

## STONY POINT TOWN BOARD MEETING – DECEMBER 8, 2015

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, December 8, 2015 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 asked the audience to watch a short clip of Red Skelton's version of the Pledge of Allegiance, detailing exactly what each word of the pledge means and the importance of remembering its meaning every time you say it. Supervisor Finn led the group in the Pledge of Allegiance. Deputy Town Clerk Barbara Oyer called the following roll:

PRESENT:	Mr. Tom Basile	Councilman
	Mr. Karl Javenes	Councilman
	Mr. Jim Monaghan	Councilman
	Mr. James White	Councilman
	Mr. Geoffrey Finn	Supervisor

Supervisor Finn recognized guest of honor, Barry Brooks, President of the Sons of the American Revolution for the past ten years. Mr. Brooks was presented an award for his outstanding service and dedication to the Town of Stony Point. The Sons of the American Revolution will be honoring Mr. Brooks at the 76 House in Tappan on Sunday December 13, 2015.

A motion was made by Supervisor Finn, seconded by Councilman Monaghan and unanimously carried by a voice vote of all board members to declare December 13, 2015 as Barry Brooks Day.

Mr. Brooks thanked the board.

### PUBLIC INPUT

George Potanovic, Old Gate Hill Rd., Pres. SPACE:

- Congratulations to Supervisor Geoff Finn for his final Town Board Meeting.
- New York State Public Service Commission comment period on the United Water Desalinization Plant ends December 17, 2015.
- Read out loud two letters addressed to the Public Service Commission, expressing their contention with the concept of the United Water Desalinization Plant located in Haverstraw. One letter signed by Ed Day, County Executive, and another signed by 24 elected officials of the county including Stony Point Supervisor Geoff Finn, Councilman Jim Monaghan, Councilman Tom Basile and Councilman Karl Javenes.

Susan Filgueras, 87 Mott Farm Rd., Pres. Stony Point Historical Society:

- December 13, 2015 Grand Opening of Pyngyp School.

### PURCHASE ORDER REQUEST

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

Golf Course:

PO#2790	Synergy/ Pocono Turf Supply	\$11,508.75
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Highway Department:

PO#2792	Reed Systems LTD	\$3,325.00
PO#2793	Atlantic Salt, Inc.	\$129,582.00

### AUDIT OF BILLS

Barbara Oyer, Deputy 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 – November 30, 2015**

<u>FUND</u>	<u>CLAIM #</u>	<u>BILL TOTAL</u>	<u>FUND TOTAL</u>
General	1347-1392	\$ 201,421.77	\$ 201,421.77
Highway	406-411	\$ 21,941.26	\$ 21,941.26
Sewer	365-378	\$ 17,006.30	\$ 17,006.30
<u>Special Districts</u>			
Ambulance	27-27	\$ 394.91	\$ 394.91
Enterprise	438-450	\$ 13,444.60	\$ 13,444.60
Street Lighting	11-11	\$ 25,812.10	\$ 25,812.10

**General – December 8, 2015**

General	1393-1461		\$ 1,236,071.95
Highway	412-438		\$ 190,044.97
Sewer	379-401		\$ 94,947.00
<u>Special Districts</u>			
Ambulance	28-29		\$ 27,393.87
Enterprise Fund	451-472		\$ 76,760.98
Solid Waste	19-20		\$ 3,804.83
Hwy Cap Proj.	18-18		\$ 178.00

**MINUTES** - A motion was made by Supervisor Finn, seconded by Councilman White and **carried** by a voice vote of those board members present (**Councilman Basile abstained**) to approve the minutes of November 24, 2015.

**SUPERVISOR’S REPORT**

Supervisor Finn spoke:

- This is his last meeting after 10 years (approx. 240 meetings), six years as Councilman and four years as Supervisor. It has been a great ride.
- Special thanks to his family, especially Holly, his wife, and his father Ed Finn.
- Thanks for all the cooperation and hard work, making his job easier to:
  - Bernadette Kilduff, Confidential Assistant
  - Deputy Supervisor, Jim McDonnell
  - Ferrick, Lynch and McCartney, Special Counsel
  - All Department Heads
  - The employees of Stony Point
  - Residents of Stony Point, it was an honor to represent
- Since of accomplishment and pride.
- Hope to remain here in Stony Point

Councilman Monaghan rose to the podium to thank Supervisor Finn and his family and presented wife, Holly Finn, with a bouquet of roses.

Councilman White, Councilman Basile and Councilman Javenes all expressed their gratitude to Supervisor Finn.

