

STONY POINT TOWN BOARD MEETING – OCTOBER 12, 2010

A Regular Meeting of the Stony Point Town Board, Rockland County, NY, was held on Tuesday, October 12, 2010 at 7:00 P.M. at the Stony Point Community Center (Rho Building), 5 Clubhouse Lane, Stony Point, NY. The meeting began with the Pledge of Allegiance.

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. spoke regarding the severity of the tentative budget.

Anita Horowitz, Georgian Dr. indicated that she & her husband have lived in a clean, safe community for 38 years and would like to continue to live in that type of community and urged the Board not to cut any jobs or services.

Ava Seavey, Buckberg Rd, Tomkins Cove spoke indicating that business as usual is unrealistic and everyone needs to sacrifice in some way, stating that the negative attitude toward the Board should stop.

Kathy Leroy, town resident, spoke regarding safety concerns if jobs and services are cut.

George Thompson, Nordica Circle spoke against layoffs, indicating that each one of the potential layoffs in the Police Department left good jobs to come to Stony Point and the residents of the Town deserve the services to which they are accustomed.

Christian Delusion, Filers Lane spoke against proposed layoffs in the Police Dept. stating that the quality of life in the Town will be drastically changed.

Andrew Krieger, town resident and police officer for ten years urged the Board not to weaken the police department with layoffs. He and his wife chose this town to raise their four children because of the great character of the town.

Tara Horowitz, Jay St. spoke against proposed layoffs indicating that eliminating essential services can only hurt the people of the town.

George Mulligan, Higgins Dr, spoke regarding the golf course cash flow and urged the Board to review golf course operations.

John Wood, President of Stony Point PBA spoke against layoffs, indicating they will have an adverse affect on the quality of services that the Police Dept can provide to the community.

Virginia Callao, Brewster Ave spoke against layoffs and the adverse affects on the Town.

George Harris, Willow Grove Rd, spoke about hardships resulting from layoffs, difficulty for most people to pay increasing taxes and urged the Board not to close Rho building and the senior meeting room.

JenniferTeichman, Church St, Tomkins Cove spoke against layoffs stating she wants the same type of safe community for her children that she experienced as a child.

George Potanovic, Old Gate Hill Rd, spoke regarding the costs associated with increased development and population in the Town, cost of running the golf course and increase in water rates to pay for desalinization plant.

George Thompson, Capt McGovern Dr, spoke against all layoffs and asked the Board to consider all options, including selling the golf course, if necessary.

Jack Quinn, Lincoln Oval spoke against a 25% cut in staff at the Police Dept and the adverse affects it would have on the community; especially one that has been rated one of the top ten safest communities in the State of New York various times. Asked how conditions could change so drastically and why two police officers were hired within this year if finances were in such bad condition and why this wasn't foreseen.

Purchase Orders – None

Audit Of Bills

Joan Skinner, Town Clerk, presented the following bills to the Town Board for audit and a motion was made by Councilman Finn, seconded by Councilman Vicari and carried by a voice vote to approve the bills as presented for payment:

Contractual General – September

<u>FUND</u>	<u>CLAIM #</u>	<u>BILL TOTAL</u>	<u>FUND TOTAL</u>
<u>General</u>	1242-1295	\$ 768,411.10	\$ 864,035.40
<u>Highway</u>	440-456	\$ 80,480.20	\$ 85,480.20
<u>Sewer</u>	379-395	\$ 45,758.07	\$ 45,758.07
<u>Special Districts</u>			
Ambulance	23-23		\$ 686,581.00
Enterprise	466-490	\$ 107,931.24	\$ 295,931.24
Hwy Cap Proj.	1-1	\$ 743.96	\$ 743.96
Street Lighting	8-8	\$ 21,118.82	\$ 21,118.82

General – September

<u>General</u>	1296-1375		\$ 82,388.88
<u>Highway</u>	457-480		\$ 219,098.34
<u>Sewer</u>	396-413		\$ 15,121.31
<u>Special Districts</u>			
Ambulance	23-23		\$ 25,706.17
Enterprise Fund	491-516		\$ 18,492.23
Solid Waste	39-40		\$ 22,598.50

Minutes

A motion was made by Councilman White, seconded by Councilman Finn and unanimously carried by a voice vote to accept the minutes of September 14, 2010.

