

## STONY POINT TOWN BOARD MEETING – OCTOBER 25, 2011

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, October 25, 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

Karl Javenes gave the following update on the accomplishments of the Pyngyp Restoration Committee:

- Pyngyp has been accepted to the New York State and National Registers of Historic Places program.
- Fund Raising Campaign
  - 1200 brochures have been distributed
  - Sign requesting donations placed on the property
  - Specific businesses have been asked for donations
- Grant – in the process of applying for a grant from the State of NY
  - Authorization and endorsement resolution from the Town Board must be included in the grant application which is due on 10/31/11.

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

- Pyngyp School being placed on NYS & National Registers of Historic Places and the need to preserve our history.
- Groundwater contamination at the Lovett site
- Rising Hills drainage issues
- United Water's plan for a storage tank on Rosetown Rd.

Michael Diederich, Route 210 spoke regarding:

- Equalization rate issue
- Rockland County deficit
  - Reducing size of legislature
  - How can county government work better for us

George Potanovic, Gate Hill Rd. spoke about:

- Groundwater contamination at Lovett site
  - Concerned about well water contamination
- Candidate debate sponsored by SPACE is scheduled for Nov. 1<sup>st</sup> at 7:30 pm

Christine Effel-Dana, Tomkins Ridge Rd spoke regarding the "Haunt for Hospice" event being held in memory of Joan Bender at Cedar Brook Sheds on October 29<sup>th</sup> & 30<sup>th</sup>. Their goal is to raise \$10,000 this year.

### PURCHASE ORDER REQUEST

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

Sewer			
	PO#2323	Clean Waters, Inc.	\$1,594.00

### AUDIT OF BILLS - None

**MINUTES** - None

**POLICE DEPARTMENT REPORT/BUSINESS** - None

**ECONOMIC DEVELOPMENT COMMITTEE REPORT**

Councilwoman Konopko reported as follows:

- Sustainable Communities Building Blocks Program
  - Stony Point was not picked to receive assistance
  - Other federal agencies expressed interest in working directly with those communities rejected.
  - Will reach out to Congresswoman Hayworth for any assistance she may be able to give.
- Steering Committee has met regularly.
- Next Economic Development Committee meeting will be 11/2/11

LEGISLATIVE REPORT - None

**SUPERVISOR'S REPORT**

Supervisor Sherwood spoke regarding a 10/5/11 letter from Steven Parisio, Regional Solid Waste Geologist with the NYSDEC with regard to the Mirant (now GenOn) ash pile. The Supervisor indicated:

- There was no mention or any threat of any seepage into any wells.
- There is concern that perhaps there will be seepage in the future into the quarry.
- He has been in touch with GenOn's environmental engineer in Atlanta, as well as their New England office and they're noncommittal about what they might have to do.
- Our Town Engineer indicated there may be the need for some kind of scrubber to clear the fluids that flow out of the ash pile.
- He has been in touch with Mr. Parisio and has asked that the Town be put directly in the loop to receive any additional communications on this issue.

Councilman Vicari responded to Mr. Potanovic's concerns during public input by reading from the Parisio letter as follows... "The investigation which has been completed was extensive in scope and represents an important milestone in the process of addressing the various environmental impacts resulting from a long and varied site history. The next step in the process will be the development of a proposed plan of remedial action to mitigate the impacts which have been identified and to monitor the effectiveness of the remedial measures."

Councilman Vicari further stated that Mr. Parisio is offering them the opportunity to initiate the process and read further..... "Please indicate whether Mirant Lovett LLC is willing to develop a remedial action plan to address the environmental issues outlined above. To accomplish this we will need your continued cooperation and we request your response within thirty (30) days. A meeting can then be scheduled to discuss the details and timeframe for development of an approvable site remediation plan and an Order on Consent to provide the necessary legal framework."

Councilman Vicari stated that he did not believe this is just an **invitation** by the NYSDEC to take care of the problem; DEC is serious about it.

**GOLF COURSE REPORT** - None

**DEPARTMENTAL REPORTS** – None

**RECREATION DEPARTMENT - ACTIVITIES**

A motion was made by Councilwoman Konopko, seconded by Councilman Finn and **unanimously carried** by a roll call vote of those board members present to authorize the Holiday Shoppe as suggested by the Recreation Dept. for December 3 & 4, 2011.

**CORRESPONDENCE -**

Dear Town of Stony Point Parks Department: The North Rockland Food Pantry would like to thank all of you for the help carrying the approximately 400 donated bags of food delivered from Shop Rite to our pantry driveway down the many steps into the pantry. Without the help of the town crew Janice and I would have never been able to do it.

The generosity of the community has overwhelmed us; the amount of food collected will help us to continue providing nutritious meals to those families who might otherwise go hungry without the pantry to enhance their monthly food provisions. We are currently providing food to over 150 families monthly and continue to get new requests for assistance weekly. It is through generous, caring companies such as Shop Rite that help us help the local community. Everything donated will be helping families right here in North Rockland.

Without the help of the parks department, this pantry would be in big trouble, you have no idea how much we appreciate them. Thank you again for your support of this wonderful community program! Paula Klein & Janice Philbin-Pantry Coordinators

**RECEIVER OF TAXES-SOFTWARE UPGRADE/INSTALLMENT PAYMENTS**

A motion was made by Councilman White, seconded by Councilwoman Konopko and **unanimously carried** by a roll call vote of those board members present to authorize the Receiver of Taxes to upgrade the SQL Tax System at a one-time cost of \$7,900. This upgrade will enable installment payments for school taxes by paying at least 50% of the initial bill, including the town fee, by Sept. 30<sup>th</sup>; the second payment must be at least 50% of the balance owed including a 1% penalty and paid by Oct. 15<sup>th</sup>; and the third payment will be whatever balance is left with a 1% penalty fee and must be paid by Nov. 4<sup>th</sup>.

