

<u>Highway</u>	353-384	\$ 387,547.47
<u>Sewer</u>	300-320	\$ 21,980.58
<u>Special Districts</u>		
Ambulance	21-21	\$ 25,709.17
Enterprise Fund	365-400	\$ 37,666.68
Solid Waste	33-35	\$ 22,940.05

Minutes

A motion was made by Councilman White, seconded by Councilman Vicari and carried by a voice vote to accept the minutes of June 30, 2010 and July 13, 2010.

A motion was made by Councilman White, seconded by Councilman Vicari and carried by a voice vote with one abstention, to accept the minutes of July 20, 2010.

Reports

Economic Development Committee

Steve Porath reported as follows:

- Apologized for any misconception of criticism of the planning board or planning board procedures
 - Committee had looked at the planning process, the procedures, and the regulations to see if there were any glaring issues that could be corrected.
 - Nothing glaring stood out; we were in line with other towns with costs, procedures, and timing
- How can we be more proactive, how can we go forward and determine what we can do to be more economically developmentally affective – to attract more business
 - Convene a meeting with supervisor, representatives from town, planning and zoning boards, building inspector, and ARB chair
 - Form a project group
 - Convene that same group on a project basis
 - Informally discuss project and procedures
 - Uncover issues as they emerge
 - Start things off effectively and efficiently
 - Representative from Economic Development Committee as a liaison to make sure that process moves efficiently
- Economic Development Brochure will be developed shortly.

Councilwoman Konopko reported:

- Applicant's are very often ill prepared for the planning meetings
- Flow chart as to what process is in place currently
- SEQRA process is cumbersome, very specific process as to what needs to be done
 - Working with Rockland Municipal Planning Federation
 - Hosting in Stony Point on 1/31/11 SEQRA for Dummies Session
 - Open to public and members of various town planning boards throughout the county

Empire Zone

Steve Porath local administrator of state program reported:

- Program sunsetted on June 30th
 - No new applicants accepted
 - Any business already approved for Empire Zone continues unaffected - Shoprite will still enjoy the benefits
- Excelsior Program will replace Empire Zone program
 - New program is not yet up and running

Police Department

Chief Patrick Brophy presented the Board with the following report:

Police Department Report for the Month of July, 2010

Number of calls for service: 774

Number of reported accidents:	32
Number of arrests:	40
Fuel usage:	1609.4 gallons
Sum total of all traffic enforcement action:	156
Number of Youth Officer sponsored events:	3
Number of child safety seat installations:	8
Number of commercial vehicle enforcement details:	1
Number of traffic enforcement details:	0
Number of training hours:	80:00hrs
Total fees collected:	\$120.75

(\$70.00 for prints; \$50.75 for reports)

Misc:

Youth sponsored events: (2) Youth Court sessions, (1) Community Service day

Community attended events:

Youth Officer assigned to Wayne Day Bazaar

POLICE BUSINESS:

- **Chief Brophy's Time Record**

A motion was made by Councilman Vicari, seconded by Councilman White and carried by a voice vote to approve Chief Brophy's time sheet for the month of July.

- **DARE/SRO Program**

With the addition of another officer and creative scheduling, the program will continue in September and run through March/April.

- **Department Over-Time and Sick Leave Report**

A motion was made by Councilman Vicari, seconded by Councilman White and carried by a voice vote to accept the overtime and sick leave reports for the month of July.

- **Appoint Police Officer**

A motion was made by Councilman White and seconded by Councilwoman Konopko to appoint Justin Garcia to the vacant position of police officer, effective immediately.

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

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

NAYS: None

ABSTAIN: None

ABSENT: Mr. Finn

- **Part-Time Police Officer Position**

Chief Brophy gave an update on filling this position:

- Completing a background investigation on a retired police officer from another department who is interested in the position.
- He is certified and experienced and would be able to commence working relatively quickly.
- Must request Rockland County Personnel to use a resignation reinstatement to reinstate the individual.

