

## STONY POINT TOWN BOARD MEETING – JULY 12, 2011

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, July 12,, 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 (arrived at 7:11 p.m.)
	Ms. Luanne Konopko	Councilwoman
	Mr. William E. Sherwood	Supervisor

ABSENT: None

### PUBLIC INPUT

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

- Fill Law & Tree Law are both inadequate
  - Do not protect the people of the Town of Stony Point
  - No enforcement provision
- Questioned if anyone from the Town Board contacted United Water about their intentions regarding a water tower on Rosetown Rd.
- Urged the town to become part of the interveners group with regard to the Hudson Champlain Express proposed electric line.

### PURCHASE ORDER REQUEST

A motion was made by Councilwoman Konopko, seconded by Councilman Vicari and **unanimously carried** by a roll call vote of those board members present to approve the following purchase order:

Golf Course		
PO#2335	Matrix	\$2,386.23

### AUDIT OF BILLS

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

#### Contractual General – June

<u>FUND</u>	<u>CLAIM #</u>	<u>BILL TOTAL</u>	<u>FUND TOTAL</u>
<u>General</u>	685-737	\$ 872,264.93	\$ 872,264.93
<u>Highway</u>	256-270	\$ 72,588.44	\$ 72,588.44
<u>Sewer</u>	252-270	\$ 54,044.68	\$ 54,044.68
<u>Special Districts</u>			
Enterprise	276-299	\$ 102,960.13	\$ 422,960.13

#### General – July

<u>General</u>	738-826	\$ 89,349.57
<u>Highway</u>	271-298	\$ 420,479.93
<u>Sewer</u>	271-293	\$ 15,014.64
<u>Special Districts</u>		
Ambulance	15-16	\$ 30,998.95
Cap. Proj.	4-7	\$ 35,113.03
Enterprise Fund	300-335	\$ 47,528.32
Solid Waste	16-18	\$ 22,281.47

### PRESENTATION

Chief Brian Moore presented a plaque to Sharon Cusick upon her retirement as secretary to the Youth Bureau for the last twelve years.

Supervisor Sherwood presented a token of his appreciation to Ms. Cusick for her years of service.

### **POLICE DEPARTMENT REPORT/BUSINESS**

Chief Moore presented the following report:

Police Department Report for the Month of June, 2011

Number of calls for service:	926
Number of reported accidents:	28
Number of arrests:	65
Fuel usage:	1326 gallons
Sum total of all traffic enforcement action:	303
Number of Youth Officer sponsored events:	5
Number of child safety seat installations:	5
Number of commercial vehicle enforcement details:	0
Number of traffic enforcement details:	25
	5 STEP, 17 BUNY, 3 w/ speed trailer
Number of training hours:	40:00hrs
Total fees collected:	\$832.25
	(\$2.25 - FOIL; \$210.00 - prints; \$70.00 - reports; \$350 - restitution)
Miscellaneous:	
Youth sponsored events:	1 Fishing Derby; 1 Youth Court sessions & 3 Community Service days.

Chief Moore addressed the board regarding the following matters:

- **CHIEF MOORE'S TIME RECORD**

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

- **WAYNE DAY BAZAAR AND PARADE UPDATE**

Chief Moore reported that telephone notification will go out to all residents regarding the time and route of the Wayne Day Parade on Saturday, July 16<sup>th</sup>.

- **OVERTIME REPORT**

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 overtime report for the month of June 2011 as presented.

- **SICK LEAVE REPORT**

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 overtime report for the month of June 2011 as presented.

- **UPDATE – BURGLARIES AND CAR LARCENIES**

Chief Moore advised that there has been a sharp increase in car larcenies; 30 since June 25<sup>th</sup>. Most of the vehicles have been unlocked.

- **INTELLIGENCE TASK FORCE ASSIGNMENT**

Officer J. Wood has been promoted to sergeant, leaving a vacancy on the task force. One applicant has asked for a little more time.