Reports

Economic Development Committee

Councilwoman Konopko reported:

- Next meeting Oct. 19, 2010 at Rho
- Looking into issuing Expressions of Interest for Patriot Hills
- Reached out the NYS Dept. of State re Brownfields Grant Program for use within the Town
- Working with Master Plan Committee

Police Department

Chief Patrick Brophy presented the Board with the following report:

Police Department Report for the Month of September, 2010

Number of calls for service:	606
Number of reported accidents:	26
Number of arrests:	30
Fuel usage:	1638.6 gallons

Sum total of all traffic enforcement action:	216
Number of Youth Officer sponsored events:	5
Number of child safety seat installations:	5
Number of commercial vehicle enforcement details:	1
Number of traffic enforcement details:	
Deployed the speed trailer	
Number of training hours:	200:00hrs
Total fees collected:	\$128.00
	(\$48.00 for prints; \$80.00 for reports)

Youth sponsored events: 2 Youth Court sessions and 3 Community Service days

POLICE BUSINESS:

- **Chief Brophy's Time Record**

A motion was made by Councilman White, seconded by Councilman Vicari and carried by a voice vote to approve Chief Brophy's time sheet for the month of September, 2010.

- **Department Over-Time and Sick Leave Report**

A motion was made by Councilman White, seconded by Councilman Vicari and carried by a voice vote to accept the over-time and sick leave reports.

Executive Session

A motion was made by Councilman Finn, seconded by Councilman White and carried by a voice vote to adjourn into executive session to discuss personnel matters at 8:25 pm.

Reconvene

A motion was made by Councilwoman Konopko, seconded by Councilman Finn and carried by a voice vote to reconvene the October 12, 2010 Stony Point Town Board meeting at 8:41 pm.

GOLF COURSE

Dave Fusco, Director of Golf, presented the following report for September 2010:

- Greens Fees \$220,598.78
- ID Cards \$ 135.00
- Merchandise \$ 15,578.71
- Driving Range \$ 8,343.00
- Misc. \$ 400.00
- Club Rental \$ 774.96
- TOTAL REVENUE \$245,830.45

The Town Board asked for projections for capital improvements for the golf course for the next five/seven years.

Legislative Report - None

Joan Skinner, Town Clerk, offered the following reports for the record:

ARCHITECTURAL REVIEW BOARD

	From: 9/1/2010	To: 9/30/2010
Applications Received	1	
Applications Approved	0	
Applications Pending	1	
Fees Collected:	\$ 0.00	
Money in Lieu of Land	\$ 0.00	

BUILDING & ZONING DEPARTMENT

September

Applications Pending In September	10
Applications Received	18
Applications Returned/Withdrawn	0

Applications Denied	0
Building & Blasting Permits Issued	19
Applications Pending	9
Certificate of Occupancy	21
Certificate of Compliance	12
Fees Collected	\$ 10,460.00

DOG CONTROL OFFICER

September

Dogs seized and sheltered	1
Dogs returned to owner	1
Number of complaints received	12
Miles traveled patrolling the Town and transporting dogs	428

FIRE INSPECTOR

September	Month	Total
Number Buildings Inspected	30	151
Number Buildings Re-Inspected	0	26
Field Correction Issued	0	0
Violations Issued	0	0
Violations Complied With	0	0
Violations Outstanding	0	0
Number of Permits Issued	0	0
Requests by Police Dept.	0	0
Requests by Fire Dept.	1	26
Fires Investigated	0	1
Miscellaneous		

PLANNING BOARD

	From: 9/1/2010	To: 9/30/2010
Applications Received	1	
Applications Approved	0	
Applications Pending		
Lot Line Change	1	
Site Plan	6	
Subdivision-Major	1	
Subdivision-Minor	3	
Fees Collected:	\$750.00	
Money in Lieu of Land	\$0.00	

ZONING BOARD OF APPEALS

	From: 9/1/2010	To: 9/30/2010
Applications Received		
Area Variance	1	
Applications Closed		
Area Variance	1	
Applications Pending		
Area Variance	2	
Fees Collected:	\$2,800.00	

TOWN CLERK

September

Amount Paid To County Finance Officer For Dog Licenses	\$ 38.77
Amount Paid To NYS Agriculture & Markets For Spay/Neuter Program	\$ 6.00
Amount Paid To NYS Health Dept. For Marriage Licenses	\$ 270.00
Amount Paid To NYS Dept. Of Environmental Conservation	\$ 6,768.32
Amount Paid To Supervisor	\$ 2,535.70
TOTAL AMOUNT REMITTED	\$ 9,618.79

Legislative Report – None

Correspondence – None

Supervisor's Report - None

Discussion of County Supervisors Meeting

Supervisor Sherwood reported that the Supervisors of 4 towns in the county meet on a regular basis. They are considering and want to ask the Board for its feelings about a proposal that the four municipalities (Clarkstown, Haverstraw, Orangetown and Stony Point) under an inter-municipal agreement contract with a private consulting firm for the purpose of reviewing the structures of the police departments in the four towns. The plan is to participate in a study of the police departments in the towns to the extent necessary in determining the potential for creating one police authority whose jurisdiction would encompass the geographic boundaries of the four municipalities. The study would also illustrate the potential for cost savings under the newly proposed structure, through employment and operational savings, in addition to reviewing the applicability of the Rockland County Police Act of 1936.

