

## STONY POINT TOWN BOARD MEETING – JUNE 26, 2012

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, June 26, 2012 at 7:00 pm at the Stony Point Community Center (Rho Building), 5 Clubhouse Lane, Stony Point, NY. Supervisor Geoffrey Finn called the meeting to order and led the group in the Pledge of Allegiance. Deputy Town Clerk, Barbara Oyer, called the following roll:

PRESENT:	Mr. Karl Javenes	Councilman
	Mr. James McDonnell	Councilman
	Mr. James White	Councilman
	Ms. Luanne Konopko	Councilwoman
	Mr. Geoffrey Finn	Supervisor

### PUBLIC INPUT

Lillian Wilson, Fonda Dr. questioned completion of the Farley Bridge and number of benches in the new park along Route 9W.

Supervisor Finn advised that he had talked with Assemblywoman Calhoun regarding the completion of the bridge and would share the information once he received it. The park will contain four benches, a monument donated by the Sons of the American Revolution and a street clock which hopefully, with the help of the rotary, will be paid for by donations.

Kathy Leroy, Easton St. spoke regarding the Environmental Protection Agency's Sustainable Communities Building Blocks Program workshops and possibility of a town newsletter.

Supervisor Finn thanked Councilwoman Konopko for arranging for the two workshops.

Frank Collyer, Knapp Rd., spoke urging the Town Board to look into the possibility of using hybrid cars as police vehicles, look into recent legislation regarding SEQRA determinations after public hearings have been held and the lack of diving boards at the town pool.

George Potanovic, Old Gate Hill Rd. thanked Councilwoman Konopko for arranging the Environmental Protection Agency's Sustainable Communities Building Blocks Program workshops, spoke against the Champlain Hudson Power Express project and urged an extension of the public hearing for another sixty days.

Christine Eiffel-Dana spoke thanking Councilwoman Konopko for arranging the Environmental Protection Agency's Sustainable Communities Building Blocks Program workshops and the Painted Paw Brigade raising nearly \$10,000 for the North Rockland Rowing Club and Hi-Tor Animal Shelter. The dog that she bid on and won shows a pictorial history of North Rockland and she would like to put it on loan for display starting with the Town of Stony Point.

Susan Filgueras, Mott Farm Rd spoke against the Champlain Hudson Power Express project, pointing out what she believes to be many problem areas.

Al Samuels, Garnerville and President of Rockland Business Association spoke against the Champlain Hudson Power Express project indicating it has no direct value to this area.

### PURCHASE ORDERS

It was moved by Councilman White, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of those board members present to approve the following Purchase Orders:

Highway Dept.  
PO#2436

Ruscon Truck Service

\$3,948.00

**AUDIT OF BILLS** - None

**MINUTES**

A motion was made by Councilwoman Konopko, seconded by Councilman White and **unanimously carried** by a voice vote of those board members present to accept the minutes of June 12, 2012.

**REPORTS** - None

**POLICE BUSINESS** - None

**ECONOMIC DEVELOPMENT**

Councilwoman Konopko spoke on the following items:

- Environmental Protection Agency's Sustainable Communities Building Blocks Program and the workshops held recently.
  - Detailed research conducted by Bay Area Economics who looked at the Town's current financial state and demographics
  - Local government input, public input and research all tied together
  - Consultants will provide the Town with a blue print to help plan for a fiscally sound future.
  - Thanked all those who participated and supported the effort
  - Will form a subcommittee to follow up when results are received

Beautification Committee

Lilly Ann Wilson thanked the Town Board for their support and asked for written approval to solicit for donations.

**SUPERVISOR'S REPORT**

Supervisor Finn spoke on the following items:

- Town pool is opened and attendance is up
- Day camp opened on 6-24-12
- Working with the North Rockland rotary to raise money for the street clock to be located in the new park
- Summer concerts in the park on Wednesdays will begin this week with a children's concert. Signup for recreational activities will be available at the concert.
- Parks will be opened for July 4<sup>th</sup> and Riverfront will be opened at night for viewing the fireworks along the waterfront.
- The Fire Company's bazaar will be held July 11-14<sup>th</sup> at the Patriot Hills campus.
- June 3<sup>rd</sup> the 9<sup>th</sup> Annual Three Mile Run was held at Bowline Park. The towns of Haverstraw and Stony Point participated. The three benefactors this year were Brenda Fay and Christian Santiago from the Town of Haverstraw and Gabrielle DiCarlo from the Town of Stony Point, with each receiving \$9,000 from the event. Gabrielle was scheduled to be at tonight's meeting but at the last minute was unable to. Hopefully she can reschedule.
- Lauren's Law has been passed by the NYS Senate in honor of Lauren Shields, a 12 year old Stony Point resident and a heart transplant recipient. Lauren will be with us at a future meeting.

