

**STONY POINT TOWN BOARD MEETING – MARCH 28, 2017**

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, March 28, 2017 at 7:00 pm at the Stony Point Community Center (Rho Building), 5 Clubhouse Lane, Stony Point, NY. Supervisor Monaghan called the meeting to order led the group in the Pledge of Allegiance.

**NOTE: The Stony Point Town Board Meeting scheduled for March 14th, 2017 was cancelled due to blizzard conditions being experienced on that date. The meeting was not rescheduled, but incorporated into this meeting.**

Town Clerk Joan Skinner called the following roll:

PRESENT:	Mr. Thomas Basile	Councilman
	Mr. Karl Javenes	Councilman
	Mr. James White	Councilman
	Mr. Michael Puccio	Councilman
	Mr. James Monaghan	Supervisor

**Presentation**

Barry Brooks, a life-time Stony Point resident and member of the Sons of the American Revolution presented the Town with a beautiful patriotic 3-D picture containing the American flag, an eagle and the Statue of Liberty. This picture will be hung in the Board meeting room.

**PUBLIC INPUT**

- Anita Babcock – 8 Rosetown Rd., Tomkins Cove spoke about a cemetery in the area of Route 9W and West Shore Dr. (formerly Gays Hill Rd.) that is no longer there and her concerns that the recent pipeline work disturbed it.
- Karla Phillips – 293 Willow Grove Rd. spoke about her concerns with the proposed plans to enlarge Duncan Donuts and to change the egress from that location from Willow Grove Rd. to Algonquin Dr.

**PURCHASE ORDER REQUEST**

A motion was made by Councilman Basile, seconded by Councilman White and **unanimously carried** by a voice vote of all board members present to approve the following purchase orders:

Buildings & Grounds:

PO#2907(amended)	Homestead Fence Co.	\$1,350.00
PO#2960	Playground Equipment.com	\$1,449.00
PO#2965	Hudson Valley Sign Studio	\$1,100.00

Golf Course Clubhouse:

PO#2953	Acushnet Company	\$5,940.00
---------	------------------	------------

Golf Course:

PO#2946	Easy Picker Golf Products	\$1,643.91
---------	---------------------------	------------

Highway Department:

PO#2921 (amended)	Chemung Supply	\$1,245.74
PO#2961	Corsi Tire	\$1,969.88
PO#2963	NOCO Energy Corp.	\$1,325.65
PO#2964	Optima Environmental	\$1,289.77

Police Dept:

PO#2825	Schultz Ford	\$5,736.93
PO#2826	Somes Uniforms	\$5,349.00

Receiver of Taxes:		
PO#2966	Ken's Air, Inc.	\$3,100.00
Supervisor Office:		
PO#2962	Cardiac Life Products	\$2,096.90

**AUDIT OF BILLS**

Joan Skinner Town Clerk presented the following bills to the Town Board for audit and a motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of all board members present to approve the following purchase orders:

**Contractual General – February 28, 2017**

<u>FUND</u>	<u>CLAIM #</u>	<u>FUND TOTAL</u>
General	190-219	\$ 219,235.23
Highway	83-92	\$ 30,534.62
Sewer	52-65	\$ 22,202.83
<u>Special Districts</u>		
Enterprise	39-45	\$ 9,740.08
Street Lighting	2-2	\$ 24,996.22

**General – March 28, 2017**

General	220-296	\$ 100,042.60
Highway	93-116	\$ 47,478.42
Sewer	66-84	\$ 10,109.64
<u>Special Districts</u>		
Ambulance	7-7	\$ 28,729.75
Enterprise Fund	46-65	\$ 33,530.66
Solid Waste	4-4	\$ 3,473.20

**MINUTES** - A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to approve the minutes of February 14, and February 28, 2017.

**CORRESPONDENCE - None**

**SUPERVISOR'S REPORT**

Supervisor Monaghan reported as follows:

- April 1<sup>st</sup> – Great American Cleanup begins at 9 am at Farley School and runs through noon, ending at Lowland Park with refreshments for those who worked at the cleanup.
- Congratulated Anita Babcock for being picked as the Rockland County Senior Citizen of the Year. Anita is a member of Senior Group 2, helps to organize efforts for Homes for Heroes, works for veteran's causes and is a member of the Stony Point Historical Society. She will be honored sometime later at a ceremony in Albany.

**AMBULANCE CORP. REPORT** – Kathy Leroy, President of the Ambulance Corp reported as follows:

- No financial report available
  - New account submitted an accrual accounting rather than a cash report
- 102 calls last month
- Attempting to eliminate expenses and cut costs:
  - Building cleaning now performed on a voluntary basis
  - Not purchasing new uniforms
  - Refreshments provided on a volunteer basis
  - Auxiliary is funding Sunshine Club activities
- Youth Squad Events to fund competition at Pulse Check (competition between ambulance corps ages 14-18:
  - May 6<sup>th</sup> Mother's Day Boutique
  - Collecting deposit bottles

- Selling chocolates
- Running car washes
- Building repairs are constant – many thanks to Alan Horowitz for many hours of volunteering to help in the repair work
- Obtaining new appraisal for 47 South Liberty Drive building required by bank so that 6 Lee Ave can be put up for sale
- EMT,s, drivers and Board of Directors give selfishly of their time with countless hours as volunteers

**POLICE DEPARTMENT REPORT/BUSINESS**

Chief Moore read the following report:

Police Department Report for the Month of February 2017

Number of calls for service:	732
Number of reported accidents:	28
Number of arrests:	38
(2)Felonies           (21) Misdemeanors       (15) Violations	
Fuel usage:	1116.8 gallons
Sum total of all traffic enforcement action:	135
Number of Youth Officer sponsored events:	6
Number of child safety seat installations:	9
Number of commercial vehicle enforcement details:	0
Number of traffic/special enforcement details:	3
Number of training hours:	192 hrs
Total fees collected:	\$50.75

(Foil \$0.75, Prints \$40.00, and Reports \$10.00)

Miscellaneous:

Youth events: PAL Valentine’s Day Dance at Kirkbride Hall for Grades 5 & 6 – 250 attendees, 1 PAL meeting, 4 Youth Court Training Sessions and we continued to conduct regular checks of the schools.

