

**STONY POINT TOWN BOARD MEETING – JUNE 14, 2011**

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, June 14, 2011 at 7:00 pm at the Stony Point Community Center (Rho Building), 5 Clubhouse Lane, Stony Point, NY. Supervisor William Sherwood called the meeting to order and led the group in the Pledge of Allegiance. Town Clerk, Joan Skinner, called the following roll:

PRESENT:	Mr. Geoffrey Finn	Councilman
	Mr. Louis Vicari	Councilman
	Mr. James White	Councilman
	Ms. Luanne Konopko	Councilwoman
	Mr. William E. Sherwood	Supervisor

ABSENT: None

**PUBLIC INPUT**

Susan Filgueras, Mott Farm Rd, Tomkins Cove asked the Town Board to follow-up on United Water’s intentions regarding a water tower on Rosetown Rd. and the Hudson Champlain Express installation of power lines in the Hudson River and in the Town of Stony Point itself.

George Harris, Willow Grove Rd, discussed certain points regarding proposed changes to the Master Plan; speaking against allowing apartments in the larger homes in town and townhouses and apartments over retail stores.

**PURCHASE ORDER REQUEST**

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

Golf Course			
PO#2331	DeLea Sod		\$2,544.00
PO#2332	Premium Sod		\$2,580.00
Sewer			
PO#2339	Coyne Chemical		\$1,930.72

**AUDIT OF BILLS**

Joan Skinner, Town Clerk, presented the following bills to the Town Board for audit and a motion was made by Councilman White, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of those board members present to approve the bills as presented for payment.

**Contractual General – May**

<u>FUND</u>	<u>CLAIM #</u>	<u>BILL TOTAL</u>	<u>FUND TOTAL</u>
<u>General</u>	554-601	\$ 780,613.30	\$ 780,613.30
<u>Highway</u>	205-220	\$ 74,914.05	\$ 74,914.05
<u>Sewer</u>	209-226	\$ 57,993.25	\$ 57,993.75
<u>Special Districts</u>			
Enterprise	216-234	\$ 78,589.92	\$ 78,589.92
Hwy.Cap.Proj.	2-2	\$ 1,775.00	\$ 1,775.00
Street Lighting	5-5	\$ 16,068.84	\$ 16,068.84

**General – June**

<u>General</u>	602-684		\$ 107,084.61
<u>Highway</u>	221-255		\$ 28,412.34
<u>Sewer</u>	227-251		\$ 15,824.07
<u>Special Districts</u>			
Ambulance	9-9		\$ 25,220.25
Enterprise Fund	235-275		\$ 43,469.74
Solid Waste	14-15		\$ 22,578.45

## **ECONOMIC DEVELOPMENT COMMITTEE REPORT**

- Councilwoman Konopko reported:
  - Beautification Subcommittee will be responsible for cleanup and beautification of the “Welcome to Stony Point” sign along Route 9W South.
  - RFEI Subcommittee is about half way through the draft.
  - Councilwoman Konopko read the following:

As a follow-up to the presentation given by the Stony Point Economic Development Committee at the May 24, 2011 Town Board meeting, I respectfully request my fellow Town Board members to authorize Special Counsel to prepare a Preliminary Resolution designating the area generally recognized as the Liberty Drive retail corridor as an **Economic Revitalization Zone**.

The purpose of this designation is to define the area for future local actions that would help to further the development of this corridor for the economic benefit of the Town.

The preliminary resolution would authorize the Town’s Boards, Departments, and Consultants to:

    - a) Identify the parcels to be included in the zone;
    - b) Enable the exploration of state and federal programs that would facilitate such development;
    - c) Research similar initiatives undertaken by other communities; and
    - d) Take any other steps necessary to initiate adoption of a final resolution by the Town Board at a later date.
- Steve Porath explained that the resolution itself is more of an endorsement in exploring the plan that was laid out two weeks ago. This will identify the parcels, delineate the area, etc; it’s the details to make it a workable plan.

## **ACTION - ECONOMIC REVITALIZATION ZONE**

A motion was made by Councilwoman Konopko, seconded by Councilman White and **unanimously carried** by a voice vote of all board members present to authorize Special Council to prepare a preliminary resolution regarding establishing an economic revitalization zone.

## **PRESENTATION**

Chief Brian Moore presented a plaque to retired Chief Police Patrick Brophy for his twenty-nine years of dedicated service in the Stony Point Police Department. Chief Brophy started his career with the SPPD on May 27, 1982, advancing over the years to Chief of Police in January 2006 and retiring from that position on May 27, 2011.