**POLICE DEPARTMENT REPORT/BUSINESS**

Chief Moore read the following report:

Police Department Report for the Month of November, 2015

Number of calls for service:	858	
Number of reported accidents:	23	
Number of arrests:	45	
(10) Felonies	(25) Misdemeanors	(10) Violations
Fuel usage:	1251.3 gallons	
Sum total of all traffic enforcement action:	182	
Number of Youth Officer sponsored events:	7	
Number of child safety seat installations:	4	
Number of commercial vehicle enforcement details:	1	

Number of traffic/special enforcement details: 5  
 Number of training hours: 105:00hrs  
 Total fees collected: \$86.25  
 (\$1.25 for FOIL; \$80.00 for prints; \$5.00 for reports)

Miscellaneous:

Youth sponsored events: 4 NR Youth Police Academy sessions-26 students graduated, 1 PAL Bingo fundraiser attended by 350 residents, 1 PAL meeting, 1 Youth Court session and we continued to conduct regular checks of the schools.

Chief Moore addressed the board regarding the following matters:

- **CHIEF MOORE’S TIME RECORD**

A motion was made by Councilman Basile, seconded by Councilman White and **unanimously carried** by a voice vote of those board members present to approve Chief Moore’s time record for the month of November 2015 as presented.

- **OVERTIME & SICK LEAVE REPORTS**

A motion was made by Supervisor Finn, seconded by Councilman Javenes 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 November 2015.

**AMBULANCE CORP. REPORT**

Marcela Samuels, Vice Pres., Stony Point Ambulance Corp. read the following report:  
 November 2015

Cash on Hand Beginning of Month	\$357,718
Income	
Town Funding	\$155,000
Net Rental	\$ 2,500
Service Receipts	\$ 44,724
Total Monthly Deposits	\$202,224
Disbursements	
Operating Expenses	\$ 18,560
General Administration	\$ 7,146
Building Maintenance	\$ 3,428
Mortgage	\$ 28,887
Total Monthly Disbursements	\$ 58,021
Cash on Hand End of Month	\$501,921

**Golf Court Report**

Dave Fusco, Director of Golf, read the following report:  
 November 2015:

- Green Fees \$ 102,343.50
- ID Cards \$ 0.00
- Memberships \$ 0.00
- Merchandise \$ 5,205.40
- Misc. \$ 0.00
- Range Fees \$ 3,667.00
- Club Rental \$ 355.19
- Total \$ 111,571.09

**DEPARTMENTAL REPORTS**

Barbara Oyer, Deputy Town Clerk offered the following reports for the record:

**Architectural Review Board**

From: 11/01/2015 To: 11/30/2015

Applications Received	
Solar Panels	10
Applications Approved	
Solar Panels	6
Applications Pending	
Solar Panels	4
Fees Collected:	\$ 1,000.00
Money in Lieu of Land	\$ 0.00

**Building & Zoning Department**

**November 2015**

Applications Received	30
Applications Returned/Withdrawn	0
Applications Denied	0
Building & Blasting Permits Issued	32
Applications Pending	98
Certificate of Occupancy	8
Certificate of Compliance	23
Fees Collected	\$15,410.00

**Dog Control Officer**

**November 2015**

Dogs seized and sheltered	2
Dogs returned to owner	2
Number of complaints received	5
Miles traveled patrolling the Town and transporting dogs	284

**Fire Inspector**

**November 2015**

	Month	Total
Inspections Performed	7	154
Field Correction Issued	7	47
Violations Issued	0	0
Violations Outstanding	0	0
Permits Issued	0	0
Requests by Police Dept.	1	6
Requests by Fire Dept.	7	50
Fires Investigated	0	0

**Planning Board**

From:	11/01/2015	To:	11/30/2015
Applications Received	0		
Applications Approved	0		
Applications Pending			
General Category	2		
Informal Discussion	2		
Lot Line Change	1		
Site Plan	5		
Subdivision-Minor	1		
Fees Collected:	\$300.00		
Money in Lieu of Land	\$1,500.00		

**Sewer Department**

**November 2015**

Overtime Hours	
Sunday	20 hrs.
Holiday	32 hrs.
Saturday	8 hrs.
Monday	4 hrs.
Call In	4 hrs.

Monthly Flow	
Plant	20,905,200 gallons
Kay Fries	105,400 gallons
Fuel Usage	237.4 gallons
Diesel	32 gallons
Total to Sludge Compost Facility	49 Cu. Yds.
Solids	19.9%
Screenings	70.38 Cu. Ft.
Septage	4,700 Gals.