● **Chief Moore’s Time Record**

A motion was made by Councilman Basile, seconded by Supervisor Monaghan and **unanimously carried** by a voice vote of all board members present to approve Chief Moore’s time record for the month of February 2017 as presented.

● **Overtime and Sick Leave Reports**

A motion was made by Councilman White, seconded by Councilman Basile and **unanimously carried** by a voice vote of all board members present to approve the overtime and sick leave reports as presented for the month of February 2017.

● **Hazardous Material Training Course**

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to approve sending a police officer to a three day course on April 28-30, 2017 for a Hazardous Material Training Course in Montour Falls, NY at a cost of \$249.

● **Retirement of Lt. Keith Williams**

Chief Moore announced that Lt. Keith Williams would be retiring from the Stony Point Police Department on April 7<sup>th</sup>. He had these words to say about Lt. Williams:

“I would like to thank Lt Williams for his 29 year career in law enforcement and thank him for his service, professionalism and commitment to the residents of Stony Point. Lt Williams started his career as an officer with the Rye Brook Police Dept in Westchester County. He came to our dept in December of 1989. During his career he has served as an officer in patrol, taught Dare to the children at Immaculate Conception School, St Gregory’s School and Farley Middle School. He was later promoted to patrol sergeant in 2003. In 2008 he was promoted to Administrative Lt and then in 2011 he was promoted to Executive Officer. Lt Williams

professionalism, passion and desire to help others, young or old throughout his career, has always reflected positively on himself, the police department and this community. He has been an incredible asset to me personally, as my Executive Officer and to the Department at large. I know I speak for all of us here, when I wish him the best of luck in his retirement and future endeavors.”

**Golf Court Report**

The following report was presented for February 2017:

- Green Fees \$0.00
- ID Cards \$0.00
- Misc. Golf \$0.00
- Merchandise \$61.96
- Range Fees \$590.00
- Membership \$10,250.00
- Club Rental \$0.00
- Total \$0.00

**DEPARTMENTAL REPORTS**

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

**Architectural Review Board**

From: **02/01/2017** To: **02/28/2017**  
 Applications Received 0  
 Applications Approved  
     Solar Panels 2  
 Applications Pending 0  
 Fees Collected: \$ 200.00  
 Money in Lieu of Land \$ 0.00  
 Submitted by the ARB clerk

**Building & Zoning Department**

**February 2017**

Applications Received 18  
 Applications Returned/Withdrawn 1  
 Applications Denied 0  
 Building & Blasting Permits Issued 16  
 Applications Pending 17  
 Certificate of Occupancy 1  
 Certificate of Compliance 2  
 Fees Collected \$11,477.00

**Dog Control Officer**

**February 2017**

Dogs seized and sheltered 0  
 Dogs returned to owner 0  
 Number of complaints received 2  
 Miles traveled patrolling the Town  
     and transporting dogs 83

**Fire Inspector**

**February 2017**

	Month	Total
Inspections Performed	26	37
Field Correction Issued	5	7
Violations Issued	0	0
Violations Outstanding	0	0
Permits Issued	0	0
Requests by Police Dept.	0	0
Requests by Fire Dept.	5	8
Fires Investigated	1	3

**Planning Board**

From: **02/01/2017** To: **02/28/2017**

Applications Received	
Site Plan	1
Applications Approved	0
Applications Pending	
Amended Subdivision	1
General Category	2
Informal Discussion	1
Site Plan	6
Sub-division Minor	1
Fees Collected:	\$7,090.00
Money in Lieu of Land	\$0.00

Submitted by the Planning Board Clerk

**Sewer Department**

**February 2017**

Overtime Hours	
Sunday	15 ½ hrs.
Holiday	15 ½ hrs.
Call ins	20 hrs.
Total:	51 ½ hrs.
Monthly Flow	
Plant	21,126,500 gallons
Kay Fries	30,000 gallons
Fuel Usage	194.6 gallons
Total to Sludge Compost Facility	24 Cu. Yds.
Solids	19.5%
Screenings	59.95 Cu. Ft.
Septage	3,100 Gals.

**Zoning Board of Appeals**

**2/1/2017 to 2/28/2017**

Applications Received	0
Applications Returned/Withdrawn	0
Applications Closed	0
Applications Pending	0
Fees Collected	\$0.00

**Town Clerk**

**January 2017**

Amount Paid To NYS Agriculture & Markets	
For Spay/Neuter Program	\$ 23.00
Amount Paid To NYS Health Dept. For Marriage Licenses	\$ 45.00
Amount Paid To NYS Dept. Of Environmental Conservation	\$ 132.26
Amount Paid To Supervisor	\$ 4,109.29
TOTAL AMOUNT REMITTED	\$ 4,309.55

**Correspondence – None**

**PUBLIC HEARING – CHAPTER 159 PEDDLING AND SOLICITATION**

This public hearing was properly noticed as follows:

PUBLIC HEARING NOTICE  
TOWN OF STONY POINT

AMENDMENT TO TOWN OF STONY POINT TOWN CODE, CHAPTER 159

PLEASE TAKE NOTICE that on March 28, 2017 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 Local Law to allow the Town of Stony Point to expand the regulations of Solicitation in the Town and to retitle Chapter 159 to “Peddling and Residential Solicitation Law.”

A copy 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 March 7, 2017- Joan Skinner, Town Clerk

Supervisor Monaghan stated that he would like to open the public hearing to amend the Town code to prohibit improper real estate solicitation. The purpose of this amendment is to protect the well being, the personal safety and privacy of our residents from unwanted harassment and intrusion upon residential property.

#### Open Meeting

At 7:32 pm a motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to open this public hearing.