**GOLF COURSE REPORT** - None

**AMBULANCE REPORT** - None

Councilman White questioned if the Ambulance Corp was in receipt of their Certificate of Occupancy and on time with the grant requirements.

**DEPARTMENT REPORTS** - None

**CORRESPONDENCE** - None

**PRESENTATION**

**Champlain Hudson Power Express Project**

A presentation was given by William Helmer, Senior Vice President and General Counsel from Transmission Developers Inc. in regard to the Champlain Hudson Power Express Project. Numerous Town residents spoke out against the project. This presentation ran from 8:20 pm to 10:02 pm.

**ACTION**

A motion was made by Supervisor Finn, seconded by Councilman McDonnell and **unanimously carried** by a voice vote of those board members present to have Supervisor Finn send the following letter:

VIA FED EX#871325255292

Hon. Jaclyn A. Brillling  
Secretary, Public Service Commission  
Three Empire State Plaza  
Albany, NY 12223-1350

Re: Case No. 10-T-0139: Champlain Hudson Power Express, Inc.  
Town of Stony Point, Rockland County

Dear Hon. Jaclyn A. Brillling:

On behalf of the Town of Stony Point Town Board and interested Town residents, I am writing to request that the Public Service Commission extend the public comment period in the above referenced matter from June 29, 2012 to August 31, 2012.

I am making this request because the above proposed project was not sufficiently publicized and residents only very recently became aware of the project and its potential impacts on our Town and surrounding area. In order to allow meaningful input from the public, I respectfully request this extension of the public comment period.

Thank you for your time and attention to this request. If you have any questions, please do not hesitate to contact my office.

Very truly yours, Geoffrey Finn, Town Supervisor

**PUBLIC HEARING – CHAPTER 161 PROPERTY MAINTENANCE**

This continued public hearing was opened at 10:05 pm.

**PUBLIC INPUT** – None

**ACTION**

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

No further action was taken at this time.

**VOLUNTEER FIRE/AMBULANCE HEALTH INSURANCE**

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

**RESOLUTION**

**WHEREAS**, the Town of Stony Point is served and protected by the brave and selfless commitment and sacrifice of numerous volunteer firefighters and ambulance workers; and

**WHEREAS**, many of these volunteers risk their physical health, safety and well-being for those in our community in need without the benefit of adequate health insurance coverage for themselves and their families; and

**WHEREAS**, offering a group health insurance option may serve as an incentive in the recruitment and retention of volunteers; and

**WHEREAS**, New York State has previously adopted Chapter 71 of the Laws of 2010 which allows municipalities throughout New York State to extend coverage availability under the NYSHIP program to volunteer firefighters and ambulance workers provided the volunteers pay the total cost of such insurance coverage; and

**WHEREAS**, the Town of Stony Point desires to extend the availability of NYSHIP benefits to volunteer firefighters and ambulance workers serving fire or ambulance companies operating within the Town of Stony Point provided that, pursuant to General Municipal Law § 92-a and New York State Civil Service Law § 163, the volunteers are responsible for paying the cost of said benefit coverage and such volunteers provide proof of their status as active volunteers consistent with the provisions of General Municipal Law § 92-a;

**NOW THEREFORE BE IT,**

**RESOLVED**, that the Supervisor is hereby authorized and directed to execute any and all documents necessary to extend availability of the Town's NYSHIP benefits, pursuant to New York State General Municipal Law § 92-a to those volunteer firefighter and ambulance workers who are active members of fire and ambulance companies within the Town of Stony Point and are eligible to receive such coverage under the provisions of General Municipal Law § 92-a; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized and directed to send a copy of this resolution to all volunteer fire and ambulance companies in the Town of Stony Point.

