

STONY POINT TOWN BOARD MEETING – JUNE 15, 2010

The Sixth Regular Meeting of the Town Board of the Town of Stony Point, Rockland County, New York, was held on Tuesday, June 15, 2010 at 7:00 P.M. at the Stony Point Community Center (Rho Building), 5 Clubhouse Lane, Stony Point, New York. The meeting began with the Pledge of Allegiance.

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

PUBLIC INPUT

The following individuals spoke regarding the DARE and School Resource Officer Program at Farley Middle School:

Supervisor William Sherwood read the following:

Before we take public comment I want to deviate from the standard agenda.

As I greeted people tonight I found a number of you are present to support the Farley Middle School DARE program.

I had a chance to speak to Councilperson Konopko about the program and I am sure of her support for the program and while the other council members have not consulted with me I believe the support by this board for the DARE program is unanimous.

Everyone has some serious budget constraints and the town along with the school district have had to tighten our belts. The Chief has also been making every effort to keep his department's costs down but for the average homeowner I have to tell you that more than half of your town taxes go to support the police.

I had a lengthy conversation with Superintendent of Schools Dr. Ileana Eckert who has been struggling with her own budget issues. The devoted and caring teachers in our school district agreed to some substantial cutbacks to help the district save jobs and programs and as a result they succeeded in passing a scaled back but adequate school budget. I want to commend the teacher's unions for their selfless sacrifice in this difficult time.

The DARE program needs an officer for only about 20 days per school year. I am calling upon the PBA and patrol force of 22 or 23 officers in Stony Point to step forward in this crisis to benefit our town and save this program. If the teachers could do it I'm sure our police can do it.

All it will take is for each of our patrol officers to volunteer to work one additional day during the school year. That small effort for our community should make it possible to continue Officer Roberts, who has done such a great job with the DARE program, to be available for approximately 20 days to continue this very popular program.

Chief I am asking you to meet with your department and request on behalf of the taxpayers and citizens that we have here tonight that our patrolmen step up for the good of our children and give back just one day to free up Officer Roberts to continue her fine work in DARE.

Does anyone in this audience think that is too much to ask for our children?

Charles Lowther (Police Officer) spoke in favor of the programs:

- Police presence necessary
- Raise taxes if needed
- Fill budgeted vacancies at police dept

Christine Ann Coulter spoke in favor of the programs:

- Police presence necessary
- Programs more than beneficial

Margie Chapman (teacher at Farley 13yrs) spoke in favor of the programs:

- DARE important part of students lives at Farley
- Children are taught to make healthy proper decisions & to avoid risky behavior
- Student & faculty need police presence

Officer George Zayas (Stony Point Police Officer) spoke in favor of the programs:

- Program began 24 years ago – he was first DARE Officer
- Can't put in words what programs mean
- Students, teachers and parents need to form the bond
- Makes for a better community later in life
- Urged board members to visit the school to see for themselves prior to making a decision to discontinue the programs

Brandon Roberts spoke in favor of the programs:

- Student of program 13 years ago
- SRO Officer taught consequences to your actions
- Still learning the concepts today that were taught years ago
- Students learn tools for the future

Donna Priest spoke in favor of the programs:

- Mother of three DARE Graduates
- Wife of retired Stony Point Police Officer
- PTA Council Member
 - Board that oversees all PTA groups in North Rockland School District
 - If program is removed from one school good possibility it may be removed from the other middle schools
- Devastating affect on the community

Cathy Leroy spoke in favor of the programs:

- Children's essays "say it all"
- Programs teach children for the future

Mary Hoffman spoke in favor of the programs:

- As a parent
 - Children graduated the program
 - In their words "It's reality"
- As a taxpayer
 - Keep commitment to the programs
- As a teacher at Farley
 - Sees first hand everyday the effect the program has on the children
 - Issues are kept to a minimum

Councilman Geoff Finn

- Volunteering not realistic
- Doesn't cover SRO Officer
- Cannot put a price on our children's safety
- 1500/2000 graduates since the program started
 - If one child was helped program was successful
- Children, teachers and taxpayers love the programs and the officers assigned
- 3 police officer positions were budgeted for
 - Not new positions – filling vacancies
 - One vacancy has been filled
 - No extra cost to the town
 - Starting salary/benefits for police officer \$75,000/yr
 - Cost to each homeowner \$16.00 per year
- Urged town board
 - Fill another vacancy
 - Keep DARE/SRO Program at Farley
 - Keep children safe & secure

Councilwoman Konopko

- Attended recent DARE graduation
 - Witnessed interaction between Officer Roberts & children
- Town board must look at the bigger picture
 - 1st year salary might work out to \$75,000
 - 5yrs escalates to over \$100,000 per year
- Supports program and is looking for alternate funding
 - Grant writer is researching outside funding
 - Private corporations offer grants for community funding for safety, education and crime prevention.