- **YOUTH OFFICER TRAINING**

A motion was made by Councilman Finn, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of all board members present to authorize our youth officer to attend the training session in Dallas, TX in August. All charges to be paid for through a grant received by the District Attorney's Office.

## **ECONOMIC DEVELOPMENT COMMITTEE REPORT**

- Councilwoman Konopko reported that the RFEI Subcommittee met today for a second draft session and is requesting input from the building inspector. They would like to have a final draft for review by the next town board meeting.

## **LEGISLATIVE REPORTS**

- Senator Carlucci's Report – since the Senate is not in session, there was no report.
- Legislator Jobson's Report - the Washburns Lane project is progressing well.

## **SUPERVISOR'S REPORT**

We will hear about the pool from our town engineer but I do want to congratulate and thank him for his hard work. He designed and built a beautiful filter system that is up and running. This is a complex project and it is truly a magnificent filter system at far less cost than the proposals we received from outside contractors. We should have final numbers before the next meeting.

All of our departments have been helping out including parks, highway, recreation and sewers. They have been providing equipment and manpower to get the new system installed, wired and up and running and I want to thank them all for the effort. If the health department cooperates it is possible the pool will open this weekend or on Monday.

I have exciting news for our residents as well from Congresswoman Nan Hayworth. She will be coming to our town for a Town Hall style meeting that will be held right here in our community center. The Congresswoman has agreed to be here on August 9 before our town board meets that night to speak with and take questions from the public and tell us a little about what is going on in Washington.

Congresswoman Hayworth will be available at 5:30 p.m. on August 9 and has agreed to stay until our regular board meeting starts at 7 p.m. that evening. If you have questions for her mark your calendars and plan to be here. This may be the first time we have had the chance to meet one on one with our congressional representative in this type of setting right here in Stony Point.

In other good news our mortgage tax revenues, which have been lagging, got a shot in the arm from a substantial real estate transfer in the last quarter so we are now running a little ahead of last year in that revenue stream.

We will need to continue to push for additional ways to enhance our revenue stream because we face a very tight 2% property tax cap. With retirement and health insurance premiums increasing in the double digits and the town continuing to run on bare bones staffing it is going to be another very difficult budget year.

As always, and I know the board agrees with me on this, additional revenues are not about more taxes, they are about more taxpayers. Bringing ratable into the town is this board's top priority and while we continue to push for lower costs and more efficiency the only way to help our taxpayers is to bring more business into the town.

Finally we have the annual Wayne Day celebration starting this week as you can see from the rides and attractions on the way in to our community center. Great attractions and wonderful food and music and so it is a fun way to entertain your families at a very reasonable price and of course help support our volunteer heroes. So plan on bringing the family for a fun night out. The town will be having a table on local business night as we did last year so if you want to stop by and chat with me or any board members who may be present come on down on Friday night.

The annual firemen's parade will take place this Saturday at 2 pm and it will start at Washburn's Lane and continue to the firehouse on Liberty Drive with a reviewing stand near the Farley Bridge. Bring the family to the parade and show how much we appreciate the officers and men who devote so much volunteer time protecting our community.

**GOLF COURSE REPORT**

Dave Fusco Director of Golf presented, the following report for June, 2011:

- Green Fees \$ 277,960.76
- ID Cards \$ 3,405.00
- Merchandise \$ 14,632.52
- Range Fees \$ 10,489.00
- Club Rental \$ 839.54
- Misc. Golf \$ 1,150.00
- Total \$ 308,476.82

**RECREATION REPORT**

Noreen Smith, Recreation Facility Supervisor reported on recreational activities throughout the community including the fact that town sponsored concerts have gone well so far and the Lowland Pool is being filled.