Discussion developed and no action was taken.

Public Hearing – Zone Code Amendment – Outdoor Storage in LI Zone

The following notice was offered:

NOTICE OF PUBLIC HEARING
TOWN OF STONY POINT, NEW YORK

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 October 12, at 7:00 PM at Rho Building (Community Room) 5 Clubhouse Lane, Stony Point, New York.

The Town Board will consider a Local Law to amend Chapter 215 of the Code of the Town of Stony Point in the Table of General Use Requirements, Part II, Non-residential Districts, LI District Column E, Accessory Uses Permitted by Right, by allowing accessory outdoor storage of materials necessary for the operation of a use permitted in the LI District, with certain restrictions.

The Town Board is considering this amendment to increase the potential uses as set forth herein of the LI zone districts.

By Order of the Town Board dated September 14, 2010. Joan Skinner-Town Clerk

Robert Geneslaw, Town Planner outlined the proposal as follows:

- Proposal is for an amendment to the Zone Code that affects the LI (light industrial) district which applies in a few places in the town; Holt Dr., Quarry, Gypsum, Lovett.
- Proposal originated from inquiries from a prospective user who felt they needed outdoor storage of materials used during the course of their business.
 - Code does not currently allow for this.
- The Code now provides for contractor storage yards
 - Prospective user is not a contractor.
- Proposal is for accessory use by right.
 - There are several limitations
 - Height of the material
 - Height of the fence
 - Requirement for screening
 - Emergency services access plan if there is a need for it depending upon the material being stored.
- Attempt to make it a little bit easier for industrial users to determine whether space in Stony Point would be suitable for them.
- Overall a very minor amendment to the code.
- Stony Point Planning Board recommended in favor.
- Rockland County Planning made several recommendations.
 - In process of reviewing their recommendations

Dialog between Town Board members and Mr. Geneslaw.

Public Input:

Frank Collyer, Knapp Rd, indicated the more we allow in a zone, the more the zone becomes diluted.

George Potanovic, Old Gate Hill Rd asked why this is being done, rather than using a special permit and is concerned about making a blanket change to all LI zoned property.

Action

At 9:23 pm a motion was made by Supervisor Sherwood, seconded by Councilwoman Konopko and carried by a voice vote to continue the public hearing at the November 9, 2010 Town Board meeting.

Review Bid – Sewer Department - Portable Trailer Mounted Generator

A motion was made by Councilman Finn and seconded by Councilwoman Konopko to award the bid for a portable trailer mounted generator for use at the sewer plant to the lowest bidder, USA Blue Book, Gurnee, IL in the amount of \$24,995.00.

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

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

Review Bid – Aerial Lift Truck

A motion was made by Councilman Finn and seconded by Councilman White to accept the recommendation of the Superintendent of Highways and reject the one bid that was received for purchase of an aerial lift truck, due to the current economic climate.

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

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

Advertise for Bids – Electrical Work – Kirkbride Hall

An energy saving grant was received by the town for restructuring the lighting at Kirkbride. A motion was made by Councilwoman Konopko and seconded by Councilman Finn to advertise for bids for electrical work at Kirkbride Hall.

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

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

NYS Department of Transportation – Agreements & Resolutions

A motion was made by Councilman White and seconded by Councilman Vicari to authorize the Supervisor, upon approval of Special Counsel, to sign the final agreement with the NYSDOT for maintenance and repair of decorative lighting along Route 9W and maintenance of landscaping for the pocket parks with regard to the intersection reconstruction at Main St. and Route 9W.

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

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

ABSENT: None

Local Law - Dog Licensing

As of January 1, 2011 the State of New York Department of Agriculture and Markets will no longer be responsible for dog licensing and each Town will be performing that function through the Town Clerk's office. We need to amend Section 61 of our Town Code relative to dog licensing.

Action

Councilman White made a motion, seconded by Councilman Vicari and carried by a voice vote to authorize special counsel to proceed with drafting the changes necessary to accommodate the change.