Police Officer Theresa Roberts spoke in favor of both programs:

- Information given by the school district was not accurate
 - DARE alone is at least 100 days
 - Ten 5th grade classes
 - Seven 7th grade classes

- Asking for volunteers would involve a lot more than 20 days

George Hernandez spoke in favor of both programs:

- Stony Point resident, parent & teacher in the Bronx at a suspension site
 - DARE Program is offered in 7th grade when its too late
- Reality of the programs is priceless
 - Not the price of an officer
 - It's how many kids stay out of gangs
- A very important program

PURCHASE ORDERS

It was moved by Councilman White and seconded by Councilman Finn to approve the following Purchase Orders:

Golf Course			
PO#2219	Delea Trucking		\$4,030.00
Highway			
PO#2248	McDonald & McDonald Inc.		\$1,999.40

The following roll call vote was recorded and the motion was duly **adopted**:
 AYES: Mr. Finn, Mr. Vicari, Mr. White, Ms. Konopko, Supervisor Sherwood
 NAYS:None
 ABSTAIN: None
 ABSENT: None

AUDIT OF BILLS

Joan Skinner, Town Clerk, presented the following bills to the Town Board for audit:

Contractual General – May

<u>FUND</u>	<u>CLAIM #</u>	<u>BILL TOTAL</u>	<u>FUND TOTAL</u>
<u>General</u>	626-678	\$ 633,399.79	\$ 878,399.79
<u>Highway</u>	237-249	\$ 72,758.12	\$ 72,758.12
<u>Sewer</u>	198-214	\$ 57,434.25	\$ 57,434.25
<u>Special Districts</u>			
Enterprise	215-235	\$ 99,422.60	\$ 217,422.60
Lieu of Land	3-3	\$ 1,240.00	\$ 1,240.00
Solid Waste	25-25	\$ 680.00	\$ 680.00
<u>General – June</u>			
<u>General</u>	679-757		\$ 96,651.20
<u>Highway</u>	250-281		\$ 91,180.25
<u>Sewer</u>	215-234		\$ 20,620.47
<u>Special Districts</u>			
Ambulance	14-15		\$ 28,508.17
Enterprise Fund	236-272		\$ 58,231.41
Solid Waste	26-28		\$ 22,190.50

It was moved by Councilman White and seconded by Councilwoman Konopko to approve the above-mentioned bills as presented for payment.

The following roll call vote was recorded and the motion was duly **adopted**:
 AYES: Mr. Finn, Mr. Vicari, Mr. White, Ms. Konopko, Supervisor Sherwood
 NAYS:None
 ABSTAIN: None
 ABSENT: None

MINUTES

A motion was made by Councilman White and seconded by Councilman Finn to accept the minutes of the May 12, 2010 Workshop Meeting and the May 18, 2010 Town Board Meeting.

The following roll call vote was recorded and the motion was duly **adopted**:
 AYES: Mr. Finn, Mr. Vicari, Mr. White, Ms. Konopko, Supervisor Sherwood

NAYS:None
ABSTAIN: None
ABSENT: None

REPORTS

ECONOMIC DEVELOPMENT COMMITTEE

Councilwoman Konopko reported as follows:

- o Flow Chart Committee
 - o Tracking application process for a new business in town
 - o Meeting with dept heads & board members
 - o Would like to streamline the process
- o Signage Committee
 - o Curb appeal makes a difference
 - o More than one committee
 - Attempting to coordinate all

CHIEF OF POLICE REPORT

Chief Brophy indicated:

- o Hopes that a resolution would be found to maintain the DARE/SRO programs.
- o Have made every attempt to find funding sources and most of the time have been successful.
- o He is a very firm supporter of the programs.
- o There are staffing concerns at the police department.
- o Positions have been budgeted but not filled.
- o Needs to maintain a proactive rather than a reactive approach to policing.

