

**STONY POINT TOWN BOARD MEETING – NOVEMBER 12, 2013**

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, November 12, 2013 at 7:00 pm at the Stony Point Community Center (Rho Building), 5 Clubhouse Lane, Stony Point, NY. Supervisor Geoffrey Finn called the meeting to order and led the group in the Pledge of Allegiance. Town Clerk Joan Skinner called the following roll:

|          |                     |                              |
|----------|---------------------|------------------------------|
| PRESENT: | Mr. Karl Javenes    | Councilman                   |
|          | Mr. James McDonnell | Councilman (left at 7:10 pm) |
|          | Mr. James White     | Councilman                   |
|          | Ms. Luanne Konopko  | Councilwoman                 |
|          | Mr. Geoffrey Finn   | Supervisor                   |

ABSENT: None

**CONTINUED PUBLIC HEARING – 2014 PRELIMINARY BUDGET**

Supervisor Finn re-opened this continued public hearing at 7:01 pm.

Public Input – None

Close Public Hearing

At 7:02 pm a motion was made by Supervisor Finn, seconded by Councilman McDonnell and **unanimously carried** by a voice vote of all board members present to close the public hearing on the 2014 preliminary budget.

Action

A motion was made by Supervisor Finn and seconded by Councilman McDonnell to pass the Preliminary Budget as revised (increasing A110.1 by \$6,500, increasing A2610 by \$6,500 and adding the fire district budget of \$1,576,670) as the 2014 Final Budget for the Town of Stony Point.

The following roll call vote was taken and the motion was **carried**.

|                      | Yea   | Nay   | Abstain | Absent |
|----------------------|-------|-------|---------|--------|
| Supervisor Finn      | [ x ] | [ ]   | [ ]     | [ ]    |
| Councilman White     | [ ]   | [ x ] | [ ]     | [ ]    |
| Councilman Konopko   | [ x ] | [ ]   | [ ]     | [ ]    |
| Councilman McDonnell | [ x ] | [ ]   | [ ]     | [ ]    |
| Councilman Javenes   | [ x ] | [ ]   | [ ]     | [ ]    |

**POLICE DEPT – APPOINT SERGEANT (PERMANENT) TO FILL VACANCY**

A motion was made by Supervisor Finn, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of all board members present to promote Police Officer Dennis Tobin to the position of Sergeant (permanent). This promotion shall take place immediately.

**At this point Councilman McDonnell excused himself from the meeting.**

**PUBLIC INPUT**

Diane Tomlins a resident at BaMar Mobile Home Park read the following letter for Timothy Waldron:

Good evening. I am Timothy P. Waldron a Stony Point resident for 28 years and the acting chairperson for the BaMar Community Organization also known as the B.C.O. We represent 50 families that reside in BaMar. Although some families are not part of the organization, we now all face the same issue of elevating our homes and the real

possibility of not being able to retain flood insurance in the near future which could mean for some the loss of their homes.

Earlier this year, Mr. Joe Abate of Rockland Community Development met with the B.C.O. face to face. His hope was to get all of BaMar elevated. Mr. Abate presented two types of possible elevation, one by bringing soil in to raise the homes or by having concrete pillars to raise the homes to the FEMA requirements. Should this not be feasible Mr. Abate wanted to use the money to relocate us in Rockland County. Mr. Abate felt it would be more cost effective to have the property owners act as the middle man, with Community Development oversight, rather than individually. Unfortunately, Mr. Abate left his Rockland position leaving the community without direction and with a lot of uncertainty.

B.C.O. members have been receiving New York Rising's plan of action. This plan is individually based with requirements which include various elevations, within the community, depending on the homes' location. As individuals we must select an architect or engineer, if necessary, and a contractor. It also requires that the home owners be in compliance with town ordinances, rules and regulations. As it stands now, New York Rising now places unwarranted financial hardship on individual homeowners that could possibly be avoided.

It was Governor Cuomo himself who recently said in his visit to Stony Point this past summer that he the governor knows that "one size does not fit all", and in the case of Stony Point and BaMar his words truly ring out loud and clear. Therefore, the B.C.O. leadership committee is requesting that the Town of Stony Point create a new Action Based Committee that would include, but not be limited to, a town board member, a zoning board member, the town engineer, three B.C.O. members and a New York State representative.