Moratorium of Issuance of Chapter 182 Permits

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

Resolution
Authorization Imposing a Moratorium on the Issuance
of any Chapter 182 Permits

WHEREAS, the Town of Stony Point is interested in amending its Local law with regard to the issuance of permits concerning the collection of solid waste in the Town Code at Chapter 182; and

WHEREAS, THE AMENDMENT TO THE ISSUANCE REQUIREMENTS FOR A PERMIT PURSUANT TO Section 182-2 et seq. requires that a thorough review of the need for any amendments be considered by the Town Board as well as the Town Planner and other professionals as required; and

WHEREAS, to properly protect this review process and be certain that permits to be issued hereinafter are consistent with requirements be set forth in any Local Law a moratorium of not more than ninety (90) days is required for the issuance of any such permits pursuant to Chapter 182;

NOW, THEREFORE, it is Resolved as follows:

Section 1. The Town hereby ratifies and affirms each and every "Whereas" paragraph above as though set forth in full herein.

Section 2. The Town hereby instructs the Town Clerk not to issue any permits pursuant to Chapter 182 with regard to the collection of solid waste as set forth in Section 182-1 and 182-3 until further direction by the Town Board or until 90 days from the date of adoption of this moratorium has elapsed whichever is sooner.

Section 3. In consideration of the need to protect the health, safety and welfare of Town residents, any such applicant during this moratorium shall be permitted to apply to the Town Board by letter indicating the need for any permit to be issued during this not more than ninety (90) day moratorium and the reason the issuance of the permit will protect the health, safety and welfare of Town residents. Any such permit issued by the Town Board shall comply with all provisions of Chapter 182.

Section 4. This Resolution shall be effective immediately.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

Justice Court – Renewal of Lease

A motion was made by Councilman White, seconded by Councilman Vicari and carried by a voice vote to renew the lease with Pitney Bowes for the postage machine, located at Justice Court for \$50 per month.

Use of Fields – Just For Fun Baseball

A motion was made by Councilman White, seconded by Councilman Finn and carried by a voice vote to approve Just for Fun Baseball’s request for use of town fields for the 2011 season (4/4/11-6/18/11) as follows:

Lowland Park	Mon-Fri	6:00 pm – 8:30 pm
	Saturday	9:00 am – 3:00 pm
Laurel Park	Mon-Fri	6:00 pm – 8:30 pm
	Saturday	9:00 am – 3:00 pm

Use of Town Property – Tomkins Cove

A motion was made by Councilman White, seconded by Councilman Finn and carried by a voice vote to allow Mary Eagan proprietor of the Cove Deli to use the property at the intersection of Buckberg Rd. and Route 9W for a yard sale on Saturday, Oct. 16, 2010.

Set Public Hearing – 2011 Preliminary Budget

A motion was made by Councilman Finn and seconded by Councilman Vicari to set the public hearing for the 2011 Preliminary Budget for Thursday, November 4, 2010 at 7:00 pm.

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

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

Recess

At 9:40 pm the meeting was briefly recessed.

Budget Review

At 9:50 pm the budget review commenced.

The tentative budget for the Safety Department (Building Dept) was discussed between the Town Board, Finance Director and William Sheehan (Building Inspector).

The tentative budget for the Sewer Department was discussed between the Town Board, Finance Director and James O’Connor (Chief Operator/Sewer Department) and Carl Gilpatrick (Assistant Chief Operator/Sewer Department).

The tentative budget for the Town Clerk’s Office was discussed between the Town Board, Finance Director and Joan Skinner (Town Clerk).

The tentative budget for the Police Department was discussed between the Town Board, Finance Director and Chief Patrick Brophy.

Chief Brophy read the following:

I have prepared this memorandum, so that the Town Board will be informed of the detrimental effects, in my opinion, that the 2011 Tentative Town of Stony Point budget will have on the ability of the Stony Point Police Department to provide the basic law enforcement services that the residents of our Town are entitled to, and have come to expect.

During my tenure as Chief of Police and in my prior positions as the Executive Officer and Administrative Lieutenant I have participated in the preparation of several police department budgets. Every budget presents new challenges in keeping cost’s to a minimum while, still providing the essential services that our residents expect. The upcoming 2011 budget year is no different, and in many respects presents us with some of our greatest challenges to date. In the preparation of our budget request, for 2011, we were cognizant of the economic problems facing our town. We formulated a budget request that provided for the safety of the public, trimmed costs where possible, and attempted to identify additional areas of revenue. As a result of our budget sessions with the

Supervisor and Director of Finance further reductions were made in our equipment and expense lines but, the resources needed to provide law enforcement services to our residents were still available. The additional cuts in staffing that are contained within the tentative budget change the picture drastically. The proposed cuts of over \$1,000,000.00 to the personal service line of the police department budget will result in:

