION PAYMENTS (RETIREMENT)	145,000.00	29,000.00	1,450.00
SAFETY INSP.	DEPUTY VEHICLE JEEP PATRIOT(1) (\$20,000)	20,000.00	4,000.00	200.00
PARKS	TRUCK LIFT UP TO 16K LBS (1) (\$16,355)	16,355.00	3,271.00	163.55
PARKS	JACOBSEN 628 TURFCAT mower (1) (\$20,318)	20,318.00	4,063.60	203.18
PARKS	TIRE MACHINE (1) (\$12,200)	12,200.00	2,440.00	122.00
PARKS	2015 F-SERIES SD dump truck (1) (\$50,000)	50,000.00	10,000.00	500.00
YOUTH COMM.	REFURB COMPUTER & MONITOR(1)(\$600) P LIMA	600.00	120.00	6.00
	GENERAL FUND TOTAL	317,823.00	63,164.60	3,158.23
HIGHWAY FUND PROJECTS				
Department	Project	BAN Amount	Est. 2016 Principal	Est. 2016 Interest
HIGHWAY	ADDLT DRAINAGE FOR LAKE ROAD 152K to(170K/429K Lake,ayres,elm)	152,000.00	30,400.00	1,520.00
HIGHWAY	addtl paving Lake Rd	120,000.00		
HIGHWAY	(1) 4X4 1 TON DUMP TRUCK (\$50,000)	50,000.00	10,000.00	500.00
HIGHWAY	(1) WING PLOW FOR SIDEWALKS (\$20,000)	20,244.00	4,048.80	202.44
HIGHWAY	(1) COMPUTER SOFTWARE (\$6,800)	6,800.00	1,360.00	68.00
	HIGHWAY FUND TOTAL	349,044.00	45,808.80	2,290.44
SEWER FUND PROJECTS				
Department	Project	BAN Amount	Est. 2016 Principal	Est. 2016 Interest
SEWER	2ND SETTLING TANK (1) (\$78,000)	78,000.00	15,600.00	780.00
	addlt work 2014 settling tank purchase	4,000.00		
	SEWER FUND TOTAL	82,000.00	15,600.00	780.00
GOLF FUND PROJECTS				
Department	Project	BAN Amount	Est. 2016 Principal	Est. 2016 Interest
GOLF	TORO GREENSMaster 3500-D SIDEWINDER (1) (\$30,500)	30,500.00	6,100.00	305.00
GOLF	TORO 5410 FAIRWAY MOWER 4 WD (1) (\$46,000)	46,000.00	9,200.00	460.00
GOLF	TORO GREENSMaster 1000 MOWERS (2) (6,700 EA) REQUESTED 4	26,800.00	5,360.00	268.00
GOLF	AIR COMPRESSOR - COMMERCIAL (1) (\$2,200)	2,200.00	440.00	22.00
GOLF	IRRIGATION CONTRACT TORO NSN (223/MO YR 1/3)cap lease	8,028.00	1,605.60	80.28
GOLF	MILLERMATIL 212 AUTO SET WELDER (1) (\$2,200)	2,200.00	440.00	22.00
GOLF * Inc \$	WATER COOLER STATIONS (6) @ 1,190 plus \$500 (\$7,640)	7,640.00	1,528.00	76.40
GOLF	NEW TELEPHONE SYSTEMS? @ 5700	5,700.00	1,140.00	57.00
GOLF	BELGIUM BLOCK AROUND CLUBHOUSE (\$22,000)	22,000.00	4,400.00	220.00
GOLF	REPAVE AROUND CLUBHOUSE (35,000)	35,000.00	7,000.00	350.00
	GOLF FUND TOTAL	186,068.00	37,213.60	1,860.68

The question of the adoption of the foregoing motion was duly put to a vote on roll call, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Supervisor Finn	[]	[x]	[]	[]
Councilman White	[x]	[]	[]	[]
Councilman Javenes	[x]	[]	[]	[]
Councilman Basile	[x]	[]	[]	[]
Councilman Monaghan	[]	[]	[x]	[]

The motion was thereupon adopted.

Bond Resolution - Retirement Payment

After discussion this item was tabled to the February 10, 2015 meeting.

Bond Refunding – 2005 Series

After discussion this item was tabled to the February 10, 2015 meeting.

Post Issuance Bond Compliance

After discussion this item was tabled to the February 10, 2015 meeting.

Highway Garage Ban

After discussion this item was tabled to the February 10, 2015 meeting.

Surplus Highway Department Vehicle

A motion was made by Supervisor Finn, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to approve the Superintendent of Highways request to surplus 1999 GMC, Dump VIN #1GDJK34R8XF019827. Proceeds from the sale are to be allocated to the Highway Department Restricted Equipment line.

2015 Highway Paving Bid Request

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to authorize the Town Clerk to go out to Bid for the 2015 road paving.

Mosquito Control – Stormwater Facility

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to accept Rockland County Health Department's proposal for Mosquito Control at Tiorati Trails, Carlton Fields, Petersen Estates, Zachary Taylor, JF Kennedy, Rider Hill & Lowland Hill Brush Yard at a fee of \$5000.

Exit 15 Sign

A motion was made by Councilman Basile, seconded by Councilman Monaghan and **unanimously carried** by a voice vote of all board members present to accept the design for the Exit 15 as discussed by using the same design at the Exit 14 sign with the larger lettering from the proposed sign.

EXECUTIVE SESSION

A motion was made by Supervisor Finn, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to adjourn into

executive session at 8:49 pm to discuss litigation matters. Supervisor Finn announced that no further votes would be taken.

ADJOURN

The January 28, 2015 Stony Point Town Board meeting adjourned at 9:45 pm.

Respectfully submitted

Joan Skinner – Town Clerk