We would welcome a New York State representative who could act as a liaison to New York State Rising to help expedite this daunting task which would help get people back in their homes according to proper Town, State and FEMA regulations. The current process is clearly cost prohibitive to the individual home owners and the involvement of a State representative could prevent the excessive waste of tax payers' dollars. A state representative could possibly carry enough weight to help persuade some constructive involvement from the owners of BaMar Manufactured Home Community.

We the B.C.O. do not ask this likely as we respectfully request a written reply from the Town of Stony Point. We are submitting this letter directly to the Town Board and respectfully expect this letter to do into the official minutes of tonight's Town Board meeting. The B.C.O. thanks you in advance for your involvement in the BaMar Manufactured Home Community.

Respectfully and Humbly-Timothy P. Waldron-Acting Chairperson, B.C.O.

Supervisor Finn responded as follows:

He recently spoke with Joe Abate, who is now with the New York State Office of Community Development. Matthew Nelson who was also dealing with Stony Point, has now moved to another state department. The Town is attempting to set up three meetings, all within the same day, as follows:

- First – with Joe Abate and his staff from his new state position
- Second – with the owners of BaMar (who must come in from out of state)
- Third – with members of the BaMar community

Once all the coordinating is done, the date and time of these proposed meetings will be announced.

The BaMar community has not been forgotten. All town officials are doing everything possible to assist in their dilemma. Assemblyman James Skoufis, Senator Larkin and Congresswoman Nita Lowey are all aware of the situation as well.

Susan Filgueras – Mott Farm Rd. spoke about:

- BaMar residents losing their homeowners insurance
- New York Rising Community Reconstruction Program public meeting on 11/20/13
- Conservation Advisory Committee
- North Rockland School District Excell Grant
- CHPE - November 18<sup>th</sup> Public Hearing at 6 pm at the Stony Point Center with a representative from the US Department of Energy.

### **PURCHASE ORDER REQUEST**

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

|             |                        |  |             |
|-------------|------------------------|--|-------------|
| Golf Course |                        |  |             |
| PO#2455     | Metro Turf Specialists |  | \$35,315.90 |
| PO#2520     | Terre Co.              |  | \$37,911.80 |
| PO#2521     | John Deere Landscape   |  | \$7,198.00  |

### **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 Councilman Javenes and **unanimously carried** by a voice vote of all board members present to approve the bills as presented for payment.

#### **Contractual General – October**

| <u>FUND</u>              | <u>CLAIM #</u> | <u>BILL TOTAL</u> | <u>FUND TOTAL</u> |
|--------------------------|----------------|-------------------|-------------------|
| General                  | 1231-1275      | \$ 200,923.04     | \$ 200,923.04     |
| Highway                  | 336-342        | \$ 24,230.67      | \$ 24,230.67      |
| Sewer                    | 301-313        | \$ 30,709.87      | \$ 30,709.87      |
| <u>Special Districts</u> |                |                   |                   |
| Ambulance                | 19-19          | \$ 2,316.05       | \$ 2,316.05       |
| Enterprise               | 366-380        | \$ 26,206.61      | \$ 26,206.61      |
| Hwy Cap Proj             | 3-3            | \$ 46,598.00      | \$ 46,598.00      |
| Street Lighting          | 11-12          | \$ 49,278.54      | \$ 49,278.54      |

#### **General – November**

|                          |           |  |               |
|--------------------------|-----------|--|---------------|
| General                  | 1276-1459 |  | \$ 137,638.27 |
| Highway                  | 343-372   |  | \$ 165,410.12 |
| Sewer                    | 314-336   |  | \$ 19,766.66  |
| <u>Special Districts</u> |           |  |               |
| Ambulance                | 20-20     |  | \$ 27,346.06  |
| Enterprise Fund          | 381-409   |  | \$ 10,886.32  |
| Hwy. Cap. Proj.          | 4-7       |  | \$ 195,601.41 |

### **MINUTES**

A motion was made by Supervisor Finn, seconded by Councilman White and **unanimously carried** by a voice vote of all board members present to approve the minutes of September 24, 2013 and October 8, 2013.

A motion was made by Supervisor Finn, seconded by Councilman White and **carried** by a voice vote (Councilwoman Konopko abstained) of those board members present to approve the minutes of October 22, 2013.