Chief Patrick Brophy presented the Board with the following report:

Police Department Report for the Month of May, 2010

Number of calls for service:	747	
Number of reported accidents:		28
Number of arrests:		43
Fuel usage:		1717.1 gallons
Sum total of all traffic enforcement action:	337	
Number of Youth Officer sponsored events:	4	
Number of child safety seat installations:		3seats1 fittingstation
Number of commercial vehicle enforcement details:	1	
Number of traffic enforcement details:		3
	(Rt 210-speeding, Click it or ticket it – seatbelts, cell phone enforce.)	
Number of training hours:		216:00hrs
Total fees collected:		\$232.00
	(\$170.00 for prints; \$62.00 for reports)	

Misc:

Youth sponsored events: (2) PAL dance, (2) Youth Court sessions

GOLF COURSE

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

- Greens Fees \$265,543.78
- ID Cards \$ 4,050.00
- Merchandise \$ 14,998.51
- Driving Range \$ 11,860.00
- Misc. \$ 340.00
- Club Rental \$ 742.67
- TOTAL REVENUE \$297,534.96

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

ARCHITECTURAL REVIEW BOARD

	From: 5/1/2010	To: 5/31/2010
Applications Received	1	
Applications Approved	0	

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

BUILDING & ZONING DEPARTMENT

May

Applications Pending In May	11	
Applications Received		44
Applications Returned/Withdrawn		0
Applications Denied		1
Building & Blasting Permits Issued	36	
Applications Pending	19	
Certificate of Occupancy		15
Certificate of Compliance		4
Fees Collected		\$16,282.50

DOG CONTROL OFFICER

May

Dogs seized and sheltered		4
Dogs returned to owner		2
Number of complaints received		24
Miles traveled patrolling the Town and transporting dogs	430	

FIRE INSPECTOR

May

	Month	Total
Number Buildings Inspected	11	47
Number Buildings Re-Inspected	4	21
Field Correction Issued	0	0
Violations Issued	0	0
Violations Complied With	0	0
Violations Outstanding	0	0
Number of Permits Issued	0	0
Requests by Police Dept.	0	0
Requests by Fire Dept.	6	14
Fires Investigated	0	5
Miscellaneous	2	

PLANNING BOARD

From:	5/1/2010	To:	5/31/2010
Applications Received	1		
Applications Approved	1		
Applications Pending			
Site Plan	1		
Subdivision-Major	3		
Fees Collected:			
Site Plan Final	\$ 0.00		
Subdivision Final	\$ 0.00		
Money in Lieu of Land	\$4,500.00		

ZONING BOARD OF APPEALS

From:	5/1/2010	To:	5/31/2010
Applications Received	0		
Applications Closed			
Area Variance	2		
Applications Pending			
Area Variance	1		
Fees Collected:	\$0.00		

TOWN CLERK

May

Amount Paid To County Finance Officer For Dog Licenses	\$	17.62
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Amount Paid To NYS Agriculture & Markets For Spay/Neuter Program	\$ 6.00
Amount Paid To NYS Health Dept. For Marriage Licenses	\$ 90.00
Amount Paid To NYS Dept. Of Environmental Conservation	\$ 1,246.25
Amount Paid To Supervisor	<u>\$ 28,945.81</u>
TOTAL AMOUNT REMITTED	\$ 30,305.68

LEGISLATIVE REPORT – Not available.

CORRESPONDENCE – Joan Skinner Town Clerk read the following:

1. The Annual Meeting and Budget Vote of the Tomkins Cove Public Library was held last night. I am happy to report that the budget passed unanimously (13-0) and Eric Kassner was reelected for a five year term. I am enclosing a copy of my annual report and 2010-2011 budget for your information.
I hope that the Town of Stony Point will continue to support the Tomkins Cove Public Library. Please let me know if you need any information from me in order to release funds to us. Janet Lukas, Library Director, Tomkins Cove Public Library

ACTION

It was moved by Supervisor Sherwood and seconded by Councilman Finn to authorize the release of ten thousand dollars (\$10,000.00) to the Tomkins Cove Public Library upon receipt of a current list of programs offered to the community.

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

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

NAYS:None

ABSTAIN: None

ABSENT: None

2. I am requesting permission to use the Stony Point Commuter Lot for Saturday, July 24th, 2010, from 6:00 pm to around midnight. My daughter is getting married across the river and we are renting a bus to take wedding guests across the river. We will be parking about 25 cars in the commuter lot for about 6 hours. Thank you for your consideration of this matter.
Sincerely, Lois Baisley (No action necessary)
3. Stony Point History Roundtable Sponsored by S.P.A.C.E. The Stony Point Action Committee for the Environment
Take a tour through the last 120 years of the history of Stony Point in postcards. Sunday, June 27, 2010 at 1 PM – Chapel of St. John the Divine
4. This letter serves as a notice of my resignation from the Town of Stony Point. I'm moving on to pursue career advancement. My last working day will be Thursday May 27, 2010. Thank you for the wonderful opportunity to work here, it's been a pleasure. Regards, Jennifer Babcock
5. I would like to take this time to thank you for the use of Riverfront Park for the Car Show that I sponsored. My hats off to the Parks Department who did everything that they could to make this a perfect day for all of us, which it was. Everyone including myself, were totally impressed by the cleanliness and the care by which the park was kept. The Parks Department is totally deserving of a Job Well Done! Thanking you again, Bruce Smith, Hurst Olds Club of America
6. Dear Supervisor Sherwood...Thank you so much for attending the Farley Middle School DARE graduation. Thank you also for your words to the class. It was an honor having you. Tracy Roberts