GOLF COURSE

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

- Greens Fees \$280,425.76
- ID Cards \$ 2,025.00
- Merchandise \$ 12,207.63
- Driving Range \$ 10,219.00
- Misc. \$ 200.00
- Club Rental \$ 774.96
- TOTAL REVENUE \$305,852.35

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

ARCHITECTURAL REVIEW BOARD

	From: 7/1/2010	To: 7/31/2010
Applications Received	0	
Applications Approved	0	
Applications Pending	0	
Fees Collected:	\$ 0.00	
Money in Lieu of Land	\$ 0.00	

BUILDING & ZONING DEPARTMENT

July

Applications Pending In July	16	
Applications Received		21
Applications Returned/Withdrawn		0
Applications Denied		1
Building & Blasting Permits Issued	22	
Applications Pending	15	
Certificate of Occupancy		10
Certificate of Compliance		5
Fees Collected	\$13,235.00	

DOG CONTROL OFFICER

July

Dogs seized and sheltered	3
Dogs returned to owner	1
Number of complaints received	11
Miles traveled patrolling the Town and transporting dogs	423

FIRE INSPECTOR

July

	Month	Total
Number Buildings Inspected	24	94
Number Buildings Re-Inspected	3	24
Field Correction Issued	0	0
Violations Issued	0	0
Violations Complied With	0	0
Violations Outstanding	0	0
Number of Permits Issued	1	1
Requests by Police Dept.	0	0
Requests by Fire Dept.	4	24
Fires Investigated	1	7
Miscellaneous	2	

PLANNING BOARD

	From: 7/1/2010	To: 7/31/2010
Applications Received	0	
Applications Approved	0	
Applications Pending		
Site Plan	6	
Subdivision-Major	1	
Subdivision-Minor	3	
Fees Collected:	\$0.00	
Money in Lieu of Land	\$3,000.00	

ZONING BOARD OF APPEALS

	From: 7/1/2010	To: 7/31/2010
Applications Received		
Area Variance	1	
Applications Closed	0	
Applications Pending		
Area Variance	1	

Fees Collected: \$300.00

TOWN CLERK

July

Amount Paid To County Finance Officer For Dog Licenses	\$	29.37
Amount Paid To NYS Agriculture & Markets For Spay/Neuter Program	\$	3.00
Amount Paid To NYS Health Dept. For Marriage Licenses	\$	202.50
Amount Paid To NYS Dept. Of Environmental Conservation	\$	1,397.43
Amount Paid To Supervisor	\$	<u>49,604.01</u>
TOTAL AMOUNT REMITTED	\$	51,239.31

LEGISLATIVE REPORT – None

Correspondence – None

Supervisor’s Report

Next meeting on September 14th is going to be an availability night for Assemblywoman Calhoun. She will be available to the public starting at 5:30 pm in the meeting room at the Community Center (Rho Building).

In addition to the good news on the DARE program I am pleased to report that last night working with Supervisor Phillips in Haverstraw we delivered a substantial check, in fact \$9,000, to the family of Glenn McElroy as a result of the highly successful Community Fun Run held in June. Planning for that event went on from February till June and Noreen Smith and I were both part of the committee. With Noreen taking the lead for Stony Point.

Three families benefitted from the event and it was a great show of North Rockland support for children who are suffering and who need our help. Each of the families received \$9,000 by the way. I know that Councilperson Konopko was at the event to volunteer and to represent the town together with Noreen Smith and Rosemarie Caramanno and many other participants from Stony Point and from throughout the county. It was the largest turnout ever for this annual event and I want to publicly thank all the participants.

I want to congratulate two departments, sewer and highway for some great work this past weekend when we were plagued by a few sewer blockages, notably one on Gilmore Drive that was particularly stubborn. It was hot and muggy and our crews were on site from noon and well into the evening and with the cooperation of several local residents who were affected they were finally able to remove the blockage. It looked for a brief time like we would have to excavate the sewer main on an emergency basis and we had a contractor on hand to do that but with a persistent effort and great teamwork, and with the full cooperation of the residents in the area the immediate problem was resolved with a fairly minor excavation on a resident’s lawn.

After the last board meeting I was able to walk a great deal of the Campo property that we discussed at the last meeting with Highway Superintendent Brissing and Councilperson Konopko to see if that site could possibly be used by the Highway Department. Unfortunately we do not see the possibility of using the premises for town purposes. It is remote and largely wetlands and hills. I know Councilperson Finn warned us about that at the last meeting and his boyhood recollections of the property were very accurate.

I had a meeting this week with top executives from United Water about the continuing dirty water problems so many residents have seen. They provided me with all the tests done this year both for their monitoring program and for the numerous customers who logged complaints.

I am searching out a qualified Lab that can interpret the results so we can be sure that our water remains safe and United Water’s operations manager outlined what has been done and what is planned for the immediate future. I am confident now that they are giving this problem all the attention it deserves. That is not to say the problem is totally resolved. However they have taken several important steps to prevent any large scale recurrence. They also warned that there may be localized recurrences of dirty appearing water in pocket around town.

I also confirmed that the recent activity on the water company property on Cedar Flats Road where they have been placing fill from various projects in the county is aimed at cleaning up the storage at that location and dispose of it permanently. Concrete and macadam are being separated out and the material trucked to some more permanent location and the operation is a temporary one that will last for weeks but not months.