Ruth Ann Melia presented a plaque to Chief Brophy for his years of service on the Stony Point Ambulance Corp as a Board member, past president, tax commissioner and lifetime member.

Supervisor Sherwood presented Chief Brophy with a small token of his appreciation, a wooden plaque of Stony Point Town Hall.

## **POLICE DEPARTMENT REPORT/BUSINESS**

Chief Moore addressed the Board with the following matters:

Police Department Report for the Month of June, 2011

Number of calls for service:	670
Number of reported accidents:	30
Number of arrests:	71
Fuel usage:	1495.2 gallons
Sum total of all traffic enforcement action:	220
Number of Youth Officer sponsored events:	7
Number of child safety seat installations:	5
Number of commercial vehicle enforcement details:	2
Number of traffic enforcement details:	13

3 STEP, 9 BUNY, 1 w/ speed trailer

Number of training hours:

288:00hrs

Total fees collected:

\$85.00

(\$20.00 for prints; \$65.00 for reports)

- **CHIEF MOORE'S TIME RECORD**

A motion was made by Councilman White, seconded by Councilman Vicari and **unanimously carried** by a voice vote of all board members present to approve Chief Moore's time record for the month of May 2011 as presented.

- **OVERTIME & SICK LEAVE REPORTS**

A motion was made by Councilman White, seconded by Councilman Finn and **unanimously carried** by a voice vote of all board members present to approve the overtime and sick leave reports for the month of May 2011 as presented.

- **UPDATE – BURGLARIES AND CAR LARCENIES**

Chief Moore advised the Board that they have closed out seven burglaries in the northern part of the Town with one arrest and two more in the Liberty Drive area, for a total of nine. Also a number of grand and petit larceny arrests have been made.

- **HIRE – PART TIME POLICE OFFICER**

**ACTION**

A motion was made by Councilman White, seconded by Councilwoman Konopko and unanimously carried by a voice vote of all board members present to hire Mark Civita, a retired Spring Valley police officer, as a part-time police officer for the Town of Stony Point on an as needed basis.

- **WAYNE DAY BAZAAR AND PARADE UPDATE**

Lt. Williams and Sgt. Hylas are working with Wayne Hose Company and the Fire Police to assist with that. An update will be given when all the details are worked out.

- **2010/2011 INTELL CONTRACTS**

**ACTION**

A motion was made by Councilman White, seconded by Councilman Vicari and unanimously carried by a voice vote of all board members present to authorize Supervisor Sherwood to sign the revised 2010 Intell agreement and the 2011 Intell agreement with the County of Rockland as reviewed by special counsel.

### **LEGISLATIVE REPORTS**

Christian A. Corrales, representative from State Senator David Carlucci's Office (38th Senate District) reported as follows:

- Home Rule Legislation Update – S.5362 was requested by the Stony Point Town Board. Senator Carlucci is attempting to pull this bill from the Local Government Committee and place it in the Rules Committee and is hopeful the bill will pass later this week. If it also passes the Assembly, it would then go to the Governor.
- Senate passed S.4818-A on 6/7/11, sponsored by Senator Carlucci and relating to the distribution of the state register. This bill provides that the state register can be obtained on line, at a large savings to the state.
- S.4820, sponsored by Senator Carlucci, passed the Senate on 6/13/11 and relates to materials incorporated by reference into regulations. This bill would now exempt incorporated materials as long as they are readily available online and free of charge. It could result in agency savings ranging from \$9,000-\$30,000 a year without impacting the availability of public information.
- Senate passed the Governor's Ethics Bill (S.5679) which creates the Joint Commission on Public Ethics and all legislators and legislative employees

are subject to its investigative jurisdiction. The bill contains many parameters including prohibiting state officers or employees from receiving any compensation for actions or decisions regarding any legislation or resolution before the state legislature or any executive order. In addition, it contains a provision that includes pension forfeiture for public officials, which is similar to bill S.4947, a bill introduced by Senator Carlucci, that would require pensions to be taken away from individuals convicted of crimes in connection with their public office.