Special Counsel Brian Nugent gave the following overview:

- This is broadening the Peddling and Solicitation Law that already exists
- Adds concerns with these real estate solicitations and the kind of harassment that has gone on in many regions/counties where these ordinances are being adopted
- Enhances application requirements and what people need to submit to obtain a permit for a legitimate solicitor
- It’s a larger ordinance to govern and regulate more activity regarding soliciting
- It contains a registry for town residents to sign up and receive a sticker indicating no soliciting
- Resident can also simply put up a sign that says “no soliciting” or “no trespassing” that would also have to be honored
- Also includes provisions with respect to basic illegal tactics; people threatening or suggesting that a certain group is moving in or that your house is going to lose value-such tactics are being used in surrounding areas including Orange County and New Jersey
- Takes existing ordinance and incorporates more conduct; more behavior, that the Town wants to regulate with respect to door to door soliciting.
- It leaves in and adds exemptions for the not-for-profits; it’s not stopping for example girl scouts, veterans or those collecting for charities
- It broadens some exemptions that are already included as far as who needs a license and who would have to pay a fee
- Enforcement – the Police Department can issue an appearance ticket for justice court to someone that violates the law
- As it reads now fines are up to \$1000 and 15 days in jail

#### Public Input

The following people and numerous others who spoke from the audience and did not identify themselves spoke in favor of enacting the proposed changes to this law:

Susan Filgueras, 87 Mott Farm Rd  
George Potanovic, 597 Old Gate Hill Rd  
Paul Carlucci, 9 Gurran Dr.  
Mark Shower, 38 Capt. Faldermeyer Dr.  
Lillian Wilson, 18 Fonda Dr.  
Bryan Hayman, 73 Buckberg Mountain Rd.  
Brian Joyce, Richard C. Brown Dr.

Pat Dwyer, 17 Lilburn Dr.  
Joe Koval, 13 Tomkins Ridge Rd.  
George Harris, 327 Willow Grove Rd.  
John Beddows, 13 Rochelle Ct.

All five board members spoke in favor of adopting the changes and the general consensus was to increase the amount of the fines in the Law.

Supervisor Monaghan thanked everyone for their input.

#### Action - Public Hearing – Chapter 159 Peddling and Solicitation

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to close the public input portion of the public hearing and to leave the hearing open to written comments only.

#### Executive Session

At 8:50 pm a motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to adjourn into executive session to discuss police personnel.

#### Reconvene

At 10:45 pm a motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to reconvene the March 28, 2017 Stony Point Town Board meeting.

#### Accept Retirement of Lt. Keith Williams

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to accept the retirement of Lt. Keith Williams from the Stony Point Police Department effective April 7<sup>th</sup>, 2017.

#### Appointment – Daniel J. Hylas- Police Lieutenant

A motion was made by Supervisor Monaghan, seconded by Councilman White and **unanimously carried** by a voice vote of those board members present to appoint Daniel J. Hylas to the position of Police Lieutenant (Position Control #540150) effective April 8, 2017.

#### Establish Police Lieutenant Position

A motion was made by Supervisor Monaghan, seconded by Councilman White and **unanimously carried** by a voice vote of those board members present to authorize the Town Supervisor to execute any and all paperwork necessary to establish a Police Lieutenant Position for the Town of Stony Point with the Rockland County Department of Personnel.

#### Appointment – Edward Finn – Police Lieutenant

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to appoint Edward Finn to the position of Police Lieutenant, effective April 8, 2017 or upon such date that the Police Lieutenant position is created by the Rockland County Department of Personnel and such appointment is subject to acceptance of such position by Edward Finn.

#### Set Dog Park Fees

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to approve the Patriot Paws Dog Park annual fees, as follows:

- \$15.00 for (1) dog for Town of Stony Point residents
- \$30.00 for (1) dog non-resident
- \$5.00 charge for each additional dog per owner.

**Set 2017 Day Camp Fees**

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to approve the 2017 Summer Day Camp fees as follows:

- \$250 – first child
- \$150 – second child
- \$100 – third child
- \$ 50 – for four or more children

**Request to go out to Bid – 2017 Day Camp Transportation**

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to authorize the Town Clerk to go out to bid for 2017 Day Camp Transportation.

**Approve – Maintenance Patriot Hills Clubhouse**

A motion was made by Supervisor Monaghan, seconded by Councilman White and **unanimously carried** by a voice vote of those board members present to hire Ferguson Landscape & Construction for landscape maintenance at the Patriot Hills Clubhouse for the 2017 (\$7,856) & 2018 (\$7,856) seasons, based on the three quotes solicited and the recommendation of Dave Fusco, Director of Golf.

**Approve Additional Funding Equipment/Infrastructure**

A motion was made by Supervisor Monaghan, seconded by Councilman Puccio and **unanimously carried** by a voice vote of those board members present to approve the additional funding for equipment and infrastructure for 2017 as shown on the chart listed below:

<b>2017 Budget Equipment</b>		<b>2017</b>	<b>2017</b>	<b>2017</b>
<b>General</b>		Requested	Adopted	BAN
<b>Department Name</b>	<b>Description</b>	<b>Amount</b>	<b>Amount</b>	<b>Amount</b>
Assessor	Computer Replacement (2)	1,400.00	1,400.00	-
Assessor	New Vehicle	25,000.00	-	-
Dog Warden	Used Pickup with Cap	15,000.00	-	15,000.00
Police	2017 Ford Interceptor & Equipment	32,750.00	-	-
Police	2017 Chevrolet Tahoe & Equipment	44,050.00	-	37,000.00
Police	Heavy Duty Dispatcher Chair	1,450.00	1,450.00	-
Police	Computer System Upgrade	4,000.00	-	-
Police	MDT Vehicle Laptop lease (8)	18,240.00	18,240.00	-
<b>Building /Parks Department</b>				
<b>Parks</b>	<b>2007 Tahoe (used SPFD) bid amount</b>	-	-	7,000.00
<b>Parks</b>	<b>Playground Equipment</b>	-	-	35,000.00
Parks	New Vehicle Dump truck	60,000.00	-	60,000.00
Parks	New Vehicle Rack Truck with lift gate	45,000.00	-	-