**DEPARTMENTAL REPORTS**

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

**Building & Zoning Department**

June

Applications Pending In June	5
Applications Received	25
Applications Returned/Withdrawn	0
Applications Denied	2
Building & Blasting Permits Issued	29
Applications Pending	8
Certificate of Occupancy	21
Certificate of Compliance	10
Fees Collected	\$6,405.00

**Dog Control Officer**

June

Dogs seized and sheltered	3
Dogs returned to owner	2
Number of complaints received	12
Miles traveled patrolling the Town and transporting dogs	401

**Fire Inspector**

June

	Month	Total
Number Buildings Inspected	19	75
Number Buildings Re-Inspected	2	9
Field Correction Issued	0	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.	3	16
Fires Investigated	2	4
Miscellaneous	1	7

**Planning Board**

	From: 6/1/2011	To: 6/30/2011
Applications Received	1	
Applications Approved	0	
Applications Pending	1	
Site Plan	3	
Subdivision-Major	2	

Subdivision-Minor	4
Fees Collected:	\$0.00
Money in Lieu of Land	\$0.00

**Sewer Department**

June

Total Overtime Hours	40 hrs
Sundays	20 hrs.
Alarm Call	12 hrs.
2 Mondays	8 hrs.
Night Diff for I&I study	8 hrs.
Monthly Flow	
Plant	15,368,700 gallons
Kay Fries	2,518,400 gallons
Fuel Usage	199.1 gallons
Heating Oil	13 gallons
Total to Sludge Compost Facility	61 Cu. Yds.
Solids	21.8%
Screenings	68.83 Cu. Ft.
Septage	5000 Gals.

**Zoning Board Of Appeals**

From:	6/1/2011	To:	6/30/2011
Applications Received			
Area Variance	4		
Applications Closed			
Area Variance	2		
Applications Pending			
Area Variance	5		
Fees Collected:	\$1,500.00		

**Town Clerk**

June

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	\$ 9,890.50
TOTAL AMOUNT REMITTED	\$ 11,322.47

**STATUS OF POOL**

Kevin Maher, Town Engineer gave a status report on pool repairs.

Discussion developed between Town Board and Town Engineer.

**ACTION**

A motion was made by Councilman White, seconded by Councilwoman Konopko and unanimously carried by a voice vote of those board members present to authorize an additional amount of up to \$15,000 over and above the amount previously authorized for pool improvements.

Phil Lima, Day Camp Director spoke indicating that parents are concerned that the children are not able to swim everyday, especially in the extreme temperatures we've been experiencing.

DUNDERBERG ROAD – Kevin Maher, Town Engineer advised the Town Board that to continue the work needed to rectify the drainage situation on Dunderberg Rd. it would cost an additional \$8,000 above the costs already incurred. No action was taken at this time.

**CORRESPONDENCE** –

Joan Skinner, Town Clerk read the following:

1. Dear Bill & Members of the Board – Thank you for taking the time to recognize me upon my retirement from the Town. Your kind words and gestures were much appreciated. Best of luck to you and the Town of Stony Point in the future. If I can ever be of any assistance to the Town in the future please don't hesitate to give me a call. With warmest regards, Pat Brophy. (Former Chief of Police)
2. Mr. Sherwood & town Board Members-I recently made a trip to the Stony Point Highway Dept. to drop off three bags of grass clippings. I was informed that my driver's license was not good enough and that a permit was now needed to drop off the grass clippings. The staff at the Highway Dept. made clear that this came from Mr. Sherwood and the Town Board. I was taken back by this and as I thought about it very disappointed in the town I have lived in for 31 years. Trust me it was not the \$20 permit fee, it is the idea of that I cut my own grass, bag it, carry it in my vehicle, lift it into the dumpster and now that is even a service that my town sees fit to charge me for. I know that economic times are very different now but I thought the homeowner would get the benefit of the doubt when it comes to some things. Respectfully, Robert Schulman, 19 Algonquin Dr.
3. Dear Mr. Sherwood – Thank you for writing to me regarding the amendment to the Taylor Law. I appreciate your reaching out to the Village of Monroe on this important matter. On behalf of the Village of Monroe Board of Trustees I have written to the Governor in support of the ideas proposed in your letter. It is vital that communities like ours band together to do what is in the best interest of our constituents. I believe an amendment to the Taylor Law will benefit all citizens of New York State. Thank you again for the opportunity to work together to make a difference. Very truly yours, James C. Purcell, Mayor, Village of Monroe
4. Letter of thanks from the RC Solid Waste Management Authority for attending and supporting their second Annual Environmental Day, Living Green in Rockland was acknowledged.
5. Letter from Keep Rockland Beautiful thanking the Town for supporting the Great American Cleanup

