

STONY POINT TOWN BOARD MEETING – MARCH 22, 2011

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, March 22, 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:

- Hudson Champlain electric line out of Canada
 - Route has been changed and now comes above ground somewhere near the Stony Point Lighthouse, using the railroad right of way for approximately 7/8 miles
 - Urged the Town to consider forming an energy committee to monitor this project
- United Water has contacted several residents regarding their feelings on a water tower somewhere between Rosetown Rd. and Bulsontown Rd.
- Power plant on the Lovett site
 - Many issues to consider – we must be proactive in this area
 - Town should belong to New York Power Authority
 - NYPA controls the production, generation, building and dispatch of electric throughout the state
 - Town has a right to belong to this group
 - Would give us vital information on the assets that we have in this town

Supervisor Sherwood explained:

- Hudson Champlain power line is a proposal by a power company to bring an electric transmission line under water in the deep channel of the Hudson River
- All of their information is received via e-mail.
- Last time we checked the routing it didn't even enter Stony Point except for a very small elbow north of the battlefield where the channel is deep.
- Above water power line is new information
 - if it comes across Stony Point we would then be able to tax it.

Councilman Vicari stated it would be a good idea to monitor this project.

Supervisor Sherwood asked for a volunteer from the board to do this.

George Harris, Willow Grove Rd. spoke against the sale of the Horse Barn. As he feels this would be of no benefit to the Town of Stony Point.

Councilman Finn announced that a public hearing would be held on April 12, 2011 regarding the proposed sale.

PURCHASE ORDERS

It was moved by Councilman White, seconded by Councilman Finn and **unanimously approved** by a voice vote of all board members present to approve the following Purchase Orders:

Golf Course		
PO#2309	DeLea Sod	\$3,696.00

PO#2310	DeLea Sod	\$3,484.00
PO#2311	DeLea Sod	\$5,382.00
Highway		
PO#2315	Amthor Welding	\$2,693.00
PO#2316	Chemung Supply Corp.	\$2,048.00

AUDIT OF BILLS – None

MINUTES – None

REPORTS

ECONOMIC DEVELOPMENT COMMITTEE

Steve Porath reported:

- Committee in existence just over a year
- More to be accomplished than has been done
- Good foundations have been laid down
 - Clear listing of the assets and other target areas for economic development
 - Reviewed and reconfirmed the best practices and procedures of the towns approval process
 - Working committees are identifying steps necessary for the redevelopment of Patriot Hills facility, the Liberty Dr. retail corridor and the Holt Dr. area
 - TV and film costs and procedures have been identified
 - can be a asset and revenue stream for the town
- Committee has immeasurably raised the consensus of the town towards economic development
- Much more to be done
 - Need to establish priorities and be certain they are in sync with what the Town wants, so that a clear direction can be set.

Councilwoman Konopko reported:

- Recommendations from the flow chart committee will be incorporated into a training session on April 4th for board chairmen and board members (Zoning, Planning, ARB & Town Boards)
- Committee working on Requests for Expression of Interest for Patriot Hills complex is moving in the right direction
- Beautification subcommittee is working diligently to figure out ways to help clean up the area since curb appeal is necessary
- Gator Investments updated appraisal has been completed and is being reviewed by town’s tax attorney. Hopefully some movement in that area will be forthcoming.

POLICE DEPARTMENT REPORT/BUSINESS

- Project Lifesaver spoke to special counsel who will tailor a waiver to fit our specific needs and bring it back to the board for consideration.
- Grand Fondo Bike Race - proposed to be held on May 8th involving 3,500/4,000 racers. Will need traffic control, which organizers have agreed to pay at an estimated cost of \$6,500/\$6,900.

ACTION

A motion was made by Councilman Finn, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of those board members present to authorize the police department to participate in the Grand Fondo Bike Race with regard to traffic control, contingent upon receipt of payment, a signed agreement, and a certificate of insurance from the organization.

GOLF COURSE REPORT

Course is scheduled to open on March 23, 2011, weather permitting.