SUPERVISOR'S REPORT

Supervisor Sherwood gave the following report:

We have had some good news since my last report and I will try to be brief but I do want you to know that our financial rating which is now A-1 and the efforts of this board have resulted in a very favorable auction rate on our paving bonds.

Our 15 year bonds came in at just 3.53%, a very favorable rate so we can go ahead with long delayed and long overdue paving work in the town. Tonight we'll be reviewing bids for that work which I am pleased to see came in well within the estimates we had for this work.

Even better the equipment Bond Anticipation Notes we sold went for an interest rate of just 1.147% with a coupon of 1.5%, a little less than the BANS we rolled over earlier this year. As you know our leases for equipment even on state bids were from 5 - 6 %. We continue to look for ways to save and this board should be congratulated for its continuing efforts to save costs and increase revenues.

We have, with the finance director's help, been reviewing utility suppliers and we believe we can save some substantial money by changing suppliers, so be assured we are constantly trimming costs.

In that regard I will share two more bright spots. Our share of mortgage tax revenues has increased about \$25,000 so far this year over the same period last year.

And our increased revenues from the sale of our scrap metal since the new contractor (who is a local taxpayer) was brought in is up \$4300 over last year as of today.

FEMA has approved our request for reimbursement for the sewer line repairs and other cleanup caused by the spring flooding which cost just over \$100,000. The Federal Grant will pay 75% of the expenses and the state will pick up another 12.5% for a total reimbursement for this emergency project of 87.5%.

On other fronts the recreation department has issued at least 700 resident ID cards for our pool. I congratulate the board on offering the pool to our citizens for free this year. For comparison we had less than 50 family memberships last year so we are looking forward to a busy season when the pool opens June 26. I have not yet received a count on our wonderful and very economical day camp and recreation programs but I know that interest has been high.

Lowland Park is ready to go with the help and cooperation of the bridge contractors and our own maintenance department. On the first day of camp we will be rededicating the Park as Charles Eccher Park and unveiling a plaque to Mr. Eccher who ran the town's recreation program for so many years and put it on the path to be the success it is today.

The new shopping center building is moving ahead with great speed and we continue to hope it will be open for thanksgiving and that it will bring new life to the adjacent commercial areas that have become something of a blight.

I have seen positive signs of increased commercial activity and with the help of the Economic Development Advisory Committee and the Master Plan Committee I know we will be ready for some rapid commercial redevelopment in the coming months.

Fire Sub Station - Clarification of Planning Board Fees

No action necessary as this matter was rectified at the June 9, 2010 Workshop Meeting. For clarification, only the filing fee was waived, fees for outside consultants were not.

Bid – Collection of Scrap Metal

After discussion this matter was deferred to the July agenda.

Municipal Storm Water Pipe Relocation Project

Deputy Special Counsel Elizabeth Verrier reviewed the project:

- Part 3 of the Environment Assessment Form has been completed
- Negative Declaration – no significant impacts
- Recommends acceptance

She further that at 3:45 pm today the Rockland County Drainage Agency sent the Town Clerk a fax indicating that they believe they have jurisdiction over the action that is occurring at this project, stating that the town had never responded to them when they had raised this issue in May of 2009. She pointed out her letter sent to them in August 2009 and the fact that they had not responded until today. Since there was not enough time to resolve this issue, the current resolution should be modified as follows: Section 3 should read subject to the resolution of jurisdictional issues raised by the Rockland County Drainage Agency and obtaining all permits as may be required for completion of the Project.

ACTION

A motion was made by Councilwoman Konopko and seconded by Councilman Finn to adopt the following resolution and negative declaration:

RESOLUTION ACCEPTING PART 3 OF THE ENVIRONMENTAL ASSESSMENT
FORM AND
ISSUING A SEQRA NEGATIVE DECLARATION FOR THE HOLT DRIVE
MUNICIPAL STORM WATER DRAINAGE PIPE PROJECT.

