

PUBLIC HEARINGS:

Proposed Local Law – Tax Levy Override

Public Hearing Notice

The following public notice was duly published in the Rockland County Times:

TOWN OF STONY POINT
NOTICE OF PUBLIC HEARING

**PROPOSED LOCAL LAW AUTHORIZING
A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN
GENERAL MUNICIPAL LAW § 3-C**

PLEASE TAKE NOTICE that on the 25th day of October 2016, at 7:00 p.m., or as soon thereafter as the matter can be heard, a Public Hearing will be held before the Town Board of the Town of Stony Point, New York, at the Rho Building, located at 5 Clubhouse Lane, Stony Point, New York, to consider a Local Law to allow the Town of Stony Point to override the limit on the amount of real property taxes that may be levied by the Town of Stony Point and to adopt a budget for the fiscal year commencing January 1, 2017 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

The full text of the proposed Local Law 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.

By Order of the Town Board dated October 11, 2016.

Joan Skinner -Town Clerk - October 13, 2016

Open Public Hearing

A motion was made by Supervisor Monaghan, seconded by Councilman Puccio and **unanimously carried** by a voice vote of those board members present to open this public hearing at 7:23 pm.

Supervisor Monaghan explained the intent of this Local Law was to override the limit on the amount of real property taxes that may be levied by the Town, if needed. This year the cap is .068%. He and all the board members, Finance Director Gregg Smith, spoke about the many challenges faced by Town in this regard.

Public Input

- George Potanovic 597 Old Gate Hill Road asked how the cap was arrived at and if there was any surplus available.

Action – Close Public Hearing

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to close this public hearing at 7:45 pm.

Action – Adopt Local Law No. 2 of 2016

A motion was made by Councilman White, seconded by Councilman Puccio and **unanimously carried** by a voice vote of those board members present to adopt Local Law No. 2 of 2016 as follows:

TOWN OF STONY POINT

LOCAL LAW NO. 2 OF 2016

A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-C

BE IT ENACTED by the Town Board of the Town of Stony Point, Rockland County, New York ("Town Board") as follows:

Section 1. Legislative Intent.

It is the intent of this Local Law to override the limit on the amount of real property taxes that may be levied by the Town of Stony Point ("Town") and to allow the Town to adopt a budget for the fiscal year commencing January 1, 2017 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority.

This Local Law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the Town to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override.

The Town Board is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2017 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law § 3-c.

Section 4. Severability.

If a court of competent jurisdiction determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date.

This Local Law shall take effect immediately upon filing with the Secretary of State.

2017 Preliminary Town Budget

Public Hearing Notice

The following public notice was duly published in the Rockland County Times:

**PUBLIC HEARING
TOWN OF STONY POINT**

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 25, 2016** at **7:00 P.M.** at Rho Building, 5 Clubhouse Lane, Stony Point, New York for the following matter.

2017 PRELIMINARY Town Budget

The purpose of such hearing is to introduce the proposed 2017 Preliminary Town Budget and permit all interested parties to comment with respect to any issues with regard to same.

The full text of the proposed 2017 Preliminary Town Budget 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.

By Order of the Town Board dated October 11, 2016.

Joan Skinner - Town Clerk - October 13, 2016

Open Public Hearing

A motion was made by Councilman White, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to open this public hearing at 7:47 pm.

Public Input

- George Potanovic 597 Old Gate Hill Road spoke about availability of the 2017 Preliminary Budget.
- Kathy Leroy – President of the Stony Point Ambulance Corp praised the Town Board for working with the Corp and helping it to streamline their expenses .
- Larry Brissing – Superintendent of Highways voiced concern that there were no provisions in this budget for paving or repairs and maintenance. He indicated that the age of his fleet of vehicles is a concern.
- Chief Brian Moore – voiced concern that there were no provisions in this budget for potential retirements in 2017 and also no provision for purchasing a new police vehicle. He had requested a new entry level police officer but realized that this would not be possible in 2017.

Discussion developed between Town Board members and Gregg Smith, Finance Director.

Action – Continue Public Hearing

At 8:16 pm Supervisor Monaghan indicated that the public hearing on the 2017 Preliminary Budget would be continued to Wednesday, November 9, 2016 at 7:00 pm.

Request for Use of Stage

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to grant permission to the Stony Point Athletic League to use the sound stage for their annual Stony Point Fall Festival and Family Fun Day at Kirkbride Hall on Saturday, **September 23, 2017**.