We agreed on a new level of cooperation. The board knows they are a private company controlled by public service and health departments and the Town has absolutely no legal control over their distribution system but they nonetheless acknowledge the need to work with the town and have agreed to do so. We established new lines of communication that will help us keep residents informed of future problems and we hope will lead to permanent solution.

I had a luncheon with the chief executive for the northeastern region for the Mirant Corporation. To tell you that the energy industry is secretive would be an understatement. They have security over their plans and operations that rival the CIA. However the president was able to tell me in general terms what problems they faced and outline in very, and I stress VERY general terms the plans for the assets they have in Stony Point and North Rockland. We were able to discuss our concerns and we agreed on some ideas that could, in the long term, be a mutual benefit to the company and to our local tax base. I do not want to raise false hopes — I am talking about very long term plans but again we have opened a line of

communication and some level of cooperation that can only help our taxpayers in the future. I have reached out for help from the county executive and the Rockland Economic Development Corporation to see what this board can do to allow future development and to address outstanding environmental concerns.

On a more immediate note the drainage work on Pierce and Zachary Taylor is substantially completed. While the contractor was on site I made many trips to the area, indeed almost daily trips to check on the progress, and the small traffic island entering the development drew my attention. I've been working with both parks and highway because I discovered that there is no homeowners association set up to maintain that area and town departments have had to trim it as they do all other undeveloped roadside areas. As the board knows we trim brush and spray weeds along all of the town right of ways for both safety and aesthetic reasons. In order to minimize the maintenance necessary on that traffic island, parks and highway have developed a joint plan to scrape the untended areas down a few inches to isolate some trees and decorative shrubbery that was apparently installed by the developer, and fill the area with river stone that will inhibit weed growth but hopefully be aesthetically pleasing. Because there are some trees and decorative shrubs we are trying to avoid mass applications of weed killer.

Obviously we would like to see the homeowners in that development form an association or committee that would tend the area which is the main entrance to their subdivision.

The sidewalks and curbs along Lighthouse Court have been completed and the contractor is now working in the LaurAnn Estates area. The extensive paving program that we started this year is moving along well. For the board's information I authorized an emergency change in the paving plan for Lighthouse Court to help prevent any further drainage problem in that very sensitive area. The additional costs will be less than \$5,000 and it had to be done while the equipment was on the sites and that expense will be a very small part of the 2.2 million dollar paving program we undertook this year.

The County has done a great job sandblasting some potentially dangerous paint off the penny bridge near Bar Mar and it has been painted with environmentally safe paint.

With the cooperation of the County Purchasing department we have obtained bid lists for budgeted and badly needed equipment for the sewer department including some generators and "Muffin Monster" grinders. By using bid lists from the state, Rockland, Nassau and Suffolk Counties we should be able to obtain this badly needed equipment without the necessity of the expensive bidding process since these other municipalities have done that work for us.

I also had a request today from the fire inspector who asked that we cut off the utilities to the unused buildings here in the Patriot Hills Complex and take steps to secure them. You all know that Haverstraw has had at least 3 major fires, including 2 in recent weeks in their vacant buildings. We certainly do not want that plague spreading to our side of the road. The fire inspector recommends we make sure all utilities are disconnected and the buildings are secured. I don't think this requires board action and if no one objects I'll direct buildings and maintenance to start immediately in securing the unused facilities in an appropriate manner so we have no dangerous incidents on our valuable property.

You can see it has been a busy time but with the board's help and cooperation we are moving ahead for the benefit of all our residents and taxpayers and I want to thank the board for all of they do in making Stony Point an even better place to live.

I am happy that politics has taken a back seat to the many efforts we all make for a better Stony Point.

Ambulance Corp – Zoning Use Requirements

The Building Department and our Special Counsel have both stated that the Town cannot waive zoning use requirements or issue a special use permit for the ambulance corp. Martin Sendlewski, Architect for the Corp presented a brief overview of their plans for the new building.

Appoint Ambulance District Commissioner

A motion was made by Councilman White and seconded by Councilwoman Konopko to appoint Kim Lippes to fill the vacant commissioner's spot for the Ambulance District.

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

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

NAYS:None

ABSTAIN: None

ABSENT: Mr. Finn

Mass Gathering Permit

Discussion developed regarding the Mass Gathering Permit and the possibility of eliminating or revising it. Chief Brophy would like to work with Special Counsel to look into possibility of revising it.

Cliff's Drainage Project

All paperwork related to grant funding for this project has been sent to the state within the required time period.