Parks	New Vehicle F250	30,000.00	-	-
Parks	New Vehicle F250	30,000.00	-	-
Building Rho	ADA Compliance	11,600.00	-	-
Building Police Parking Lot	Repair & Reseal Parking lot	11,000.00	-	-
Building Parks	Raise Roof	62,000.00	-	30,000.00
Building	Roof Repairs	-	-	-
	<b>Sub Total:</b>	<b>391,490.00</b>	<b>21,090.00</b>	<b>184,000.00</b>
<b>Golf</b>				
Admin	Ball Dispenser	8,000.00	-	-
Admin	Ranger Picker	3,000.00	-	3,000.00
Admin	Security Camera & DVR	2,500.00	-	-
Operations	Toro Multi Pro 5800 Sprayer	49,075.58	-	49,075.58
Operations	Toro GreenMaster 1000	7,270.38	-	-
Operations	Toro Infield Pro 5040 Traction Unit	18,247.57	-	-
	<b>Sub Total:</b>	<b>88,093.53</b>	<b>-</b>	<b>52,075.58</b>
<b>Highway</b>				
Highway	Paving 1.5 miles	350,000.00	-	350,000.00
Highway	Plow Trucks (1)	225,000.00	-	225,000.00
Highway	New Truck L Brissing	35,000.00	-	35,000.00
Highway	1 Ton Dump	55,000.00	-	-
Highway	5 Ton Roller	40,000.00	-	-
Highway	120lb Jack Hammer	3,000.00	3,000.00	-
Highway	Diagnostic Equipment	5,000.00	5,000.00	-
Highway	Trench Box	7,000.00	-	-
Highway	GPS Tracking	10,000.00	-	-
	<b>Sub Total:</b>	<b>730,000.00</b>	<b>8,000.00</b>	<b>610,000.00</b>
<b>Sewer</b>				
Sewer	Airation System	-	-	150,000.00
Sewer	2017 New SUV	33,103.00	-	-
Sewer	Sewer Pump	18,170.00	-	-

Sewer	Sludge Pump	17,990.00	-	-
	<b>Sub Total:</b>	<b>69,263.00</b>	-	<b>150,000.00</b>
	<b>Total Capital Budget 2017</b>	<b>1,278,846.53</b>	<b>29,090.00</b>	<b>996,075.58</b>

**Approve Resolution – Funding Replacement Vehicles & Equipment**

The following resolution was offered by Supervisor Monaghan, who moved its adoption, seconded by Councilman Puccio and **unanimously carried** by a voice vote of all board members present, to-wit:

**RESOLUTION 2017-6**

**BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK (THE “TOWN”), AUTHORIZING THE ISSUANCE OF UP TO \$157,000 IN SERIAL BONDS OF THE TOWN TO FINANCE THE ACQUISITION OF REPLACEMENT VEHICLES AND EQUIPMENT**

WHEREAS, the Town Board (the “Board”) of the Town of Stony Point, Rockland County (the “Town”) proposes to authorize the issuance of \$157,000 in serial bonds of the Town to finance the acquisition of replacement vehicles and equipment for use by various Town Departments, including other costs incidental to the financing thereof (collectively, the “Project”); and

WHEREAS, the Board now wishes to appropriate funds for such each purpose and to authorize the issuance of the Town's serial bonds and bond anticipation notes to be issued to finance each such appropriation.

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. The Town is hereby authorized to issue \$15,000 principal amount of serial bonds pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the “Law”) to finance the estimated cost of acquiring one pick-up truck for use by the Town’s Dog Warden. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$15,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$15,000 in serial bonds of the Town authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is five (5) years, pursuant to subdivision 29(a). of paragraph a. of Section 11.00 of the Law.

SECTION 2. The Town is hereby authorized to issue \$37,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the cost of acquiring one replacement police vehicle. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$37,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$37,000 in serial bonds of the Town authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is three (3) years, pursuant to subdivision 77(first). of paragraph a. of Section 11.00 of the Law.

SECTION 3. The Town is hereby authorized to issue \$7,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the cost of acquiring one replacement vehicle for use by the Town's Parks Department. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$7,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$7,000 in serial bonds of the Town authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is three (3) years, pursuant to subdivision 77(first). of paragraph a. of Section 11.00 of the Law.

SECTION 4. The Town is hereby authorized to issue \$3,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the cost of acquiring one ranger picker for use by the Town's Municipal Golf Course. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$3,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$3,000 in serial bonds of the Town authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is five (5) years, pursuant to subdivision 32. of paragraph a. of Section 11.00 of the Law.

SECTION 5. The Town is hereby authorized to issue \$35,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the cost of acquiring one replacement vehicle for use by the Town's Highway Department. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$35,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$35,000 in serial bonds of the Town authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is three (3) years, pursuant to subdivision 77(first). of paragraph a. of Section 11.00 of the Law.

SECTION 6. The Town is hereby authorized to issue \$60,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the cost of acquiring one replacement dump truck for use by the Town's Parks Department. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$60,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$60,000 in serial bonds of the Town authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is five (5) years, pursuant to subdivisions 28 and 89 of paragraph a. of Section 11.00 of the Law.

SECTION 7. The final maturity of the bonds herein authorized to be issued pursuant to each of Sections 1 through 6 of this resolution shall not be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note.

SECTION 8. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 2 of this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the

bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 10. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00 and Sections 62.10 and 63.00 of the Law, the powers and duties of the Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters relating thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor of the Town, as the chief fiscal officer of the Town (the "Town Supervisor"). Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for one or more of the objects or purposes authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town.

SECTION 11. The Town Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 12. The Town Supervisor is further authorized to enter into continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes authorized by this resolution in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 13. The Town Board hereby determines that the actions authorized by this resolution and the adoption hereof collectively constitute a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, "SEQRA") and that no further action under SEQRA need be taken by the Town Board as a condition precedent to the adoption of this resolution.

SECTION 14. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Board.

SECTION 15. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

SECTION 16. The Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in the official newspaper(s) of the Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Law.

SECTION 17. This resolution shall take effect immediately.