**AGENDA ITEMS:**

**ENFORCING SIGN ORDINANCE**

Councilman Vicari indicated that he has been receiving complaints from people about the sign situation in town and asked if there was any interest on the board for looking into strengthening the code, especially the enforcement section.

**ACTION**

It was the general consensus of the Town Board that Councilman Vicari and Councilman Finn act as a subcommittee to look into this matter.

**LETTERS OF CREDIT – STONY RIDGE HOLDING (STONY RIDGE ESTATES)**

A motion was made by Councilman Finn, seconded by Councilman Vicari and unanimously carried by a voice vote to adopt the following resolution subject to the approval of Harold Y. MacCartney and to accept the deeds of dedication, subject to approval of Mr. MacCartney:

**RESOLUTION  
STONY RIDGE HOLDING CO, INC  
STREET DEDICATION**

**WHEREAS**, Stony Ridge Holding Co., LLC (the "Owner") has offered, and has requested that the Town accept for dedication, the following roadways serving the Stony Ridge Estates Realty Subdivision (the "Subdivision"), as shown on a map entitled "Stony Ridge Estates" filed in the Rockland County Clerk's Office on July 27, 2000 in Map Book 121 at Plat 10 as Map Number 7378 (the

“Filed Map”), and known as: (i) **Sandyfields Lane**; (ii) **Jobson Way** (as shown on the filed map as Johnstontown Road); (iii) **Lime Kiln Court**; (iv) **Antioch Court**; and (v) **Beaver Pond Court** (collectively the “Roads”); and

**WHEREAS**, the Owner has filed with, and the same are held by, the Town, the following four (4) separate Irrevocable Standby Letters of Credit (“LOC”) to secure the completion of improvements for the Subdivision, each naming the Town as the named beneficiary thereof, and each issued by TD Bank, as successor to Hudson United Bank, as follows: (i) LOC No. 20000477 in the amount of \$37,900.00; (ii) LOC No. 20000478 in the amount of \$38,710.00; (iii) LOC no. 20000479 in the amount of 48,000.00; and (iv) LOC no. 20000480 in the amount of \$48,950.00; and

**WHEREAS**, we have received the statement from the Owner that all improvements for the Subdivision have been completed and installed in accordance with the Filed Map specifications and has submitted a copy of an As-Built Plan for the Subdivision prepared by Corless and Associates, last revised June 30, 2011 (the “Plans”), to the Board, and to the Town Engineer, the Town Superintendent of Highways and the Town Attorney; and

**WHEREAS**, the Town Engineer and Superintendent of Highways, upon inspection of the Roads and review of the Plans, have submitted their formal letters confirming the completion and installation of all Subdivision improvements in accordance with the Filed Map specifications and recommending acceptance of dedication of the Roads; and

**WHEREAS**, the deed for such conveyance, together with all documents required for the recording thereof will be reviewed by the attorney for the Town;

**NOW THEREFORE** be it;

**RESOLVED**, that the Town of Stony Point accept for dedication each of **Sandyfields Lane** , **Jobson Way** (as shown on the filed map as Johnstontown Road), **Lime Kiln Court**, **Antioch Court**; and **Beaver Pond Court**; and be it

**FURTHER RESOLVED**, that each of the following LOCs be surrendered and returned to the Owner, and are authorized to be cancelled by the Owner: (i) LOC No. 20000477 in the amount of \$37,900.00; (ii) LOC No. 20000478 in the amount of \$38,710.00; (iii) LOC no. 20000479 in the amount of 48,000.00; and (iv) LOC no. 20000480 in the amount of \$48,950.00; and be it

**FURTHER RESOLVED**, that upon delivery to the Town by the Owner of the executed deed, on a form approved by the attorney for the Town, the applicant shall record the conveyance of said improvement with the Rockland County Clerk.