**CAPITAL EQUIPMENT BOND RESOLUTION MODIFICATION**

A motion was made by Councilman Javenes, and seconded by Councilman McDonnell to adopt the following resolution:

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK (THE "TOWN"), AMENDING A BOND RESOLUTION DATED MAY 18, 2012, RELATING TO THE AUTHORIZING OF SERIAL BONDS OF THE TOWN TO FINANCE VARIOUS PUBLIC IMPROVEMENTS**

WHEREAS, the Town Board (the "Town Board") of the Town of Stony Point (the "Town") by bond resolution duly adopted by the Town Board on May 18, 2012 (the "Original Bond Resolution"), authorized, among other things, the issuance of \$200,000 in serial bonds of the Town to finance the acquisition of two (2) plow trucks with spreaders and plows, at a total estimated maximum cost of \$200,000 (the "Original Project"); and

WHEREAS, the Board now wishes to amend the Original Bond Resolution to amend the Original Project to consist of the acquisition of (i) one (1) plow truck with spreader and plow and (ii) one (1) skid steer with a snow plow attachment, both for use by the Town's Highway Department (as so revised, the "Project"); and

WHEREAS, the Project constitutes a "Type II" action under the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, "SEQRA") and therefore no further action need be taken by the Town Board under SEQRA as a pre-condition to the adoption of this resolution.

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

SECTION 1. Section 3 of the Original Bond Resolution is hereby amended in its entirety to read as follows:

“SECTION 2. The Town is hereby authorized to undertake the acquisition of (i) one (1) plow truck with spreader and plow at a maximum estimated cost of \$160,000 for use by the Town’s Highway Department and (ii) one (1) skid steer with a snow plow attachment at a maximum estimated cost of \$40,000 for use by the Town’s Highway Department and to issue \$200,000 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Law to finance the estimated cost thereof. It is hereby determined that the maximum estimated cost of the aforementioned specific objects or purposes is \$200,000, said amount is hereby appropriated therefore and the plan for the financing thereof shall consist of the issuance of the \$200,000 in serial bonds of the Town authorized to be issued pursuant to this section or bond anticipation notes issued in anticipation of such bonds. It is hereby determined that the period of probable usefulness for the aforementioned specific objects or purposes is fifteen (15) years, pursuant to subdivision a.28. of Section 11.00 of the Law.”

SECTION 2. Except as specifically amended herein, all the terms and provisions of the Original Bond Resolution shall remain in full force and effect.

SECTION 3. This resolution shall take effect upon adoption.

The following vote was taken and recorded in the public or open session of said meeting:

Supervisor Finn	VOTING	Yes
Councilman White	VOTING	No
Councilwoman Konopko	VOTING	Yes
Councilman Javenes	VOTING	Yes
Councilwoman McDonnell	VOTING	Yes

This resolution shall take effect immediately.

**AWARD BID – SALT SHED HIGHWAY DEPARTMENT**

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to award the bid for a salt shed to Free Span Structures, Inc. in the amount of \$92,185.00 contingent on the above mentioned company providing proof that they are registered with the New York State Secretary of State to do business in the State of New York, and a signed contract from the NYS Dormitory Authority with regard to the Town receiving grant monies for the project.

**HIRE – POOL OPERATOR**

A motion was made by Councilman White, seconded by Supervisor Finn and **unanimously carried** by a voice vote of those board members present to hire Thomas Brennan as a Pool Operator with a 2% raise over the 2011 salary.

**HIRE RECREATION FACILITY ATTENDANT**

A motion was made by Supervisor Finn, seconded by Councilman Javenes, and **unanimously carried** by a voice vote of those board members present to hire Joseph Dibble as a Recreation Facility Attendant starting salary to be \$9.50 per hour.

**AUGUST & SEPTEMBER 2012 MEETING DATES**

A motion was made by Supervisor Finn, seconded by Councilman McDonnell, and **unanimously carried** by voice vote of those board members present to change the Town Board meeting schedule for August and September, 2012. The meeting schedule is as follows:

- August 14, 2012
- September 12, 2012
- September 25, 2012

### **INTEL AGREEMENT - 2012**

A motion was made by Supervisor Finn, seconded by Councilwoman Konopko, and **unanimously carried** by a voice vote of those board members present to approve the 2012 Intel Agreement with the County of Rockland for January 1, 2012 – June 30, 2012.

### **DESIGNATE DEPOSITORY**

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to designate the First Niagara Bank (formerly HSBC) as an official depository for the Town of Stony Point.