### **SUPERVISOR'S REPORT**

Supervisor Finn announced:

- The following events sponsored by the Recreation Dept:
  - December 15<sup>th</sup> – Breakfast with Santa – 9:30 am at Patriot Hills Golf Club-registration is necessary
  - December 6<sup>th</sup> – Ladies Night Out – Christmas Boutique – 6 pm at Kirkbride

- December 2<sup>nd</sup> – 6 pm - Tree Lighting Ceremony at Kirkbride
- November 27<sup>th</sup> – Thanksgiving Eve Children’s Activities/Pizza – 6-8 pm at Kirkbride
- North Rockland School District vote on November 19<sup>th</sup> asking taxpayers to approve the expenditure of \$7.69 million in repairs for roofs, boilers, masonry and other infrastructure improvements throughout district school buildings. These are repairs must be accomplished for health and safety reasons. Funding will come from two sources, state EXCEL Aid (\$2.6 million) and Building Aid (\$5.09) million paid over 15 years. These repairs can be accomplished at a minimal cost of \$1-\$3 per average house annually for fifteen years to cover our share of the interest on the 15 year bond. The New York State Education Department requires that taxpayers approve the spending of these funds.
- Congratulations to Dave Fusco our Golf Pro at Patriot Hills Golf Course who was named the 2013 Merchandiser of the Year Public Category for the Met PGA Section.

**POLICE DEPARTMENT REPORT/BUSINESS**

Chief Moore presented the following report:

Police Department Report for the Month of October, 2013

|   |                |
|---|----------------|
| Number of calls for service:                      | 661            |
| Number of reported accidents:                     | 40             |
| Number of arrests:                                | 56             |
| Fuel usage:                                       | 1284.9 gallons |
| Sum total of all traffic enforcement action:      | 197            |
| Number of Youth Officer sponsored events:         | 6              |
| Number of child safety seat installations:        | 8              |
| Number of commercial vehicle enforcement details: | 1              |
| Number of traffic enforcement details:            | 0              |
| Number of training hours:                         | 208:00hrs      |
| Total fees collected:                             | \$191.50       |

(\$11.50 for FOIL; \$130.00 for prints; \$50.00 for reports)

Miscellaneous:

Youth sponsored events: 3 Youth Police Academy sessions; 1 Youth Court Session; 1 PAL Recreation Night, and Participated in the Town Spooktacular for Halloween.

Chief Moore addressed the board regarding the following matters:

- **CHIEF MOORE’S TIME RECORD**  
A motion was made by Councilman White, seconded by Councilman Javenes and **unanimously carried** by a voice vote of all board members present to approve Chief Moore’s time record for the month of October 2013 as presented.
- **OVERTIME & SICK LEAVE REPORTS**  
A motion was made by Supervisor Finn, seconded by Councilman White and **unanimously carried** by a voice vote of all board members present to approve the overtime and sick leave reports as presented for the month of October 2013.
- **CIVIL SERVICE LISTS**  
Chief Moore advised that he will be requesting the Rockland County Civil Service Lists for Police Officer and Spanish Speaking Police Officer.

**ECONOMIC DEVELOPMENT**

Councilwoman Konopko reported as follows:

- Attended Keep Rockland Beautiful event to honor Environmental Construction and Northeast Landscaping for the beautiful job they did with the “Welcome to Stony Point” sign at Exit 14 of the PIP.

- New York Rising Community Reconstruction Program – meeting on Nov. 20<sup>th</sup> from 7-9 pm at RHO Building. Success of the plan will depend on community input.

**DEPARTMENTAL REPORTS**

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

**GOLF COURSE REPORT**

October 2013:

- Green Fees \$ 186,213.34
- ID Cards \$ 105.00
- Merchandise \$ 11,083.60
- Misc. \$ 1,095.00
- Range Fees \$ 7,227.00
- Club Rental \$ 710.38
- Total \$ 205,434.32