WHEREAS, a storm water drainage pipe presently located on the westerly portion of Holt Drive has severely deteriorated and can no longer function as needed; and

WHEREAS, this drainage pipe must be replaced and relocated to a location adjacent to the present drainage pipe site in order to properly manage the volume of water to be carried from areas surrounding Holt Drive and NY State Route 9W in the Town of Stony Point (the "Project"); and

WHEREAS, the body of wetland HC-3 is already impacted by the damaged pipe and will worsen in this condition; and

WHEREAS, an existing Town sanitary sewer line crossing the pipe may be threatened with undermining by continued use of this undersized storm drain; and

WHEREAS, no formally-listed threatened or endangered species were identified as occurring on the project area; and

WHEREAS, the proposed action consists of legislative action by the Town Board, New York State Department of Environmental Conservation, the United States Army Corps of Engineers and the New York State Department of State Coastal Zone Management, the agencies with approval jurisdiction over the proposed action; and

WHEREAS, the proposed action has been classified by the Town Board as an Unlisted Action, pursuant to SEQRA 6 NYCRR Part 617; and

WHEREAS, the Town Board has considered Parts 1, 2 and 3 of the Full Environmental Assessment Form (EAF), dated (last revised May 18, 2010), in which no significant environmental impacts were identified; and

WHEREAS, the Town Board has examined the Project in connection with the policies of the Local Waterfront Revitalization Program of the Town of Stony (LWRP) in accordance with General Town Law; and

WHEREAS, on May 18, 2010, the project was deemed consistent with LWRP per Robert Geneslaw Co., Planning and Development Consultants by stating "The proposed action will not result in the hindrance of any proposed uses or projects with the Coastal Area;" and

WHEREAS, the Town Board considered the proposed action at Town Board meetings held on July 14, 2009, April 13, 2010, and May 18, 2010, with a presentation regarding the project and its impacts being made by outside consultants to the Board and the public at the Town Board meeting held on April 13, 2010; and

WHEREAS, the Town Board has revised the proposed action to respond to significant comments from such agencies with jurisdiction; and

WHEREAS, the proposed action will not result in the impairment of the character or quality of important historical, archaeological, aesthetic resources or the existing character of the community or neighborhood; and

WHEREAS, the proposed action will not create substantial change in the use, or intensity of land including open space or recreational resources, or in its capacity to support existing uses; and

WHEREAS, the Town Board has considered reasonably related long-term, short-term, direct, indirect and cumulative impacts, including simultaneous or subsequent actions; and

NOW THEREFORE, it is resolved by the Town Board as follows:

Section 1. The Town Board accepts Part 3 of the Environmental Assessment Form as prepared and submitted on or about May 18, 2010.

Section 2. The proposed, Unlisted Action will not have a significant adverse effect on the environment and the Town Board hereby issues the attached Negative Declaration of Significance which is attached hereto in connection with the proposed Project.

Section 3. The application of the Town of Stony Point, to erect, maintain, alter or improve an existing storm water drainage pipe at Kay Fries Drive, Stony Point, New York 10980, is hereby APPROVED, subject to the resolution of jurisdictional issues raised by the Rockland County Drainage Agency and obtaining all permits as may be required for completion of the Project.

This Resolution will take effect immediately.

State of Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Date: May 25, 2010

Lead Agency Town of Stony Point, New York
74 East Main Street
Stony Point, New York, 10980

Applicant Town of Stony Point, New York
74 East Main Street
Stony Point, New York, 10980

This notice is issued pursuant to the State Environmental Quality Review Act (SEQRA), Article 8 of the Environmental Conservation Law (ECL), and its implementing regulations, promulgated at Part 617 of the New York Code of Rules and Regulations (NYCRR) which collectively contain the requirements for the State Environmental Quality Review (SEQR) process.

The Town of Stony Point of New York, as lead agency, has determined the proposed action described below will not have a significant adverse effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Title of Action: Town of Stony Point Municipal Pipe Re-construction

SEQR Status: Unlisted

Conditioned Negative Declaration: No

Description of Action: Replace and relocate an existing/damaged 240' by 36" diameter storm drainage pipe and out fall with a larger, adequately sized, drainage structure to an area east of the existing drainage pipe. The pipe installation will occur just east and parallel to the existing pipe. The reconstruction will result in impacting and eventually filling approximately 3,975 sq. ft. of wetland area (a wetland "peninsula") which extends south from the dominant northern wetland boundary of New York State Department of Environmental Conservation (NYSDEC) Wetland HS-3. The pipe is currently severely damaged at the out fall due to its under-sized design. The storm water's velocities discharging into NYSDEC Wetland HS-3 has eroded away the underlying and sidewall foundation of the existing pipe and, as a result, has severely damaged the pipe in multiple sections. Damage also has occurred further up the pipe as the concrete joints have eroded underground. A Town sanitary sewer line is in place above and perpendicular to the 36" storm drainage pipe.