Interfund Purchase Of Vehicle

A motion was made by Councilwoman Konopko, seconded by Councilman White, and carried by a voice vote to authorize the Sewer Department to purchase a 2004 Crown Vic (Vin # 2FAHP71WX4X128916) that was declared surplus on June 9, 2010, from the Police Department for \$4,000.00.

Use Of Riverfront Park

A motion was made by Councilman White, seconded by Councilwoman Konopko and carried by a voice vote to approve the use of Riverfront Park on September 26, 2010 between 7:30-11:30 am as a rest stop for the Multiple Sclerosis Bike-A-Thon.

Fire Department Request – Voting Machines

A motion was made by Councilwoman Konopko, seconded by Councilman White, and carried by a voice vote to grant the request of Wayne Hose Co. No. 1, to swap their old voting machine for two of the voting machines that were reclaimed from Rockland County Board of Elections by the Town of Stony Point on April 13, 2010.

Fire Inspector Request – Conference

A motion was made by Councilman White, seconded by Councilman Vicari, and carried by a voice vote to authorize the Fire Inspector to attend a 2010 NYS Code Certification Update on August 17, 2010 with an overnight stay at a cost of \$89.00.

Magistrates Court Clerk Conference

A motion was made by Councilman White, seconded by Councilwoman Konopko and carried by a voice vote to approve the three court clerks' attendance at the Court Clerks Conference held in Albany, October 10-13, 2010 for a total cost of approximately \$2,270.

NYS Magistrates Training Conference

A motion was made by Councilman Vicari, seconded by Councilwoman Konopko and carried by a voice vote to approve Town Justice, William Franks' request, to attend the fall session of the NYS Magistrates Association annual conference in Callicoon, NY. The State Magistrates Association will cover partial expenses and all other expenses will be proper Town charges.

Kirkbride Hall – Gym Floor

Four quotes have been received to refinish the gym floor in Kirkbride Hall. No action was taken on this matter at this time so that more information can be ascertained.

Executive Session

At 8:39 pm a motion was made by Councilman Vicari, seconded by Councilman White and carried by a voice vote to adjourn into executive session for the purpose of considering legal issues.

Reconvene

The August 10, 2010 Stony Point Town Board meeting reconvened at 9:30 pm.

Tax Certiori Settlement

A motion was made by Councilman Vicari and seconded by Councilwoman Konopko to settle the tax certiori law suit with WJS Realty LLC, which terms would require a refund in the total amount of \$1,419.16

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

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

NAYS: None

ABSTAIN: None

ABSENT: Mr. Finn

School Tax Issue

A motion was made by Councilman Vicari and seconded by Councilman White to authorize Special Counsel to proceed with the legal services that are enumerated Nos. 2 and 3 on the second page of a letter dated August 10, 2010 from Mary Marzolla a member of the firm of Feerick, Lynch MacCartney.

- Supervisor Sherwood indicated that he has not yet viewed that proposal and asked the board to defer action until he had a chance to review it.
- Councilman Vicari indicated that he made the motion because he feels we owe it to the tax payers of Stony Point to try every possible avenue to correct the inequities that currently exist with respect to the apportionment of the school district tax levy between the two towns.
- Councilman White indicated that the Board was only authorizing the services that it had requested a proposal for. He does not want to delay and loose time on this.
- Councilwoman Konopko indicated that she would be in support of Items 1 & 2 at this point but would like to reserve approving Item #3 until the data is in and analyzed for Items 1 & 2.

School Tax Issue – Amended Motion

Councilman Vicari amended the motion and Councilman White seconded the motion to read as follows:

To authorize Special Counsel to proceed with the legal services that are enumerated No. 2 on the second page of a letter dated August 10, 2010 from Mary Marzolla a member of the firm of Feerick, Lynch MacCartney.

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

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

School Tax Issue

A motion was made by Councilman Vicari and seconded by Councilman White to authorize Special Counsel to pursue the legal services outlined in No. 3 on the second page of a letter dated August 10, 2010 from Mary Marzolla a member of the firm of Feerick, Lynch MacCartney.

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

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

School Tax Issue

A motion was made by Councilman White and seconded by Councilman Vicari that No. 3 be authorized by an e-mail vote of the board after all board members have an opportunity to review it and not require a board meeting for that vote.

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

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

ADJOURN

A motion was made by Councilman Vicari, seconded by Councilwoman Konopko and carried by a voice vote to adjourn the August 10, 2010 Stony Point Town Board meeting at 9:43 pm.

Respectfully submitted,

Joan Skinner
Town Clerk