**Architectural Review Board**

|                       |            |     |            |
|-----------------------|------------|-----|------------|
| From:                 | 10/01/2013 | To: | 10/31/2013 |
| Applications Received |            |     |            |
| Amended Site Plan     | 1          |     |            |
| Solar Panels          | 3          |     |            |
| Applications Approved |            |     |            |
| Amended Site Plan     | 1          |     |            |
| Solar Panels          | 4          |     |            |
| Applications Pending  | 0          |     |            |
| Fees Collected:       | \$ 400.00  |     |            |
| Money in Lieu of Land | \$ 0.00    |     |            |

**Building & Zoning Department**

October

|                                    |             |
|------------------------------------|-------------|
| Applications Received              | 39          |
| Applications Returned/Withdrawn    | 0           |
| Applications Denied                | 0           |
| Building & Blasting Permits Issued | 39          |
| Applications Pending               | 47          |
| Certificate of Occupancy           | 24          |
| Certificate of Compliance          | 14          |
| Fees Collected                     | \$17,449.50 |

**Dog Control Officer**

October

|  |     |
|--|-----|
| Dogs seized and sheltered                                | 1   |
| Dogs returned to owner                                   | 1   |
| Number of complaints received                            | 7   |
| Miles traveled patrolling the Town and transporting dogs | 433 |

**Fire Inspector**

| <u>October</u>                    | Month | Total |
|-----------------------------------|-------|-------|
| Inspections Performed             | 27    | 394   |
| Field Correction Issued           | 9     | 212   |
| Violations Issued                 | 0     | 141   |
| Violations Outstanding            | 0     | 0     |
| Permits Issued                    | 0     | 0     |
| Requests by Police Dept.          | 0     | 0     |
| Requests by Fire Dept.            | 4     | 31    |
| Fires Investigated                | 0     | 5     |
| Flood Damaged Buildings Inspected | 0     | 34    |

**Planning Board**

|                       |            |     |            |
|-----------------------|------------|-----|------------|
| From:                 | 10/01/2013 | To: | 10/31/2013 |
| Applications Received |            |     |            |
| Informal Discussion   | 2          |     |            |
| Applications Approved |            |     |            |
| General Category      | 1          |     |            |
| Applications Pending  |            |     |            |
| Amended Site Plan     | 1          |     |            |
| General Category      | 1          |     |            |
| Informal Discussion   | 3          |     |            |
| Site Plan             | 5          |     |            |
| Subdivision-Major     | 1          |     |            |
| Subdivision-Minor     | 1          |     |            |
| Fees Collected:       | \$1,965.00 |     |            |
| Money in Lieu of Land | \$1,500.00 |     |            |

**Sewer Department**

**October**

|                                  |                    |
|----------------------------------|--------------------|
| Overtime Hours                   |                    |
| Sunday                           | 24 hrs.            |
| Saturday                         | 4 hrs.             |
| Holiday                          | 8 hrs.             |
| Controlex                        | 3 hrs.             |
| Monthly Flow                     |                    |
| Plant                            | 19,774,500 gallons |
| Kay Fries                        | 2,300 gallons      |
| Fuel Usage                       | 334.6 gallons      |
| Heating Oil                      | 7 gallons          |
| Total to Sludge Compost Facility | 95 Cu. Yds.        |
| Solids                           | 20%                |
| Screenings                       | 62.73 Cu. Ft.      |
| Septage                          | 4100 Gals.         |

**Zoning Board Of Appeals**

|                       |            |     |            |
|-----------------------|------------|-----|------------|
| From:                 | 10/01/2013 | To: | 10/31/2013 |
| Applications Received |            |     |            |
| Appeal                | 1          |     |            |
| Area Variance         | 1          |     |            |
| Interpretation        | 1          |     |            |
| Use Variance          | 1          |     |            |
| Applications Closed   |            |     |            |
| Area Variance         | 2          |     |            |
| Applications Pending  |            |     |            |
| Appeal                | 1          |     |            |
| Area Variance         | 2          |     |            |
| Interpretation        | 1          |     |            |
| Use Variance          | 1          |     |            |
| Fees Collected:       | \$735.00   |     |            |

**Town Clerk**

**October**

|  |                    |
|--|--------------------|
| Amount Paid To NYS Agriculture & Markets               |                    |
| For Spay/Neuter Program                                | \$ 28.00           |
| Amount Paid To NYS Health Dept. For Marriage Licenses  | \$ 112.50          |
| Amount Paid To NYS Dept. Of Environmental Conservation | \$ 2,164.76        |
| Amount Paid To Supervisor                              | \$ <u>1,728.23</u> |
| TOTAL AMOUNT REMITTED                                  | \$ 4,033.49        |