#### **LETTER OF CREDIT - BLANCHARD GATE**

This matter was tabled to the July 26, 2011 Town Board meeting to allow time for the proposed resolution to be reviewed and approved by Counsel.

#### **MASS GATHERING PERMIT-VIRGIN MARY & ST. PACHOMIUS CHURCH**

A motion was made by Councilwoman Konopko, seconded by Councilman Finn and unanimously carried by a voice vote of those board members present to waive the public hearing for the purpose of a mass gathering and to issue the mass gathering permit to the Virgin Mary & St. Pachomius Church for their events on September 10-11 and 17-18, 2011,

#### **MARRIAGE OFFICERS**

A motion was made by Councilwoman Konopko, seconded by Councilman White and unanimously carried by a voice vote of those board members present to appoint Diane Payan, Court Clerk, and Barbara Oyer, Deputy Town Clerk as marriage officers.

#### **HIRE COUNSELORS – DAY CAMP**

At the request of Phil Lima, Day Camp Director, a motion was made by Councilman White, seconded by Councilman Finn and unanimously carried by a

voice vote of those board members present to hire Cathy Giordano (\$7.40/hr) and Chris Fondacaro (\$7.25/hr) as day camp counselors.

### **HIRE COUNSELORS – PLAYGROUND PROGRAM**

At the request of Noreen Smith, Recreation Facility Supervisor, a motion was made by Councilman White, seconded by Councilwoman Konopko and unanimously carried by a voice vote of those board members present to hire Ryan Corcoran (\$7.40/hr), Jaimee Nigro (\$7.25/hr) and Timmy O'Brien (\$7.40/hr) as counselors for the playground program.

### **BID FOR ELECTRIC WORK – SEWER DEPARTMENT**

Councilman White spoke regarding this matter. Specifications for this job have not been completed as yet. The work is needed in order to install a larger backup generator, necessary to qualify us for the energy saver program. He urged that this matter be taken care of as quickly as possible.

### **MASTER PLAN**

Supervisor Sherwood recapped as follows:

- Recommendations have been received from the Master Plan Committee.
- Public Hearings have been held and recommendations received.
- Should planner go ahead with environmental reviews so that we are in a position to have a public hearing on a local law to adopt these recommendations.
  - Is there anything we need to eliminate from the environmental review because there is no chance that we will adopt it.

Conversation developed between Town Board members regarding various aspects of the recommendations from the Master Plan Committee, including Town Houses and Condos and Accessory Apartments. These are not zoning changes that are being considered; any zone changes would be acted on separately.

### **ACTION**

A motion was made by Councilman White, seconded by Councilman Vicari and unanimously carried by a voice vote of those board members present to authorize the Town Planner to go ahead with the Environmental Quality Review forms for all of the suggestions.

### **EXECUTIVE SESSION**

At 8:55 pm a motion was made by Councilwoman Konopko, seconded by Councilman White and **unanimously carried** by a voice vote of all board members present to adjourn into executive session for the purpose of discussing personnel and litigation issues.

### **ADJOURN**

A motion was made by Councilman Finn, seconded by Councilman Vicari and **unanimously carried** by a voice vote of all board members present to adjourn the July 12, 2011 Stony Point Town Board Meeting at 10:20 pm.

Respectfully submitted,

Joan Skinner  
Town Clerk