LEGISLATIVE REPORT

- Christian A. Corrales, representative from the Office of State Senator David Carlucci (38th Senate District) reported as follows:
 - Budget - Senator has been concentrating efforts on the NYS budget due April 1st
 - Legislation:
 - S2404 - The senator was the main sponsor of this bill that passed the Senate that switches parkland with land owned by Orange & Rockland. O&R plans on building substations in order to help with infrastructure and this will allow fewer people in Orangeburg to be impacted by this. This bill is pretty unique in that it was the senator's first bill that passed the Senate.
 - S3885 - The senator sponsored a bill called Lauren's Law which will be voted on next week in the transportation committee. This bill makes it mandatory for those either acquiring or renewing their driver's license to register or decline to register as an organ donor. Those that are already organ donors won't be impacted. This will hopefully increase donor registration and lead to more lives being saved.
 - S2843 - The senator also sponsored a consolidation bill that would allow Towns to be able to share certain costs including health care and administrative costs to manage pensions. The bill will hopefully reduce cost to municipalities. The bill just passed out of the local government committee and it should be on the Senate floor within the next few weeks.
 - First Annual Easter Egg Roll and Family Health Fair sponsored by the Senator on Sunday, April 2, 2011 from 2-4PM at Pecks Pond Park in West Haverstraw. There will be an Easter egg roll and other activities for the kids and multiple health organizations will attend to distribute literature and answer any questions people might have.

SUPERVISOR'S REPORT – Supervisor Sherwood announced:

- Boy Scouts annual pine wood derby at Kirkbride Hall on March 26th
- Stony Point Little League opening day on April 9th
- Signup for Town sponsored summer programs at Veterans Park on April 9th
- Great American Clean Up on April 9th starting at Farley School at 9 am

DEPARTMENTAL REPORTS

Sewer Department

Councilman White gave an update on improvements that have been accomplished at the sewer department resulting in a much more efficient and productive operation.

Recreation & Buildings & Grounds

Councilwoman Konopko

- Recreation Committee had its first meeting last night
 - Will be coming forward with some very good ideas
- Two filming companies have expressed an interest in Stony Point
- Little League is installing new lighting at their expense
- Working on agreement with Little League to iron out responsibilities
- Would like to move supervision of park attendants from Buildings & Grounds to Recreation since recreation has a better handle on the use of parks. There was a unanimous consensus of the Town Board to do this.

Supervisor Sherwood explained it was necessary to cut back on park attendants as part of the budget process. A roving guard will open, patrol and close parks. They will not be at the parks fulltime.

Buildings & Grounds

Supervisor Sherwood indicated that he has obtained a proposal from Gateway Environmental Services for air quality samples in Rho Building at a cost of \$2,680.

AIR QUALITY TESTING-RHO BUILDING

A motion was made by Councilwoman Konopko, seconded by Councilman White and **unanimously carried** by a roll call vote to authorize Gateway Environmental Services to perform air quality tests in Rho Building at a cost of \$2,680.

PUBLIC HEARING – BROWN FIELDS GRANT

The public hearing was opened at 7:58 pm and the following Public Hearing Notice was offered:

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Stony Point, Rockland County, New York, on March 22, 2011 at 7:00 P.M. at Rho Building, 5 Clubhouse Lane, Stony Point, New York for the following matter:

The Town of Stony Point is applying for New York State Brownfield Opportunity Areas (“BOA”) Program Funds. A copy of the BOA Application is on file in the Town Clerk’s Office, 74 East Main Street, Stony Point, New York, and may be obtained by any interested parties from 8:30 AM to 4:30 PM, Monday through Friday.

Any person wishing to be heard with regard to the Application is entitled to appear at the aforementioned time and place. Joan Skinner, Town Clerk, March 15, 2011

Councilman Konopko read the following:

The Brownfields Opportunity Areas Program is administered by the Department of State. It provides municipalities and community organizations with assistance to complete revitalization plans and implementation strategies for areas affected by brownfield sites. The program enables communities to put strategies in place to return dormant sites and areas back to productive use and simultaneously restore environmental quality. The BOA Program will enable local governments or community based programs to address a range of problems proposed by multiple brownfield sites (real and perceived), build consensus on the future uses of strategic or priority brownfield sites and establish multi agency and private sector partnerships necessary to leverage assistance and investments to revitalize neighborhoods and communities.

This is a three step program to apply for matching funds (90% state 10% municipality or private/public partnership).

PUBLIC INPUT

George Potanovic, Old Gate Hill Rd. questioned if there was a limit to funds and if more than one site could be identified.

Councilwoman Konopko indicated that a budget must be put together and that no one parcel within the town would meet the criteria of 50 to 100 acres, therefore, the entire town would be named in the application.