**CORRESPONDENCE** - None

## **CONSERVATION ADVISORY COMMITTEE**

Special Counsel, Brian Nugent explained as follows:

- Conservation Advisory Council is provided for in the General Municipal Law
  - Reference to it in the Town Code – likely from 1969
    - Tree Ordinance is the only place that CAC is mentioned
  - No record of the creation of the actual council
  - Is not limited to review of trees
  - Concerned with all environmental issues in the Town
    - mapping all open space and marshes
    - specific responsibilities set forth in the General Municipal Law
- Would need to be formally established by resolution
  - Consists of 3-9 members, including 2 junior members (16-21 years old)
- You can seek letters now for those who are interested
  - No criteria/requirements for members

The Town Board requested special counsel to draft a resolution to establish a Conservation Advisory Council to be presented at the November 26th Town Board meeting.

## **DENTAL COVERAGE**

A motion was made by Supervisor Finn, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of those board members present to approve a new dental carrier for town workers; METLIFE, which will present a savings to the town and no loss of benefits to the participants.

## **WATERFRONT**

See Supervisor Finn's remarks under Public Input on page 2.

## **FLOOD PREVENTION DAMAGE – SET PUBLIC HEARING**

Special Council Brian Nugent explained that when we amended the Flood Damage Prevention Law (Local Law No. 1 of 2013 adopted on 10/8/13), the FEMA map numbers were still being finalized. The Town did not want to delay enactment of the law by waiting for the new map numbers. We now need to amend Local Law No. 1, only to change the map numbers that are currently in the Flood Damage Prevention Law to include the updated FEMA map numbers. This will need to be done through a local law and must be completed by January 31, 2014.

### **ACTION**

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to set a public hearing for November 26, 2103 at 7:00 pm for the purpose of receiving public comment with regard to map number changes in the current flood prevention damage law.

## **WAIVE CHRISTMAS TREE PERMIT FEES – WAYNE HOSE CO.**

A motion was made by Supervisor Finn, seconded by Councilman White and **unanimously carried** by a voice vote of those board members present to waive the permit fee for selling Christmas trees for the Wayne Hose Company #1.

## **WAIVE CHRISTMAS TREE PERMIT FEES – BOY SCOUT TROOP 10**

A motion was made by Supervisor Finn, seconded by Councilman White and **unanimously carried** by a voice vote of those board members present to waive the permit fee for selling Christmas trees for the Boy Scouts/ Troop 10.

## **PLANNING BOARD/ZONING BOARD APPOINTMENTS**

Supervisor Finn indicated that at the end of December one appointment on the Planning Board and two on the Zoning Board of Appeals will expire. Anyone interested in these appointments should submit their interest in writing.

### **HIGHWAY DEPARTMENT – SURPLUS EQUIPMENT**

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those Board members present to approve the surplus of one 1997 Chevy C8500 – Vin# 1GBP7H1J7V115569 with Plow and Salter. Proceeds to be placed in the Sale of Equipment line D2665B.

### **REFUND BUILDING PERMIT FEE-STONY POINT FIRE DISTRICT BOARD OF FIRE COMMISSIONERS**

A motion was made by Supervisor Finn, seconded by Councilman White and **unanimously carried** by a voice vote of those board members present to refund \$425.00 for a building permit to the Stony Point Fire District Board of Fire Commissioners.

### **EXECUTIVE SESSION**

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to adjourn into executive session to discuss personnel matters at 7:52 pm.

### **RECONVENE**

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to reconvene the November 12, 2013 Stony Point Town Board meeting at 8:02 pm.

### **EXTENSION OF SICK LEAVE**

A motion was made by Supervisor Finn, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of those board members present to approve extended sick leave at half pay pursuant to the CSEA Collective Bargaining Agreement for a certain Parks Department Employee, per the employee's request, from November 13, 2013 through December 10, 2013 at which time the extended sick leave approval shall be re-evaluated by the Town Board.

### **ADJOURN**

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of all board members present to adjourn the November 12, 2013 Stony Point Town Board meeting at 9 pm.

Respectfully submitted

Joan Skinner – Town Clerk