**Town Clerk**

**November**

Amount Paid To NYS Agriculture & Markets	
For Spay/Neuter Program	\$ 10.00
Amount Paid To NYS Health Dept. For Marriage Licenses	\$ 135.00
Amount Paid To NYS Dept. Of Environmental Conservation	\$ 917.48
Amount Paid To Supervisor	\$ <u>1,957.74</u>
TOTAL AMOUNT REMITTED	\$ 3,020.22

**CORRESPONDENCE - Vestco, LLC**

Barbara Oyer, Deputy Town Clerk, read the following:

Dear Supervisor Finn and Town Board Members:

I would like the town board's approval to leave two (2) office trailers and occasionally a couple pieces of equipment in the yard at 11 Holt Drive, Stony Point, NY 10980 for a period of approximately 5 – 6 months while working on the high tension lines for Orange & Rockland in Stony Point. Thank you for your consideration in this matter.

Sincerely,

Gary Galanti

**ACTION**

A motion was made by Supervisor Finn, seconded by Councilman Monaghan, and unanimously carried by a voice vote to approve the request to store two office trailers, 2 - 20' sea containers and occasionally a couple pieces of equipment in the yard of 11 Holt Drive, Stony Point, providing it is stored behind the building.

**PRESENTATION – Eagle Scout Award**

Supervisor Finn introduced Jared Peters, Eagle Scout. Jared's Eagle Scout Project was repairing and improving the Tranquility Path at the Marion Shrine. Jared did a great job organizing the improvements along with volunteers, replacing benches along the path and a general cleanup.

Supervisor Finn presented Jared with a certificate from the Town for all his efforts.

**Zone Change Red Ridge Realty**

Barbara Oyer, Deputy Town Clerk, presented the following Public Hearing Notice:

**PUBLIC HEARING  
TOWN OF STONY POINT**

**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 December 8, 2015 at 7:00 P.M. at Rho Building, 5 Clubhouse Lane, Stony Point, New York.

The Town Board for the Town of Stony Point is considering a change in the zoning designation of tax lots 15.02-3-26 and 15.02-3-27 from the BU District to MHC and tax lot 15.02-3-29 from R-1 to MHC as requested by Red Ridge Realty.

Also under consideration in support of the map amendment is a zoning text amendment to replace section § 215-21(A) of the Town Zoning Code to read:

A. Consistent with the Comprehensive Plan of the Town of Stony Point, no new MHC zoning districts shall be created beyond those in existence on April 14, 1998. Expansion of an MHC zoning district may be permitted subject to the following requirements:

(1) The expansion shall require a zoning map amendment by the Town Board subject to the requirements of §215-130 and all other applicable laws;

(2) In 1998 the Comprehensive Plan established that the number of units in mobile home parks is reasonable as a proportion of the total number of housing units in the Town. Based on this finding the acreage of land in MHC Districts shall be limited to no more than one acre per 75 units of housing other than manufactured housing.

(3) Expansions shall not be permitted to extend across public roads, county streams or railroad rights-of-way;

(4) In determining whether or not to expand the MHC District, the Town Board shall make a finding that the expansion is consistent with the character of the neighborhood and will not result in adverse impact to community character;

Also under consideration in support of the map amendment is a zoning text amendment of § 215-11 of the Town Zoning Code, Table of General Use Requirements, Part I, Residential Districts, MHC District, Column B, #1 to read:

*“Manufactured Housing Community, subject to section 215-21.”*

In addition, Petitioner seeks amendment of the Town's Comprehensive Plan to remove item #5 on page IV-16 which reads, "Existing mobile home park could not be increased in area (acreage)" and any other provision that may implicitly or explicitly prohibit the expansion of an existing mobile home park by reason of limited sewer capacity, community character or other cause.

The proposed amendments and related document are available at the Town Clerk's Office, 74 East Main St, Stony Point, NY 10980, Monday – Friday, 8:30 am – 4:00 pm.

By Order of the Town Board November 10, 2015

Joan Skinner  
Town Clerk

### **ACTION**

A motion was made by Supervisor Finn, seconded by Councilman Basile and unanimously carried by a voice vote to open this Public Hearing at 7:50PM.

Supervisor Finn introduced Town Planner, Max Stach, Turner Miller Group to explain the process of this project.