### **STATUS OF POOL**

Kevin Maher, Town Engineer gave a status report on the muni pool and splash pad for Lowland Park:

#### Munipool:

- Reviewed submittals from AmeriMerk (equipment supplier)
- Layout is completed
- Will speak to Controlex (contractor) tomorrow and ask them to submit their proposal
- Will speak to the Highway Dept regarding excavating – pipes must be exposed outside the chamber and reconnected
- Demo work can start within the next couple of days
- Pipes can be stubbed & wait for the filters to arrive
- Filters will be connected, a test performed and by that time, the health department will be able to review piping and water quality
- Will be speaking to the health department shortly regarding the new system

#### Splashpad – Lowland Park

- Layout completed
- Must call supplier regarding layout of the sprinkler heads
- Drainage will be simple

### **SCHOOL TAX UPDATE**

Councilman Finn introduced Special Counsel, Don Ferrick, who had just attended a session with ORPS (Office of Real Property Services) regarding Stony Point's equalization rate. Mr. Ferrick updated the Board on that session.

### **SUPERVISOR'S REPORT**

Once again a very busy time and I have much to report. Our mortgage tax revenues have slumped reflecting the very difficult real estate market.

I was asked by the council to check on the status of the Home Rule legislation and you heard from Senator Carlucci's office who report it is on track.

I also checked with Assemblyperson Calhoun on the assembly bill and that is likewise about to be voted out of committee and should be on the floor for a vote as early as Thursday or Friday.

If there are future concerns by anyone on the board about the status of the legislation you can follow it on the assembly and senate websites so feel free to check for yourselves at any time.

We have closed on the bond anticipation notes for just over a million dollars for our equipment payments. As you all recall when I took office we were signing equipment leases at interest rates around 6%. With the board's cooperation we now finance these purchases with bond anticipation notes at a substantially lower interest rate and a savings to our taxpayers. This year we will be paying just over 1.5% on those BANS of over one million dollars that we closed today.

You all received the communication about the petroleum storage on the Highway Department site. The storage was originally built to Health Department specs but they have since changed their specs and so we have discontinued accepting oil at the site to alleviate the problem. Since we no longer are storing oil I expect that hearing notice will be handled routinely.

We have received comments on the master plan and I see some public comment on the internet that the board is preparing to vote on the amendments to the master plan that have been proposed by the master plan committee. So the board is not misled by these comments we can only move forward with SEQR on the proposals that the board instructs our planner to consider and we will have to have a further public hearing before we can consider whether or not they can or should be adopted.

I note someone added a discussion of the AT & T PILOT agreement to the agenda. It was brought to my attention about 2 weeks ago that the annual payment had not been received

so my office followed up and ran into some resistance by the representatives of the tower owner. That cell tower is on the Venture property right across the street.

After an exchange of e-mails and what we refer to as a "frank and candid" discussion we received payment in full today.

As you know the Board of Supervisors has been very active and one of our initiatives is to get some relief from the onerous provisions of the Taylor Law especially referring to police arbitrations. I'm pleased to report that the Orange County Association of Towns, Villages and Cities has passed a resolution supporting our initiative and forwarded it to the Governor and legislative leaders.

I also forwarded to you correspondence that is fairly typical of the input my office receives regarding the dumping fees the board instituted. I think we have been trying this program to generate some revenue and offset the costs of dumping that we incur but that it deserves review after being in effect for 6 months. I will work with Larry Brissing to get revenue and cost figures in July so we can decide on the efficacy of this program.

I have asked for a report tonight from our engineer on the progress at the pool. As you know we have been trying to move quickly and even had a special meeting after I was able to locate a supplier and contractor to try and get that work done in time for the pool season.

In the mean time we have made alternate arrangements for the Day Camp to use a local pool at the Platzl Brau Haus who were located by John Gazzolla and have been most cooperative. Ms. Konopko and Phil Lima have been working very hard to put all the pieces in place and I thank them and John Gazzolla for their efforts.

We all received a letter from the PBA asking for a preliminary negotiation session since they are now out of contract. I suggest we add that to the executive session following our next board meeting on June 28 if that is acceptable to the board. I have confirmed that their negotiating team will be available at that time.

We also have a proposed contract from Lieutenant Williams and I asked him to prepare a spread sheet similar to the one I did for the Chief's contract and I have provided you with his proposal and that comparison. I would like to put that on the agenda for 6/28 as well.

I am proud to announce that on June 22 at 3 pm the Rockland County Bar Association will be presenting the County with an oil portrait of me to be hung in the courthouse in New City. Those of you who would take pleasure in seeing me hung are invited to attend. There will be a brief program and refreshments. A good friend and colleague of mine Judge Andrew P. O'Rourke will be the speaker. Judge O'Rourke is a dear friend and a retired Supreme Court Judge, a former Court of Claims Judge and he served as Westchester's County Executive for 16 years. He is an author a pilot and ran for Governor of New York against Mario Cuomo.