The pipe's re-construction will start at the closest junction box, approximately 250' from the out fall pipe. The pipe will then take a 90 degree turn east and run approximately 60 feet where it will turn another 90 degrees north (where it will run parallel to the existing pipe) towards NYSDEC HS-3.

In order to service the storm water adequately, the pipe design will be much larger than the existing drainage structure. The proposed pipe is specified to start with 60" diameter sections and end with 120" diameter sections at the outfall to reduce velocities to a non-hazardous/damaging level as it discharges into NYSDEC Wetland HS-3. This may also be achieved by splitting the pipe into two or three 60" pipes next to each other. This will increase the footprint size and impact the smaller wetland peninsula located further east.

Also, proposed is a wetland buffer mitigation area to cut, grade, plant and monitor an area approximately 9,500 sq. ft. at the southeast area of Wetland HS-3 to mitigate for wetland fill.

Location: Town of Stony Point, Rockland County, New York

Reasons Supporting This Determination: The Town's drainage pipe is in major disrepair, particularly at the outfall portion of the pipe. The subject drainage pipe services a large storm water drainage shed that measures approximately 52 acres, which contains commercial/industrial and residential land uses. The 36 inch drainage pipe occurs as a damaged, undersized drainage pipe that is in need of re-design and reconstruction. In order to service the storm water adequately, the pipe design will be

much larger than the existing drainage structure. Since the existing pipe is located in a variable, man-made topography and secondary growth wetlands, impacts to the already-disturbed area will occur to repair/replace the Town's drainage pipe.

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

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

NAYS:None

ABSTAIN: None

ABSENT: None

NY Certified Electrical Inspectors

A motion was made by Councilman White and seconded by Supervisor Sherwood to approve the request of New York Certified Electrical Inspectors. LLC for authorization to perform electrical inspections in the Town of Stony Point.

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

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

NAYS:None

ABSTAIN: None

ABSENT: None

Request for Refund – Building & Zoning Board of Appeals Fees

A motion was made by Councilman Vicari and seconded by Councilman Finn to authorize the refund of 50% of the building application fee, since the application was processed, and 100% of the zoning board application fee, which had not been processed, for a total of \$1,000 for 17 Hudson View Dr., Tomkins Cove, NY.

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

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

NAYS:None

ABSTAIN: None

ABSENT: None

Request for Funding RSVP

A request for funding was received from the Rockland County Retired and Senior Volunteer Program. At this time the Town of Stony Point does not fund any not-for-profit organizations. No action was taken.

Lead Agency – SEORA Determination – Fire District Substation

Since the Stony Point Town Board has no jurisdiction in this matter and lead agency status is between the Stony Point Planning Board and the Fire District, no action was taken.

Lead Agency – Virgin Mary & St. Pachomious Coptic Orthodox Church

A motion was made by Councilwoman Konopko and seconded by Councilman Vicari to approve the Stony Point Planning Board as lead agency in the matter of the Virgin Mary & St. Pachomious Coptic Orthodox Church application for site plan approval for a 16,000 sq. foot addition to an existing 5,500 sq. ft. church.

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

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

NAYS:None

ABSTAIN: None

ABSENT: None

Bid – 2010 Roadway Resurfacing

A motion was made by Councilman White and seconded by Councilwoman Konopko to award the bid for 2010 Roadway Resurfacing to Tilcon New York, Inc. as follows: Milling \$6.00 per sq. ft., Tack Coat \$0.27 per sq. yd., Asphalt \$82.50 per ton and Keyway is Asphalt \$390 each.

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

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

NAYS:None
ABSTAIN: None
ABSENT: None

Bid – Curb & Sidewalk Replacement

A motion was made by Councilman Finn and seconded by Councilwoman Konopko to award the bid for Curb & Sidewalk Replacement to Scaffidi's Paving & Drainage as follows: Belgium Block Curbing \$23 per linear ft., Concrete Curbing \$23 per linear ft., Sidewalk Replacement \$12 per sq. ft.

The following roll call vote was recorded and the motion was duly **adopted**:
AYES: Mr. Finn, Mr. Vicari, Mr. White, Ms. Konopko, Supervisor Sherwood
NAYS:None
ABSTAIN: None
ABSENT: None

Letters of Credit

The Town Board requested that the Town Engineer review all types of security, including letters of credit and bonds, on file with the Town on a six month basis.

Muni Pool Hours of Operation

A motion was made by Councilwoman Konopko and seconded by Councilman White to set the hours of operation for the town Muni Pool as follows; Monday-Friday from 12 noon to 8 pm and Weekends & Holidays from 11 am to 7 pm.