ACTION

At 8:08 pm a motion was made by Councilwoman Konopko, seconded by Councilman White and unanimously carried by a voice vote to close the public hearing.

APPOINTMENT ATTORNEY 207C APPLICATIONS

ACTION

A motion was made by Councilman Finn and seconded by Councilman White to hire the firm of Feerick, Lynch MacCartney to handle 207C cases for the Town of Stony Point at a cost of \$175.00 per hour.

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

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

ACTION

A motion was made by Supervisor Sherwood and seconded by Councilwoman Konopko to appoint GML 207 Administrators, LLC (Richard Glickel's Firm) to handle 207C cases for the Town of Stony Point at \$175 per hour.

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

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

APPOINTMENT ARCHITECTURAL REVIEW BOARD

Special Counsel reported that the term on this Board runs from date of appointment to date of appointment.

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 reappoint Dolores Morlang to another three-year term on the Architectural Review Board to end in April, 2014.

APPOINTMENT JUSTICE COURT CLERK

Frank Phillips, Town Justice addressed the Board at length regarding appointment of a clerk to fill the position vacated by his retiring clerk.

ACTION

A motion was made by Councilman Finn and seconded by Councilwoman Konopko to appoint Diane Payan as a Justice Court Clerk at the budgeted salary of \$ 34,598.20 per year.

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

APPOINTMENT BOARD OF ASSESSMENT REVIEW

A motion was made by Councilman White, seconded by Councilman Vicari and **unanimously carried** by a voice vote of those board members present to appoint A. Douglas Jobson to the Board of Assessment Review to fill the unexpired term of William Tracy which expires in October 2011.

APPOINTMENT RECREATION FACILITY ATTENDANTS

A motion was made by Councilwoman Konopko, seconded by Councilman White and **unanimously carried** by a voice vote of those board members present to hire the following as Recreation Facility Attendants for the 2011 season at the same rate of pay as last year; Paul Baisley, Denise Goldberg, Stanley Goldberg, Michael Hayes, Pat Kennell, Charles Palmer, Anthony Riello, Stephen Woolley, Ziad Yacoub. These attendants are to be placed under the supervision of the Recreation Facility Supervisor.

CSEA EMPLOYEE BENEFIT FUND CONTRACT

This item was tabled and referred to Special Counsel for review.

AWARD BID-HIGHWAY DEPARTMENT EQUIPMENT

A motion was made by Councilman Finn, seconded by Councilman Vicari, and **unanimously carried** by a voice vote of those board members present to award JESCO, Inc. the bid for a front end loader for the Highway Department at the price of \$141,900 which includes a \$7,000 trade in.

HIGHWAY PROPERTY

Supervisor Sherwood indicated that we have been looking for property that would be appropriate for a Highway Garage so that it could be moved from its present location. Discussion developed between the Superintendent of Highways and Town Board members. Any opportunities will be brought to the board's attention. No action was taken.

INSTALLATION OF UTILITY POLE

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 Supervisor Sherwood to sign a Grant of Right Way for installation of a utility push brace pole along the property in front of the Stony Point Police Station. At the same time, the Board requested, for safety reasons, that the old guy wires running off of pole 59346/44702 be removed.

INTER-MUNICIPAL AGREEMENT – SEWAGE TREATMENT SERVICES

A motion was made by Councilman Vicari, seconded by Councilman Finn and **unanimously carried** by a voice vote of those board members present to renew the intermunicipal agreement with the Town of Haverstraw for sewage treatment services on the same terms of the prior agreements.

SPECIAL STATE LEGISLATION-RETIREMENT INCENTIVE PAYMENTS

A motion was made by Councilwoman Konopko, seconded by Councilman Vicari and **unanimously carried** by a voice vote of those board members present to approve state legislation to be introduced by Senator Carlucci and Assemblywoman Calhoun which would allow us to bond retirement incentive payments.

JUSTICE COURT AUDIT

A motion was made by Councilman Finn, seconded by Councilman Vicari, and **unanimously carried** by voice vote of those board members present to accept the Justice Court Audit prepared by Bennett Kielson Storch DeSantis for the year ended December 31, 2010.

RETIREMENT INCENTIVE PAYOUTS

A motion was made by Councilwoman Konopko, seconded by Councilman Finn and **unanimously carried** by a voice vote of those board member present to approve the six month retirement incentive payouts for four employees, to be paid on April 6th or 7th, depending on the retirement date, as submitted by the Financial Director.

