

## **STONY POINT TOWN BOARD MEETING – NOVEMBER 26, 2013**

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, November 26, 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
	Mr. James White	Councilman
	Ms. Luanne Konopko	Councilwoman
	Mr. Geoffrey Finn	Supervisor

ABSENT: None

### **PUBLIC INPUT**

Susan Filgueras – Mott Farm Rd. spoke about

- Rose Cemetery
- Champlain Hudson Power Express
  - Recent meeting held by the Dept of Energy
  - Thanked all those who attended and spoke against this proposed installation
  - Urged everyone to write the Dept of Energy asking for a 180 day extension

**PURCHASE ORDER REQUEST** -None

**AUDIT OF BILLS** - None

### **Minutes**

A motion was made by Councilman White, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to accept the minutes of the November 12, 2013.

**POLICE DEPARTMENT BUSINESS** - None

**ECONOMIC DEVELOPMENT COMMITTEE** - None

### **Golf Course Report**

Supervisor Finn reported that the Golf Course is opened on a day to day basis at this point.

**Departmental Reports** – None

**CORRESPONDENCE** - None

### **SUPERVISOR'S REPORT**

Supervisor Finn reported as follows:

- Upcoming Events
  - Kids Crafts – Nov. 27<sup>th</sup> from 6-8 pm at Rho Building
  - Tree Lighting – Dec 2<sup>nd</sup> – 6:30 pm at Kirkbride Hall
  - Holiday Boutique – Dec 6<sup>th</sup> 6-9 pm at Kirkbride Hall
  - Breakfast with Santa – Dec 15<sup>th</sup> – 11 am at Patriot Hills
  - Senior Breakfast – Dec. 1<sup>st</sup> – 11 am at Patriot Hills
  - Drop & Shop – Dec 19<sup>th</sup> – 5-8 pm at Kirkbride Hall
  - Hidden Skills Basketball Camp – Dec 23<sup>rd</sup>, 24<sup>th</sup>, 26<sup>th</sup> & 27<sup>th</sup> from 9 am-12 pm – A\$125 per child (grades 4-6) – limited to 32 children at Kirkbride Hall

## **PRESENTATION- KINGS LANDING**

Supervisor Finn read the following regarding 111 South Liberty Drive:

I represent Maxim Realty Trust, the prospective developer of the above-referenced property. It is my understanding that Maxim was scheduled to meet with the Town Board on 11/26/13 to discuss its plans.

We respectfully ask that this item be removed from tomorrow's agenda so that my client can continue to revise its plans. We will contact you when we are ready to make a more complete presentation to the board. Very truly yours, Ira M. Emanuel

## **PUBLIC HEARING – Local Law No. 4 of 2013-Flood Damage Prevention**

Supervisor Finn opened this public hearing at 7:15 pm.

The following public notice was properly posted:

**NOTICE IS HEREBY GIVEN** that a Public Hearing will be held by the Town Board of the Town of Stony Point, Rockland County, New York, on **November 26, 2013 at 7:00 P.M.** at Rho Building, 5 Clubhouse Lane, Stony Point, New York for the following matter.

The Town Board for the Town of Stony Point is considering amending Local Law No. 1 of 2013, Chapter 112 (FLOOD DAMAGE PREVENTION), Section 3.2 to update and replace Flood Insurance Rate Map (FIRM) numbers, update and replace the Flood Insurance Study and to update and replace Advisory Base Flood Elevation Maps and Advisory Hazard Maps in order to maintain the eligibility of the Town of Stony Point to participate in the National Flood Insurance Program.

The full text of the proposed Law is on file in the Town Clerk's Office, 74 East Main Street, Stony Point, New York, and may be obtained by any interested parties from 9:00 AM to 5:00 PM, Monday through Friday.

By Order of the Town Board dated November 12, 2013. Joan Skinner-Town Clerk-November 21, 2013

Special Counsel Brian Nugent summarized as follows:

- Board had previously passed a revised Flood Damage Prevention Law which incorporated the advisory base flood elevations
- Since that time there have been updates to the FIRM maps that were amended in that law
- It's necessary to have a public hearing to amend any local law
- We are just changing the map numbers that were in the prior version to present the updated map panel numbers that were provided to us by FEMA and the DEC and to insert the correct dates
- New maps will take effect on March 3, 2014
- The Town is required to adopt these regulations in order for the residents in these areas and for the town to be continued as a participant in the National Flood Insurance Program
- Very minor changes
- Have been sent to Rockland County Planning and Stony Point Planning Board for their review
- Recommend continuing the public hearing to make certain we have received all responses

## **Public Input**

Susan Filgueras – Mott Farm Rd asked that the Town Engineer and the Building Inspector review the impact of the proposed Champlain Hudson Power Express project on the flood plain.