A second speaker will be the Honorable Rachelle Kaufman, one of my closest friends in the court system who is a former Family Court Judge and currently serves as a Hearing Examiner in Rockland County Family Court.

My portrait will be unveiled and presented to the county at that time. You are all welcome to attend.

The Community Walk was held on June 5 and I attended and participated and completed the walk. I didn't take a computer chip to get an official time but it turns out I would have qualified for a Bronze Medal for our town if I had posted an official time. I know I qualified for third place since there were only three entrants in my age bracket.

The event was a huge success and I want to thank Councilperson Konopko for attending and Rosemarie Caramanno, Karenanne Nigro and Noreen Smith for helping out that day for this hugely successful event. The two towns raised a substantial amount of money for 3 families with medical problems and losses who need our help.

## **DEPARTMENTAL REPORTS**

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

### **GOLF COURSE REPORT**

May, 2011:

• Green Fees	\$ 247,383.04
• Memberships	\$ 1,500.00
• ID Cards	\$ 4,860.00
• Merchandise	\$ 12,997.96
• Range Fees	\$ 8,615.00
• Club Rental	\$ 721.38
• Misc. Golf	\$ 1,878.00
• Total	\$ 277,944.38

### **Architectural Review Board**

From:	5/1/2011	To:	5/31/2011
Applications Received			
Sign Application	1		
Applications Approved			
Sign Application	1		
Site Plan	1		

Applications Pending	1
Fees Collected:	\$ 100.00
Money in Lieu of Land	\$ 0.00

**Building & Zoning Department**

May

Applications Pending In May	12
Applications Received	25
Applications Returned/Withdrawn	0
Applications Denied	2
Building & Blasting Permits Issued	25
Applications Pending	10
Certificate of Occupancy	11
Certificate of Compliance	6
Fees Collected	\$10,345.00

**Dog Control Officer**

May

Dogs seized and sheltered	4
Dogs returned to owner	4
Number of complaints received	9
Miles traveled patrolling the Town and transporting dogs	410

**Fire Inspector**

May

	Month	Total
Number Buildings Inspected	18	56
Number Buildings Re-Inspected	1	7
Field Correction Issued	3	5
Violations Issued	0	0
Violations Complied With	0	0
Violations Outstanding	0	0
Number of Permits Issued	0	0
Requests by Police Dept.	0	0
Requests by Fire Dept.	2	13
Fires Investigated	0	2
Miscellaneous RCFTC class		6

**Planning Board**

From:	5/1/2011	To:	5/31/2011
Applications Received			
Subdivision-Minor	1		
Applications Approved	0		
Applications Pending			
Site Plan	3		
Subdivision-Major	1		
Subdivision-Minor	4		
Fees Collected:	\$1,750.00		
Money in Lieu of Land	\$3,000.00		

**Sewer Department**

May

Total Overtime Hours	39 hrs
Holiday	8 hrs.
Sundays	16 hrs.
Alarm Call	4 hrs.
Electrical	3 hrs.
Vacation	4 hrs.
Monthly Flow	
Plant	19,839,900 gallons
Kay Fries	8,469,200 gallons

Fuel Usage	207.7 gallons
Heating Oil	14 gallons
Total to Sludge Compost Facility	38 Cu. Yds.
Solids	20.5%
Screenings	67.22 Cu. Ft.
Septage	4200 Gals.

**Zoning Board Of Appeals**

From:	5/1/2011	To:	5/31/2011
Applications Received			
Area Variance	2		
Applications Closed			
Applications Pending			
Area Variance	3		
Fees Collected:	\$800.00		

**Town Clerk**

**May**

Amount Paid To NYS Agriculture & Markets	
For Spay/Neuter Program	\$ 48.00
Amount Paid To NYS Health Dept. For Marriage Licenses	\$ 22.50
Amount Paid To NYS Dept. Of Environmental Conservation	\$ 1,361.47
Amount Paid To Supervisor	\$ <u>9,890.50</u>
TOTAL AMOUNT REMITTED	\$ 11,322.47

**Recreation**

Noreen Smith reported on June community events:

- 6/18 & 6/19 - 51<sup>st</sup> Annual Jawanio Benefit at Haverstraw Little League
- 6/22 Concert Series sponsored by Shoprite Inserra
- 6//24 Giant Screen Movies at Veteran's Park sponsored by Crossroads (developer for Shoprite)
- 6/29 Giant Screen Movie at Riverfront Park

**CORRESPONDENCE** - None

**AGENDA ITEMS:**

**SEASONAL WORKER – BUILDINGS & GROUNDS**

This item was discussed and **no action** was taken.