Application for Fireworks Display

A motion was made by Supervisor Monaghan to approve the application for display of fireworks from Legion Fireworks Co. Inc. for a permit for public display of fireworks on December 2, 2016 at the Clubhouse at Patriot Hills. No second was made on this motion, therefore no action was taken.

Accept Justice Court Audit for 2015

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to accept the 2015 Justice Court Audit as presented by O'Connor Davies, LLP, 500 Mamaroneck Ave., Harrison, NY 10528.

Re-appoint Provisional Maintenance Supervisor

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to re-appoint Jared Stalter to provisional Maintenance Supervisor.

West Main Street Municipal Easement

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

RESOLUTION AUTHORIZING LICENSE AGREEMENT FOR STONE WALL AND DISCHARGE PIPE WITHIN FALLS VIEW SUBDIVISION

WHEREAS, an Application for the Falls View Subdivision was filed with the Town of Stony Point (“Application”) on behalf of John Greene (“Applicant”) concerning property located at 146, 150 and 154 West Main St., Stony Point, New York, more specifically identified as Section 15.03, Block 5, Lots 29.1, 29.2 and 29.3 on the Town of Stony Point Tax Map; and

WHEREAS, the Town Building Inspector, upon site inspection, determined that a new rubble rock walls (hereinafter “Retaining Structure”) was constructed by the Applicant and is located within a fifteen-foot (15) wide Town easement that existed prior to the Falls View Subdivision as depicted in the Site Development Plan for Falls View dated August 4, 2016; and

WHEREAS, the Town Building Inspector has indicated that he has no objection to the Retaining Structure remaining in the Town Easement; and

WHEREAS, the Rockland County Drainage Agency (RCDA) by letter dated October 13, 2016, also confirmed that such new Retaining Structure has been constructed and a new southeast discharge pipe has been installed within the Town Easement; and

WHEREAS, the RCDA also requested a Resolution confirming that the property owner Applicant has received authorization from the Town of Stony Point to construct such new Retaining Structure and to install the new southeast corner discharge pipe within the Town Easement; and

WHEREAS, the Town Board of the Town of Stony Point desires to authorize the Retaining Structure and southeast drainage pipe to remain within the fifteen-foot (15) wide Town Easement, subject to the property owner satisfying any outstanding permit violations and subject to the property owner executing a License Agreement with the Town satisfactory in form to Town’s Special Counsel.

NOW THEREFORE BE IT RESOLVED, that:

Section 1. The above “WHEREAS” clause as shall be incorporated by reference herein.

Section 2. The Town Board, subject to a duly executed License Agreement with the Applicant in a form satisfactory to Town Special Counsel, hereby authorizes the Retaining Structure and southeast drainage pipe to remain in the 15 foot wide Town Easement area as depicted in the Site Development Plan for Falls View dated August 4, 2016 and directs that such License Agreement include provisions including but not limited to, that the such License Agreement is revocable by the Town upon a determination by the Town Board that such Retaining Structure needs to be removed or otherwise altered; that the License Agreement shall not claim any title and interest upon such property; that the Town shall have a right of access to such property; that all such property, other than the Retraining Structure within the Town Easement shall remain undisturbed by the Applicant; that the Applicant property owner shall indemnify and release the Town as determined by Town Special Counsel; that the Town shall be named as an additional insured on a comprehensive liability insurance policy held by the Applicant property owner; and other appropriate License Agreement provisions as determined by Town Special Counsel.

Section 3. The Clerk, the Town Building Inspector and any other Town official or employee, as directed by the Town Supervisor, are hereby directed and authorized to take any and all actions necessary to carry out the provisions of this Resolution.

Section 4. The Town Supervisor is hereby authorized to execute such License Agreement in a form satisfactory to Town Special Counsel.

Section 5. Authorization for the License Agreement shall be subject to any violations on the Premises being resolved and all required permits being obtained.

Section 6. This Resolution shall be effective immediately.

EXECUTIVE SESSION

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and unanimously carried by a voice vote of those board members present to adjourn into executive session at 8:30 pm to discuss pending litigation. No further votes will be taken.

ADJOURN

The October 25, 2016 Stony Point Town Board meeting adjourned at 9:05pm and **no further votes were taken.**

Respectfully submitted – Joan Skinner, Town Clerk