This public hearing will remain open.

## **CONSERVATION ADVISORY COMMITTEE**

A motion was made by Councilwoman Konopko, seconded by Councilman Finn and **unanimously carried** by a voice vote of those board members present to adopt the following resolution:

### **RESOLUTION ESTABLISHING A CONSERVATION ADVISORY COUNCIL FOR THE TOWN OF STONY POINT**

Be it enacted by the Town Board of the Town of Stony Point as follows:

WHEREAS, the preservation and improvement of the quality of the natural and manmade environment within the Town of Stony Point (the "Town"), in the face of population growth, urbanization and technological change with their accompanying demands on natural resources, are found to be of increasing and vital importance to the health, welfare and economic well-being of present and future inhabitants and require forthright action by the Town Board of the Town of Stony Point.

WHEREAS, it is recognized that the biological integrity of the natural environment on which man is dependent for survival and the natural and functional beauty of our surroundings which condition the quality of our life experience cannot be protected without the full cooperation and participation of all the people of the Town, working in partnership with local and state officials and with various public and private institutions, agencies and organizations.

WHEREAS, establishment of a commission for conservation of the environment is a necessary step in fostering unified action on environmental problems.

BE IT RESOLVED THAT:

Section 1. The Town Board of the Town of Stony Point hereby creates conservation advisory council which shall be known as the Conservation Advisory Council (the "Council"), said Council being effective January 1, 2014 and all initial terms shall commence on January 1, 2014, regardless of whether a member has yet been appointed to the position.

Section 2. The Council shall consist of five (5) members who shall be appointed by the Town Board and who shall serve at the pleasure of the Town Board. Persons residing within the Town who are interested in the improvement and preservation of environmental quality shall be eligible for appointment as members of the Council.

Section 3. The first two (2) members appointed shall hold office for a term of one (1) year and the next three (3) members for a term of two (2) years. All the successors of all initial appointees shall be appointed for full terms of two (2) years. All terms shall have a commencement date of January 1st and termination date of December 31st. Appointments The Town Board may, at its discretion, increase or decrease the number of members on the Committee, except that no active member of the Council shall be removed by reduction of membership until the expiration of his or her term, unless the removal is one for cause. The length of term of any new positions (one or two years) shall be determined by the Town Board via the Resolution establishing the position.

Section 4. Vacancies on the Council shall be filled in the same manner as the original appointment, except that a vacancy occurring other than by the expiration of term of office shall be filled only for the remainder of the unexpired term.

Section 5. The Chair of the Planning Board and the Recreation Facilities Supervisor and other officials that may be hereafter designated by the Town Board shall be ex-officio members of the Council.

Section 6. The Town Board shall designate a member of the Council to act as Chair thereof. At the first meeting of the Council, its members shall elect from among themselves a Recording Secretary.

Section 7. The Council shall adopt rules and procedures for its meetings.

Section 8. The Council shall keep accurate records of its meetings and activities and shall file an annual report as provided in Section 10 of this Resolution.

Section 9. The powers and duties of the Council shall be to:

A. Advise the Town Board, Planning Board and Recreation Facilities Supervisor on matters affecting the preservation, development and use of the natural and manmade features and conditions of the Town insofar as beauty, quality, biological integrity and other environmental factors are concerned and, in the case of human activities and developments, with regard to any major threats posed to environmental quality, so as to enhance the long-range value of the environment to the people of the Town.

B. Develop and, after receiving general approval by resolution of the Town Board, conduct a program of public information in the community which shall be designed to foster increased understanding of the nature of environmental problems and issues and support for their solutions.

C. Conduct studies, surveys and inventories of the natural and manmade features within the Town and such other studies and surveys as may be necessary to carry out the general purposes of this Resolution.

D. Maintain an up-to-date inventory or index and a map of all open spaces in public or private ownership within the municipality, including but not limited to natural landmarks, glacial and other geomorphic or physiographic features; streams and their floodplains, swamps, marshlands and other wetlands; unique biotic communities; scenic and other open areas of natural or ecological value; and of the ownership, present use and proposed use of such open areas, so as to provide a base of information for recommendations by the commission for their preservation and/or use.

E. Seek to coordinate, assist and unify the efforts of private groups, institutions and individuals within the Town in accord with the purposes of this Resolution.

F. Maintain liaison and communications with public and private agencies and organizations of local, state and national scope whose programs and activities have an impact on the quality of the environment or who can be of assistance to the Council.

G. Work in cooperation with the Planning Board, recommend from time to time to the Town Board features, plans and programs relating to environmental improvement, similarly recommend to the Town Board appropriate and desirable changes in existing local laws and ordinances relating to environmental control or recommend new local laws and ordinances.