BOUNDARY & TOPOGRAPHIC SURVEY – SEWER TREATMENT PLANT

After discussion this matter was tabled.

PALISADES FEDERAL CREDIT UNION FREE MOBILE BRANCH

The Town was contacted by the Palisades Federal Credit Union in regard to setting up a free mobile branch stop in Stony Point. Supervisor Sherwood will contact them advising that while no formal Town Board action was taken, they could attempt to do this.

MASTER PLAN

Barnaby Joyce, Chairman of the Master Plan Committee addressed the Board and briefly outlined the following recommendations presented to the Town by the Comprehensive Plan Advisory Commission:

1. Mixed uses in the BU Zoning District
2. Reduction of parking standards in the BU District
3. Adjustment of parking requirements for change of uses
4. Reconsideration of special permit and conditional uses in nonresidential zoning districts
5. Auto repair without gasoline sales
6. Institute a technical advisory committee
7. View preservation
8. Steep slopes
9. Townhouse and condominium developments
10. Accessory apartments
11. Tree Preservation
12. Stream Protection
13. Beach Road area
14. Large scale mixed use

Robert Geneslaw, Town Planner, spoke suggesting that the recommendations be circulated to the proper agencies and a public hearing be set. Eventually an environmental review will need to be held.

ACTION

A motion was made by Councilwoman Konopko, seconded by Councilman White and **unanimously carried** by those board members present to authorize the Town Clerk to distribute copies of the 2010 Amendment to the Comprehensive Plan to the proper agencies and to set the public hearing on that amendment for May 12, 2011.

POOL PROPOSAL

After discussion this item was tabled to the next town board meeting.

PAULA BOHOVESKY RESOLUTION

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

CONVEYING THE INTENT OF THE TOWN OF STONY POINT TO EXPRESS
CONDOLENCES TO, AND SUPPORT FOR, THE FAMILY OF PAULA
BOHOVESKY, WHO WAS BRUTALLY RAPED AND MURDERED THIRTY
YEARS AGO, AS PAULA'S FAMILY ASKS THE NEW YORK STATE PAROLE
BOARD NOT TO RELEASE HER KILLERS

WHEREAS, the Town of Stony Point wishes to express its continuing condolences to, and support for, the family of Paula Bohovesky, who was brutally raped and murdered thirty years ago, as Paula's family asks the New York State Parole board not to release her killers; and

WHEREAS, in 1980, Paula Bohovesky was a talented artist, an aspiring actress and a well-regarded member of the Junior class at Pearl River High School; and

WHEREAS, this young woman, burgeoning with energy and a zest for life, was tragically and senselessly murdered just two blocks from her home; and

WHEREAS, the two young men who committed this heinous crime after a day spent drinking in a local bar received the maximum penalty for murder then allowed in New York State, twenty-five years to life in prison; and

WHEREAS, Paula's family and friends, as well as those living in Rockland county at the time, can still recall the horror of that day; and

WHEREAS, Paula's Mother, Lois Bohovesky, must again relive that day as she fights to keep Paula's killers in jail by asking the Parole Board not to

authorize the men's release, a task that she will have to often undertake because State Law allows inmates seeking parole to reapply every two years; and

WHEREAS, the murderers of Paula Bohovesky are again eligible for parole and are seeking release from prison; and

WHEREAS, the Town of Stony Point has met, considered and by a unanimous vote approved this resolution: now therefore be it

RESOLVED, that the Town of Stony Point wishes to express its continuing condolences to, and support for the family of Paula Bohovesky, who was brutally raped and murdered thirty years ago, as Paula's family asks the New York State Parole Board not to release her killers.

USE OF MUNICIPAL PARKING LOT

A motion was made by Councilman White, seconded by Councilman Vicari and **unanimously carried** by a voice vote of those board members present to approve the request from the Children of Mary School for use of the Route 9W commuter lot on Saturday, April 16, 2011 (April 17th rain date), for a tag sale for the benefit of the School.

2011 INTEL AGREEMENT

After discussion no action was taken on this matter.

EXECUTIVE SESSION

At 9:45 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 adjourn into executive session for personnel matters.

ADJOURN

The March 22, 2011 Stony Point Town Board meeting was adjourned at 10:59 pm.

Respectfully submitted,

Joan Skinner
Town Clerk