- The elimination of 7 police officers
- The loss of an additional funded but, vacant position
- The loss, due to partial funding, of an administrative position
- The elimination of the DARE/SRO program
- The loss of revenue, \$195,000.00 in reimbursements in addition to any future seizure funds, due to the necessary recall of the officer assigned to the Rockland County Intelligence Center
- The reassignment of the Youth Detective, closing of the Youth Bureau and the elimination of the following programs; Community Service Program, Youth Police Academy, Youth Court, PAL and PAL dances and deferral of youth related investigations and counseling sessions, to the detective bureau.
- A 50% reduction in the staffing of the Detective Bureau with two detectives reassigned to patrol duties.
- The elimination of most of the departments Crime Prevention programs
- Minimum staffing levels on most, if not all tours
- Reduced response times to calls for service
- The reduction of "Proactive" patrols, which can create an environment for crime to occur
- Additional patrol related overtime

I have informed the Board on several occasions that Stony Point is not immune to violent crime. In fact we have witnessed, over the past nine months, an increase in the number and types of violent crimes that have been committed in our community. Incidents such as stabbings, gang shootings, kick-in residential burglaries (resulting in injury) and our 2nd bank robbery in two years have taken place here, in Stony Point. Some of our neighboring communities, faced with similar circumstances as we are now, struggle to maintain control over their own emerging crime problems. We can not allow that to happen in Stony Point. We cannot drop our guard and allow the criminal element to take hold. We must maintain vigilance and be prepared to combat crime as it appears. This is, in my opinion, the most viable way to maintain a safe community. Dropping our police staffing to levels that were only seen pre 1980's will only hinder our ability to fight the criminal element, and protect our community.

In an effort to work together with the Board to address the challenges we face and to avert personnel layoffs, Lt. Moore and I have reviewed the department budget to further pare down our costs. As a result of that review I would recommend that the Town Board adopt the following reductions.

- Eliminate the SRO and Intel Officer stipends: \$14,863.00
- Eliminate budgeted overtime for the following events:
Memorial Day Parade, Seals Polar Plunge, Wayne Day Parade,
Schools Open patrols, local traffic details, St Patrick's Day Parade asst.
Intel Officer and Youth Officer overtime and reductions in a number of
other miscellaneous categories. \$27,256.00
- Eliminate 4 part-time Police Radio Dispatcher positions: \$59,050.00
- Eliminate 5 part-time Police Officer positions: \$84,358.00
- Further reduction of the equipment budget: \$ 2,565.00
- Reduction of the uniform allowance line: \$ 3,300.00

Total: \$191,392.00

I recommend that the Town Board apply any surplus funds from the 2010 Police Department budget towards anticipated costs of the 2011 department budget. These could include, but not be limited to, unspent funds for salaries/benefits, expenses and equipment.

An option that I have discussed with the Director of Finance, and would recommend to the Board, is the use of attrition. Although I cannot predict with absolute certainty, I believe that there is a strong possibility that the department

may have two retirements in the upcoming year. The use of attrition allows for a temporary and orderly drawdown of personnel and expenses to meet the current fiscal challenge while retaining ample staff to provide the needed services to the public.

In an effort to generate additional revenue for the Town, I recommend the Board revisit the position of prior Town Boards regarding the enforcement of the Town Alarm ordinance. False and errant fire and burglary alarms are a source of many calls for service for not only the police department but also our local fire department. An increase in the fine schedule along with stricter enforcement would serve a two-fold purpose of generating additional revenue and reducing the calls for service for both organizations.

The police department is the nexus for the delivery of all the emergency services that are provided in the Town. The department not only provides for the dispatch of our volunteer ambulance corp and paid paramedic service but, also works very closely with our volunteer fire department in their response to fires, vehicle accidents, and both natural and man made emergencies. In times of crisis it is usually the police department that arrives first to restore order, and render aid to those in need until additional resources arrive. As such, it is extremely important that the police department's staffing and resources be maintained at a level so that it can fulfill its responsibilities. To advocate otherwise not only reduces the departments ability to respond but will inevitably have a cascading effect on our other emergency service providers.

I believe our Town is at a crossroads. How we react in the upcoming days and months will determine how we emerge on the other side. It would be the easy route for us to cast all that we have accomplished aside but, we should not yield to the emotion of the moment. We should buckle down, and resolve ourselves to work together as a team to find innovative ways to address the challenges that we face.

I thank the Board for the opportunity to address you on these matters and I stand ready to answer any questions you may have.

ADJOURN

A motion was made by Councilwoman Konopko, seconded by Councilman Finn and carried by a voice vote to adjourn the October 12, 2010 Town Board meeting at 11:53 pm.

Respectfully submitted,

Joan Skinner
Town Clerk