**BID- DRAINAGE IMPROVEMENTS 14 ZACHARY TAYLOR DRIVE**

A motion was made by Councilman Vicari and seconded by Councilman Finn to award the bid for drainage improvements at 14 Zachary Taylor Drive to the lowest bidder, Environmental Construction Inc. in the amount of \$20,394.00.

**DULY ADOPTED BY ROLL CALL VOTE:**

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

**BID – SEWER PLANT - MOTOR CONTROL CENTER & RELATED WIRING**

A motion was made by Councilman Finn, seconded by Councilman Vicari and **unanimously carried** by a roll call vote of those board members present to authorize Controlex to complete the work for the motor control center and related wiring at the Sewer Plant at a cost not to exceed \$146,000 previously budgeted for said work. This process is necessary since no bids were received and it is to Town operations that this work commence promptly.

**PYNGYP SCHOOL-GRANT AUTHORIZATION & ENDORSEMENT**

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

**RESOLUTION REGARDING MUNICIPAL ENDORSEMENT OF STONY POINT HISTORICAL SOCIETY GRANT APPLICATION**

**WHEREAS**, the Stony Point Historical Society (“Project Sponsor”) is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund for a park project to be located at Central Drive at Cedar Flats Road, 300 Rt. 210 Stony Point, NY 10980, a site located within the territorial jurisdiction of this Stony Point Town Board (Board, Council or Legislature); and

**WHEREAS**, as a requirement under the rules of these programs, the Project Sponsor, a not-for-profit corporation, must obtain the

"approval/endorsement of the governing body of the municipality in which the project will be located";

**NOW, THEREFORE**, be it:

**RESOLVED**, that the Town Board of the Town of Stony Point, as governing body, hereby declares its approval and endorsement of the application of the Project Sponsor for a grant under the Environmental Protection Act for a park project known as the "Stony Point District School No. 4 " and located within the Town of Stony Point; and be it further

**RESOLVED**, that, should the Project Sponsor be unable to continue to operate and maintain such project following receipt and application of such grant funds, said property shall continue to be maintained by the Town of Stony Point as a municipal park in this community to the extent required by the rules promulgated by OPRHP; and be it further

**RESOLVED**, that the Supervisor of the Town of Stony Point is hereby authorized and directed to execute any necessary documents required by OPRHP for processing of the Project Sponsor's grant application, in an amount not to exceed \$250,000, and in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 and upon approval of such grant application, the Supervisor is authorized and direct to execute any post-approval documents required by OPRHP in connection with the Project Sponsor's grant application.

#### **BID AUTHORIZATION-SENIOR BUS TRANSPORTATION**

A motion was made by Councilman White, seconded by Councilman Finn and **unanimously carried** by a voice vote of those board members present to authorize the Town Clerk to advertise for bids for senior bus transportation for 2012.

#### **TAX LITIGATION UPDATE**

Brian D. Nugent reported that Feerick Lynch MacCartney filed a preliminary Petition with the Office of the New York Department of State, which is a prerequisite to commencing litigation since the Town is challenging the validity of a state regulation. The Petition was filed Friday, October 21, 2011 by Feerick Lynch MacCartney. At least thirty (30) days must now elapse before litigation can be commenced in the Court.

#### **BUSINESS DEVELOPMENT ZONE PROPOSAL**

This matter was tabled until the November 22, 2011 Town Board meeting.

#### **REQUEST FOR USE OF RHO**

A motion was made by Councilman Vicari, seconded by Councilman White and **carried** by a voice vote of those board members present (Councilman Finn abstained) to authorize Councilman Finn to use the dining area at Rho Building on November 7<sup>th</sup> from 5-7pm to host a dinner for the Stony Point Senior Citizens.

#### **2012 BUDGET REVIEW**

Discussion by and between board members developed regarding the 2012 Tentative Budget.

Chief Brian Moore voiced concern regarding revenues included in the police budget; indicating that he had only included revenue from one program, however, the Supervisor had included revenue from two. He indicated that these revenues are in fact, not guaranteed.

Larry Brissing, Superintendent of Highways requested the board fill two out of three vacant positions at the Highway Department indicating that personnel remains at the same number as in the 1960's but the amount of highway to maintain has more than doubled.

**TENTATIVE BUDGET**

A motion was made by Councilwoman Konopko and seconded by Councilman Vicari to adopt the 2012 Tentative Budget as the Preliminary Budget for 2012 with minor changes in wording as provided by the Finance Director and on file in the Town Clerk's Office.

**DULY ADOPTED BY ROLL CALL VOTE:**

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

**EXECUTIVE SESSION**

At 8:53 pm a motion was made by Councilman Vicari, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of all board members present to adjourn into executive session for the purpose of discussing personnel and litigation issues.

**ADJOURN**

A motion was made by Councilman Finn, seconded by Councilman Vicari and **unanimously carried** by a voice vote of all board members present to adjourn the October 25, 2011 Stony Point Town Board Meeting at 10:15 pm.

Respectfully submitted,

Joan Skinner  
Town Clerk