H. Prepare, print and distribute books, maps, charts and pamphlets in accord with the purposes of this Resolution.

I. Obtain and maintain in orderly fashion maps, reports, books and other publications to support the necessary research of the Council into local environmental conditions.

J. When authorized by resolution of the Town Board, accept by gift, grant, devise, bequest or otherwise, property, both real and personal, in the name of the [Town, as may be necessary to conserve and otherwise properly utilize open spaces and other land and water resources within the boundaries of the Town. Such real property may be accepted in fee for land and water rights, or as any lesser interest, development right, easement, including conservation easement, covenant or other contractual right including conveyance with limitations or reversions.

K. Carry out such other duties as may be assigned from time to time by the Town Board.

Section 10. The Council shall submit an annual report to the Town Board not later than the 31st day of December of each year concerning the activities and work of the Council and from time to time shall submit such reports and recommendations as may be necessary to fulfill the purposes of this Resolution. Once approved, such legislative body shall forward a copy of this report to the state commissioner of environmental conservation.

Section 11. The members of the Council, including ex-officio members, shall receive no compensation for their services as members thereof but may be reimbursed for reasonable and necessary expenses incurred in the performance of their duties within the appropriations made available therefore.

Section 12. This Resolution shall be deemed an exercise of the powers of the Town to preserve and improve the quality of the natural and manmade environment on behalf of the present and future inhabitants thereof. This Resolution is not intended and shall not be deemed to impair the powers of any other public corporation.

Section 13. Within thirty (30) days after the establishment of the Council, the Town Clerk is directed to send notification of the establishment of such council to the New York State Commissioner of Environmental Conservation.

Section 14. To assist the council in carrying out its functions, powers and duties, the Council may request the Department of Environmental Conservation to:

- (a) Prepare reports outlining objectives, priorities and proposed relationships of the council to the local legislative body;
- (b) Prepare description of work to be undertaken, advantageous techniques to be used and suggested roles of council members;
- (c) Provide research on conservation facts and procedures;
- (d) Provide, on a consulting basis, technical and research assistance as may be required to assist the council in carrying out its work and to enable the council to offer recommendations to the local legislative body.
- (e) Describe particular areas of natural resources within the city, town or village, as the case may be, which require particular attention by the council.

#### **PROPERTY MAINTENANCE-5 GURRAN DR.**

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to exercise Section 161-12 of the Property Maintenance Law of the Town of Stony Point at 5 Gurran Dr.

#### **BUDGET MODIFICATIONS**

A motion was made by Supervisor Finn, seconded by Councilman White and **unanimously carried** by a voice vote of those board members present to approve the Budget Modifications as submitted by the Financial Director for November.

#### **TOWN RESPONSE TO NYS COMPTROLLER'S OFFICE – 2014 BUDGET**

A motion was made by Councilman McDonnell, seconded by Councilman White and **unanimously carried** by a voice vote of those board members present to approve Supervisor Finn's response to the October 15, 2013 letter from the State Comptroller's Office generated after their audit of the Town's 2014 budget.

### **PROPOSAL FOR ARCHITECTURAL DESIGN – BATHROOMS AT RHO**

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 the proposal for Architectural Design Services for Bathroom Design, dated November 19, 2013 from John Perkins in the amount of \$10, 500.

### **2014 STORMWATER MANAGEMENT TRAINING**

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 the Town Engineer's request to attend five classes in the 2014 Stormwater Management Training program at a total cost of \$1,035.

### **CONSTANT CONTACT AGREEMENT**

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to authorize Supervisor Finn to spend up to \$300/year with Constant Contact, an email marketing service. This is an economical way to get in touch with many town residents.

### **ECOLOGICAL ANALYSIS-CEDAR POND BROOK INTERCEPTOR SEWER REPLACEMENT PROJECT**

Town Engineer Kevin Maher addressed the Board regarding this project which began in July 2012. The project was halted for sometime due to DEC requiring changes in the plans that had been submitted. It is currently at the point where Ecological Analysis services are once again required and they wanted to be certain that the Town Board agreed to this. It was the unanimous consensus of the Board that Ecological Analysis resume their work on this project at a cost not to exceed fee of \$24,000.00.

### **EXECUTIVE SESSION**

At 7:43 pm 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 into executive session for the purpose of discussing personnel matters.

### **ADJOURN**

With no further business being conducted, at 8:50 pm a motion was made by Councilman McDonnell, seconded by Supervisor Finn and **unanimously carried** by a voice vote of all board members present to adjourn the November 26, 2013 Stony Point Town Board meeting.

Respectfully submitted

Joan Skinner – Town Clerk