### **OFFICIAL ZONING MAP**

A motion was made by Councilwoman Konopko, seconded by Supervisor Finn, and **unanimously carried** by a voice vote of those board members present to request a copy of our town's zoning map from Rockland County Planning for the purpose of approving by resolution as our official town zoning map.

### **NATIONAL DEVELOPMENT COUNCIL**

Supervisor Finn explained that there is interest in the property at the Patriot Hills Complex and introduced Daniel Marsh, Regional Manager from the National Development Council which specializes in community and economic development activities. Mr. Marsh gave a brief description of what his organization does.

Supervisor Finn read the following resolution:

#### **RESOLUTION RETAINING NATIONALLY RECOGNIZED ORGANIZATION TO ASSIST IN ECONOMIC DEVELOPMENT**

**WHEREAS**, Town Supervisor Geoffrey Finn has identified the National Development Council ("NDC") as a nationally recognized non-profit entity that lessens the burden of government and could assist in economic revitalization efforts in the Town to help Town taxpayers;

**WHEREAS**, the Town wishes to retain the services of NDC to assist in economic development matters so as to provide a good commercial tax rateable that would attract more users to the Town's Municipal Golf Course and otherwise promote economic development without any adverse impact upon the school district as well as without adversely impacting upon the Town Golf Course or other necessary Town Facilities or Recreational activities.

**NOW, THEREFORE**, it is resolved as follows:

1. The Town hereby ratifies and affirms each and every "Whereas" paragraph above as though set forth in full herein.
2. The Town Supervisor is authorized to negotiate with NDC and execute a Contract as recommended by Special Counsel and as approved by the Town Board to retain NDC to identify and recommend appropriate commercial tax rates to be located in the Town on land nearby the Town Golf Course that provides for positive, clean and attractive commercial uses. Any agreement negotiated by the Town Supervisor with NDC shall provide for the payment of NDC for services rendered contingent upon final approval by the Town Board of any proposed commercial rateable use or uses.
3. Notwithstanding anything herein, any such commercial use or uses shall be required to proceed pursuant to all applicable Federal, State and Town laws, rules and regulations for any land use approvals, including but not limited to all necessary public hearings and review pursuant to the New York State Environmental Quality Review Act.

4. The role of NDC shall be to utilize its expertise to attract and identify such good commercial tax ratables, but the determination as to whether such ratables shall be located in the Town shall vest solely with the Town Board pursuant to Town Law.

This shall take effect immediately.

### **ACTION**

After much discussion Supervisor Finn made a motion, seconded by Councilman White and **unanimously carried** by a voice vote of those board members present to revise the resolution as follows:

### **RESOLUTION RETAINING NATIONALLY RECOGNIZED ORGANIZATION TO ASSIST IN ECONOMIC DEVELOPMENT**

**WHEREAS**, Town Supervisor Geoffrey Finn has identified the National Development Council ("NDC") as a nationally recognized non-profit entity that lessens the burden of government and could assist in economic revitalization efforts in the Town to help Town taxpayers;

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3. Notwithstanding anything herein, any such commercial use or uses shall be required to proceed pursuant to all applicable Federal, State and Town laws, rules and regulations for any land use approvals, including but not limited to all necessary public hearings and review pursuant to the New York State Environmental Quality Review Act.
4. The role of NDC shall be to utilize its expertise to attract and identify such good commercial tax ratables, but the determination as to whether such ratables shall be located in the Town shall vest solely with the Town Board pursuant to Town Law.

This shall take effect immediately.

### **DAY CAMP REFUND**

A motion was made by Supervisor Finn, seconded by Councilman Javenes, and **unanimously carried** by voice vote of those board members present, to refund the full amount of \$250.00 for day camp registration to the Kohut family due the fact that the child broke her arm prior to day camp starting, and will be unable to attend.

**EXECUTIVE SESSION**

At 10:28 pm a motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to adjourn into executive session to discuss a PBA Arbitration matter.

**ADJOURN**

At 10:59 pm a motion was made by Supervisor Finn, seconded by Councilman McDonnell and **unanimously carried** by a voice vote of those board members present to adjourn the June 26, 2012 Stony Point Town Board Meeting.

Respectfully submitted,

Joan Skinner  
Town Clerk