The following roll call vote was recorded and the motion was duly **adopted**:
AYES: Mr. Finn, Mr. Vicari, Mr. White, Ms. Konopko, Supervisor Sherwood
NAYS:None
ABSTAIN: None
ABSENT: None

Muni Pool Concession Stand

A motion was made by Councilman Finn and seconded by Councilman Vicari to authorize John Mandara of Posa Posa to proceed with a pilot program for this year and provide a concession service at the muni pool on the basis of the terms submitted by him.

The following roll call vote was recorded and the motion was duly **adopted**:
AYES: Mr. Finn, Mr. Vicari, Mr. White, Ms. Konopko, Supervisor Sherwood
NAYS:None
ABSTAIN: None
ABSENT: None

Bid – Drainage “The Cliffs”

The bids for this project are to be returned by June 30, 2010 at 10 am and will be opened at 10:30 am. It was the consensus of the Town Board to hold a Special Town Board Meeting on June 30, 2010 at 11:00 am at Stony Point Town Hall, 74 East Main St., for the purpose of reviewing the bids for improvements to "The Cliffs" Storm Sewer System.

Planning Board – Traffic Consultant

A motion was made by Councilman Vicari and seconded by Councilman Finn to approve the use of John Canning of Adler Consulting as a Traffic Study Consultant for the Stony Point Planning Board.

The following roll call vote was recorded and the motion was duly **adopted**:
AYES: Mr. Finn, Mr. Vicari, Mr. White, Ms. Konopko, Supervisor Sherwood
NAYS:None
ABSTAIN: None
ABSENT: None

Stony Point Ambulance Corps – Planning Board Fees

A motion was made by Councilman Vicari and seconded by Councilman Finn to waive the fees being requested in the application process for construction of the Stony Point Ambulance Corps new emergency medical services facility at 47 S. Liberty Dr.

The waiver shall and is intended to affect the usual filing fees for any application to the planning or zoning authorities but shall not include fees for outside consultants.

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

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

NAYS:None

ABSTAIN: None

ABSENT: None

Solid Waste Permit Application Amendment

A motion was made by Councilman White and seconded by Supervisor Sherwood to adopt the following resolution:

AUTHORIZING AMENDMENT TO THE TOWN OF STONY POINT
SOLID WASTE PERMIT APPLICATION

WHEREAS, the Town Code at Chapter 182-3(E) provides for an applicant for a permit regarding the collection and licensing of solid waste to fill out an application with the Town Clerk;

WHEREAS, the application needs to be amended with regard to the collection route information so as to provide proper identification of what permit holder will be serving what residential customer within the Town so that the health, safety and welfare of each Town resident is protected by identifying the entity responsible for servicing that residence.

NOW, THEREFORE, it is resolved as follows:

Section 1. The application for a permit pursuant to Town Code § 182-3(E) shall be as set forth and annexed hereto.

Section 2. This Resolution shall be effective immediately.

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

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

NAYS:None

ABSTAIN: None

ABSENT: None

Highway Department – Seasonal Worker

A motion was made by Supervisor Sherwood and seconded by Councilman Finn to authorize the Superintendent of Highways to hire a seasonal employee for up to 40 hours a week, until such time as the town parks close, with a salary of up to \$9.00 per hour.

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

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

NAYS:None

ABSTAIN: None

ABSENT: None

Inter-Departmental Personnel Transfer

A motion was made by Councilman White and seconded by Councilman Finn to transfer Vincent Moreno, Assistant Greens Keeper at the golf course to work in the position of MEO II in the Highway Department at his contractual rate of pay, effective July 9, 2010, subject to Rockland County Personnel approval.

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

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

NAYS:None

ABSTAIN: None

ABSENT: None

Hire Day Camp Counselor

A motion was made by Councilman Finn and seconded by Councilman Vicari to hire Richard Bertrand as a recreation aid for the 2010 summer day camp program at \$7.25 per hour.

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

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

NAYS:None

ABSTAIN: None

ABSENT: None

Hire Life Guards

A motion was made by Councilwomen Konopko and seconded by Councilman Vicari to hire the following life guards for the summer of 2010; with a salary set at \$10.00 per hour: Anthony Archetti, Briella Bartholomew, Gregory Bohr, Ryan Brondolo, Nicholas Chalsen, Jeffrey Dittmer, Ryan Fasano, Shawn Hurley, Kerianne McFadden, Matthew Moran, Stephanie Petry, Alexis Riello, (Lowland life guard – CPR only) Ryan Scanlan, Lillian Whelan, Viktoria Wojcehoski.