### **Approve Resolution - Funding Plow Truck & Repaving Roadways**

The following resolution was offered by Supervisor Monaghan, seconded by Councilman Javenes and **carried** by a voice vote of those board members present with **Councilman White voting no**; to wit:

### **RESOLUTION 2017-7**

#### **BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE RECONSTRUCTION AND REPAVING OF ROADS THROUGHOUT THE TOWN AND THE ACQUISITION OF ONE PLOW TRUCK; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$575,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$575,000 IN SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION**

WHEREAS, the Town Board (the "Board") the Town of Stony Point, Rockland County, New York (the "Town") proposes to authorize the issuance of \$575,000 in serial bonds of the Town to finance the cost of (i) the reconstruction and repaving of roads throughout the Town, including, as necessary or appropriate, the construction or reconstruction of sidewalks, curbs, gutters, drainage, landscaping, and grading or improving right of way improvements in connection therewith and (ii) the acquisition one plow truck for use by the Town's Highway Department, and any appurtenant and incidental costs and expenses of each of the foregoing (collectively, the "Project"), at an estimated maximum cost of \$575,000; and

WHEREAS, the Board now wishes to appropriate funds for the Project and to authorize the issuance of the Town's serial bonds and bond anticipation notes to be issued to finance the aforementioned class of objects or purposes.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board (the "Town Board") of the Town of Stony Point, Rockland County, New York (the "Issuer" or the "Town") (by the favorable vote of not less than two-thirds of all the members of such body), as follows:

SECTION 1. The Town is hereby authorized to undertake (i) the reconstruction and repaving of roads throughout the Town, including, as necessary or appropriate, the construction or reconstruction of sidewalks, curbs, gutters, drainage, landscaping, and grading or improving right of way improvements in connection therewith, and (ii) the acquisition of one plow truck for use by the Town's Highway Department, and any appurtenant and incidental costs and expenses to each of the foregoing. It is hereby determined that the maximum estimated cost of the aforementioned class of objects or purposes is \$575,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of the \$575,000 in serial bonds of the Town authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (ii) unless paid from other sources, the levy and collection of taxes on all taxable real property of the Town to pay the principal of such bonds or notes and the interest thereon as the same become due and payable.

SECTION 2. Serial bonds of the Town in the principal amount of \$575,000 are hereby authorized to be issued pursuant to provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the aforementioned class of objects or purposes.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforementioned class of objects or purposes is fifteen (15) years, pursuant to subdivision 91. of paragraph a. of Section 11.00 of the Law.

SECTION 4. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 5. The final maturity of the bonds herein authorized to be issued shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to this resolution.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town subject to applicable statutory limits, if any. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Town Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town (the "Town Supervisor"). Such notes shall be of such terms, form and contents as may be prescribed by said Town Supervisor consistent with the provisions of Local Finance Law. Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for the class of objects or purposes authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town.

SECTION 8. The Town Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Town Supervisor is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes authorized by the resolution in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The Town Board hereby determines that the actions authorized by this resolution and the adoption hereof collectively constitute a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, "SEQRA") and that no further action under SEQRA need be taken by the Town Board as a condition precedent to the adoption of this resolution.

SECTION 11. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board.

SECTION 12. Pursuant to subdivision b. of Section 35.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article Seven of the Town Law of the State of New York (the "Town Law"). The Town Clerk is hereby authorized and directed, within ten (10) days after the date of adoption of this resolution, to publish and post a notice satisfying the requirements of Section 90 of the Town Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Town for such purpose.

SECTION 13. This resolution shall take effect thirty (30) days after the date of its adoption or, if within such thirty (30) day period there is filed with the Town Clerk a petition subscribed and acknowledged by the number of qualified electors of the Town required by Section 91 of the Town Law and in the manner specified in such Section, until approved by the affirmative vote of a majority of such qualified electors voting on a proposition for its approval.

SECTION 14. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) such obligations are authorized in violation of the provisions of the constitution.

SECTION 15. Upon this resolution becoming effective, the Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the Town for such purpose, together with a notice of the Town Clerk substantially the form provided in Section 81.00 of the Law.

### **Approve Resolution – Funding Playground & Golf Course Equipment**

The following resolution was offered by Supervisor Monaghan, who moved its adoption, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present, to-wit:

### **RESOLUTION 2017-8**

**BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ACQUISITION OF PLAYGROUND EQUIPMENT AND OF ONE CHEMICAL SPRAYER FOR USE BY THE TOWN'S MUNICIPAL GOLF COURSE; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$84,076; APPROPRIATING SAID AMOUNT**

**THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$84,076  
IN SERIAL BONDS OF THE TOWN TO FINANCE SAID  
APPROPRIATION**

WHEREAS, the Town Board (the "Board") the Town of Stony Point, Rockland County, New York (the "Town") proposes to authorize the issuance of \$84,076 in serial bonds of the Town to finance the cost of (i) the acquisition of playground equipment and (ii) the acquisition of one chemical sprayer for use by the Town's Municipal Golf Course, and any appurtenant and incidental costs and expenses to each of the foregoing (collectively, the "Project"), at an estimated maximum cost of \$84,076; and

WHEREAS, the Board now wishes to appropriate funds for the Project and to authorize the issuance of the Town's serial bonds and bond anticipation notes to be issued to finance the aforementioned class of objects or purposes.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board (the "Town Board") of the Town of Stony Point, Rockland County, New York (the "Issuer" or the "Town") (by the favorable vote of not less than two-thirds of all the members of such body), as follows:

SECTION 1. The Town is hereby authorized to undertake (i) the acquisition of playground equipment and (i) the acquisition of one chemical sprayer for use by the Town's Municipal Golf Course, and any appurtenant and incidental costs and expenses to each of the foregoing. It is hereby determined that the maximum estimated cost of the aforementioned class of objects or purposes is \$84,076, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of the \$84,076 in serial bonds of the Town authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (ii) unless paid from other sources, the levy and collection of taxes on all taxable real property of the Town to pay the principal of such bonds or notes and the interest thereon as the same become due and payable.

SECTION 2. Serial bonds of the Town in the principal amount of \$84,076 are hereby authorized to be issued pursuant to provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the aforementioned class of objects or purposes.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforementioned class of objects or purposes is fifteen (15) years, pursuant to subdivision 91. of paragraph a. of Section 11.00 of the Law.

SECTION 4. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 5. The final maturity of the bonds herein authorized to be issued shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to this resolution.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town subject to applicable statutory limits, if any. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Town Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town (the "Town Supervisor"). Such notes shall be of such terms, form and contents as may be prescribed by said Town Supervisor consistent with the provisions of Local Finance Law. Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for the class of objects or purposes authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town.

SECTION 8. The Town Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Town Supervisor is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes authorized by this resolution in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The Town Board hereby determines that the actions authorized by this resolution and the adoption hereof collectively constitute a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, "SEQRA") and that no further action under SEQRA need be taken by the Town Board as a condition precedent to the adoption of this resolution.