**HIRE PLAYGROUND PROGRAM COUNSELORS**

A motion was made by Councilman Finn, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of all board members present to hire the following for the playground program:

Assistant Directors/Health Care Directors/Arts & Crafts Specialists at \$12.00 per hour: Jack O'Shaughnessy, Thomas O'Brien, Kerriann Smith.

Counselors at \$7.25 per hour: Anthony Babcock, Matthew Brenner, Christopher Bruno, Andrew Capul, Emily Care, Kristen Eccleston, Seamus Finucane, Anthony Gemelli, Genna Gokey, Ally Laquidara, Kaithlyn McNicholas, Jalissa Mills, Valerie Nelson, Kate Oliver, Kelly Reynolds, Daniel Shea, Megan Smith, Michael Vigliotti, Gabriella Wheeler and Elizabeth Winklehoff.

Counselors at \$7:40 per hour: Brian McNicholas, Stephanie Nelson, Joseph Torres and Ally Wilhelm.

Counselors at \$7.65 per hour: Katherine Torres.

**RETIREMENT PAYOUT**

A motion was made by Councilman Finn, seconded by Councilman Vicari and **unanimously carried** by a voice vote of all board members present to approve the retirement payout for Chief Patrick Brophy as on file in the Town Clerk’s Office.

**BUDGET TRANSFERS**

A motion was made by Councilman White, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of all board members present to authorize the following budget transfers to reclass scheduled debt payment to Highway from Parks for reallocation of 2010 Equipment ban proceeds for a boom truck not purchased, to a loader.

		Debit	Credit
D9710.6	Debt Service Principal	\$8,200	
D9710.7	Debt Service Interest	\$ 615	
A9710.6	Debt Service Principal		\$8,200
A9710.7	Debt Service Interest		\$ 615

**AGREEMENT WITH AT&T**

No action was taken on this matter.

**WORKPLACE VIOLENCE POLICY**

A motion was made by Councilman White, seconded by Councilman Vicari and unanimously carried by a voice vote of all board members present to approve the amendment made to Paragraph 5 regarding possessing firearms.

**Special Counsel’s Compensation**

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

The Town Board directs the Supervisor to pay any and all pending invoices submitted by the firm of Feerick Lynch MacCartney and that in the future he is to pay promptly without delay any and all invoices submitted pursuant to their retainer agreement for so long as the current arrangement remains in place.

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

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

**DRAINAGE IMPROVEMENTS – GOLF COURSE HOLE #6**

A motion was made by Councilman White, seconded by Councilman Finn and **unanimously carried** by a voice vote of all board members present to authorize the Town Clerk to advertise for bids for drainage improvements to the Patriot Hills Golf Course in the area of Hole #6 and #32 Pyngyp Road.

**REQUEST FOR PROPOSALS – REFUSE PICK-UP AT TOWN FACILITIES**

A motion was made by Councilman White, seconded by Councilman Vicari and **unanimously carried** by a voice vote of all board members present to authorize the Town Clerk to advertise for Requests for Proposals for refuse pick-up at Stony Point Town Facilities. This contract is to be for a period of five years.

**AUGUST 2011 MEETINGS**

A motion was made by Councilman Finn, seconded by Councilman Vicari and **unanimously carried** by a voice vote of all board members present to hold only one town board meeting in August, on August 9, 2011.

**WAIVE BUILDING PERMIT FEE-HELEN HAYES HOSPITAL COMMUNICATIONS SITE**

A motion was made by Councilman Finn, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of all board members present to waive



the building permit application fee of \$6,035 for the County of Rockland in regard to construction of the Public Safety Interoperable Radio Communications System for police, fire and EMS agencies. This construction is to take place at the water tower located at Helen Hayes Hospital.

**EXECUTIVE SESSION**

At 9:20 pm a motion was made by Councilman White, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of all board members present to adjourn into executive session for the purpose of discussing personnel matters.

**ADJOURN**

A motion was made by Councilman Finn, seconded by Councilman Vicari and **unanimously carried** by a voice vote of all board members present to adjourn the June 14, 2011 Stony Point Town Board Meeting at 10:30 pm.

Respectfully submitted,

Joan Skinner  
Town Clerk