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

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

NAYS:None

ABSTAIN: None

ABSENT: None

Executive Session

A motion was made by Supervisor Sherwood, seconded by Councilman Finn and carried by a voice vote to adjourn into executive session at 9:00 pm for contract and litigation issues.

Reconvene

A motion was made by Councilman Finn, seconded by Councilman Vicari and carried by a voice vote to reconvene at 9:20 pm

Settlement of PBA Matters

A motion was made by Councilman White and seconded by Councilman Vicari to approve the following resolution:

AUTHORIZING SETTLEMENT OF STONY POINT PBA MATTERS

WHEREAS, the Stony Point Policeman’s Benevolent Association (“PBA”) commenced the above referenced Improper Practice Charge against the Town of Stony Point (“Town”) in the pending Interest Arbitration; and the PBA commenced the above-referenced Grievance Arbitration against the Town with the New York State Public Employee Relations Board and the Town has denied all allegations; and

WHEREAS, the Town Board finds it to be in the best interest of its taxpayers of the Town of Stony Point to settle and resolve the pending matters;

NOW, THEREFORE, it is resolved as follows:

Section 1. Special Counsel, Feerick Lynch MacCartney, PLLC, is hereby authorized to resolve the Stony Point PBA v. Town of Stony Point Improper Practice Charge (PERB Case No.: U29588) and the pending Voluntary Grievance Arbitration (PERB Case No.: A2009-162) arbitration proceedings by executing on behalf of the Town the Stipulations of Settlement substantially in the form annexed hereto.

Section 2. This Resolution shall take effective immediately.

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

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

NAYS:None

ABSTAIN: None

ABSENT: None

Contract – Chief of Police

A motion was made by Councilman Vicari and seconded by Supervisor Sherwood to approve the following resolution:

AUTHORIZING EXECUTION OF

CONTRACT WITH POLICE CHIEF

WHEREAS, the Town Board of the Town of Stony Point previously considered contractual issues with the Chief of Police, Patrick M. Brophy, regarding his Contract with the Town; and

WHEREAS, after due deliberation on the issues presented and consultation with the Police Chief, the Town Board has reached a determination regarding a Contract extension that is in the best interest of the Town; and

WHEREAS, the Town Board wishes to authorize the Supervisor to execute a Contract on the terms and conditions discussed by the Town Board during Executive Session.

NOW, THEREFORE, it is resolved as follows:

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

Section 2. The Supervisor shall be authorized to execute a Contract with the Chief of Police that provides for a two and one-half (2 ½) percent increase per annum for the years 2008, 2009, 2010 and 2011. Said increase shall be in lieu of any other increases that the Chief of Police would ordinarily be entitled to receive under his existing Contract.

Section 3. Upon approval of a form of the contract reflecting the foregoing by Special Counsel for the Town, the Supervisor is authorized to execute said Contract without any further Town Board approval.

Section 4. This Resolution shall be effective immediately.

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

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

NAYS:None

ABSTAIN: None

ABSENT: None

Revocable License – Use of Town Property

A motion was made by Councilwoman Konopko and seconded by Councilman Vicari to approve the following resolution:

RESOLUTION DIRECTING DEPUTY SPECIAL COUNSEL TO PREPARE REVOCABLE LICENSE FOR THE USE OF TOWN OWNED PROPERTY.

WHEREAS, the Town of Stony Point (the "Town") owns a parcel of property presently purposed as a parking lot and having a tax map designation of 21.05-1-13 (the "Parking Lot"); and

WHEREAS, the adjacent property owner operates a small restaurant and has request use of the Parking Lot by patrons of their business; and

WHEREAS, the Town Board has reviewed this request and finds the use would be mutually beneficial to the Town and its residents; and

NOW THEREFORE, it is resolved by the Town Board as follows:

Section 1. The Town Board directs Deputy Special Counsel Elizabeth Verrier to prepare a Revocable License Agreement with the adjacent property owner providing for the use of the parking lot by its patrons.

Section 2. The terms of the proposed Revocable License Agreement shall include, but not be limited to, a license fee to be paid to the Town by the adjacent property owner in the amount of \$250.00 per annum, that said Parking Lot may not be used to the exclusion of Town residents, and the licensee to provide insurance and appropriate indemnity associated with its use and maintenance of the Parking Lot.

This Resolution will take effect immediately.

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

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

NAYS:None

ABSTAIN: None

ABSENT: None

Executive Session

At 9:20 pm the Town Board resumed executive session.

ADJOURN

The June 15, 2010 meeting of the Stony Point Town Board was adjourned at 10:30 pm.

Respectfully submitted,
Joan Skinner - Town Clerk