SECTION 11. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board.

SECTION 12. Pursuant to subdivision b. of Section 35.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article Seven of the Town Law of the State of New York (the "Town Law"). The Town Clerk is hereby authorized and directed, within ten (10) days after the date of adoption of this resolution, to publish and post a notice satisfying the requirements of Section 90 of the Town Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Town for such purpose.

SECTION 13. This resolution shall take effect thirty (30) days after the date of its adoption or, if within such thirty (30) day period there is filed with the Town Clerk a petition subscribed and acknowledged by the number of qualified electors of the Town required by Section 91 of the Town Law and in the manner specified in such Section, until approved by the affirmative vote of a majority of such qualified electors voting on a proposition for its approval.

SECTION 14. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the constitution.

SECTION 15. Upon this resolution becoming effective, the Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the Town for such purpose, together with a notice of the Town Clerk substantially the form provided in Section 81.00 of the Law.

### **Approve Resolution - Funding Reconstruction/Replacement Roofs**

The following resolution was offered by Supervisor Monaghan, who moved its adoption, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present, to-wit:

#### **RESOLUTION 2017-9**

#### **BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE RECONSTRUCTION OR REPLACEMENT OF ROOFS AT VARIOUS TOWN BUILDINGS; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$30,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$30,000 IN SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION**

WHEREAS, the Town Board (the "Board") the Town of Stony Point, Rockland County, New York (the "Town") proposes to authorize the issuance of \$30,000 in serial bonds of the Town to finance the reconstruction or replacement of roofs at various Town buildings, and any appurtenant and incidental costs and expenses (collectively, the "Project"), at an estimated maximum cost of \$30,000; and

WHEREAS, the Board now wishes to appropriate funds for the Project and to authorize the issuance of the Town's serial bonds and bond anticipation notes to be issued to finance the aforementioned class of objects or purposes.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board (the "Town Board") of the Town of Stony Point, Rockland County, New York (the "Issuer" or the "Town") (by the favorable vote of not less than two-thirds of all the members of such body), as follows:

SECTION 1. The Town is hereby authorized to undertake the reconstruction or replacement of roofs at various Town buildings, and any appurtenant and incidental costs and expenses. It is hereby determined that the maximum estimated cost of the aforementioned class of objects or purposes is \$30,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of the \$30,000 in serial bonds of the Town authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (ii) unless paid from other sources, the levy and collection of taxes on all taxable real property of the Town to pay the principal of such bonds or notes and the interest thereon as the same become due and payable.

SECTION 2. Serial bonds of the Town in the principal amount of \$30,000 are hereby authorized to be issued pursuant to provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the aforementioned class of objects or purposes.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforementioned class of objects or purposes is five (5) years, pursuant to subdivisions 12(a)(3) and 89 of paragraph a. of Section 11.00 of the Law.

SECTION 4. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 5. The final maturity of the bonds herein authorized to be issued shall not be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to this resolution.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town subject to applicable statutory limits, if any. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Town Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town (the "Town Supervisor"). Such notes shall be of such terms, form and contents as may be prescribed by said Town Supervisor consistent with the provisions of Local Finance Law. Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for the class of objects or purposes authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town.

SECTION 8. The Town Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Town Supervisor is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes authorized by the resolution in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The Town Board hereby determines that the actions authorized by this resolution and the adoption hereof collectively constitute a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, "SEQRA") and that no further action under SEQRA need be taken by the Town Board as a condition precedent to the adoption of this resolution.

SECTION 11. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board.

SECTION 12. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the constitution.

SECTION 13. The Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the Town for such purpose.

SECTION 14. This resolution shall take effect immediately.

#### **Approve Resolution - Funding – Sewer Plant Aeration System**

The following resolution was offered by Supervisor Monaghan, who moved its adoption, seconded by Councilman Puccio and **unanimously carried** by a voice vote of those board members present, to-wit:

#### **RESOLUTION 2017-10**

#### **BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE RECONSTRUCTION AND REPLACEMENT OF THE AERATION SYSTEM AT THE TOWN'S WASTEWATER TREATMENT PLANT; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$150,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$150,000 IN SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION**

WHEREAS, the Town Board (the "Board") the Town of Stony Point, Rockland County, New York (the "Town") proposes to authorize the issuance of \$150,000 in serial bonds of the Town to finance the reconstruction and replacement of the aeration system at the Town's Wastewater Treatment Plant, and any appurtenant and incidental costs and expenses (collectively, the "Project"), at an estimated maximum cost of \$150,000; and

WHEREAS, the Board now wishes to appropriate funds for the Project and to authorize the issuance of the Town's serial bonds and bond anticipation notes to be issued to finance the aforementioned class of objects or purposes.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board (the "Town Board") of the Town of Stony Point, Rockland County, New York (the "Issuer" or the "Town") (by the favorable vote of not less than two-thirds of all the members of such body), as follows:

SECTION 1. The Town is hereby authorized to undertake the reconstruction and replacement of the aeration system at the Town's Wastewater Treatment Plant, and any appurtenant and incidental costs and expenses. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$150,000,

said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of the \$150,000 in serial bonds of the Town authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (ii) unless paid from other sources, the levy and collection of taxes on all taxable real property of the Town to pay the principal of such bonds or notes and the interest thereon as the same become due and payable.

SECTION 2. Serial bonds of the Town in the principal amount of \$150,000 are hereby authorized to be issued pursuant to provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the aforementioned class of objects or purposes.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforementioned specific object or purpose is forty (40) years, pursuant to subdivision 4. of paragraph a. of Section 11.00 of the Law.

SECTION 4. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 5. The final maturity of the bonds herein authorized to be issued shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to this resolution.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town subject to applicable statutory limits, if any. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Town Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town (the "Town Supervisor"). Such notes shall be of such terms, form and contents as may be prescribed by said Town Supervisor consistent with the provisions of Local Finance Law. Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for the object or purpose authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town.

SECTION 8. The Town Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes

pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Town Supervisor is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes authorized by this resolution in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The Town Board hereby determines that the actions authorized by this resolution and the adoption hereof collectively constitute a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, "SEQRA") and that no further action under SEQRA need be taken by the Town Board as a condition precedent to the adoption of this resolution.

SECTION 11. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board.

SECTION 12. Pursuant to subdivision b. of Section 35.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article Seven of the Town Law of the State of New York (the "Town Law"). The Town Clerk is hereby authorized and directed, within forty (40) days after the date of adoption of this resolution, to publish and post a notice satisfying the requirements of Section 90 of the Town Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Town for such purpose.

SECTION 13. This resolution shall take effect thirty (30) days after the date of its adoption or, if within such thirty (30) day period there is filed with the Town Clerk a petition subscribed and acknowledged by the number of qualified electors of the Town required by Section 91 of the Town Law and in the manner specified in such Section, until approved by the affirmative vote of a majority of such qualified electors voting on a proposition for its approval.

SECTION 14. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) such obligations are authorized in violation of the provisions of the constitution.

SECTION 15. Upon this resolution becoming effective, the Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the Town for such purpose, together with a notice of the Town Clerk substantially the form provided in Section 81.00 of the Law.

### **Approve Police Retirement Payouts Funding**

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

## **RESOLUTION 2017-11 RESOLUTION APPROVING PAYMENTS DUE TO RETIRING STONY POLICE DEPARTMENT MEMBERS**

**WHEREAS**, Stony Point Police Department members, K. Williams, K. Lodini and C. Gizzi have notified the Town of their intent to retire from the Police Department; and **WHEREAS**, the Collective Bargaining Agreement between the Town of Stony Point and the Stony Point Policeman Benevolent Association provides for compensation to be paid upon retirement, for accrued time and other benefits.

**NOW THEREFORE BE IT RESOLVED**, that:

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

Section 2. The Town Board hereby approves the payments due to retiring members of the Town of Stony Point Police Department, as set forth in the annexed summary for a total of \$468,380.

Section 3. The Town Clerk, and any other Town Officer or Employee, as directed by the Town Supervisor, is authorized to take any and all necessary actions to carry out the provisions of this Resolution.

Section 4. This Resolution shall be effective immediately.

The Resolution was thereupon duly adopted.

### **Approve Resolution - Funding Police Retirement Payouts**

The following resolution was offered by Supervisor Monaghan, who moved its adoption, seconded by Councilman Puccio and **unanimously carried** by a voice vote of those board members present, to-wit:

#### **RESOLUTION 2017-12**

#### **BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK (THE “TOWN”), AUTHORIZING THE ISSUANCE OF \$468,381.09 IN SERIAL BONDS OF THE TOWN TO FINANCE CERTAIN ACCRUED BENEFITS PAYABLE TO A QUALIFYING EMPLOYEE UPON SEPARATION OF SERVICE FROM THE TOWN**

WHEREAS, pursuant to Chapter 482 of the Laws of 2011 of the State of New York (the “Special Legislation”), which added subdivision a.105 to Section 11.00 of the Local Finance Law, the Town of Stony Point (the “Town”) is authorized to issue its serial bonds or bond anticipation notes for the purpose of financing the cost of payments by the Town to or for the benefit of employees upon separation from employment, as may be approved by the Town and including, but not limited to, cash payment for separation incentives and/or payment of the monetary value of accrued and accumulated but unused and unpaid sick leave, personal leave, holiday leave, vacation time, time allowances granted in lieu of overtime compensation, premiums or contributions with respect to health, dental and vision care insurance plans for the fiscal year in which such separation occurs, and any other forms of payment required to be paid to or for the benefit of such employees in connection with the separation from employment; and

WHEREAS, by resolutions adopted on February 28, 2017 and March 28, 2017, the Town Board authorized payments to three (3) employees who have elected to retire, of the monetary value of unused or unpaid vacation time, sick leave, personal leave, holiday leave and other allowances for which the Town is authorized to issue its serial bonds or bond anticipation notes in accordance with the Special Legislation (the “Severance Payments”); and

WHEREAS, the Town Board intends to authorize the issuance of \$468,381.09 in serial bonds or bond anticipation notes of the Town to finance the costs of the Severance Payments (the “Project”).

NOW, THEREFORE, BE IT RESOLVED, by the Town Board (the “Town Board”) of the Town of Stony Point, Rockland County, New York (the “Issuer” or the “Town”) (by the favorable vote of not less than two-thirds of all the members of such body), as follows:

SECTION 1. The Town is hereby authorized to issue up to \$468,381.09 principal amount of serial bonds (including, without limitation, statutory installment bonds)

pursuant to the provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the Project.

SECTION 2. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$468,381.09, said amount is hereby appropriated therefore, and the plan for the financing thereof shall consist of (i) the issuance of \$468,381.09 in serial bonds of the Town authorized to be issued pursuant to Section 1 of this resolution, or bond anticipation notes issued in anticipation of such serial bonds to finance said appropriation, and (ii) the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that the period of probable usefulness for the aforementioned specific objects or purposes is five (5) years, pursuant to subdivisions a.105 and a.89 of Section 11.00 of the Law.

SECTION 4. The final maturity of the bonds herein authorized to be issued shall not be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to Section 1 of this resolution.

SECTION 5. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the purpose described in this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 1 of this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Town Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town (the "Town Supervisor"). Such notes shall be of such terms, form and contents as may be prescribed by said Town Supervisor consistent with the provisions of Local Finance Law. Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for the class of objects or purposes authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town.

SECTION 8. The Town Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes

pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Town Supervisor is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes authorized by this resolution in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The Town Board hereby determines that the actions authorized by this resolution and the adoption hereof collectively constitute a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, "SEQRA") and that no further action under SEQRA need be taken by the Town Board as a condition precedent to the adoption of this resolution.

SECTION 11. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board.

SECTION 12. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

SECTION 13. The Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in the official newspaper(s) of the Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Law.

SECTION 14. This resolution shall take effect immediately.

#### **Waive Fees-Ambulance/Fire Department Sign Fees**

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to waive the \$190 fees associated with the construction of a LED Sign on their property for the Stony Point Ambulance Corp and Wayne Hose Company No. 1.

#### **Award Bid – Golf Course Plant Protectants & Fertilizer**

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to award the golf course plant protectants and fertilizer bid to Metro Turf Specialists, as recommended by Joe Smyth, Golf Course Superintendent.

#### **Request – Wayne Hose Fire Company**

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of all board members present to approve the request of Wayne Hose Company as follows:

- Use of Letchworth Property  
to use the Letchworth property for the annual Wayne Day Bazaar from July 8, 2017 thru July 16, 2017.
- Close Patriot Hills Drive  
to close Patriot Hills Drive from July 12, 2017 – July 15, 2017 for the hours of 5PM – Midnight daily for the Wayne Day Bazaar, and with the help of the

Highway Superintendent place detour signs including LED signs announcing the road closure and detour.

- Fireworks Display – Wayne Day Bazaar  
to host a firework display on July 14<sup>th</sup>, 2017 with a rain date of July 15, 2017.
- Use of the Restroom Trailer  
to use the Town's mobile restroom trailer for the Wayne Day Bazaar from July 12, 2017 – July 15, 2017 with Wayne Hose Company taking responsibility for sanitizing and the upkeep of the mobile restroom.
- Use of the Soundstage  
to use the Town's Sound Stage for the Wayne Day Bazaar from July 12, 2017 – July 15, 2017.
- Mass Gathering Permit  
to waive the Public Hearing for the mass gathering permit.

#### **Agreement – Town & Henningson Durham & Richardson Engineers**

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to authorize Supervisor Monaghan to enter into an agreement with Henningson Durham & Richardson Architecture and Engineering PC for consultant services with regard to radio frequency measurements for a proposed antenna within the town as contained in an application from Verizon before the Planning Board.

#### **Agreement – Task Order – Verizon Rooftop Installation**

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and unanimously carried by a voice vote of those board members present to authorize Supervisor Monaghan to execute Task Order 2017-01 with Henningson Durham & Richardson Architecture and Engineering PC for consultant services with regard to radio frequency measurements for a proposed antenna within the town as contained in an application from Verizon before the Planning Board.

#### **Approve - Rockland County MS4 Mapping Grant Resolution**

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

### **TOWN OF STONY POINT RESOLUTION NO. 2017-13**

#### **FOR MUNICIPAL PARTICIPATION IN NYSDEC CONTRACT C00386GG 'ROCKLAND COUNTY MS4 GRANT' (STORMWATER CONSORTIUM OF ROCKLAND COUNTY CORNELL COOPERATIVE EXTENSION, ROCKLAND COUNTY [CCE])**

WHEREAS, a NYSDEC Water Quality Improvement (WQIP) Round 12 grant has been issued through the Stormwater Consortium of Rockland County (SCRC) and Cornell Cooperative Extension, Rockland County (CCE);

WHEREAS, the grant has been referenced as NYSDEC CONTRACT C00386GG 'ROCKLAND COUNTY MS4 GRANT';

WHEREAS, NYSDEC CONTRACT C00386GG 'ROCKLAND COUNTY MS4 GRANT' promotes enhanced mapping of the Municipal Separate Storm Sewer System (MS4).

WHEREAS, CCE has entered into a sub-contract with the Rockland County Soil & Water Conservation District to manage all components, absent of fiscal duties, of NYSDEC CONTRACT C00386GG 'ROCKLAND COUNTY MS4 GRANT';

WHEREAS, CCE will strive to enhance MS4 mapping components for jurisdictions within the Stormwater Consortium, who remain in good standing, who

choose to participate in NYSDEC CONTRACT C00386GG' ROCKLAND COUNTY MS4 GRANT' through incorporating business enterprises and other resources as required, available, and needed per grant requirements to assist with the collection of data.

WHEREAS, jurisdictions may choose to participate with CCE to promote enhanced mapping of the MS4 system through grant monies provided with NYSDEC CONTRACT C00386GG' ROCKLAND COUNTY MS4 GRANT' with the commitment to fund 25% of the grant amount with Village/Town funds or in kind services as obligated by the grant requirements;

WHEREAS, jurisdictions may opt out of participation and grant monies provided with NYSDEC CONTRACT C00386GG' ROCKLAND COUNTY MS4 GRANT';

WHEREAS, be it hereby resolved that jurisdictional participation shall be indicated below, and signature of by Chief Operating Officer or designated signee shall be provided to determine participation with CCE to promote enhanced mapping of the MS4 system through grant monies provided by NYSDEC CONTRACT C00386GG' ROCKLAND COUNTY MS4 GRANT'.

THIS RESOLUTION is made and entered this 28<sup>th</sup> day of March 2017 by and between Cornell Cooperative Extension, Rockland County and the municipal jurisdiction of the Town of Stony Point. The municipal jurisdiction herein identified has **chosen to participate** with CCE in NYSDEC CONTRACT C00386GG'ROCKLAND COUNTY MS4 GRANT'.

Municipal Representative: James Monaghan Supervisor Town of Stony Point

Municipal Representative James Monaghan

Date: March 28, 2017

#### **Approve – Payment for Damaged Wall**

A motion was made by Supervisor Monaghan, seconded by Councilman Puccio and **unanimously carried** by a voice vote of those board members present to authorize payment of damages in the amount of \$340 sustained to a rock wall located at 15 Bender Court after being struck by one of our town vehicles.

#### **Approve – Penguin Rep Sponsorship**

A motion was made by Supervisor Monaghan, seconded by Councilman Puccio and **unanimously carried** by a voice vote of all board members present to support Penguin Rep Theatre with a \$700 contribution which will include an advertisement in their 2017 program.

#### **Approve – 2017 Property and Causality Insurance Coverage**

A motion was made by Supervisor Monaghan, seconded by Councilman Puccio and **unanimously carried** by a voice vote of all board members present to accept the quote from Travelers Insurance Co. in the amount of \$203,878 for 2017 Property & Casualty Insurance for the Town of Stony Point as solicited by our insurance agent, Ducey Agency, on behalf of the Town.

#### **Executive Session**

At 11:05 pm a motion was made by Supervisor Monaghan, seconded by Councilman Basile and unanimously carried by a voice vote of those board members present to adjourn into executive session to discuss legal matters.

#### **ADJOURN**

The March 28, 2017 Stony Point Town Board meeting adjourned at 11:30 pm. and **no further votes were taken.**

Respectfully submitted

Joan Skinner, Town Clerk