Max Stach clarified:

- The application is for a zoning map amendment to rezone certain lands from R-1 and BU to MHC;
- However, the Zoning Code prohibits the zone change, so that a text amendment removing the Zoning prohibition must also be made if the Board wants to approve the map amendment;
- Since the zoning prohibition is recommended in the Town's 1995 Master Plan, the Town would also need to amend the Master Plan to amend the Zoning;
- The applicant originally suggested removing the prohibition from the Zoning and Master Plan completely;

- In reading the rationale for the prohibition, it is clear that the prohibition is based on the Town wanting to reserve sewer capacity for other types of housing, and it is also based on a finding that the ration of manufactured housing to other types of housing was appropriate at the time the plan was adopted;
- Since that time, the Town has entered into agreement with Joint Regional and is no longer concerned with reserving limited sewer capacity;
- In order to respect the intent of the Master Plan to maintain the 1995 ratio of manufactured housing in the Town and in acknowledgment of the fact that the Town has seen growth in its non-manufactured housing and reductions in its number of manufactured housing, it was suggested that instead of simply removing the prohibition on zoning new land to MHC, that instead the restrictions as listed in the public hearing announcements be enacted;

Ira Emanuel, Attorney for the Applicant, described the applicant's wishes to remove two small houses and three cottages that are in extreme disrepair and replace them with Manufactured Houses to conform with the rest of the community.

Councilman Basile questioned the ratio.

Max Stach answered that since 1995 and more specifically between the 2000 and 2010 US Census non-manufactured houses in Stony Point increased from 4626 to 5037, while manufactured housing decreased from 325 to 258. Therefore the ratio of manufactured homes to non-manufactured homes decreased significantly from that which existed at the time the 1995 Plan was enacted. Therefore it is justified to allow some growth in the extent of land zoned MHC, while still being consistent in spirit with the intent of the Master Plan, requiring only a minor amendment to the 1995 plan

## **PUBLIC INPUT**

George Potanovic, 597 Old Gate Hill Rd., spoke:

- 1995 Master Plan Committee member
- Prior to MHC district all mobile homes were non conforming
- The MHC allowed as a use-by-right
- Intended to provide affordable housing
- There was no intention to expand the numbers of mobile homes
- Stated that the Master Plan Committee never discussed ratios

Max Stach read the relevant section of the Master Plan describing the appropriate ratio. Additionally, he stated that in absence of the ratio, the original proposal was to allow unfettered expansion of the MHC and the ratio is intended to make the law more conforming with the Master Plan. He also stated that the MHC district also included bulk standard for manufactured housing and that the market move to larger manufactured housing resulted in the decrease in units, so that the mobile home parks today are less dense than they were.

Deputy Supervisor McDonnell, spoke, as a previous member of the Master Plan Committee and former Zoning Board of Appeals Chair, in favor approval. He noted that the mobile home parks were in very bad condition in 1995 when the Plan was adopted and that they have improved much since then.

## **ACTION**

A motion was made by Supervisor Finn, seconded by Councilman Basile and unanimously carried by a voice vote to close this Public Hearing at 8:34PM.

## **ACTION**

A motion was made by Supervisor Finn, seconded by Councilman White and carried by a voice vote, with Councilman Basile abstaining to adopt the SEQRA Part II, Part III and the Negative Declaration for the Red Ridge Realty Zone Code Text Amendment.

The following resolution was duly offered by Councilman Basile, seconded by Councilman Javenes and unanimously carried by a voice vote of those board members present, to wit:

**A RESOLUTION OVERRIDING RECOMMENDATIONS OF THE ROCKLAND COUNTY PLANNING DEPARTMENT ON ZONE CHANGE AMENDMENTS**

**WHEREAS**, the Town Board of the Town of Stony Point (“Town Board”) previously received a petition of the Red Ridge Realty Corp., LLC for a Zoning change for lands in the Business (BU) Zoning District and R-1 Zoning District in the Town of Stony Point and amendments to the Comprehensive Plan related to such proposed changes (“Zone Change Amendments”); and

**WHEREAS**, such Zone change seeks to change the zoning designation of tax lots 15.02-3-26 and 15.02-3-27 from the BU District to MHC and tax lot 15.02-3-29 from R-1 to MHC; and

**WHEREAS**, The change in zoning designation would require amendment of § 215-21(A) of the Town Zoning Code and amendment of § 215-11 of the Town Zoning Code, Table of General Use Requirements, Part I, Residential Districts, MHC District, Column B, #1 to read: “Manufactured Housing Community, subject to section 215-21;” and

**WHEREAS**, such change requires amendment of the Town’s Comprehensive Plan to update provisions of the Comprehensive Plan that express concern about the capacity of the then-existing sanitary sewer system to accurately portray the existing capacity of the system and to delete provisions that expressly or impliedly prohibit the expansion of the land area of mobile home parks; and

**WHEREAS**, the Town Board previously declared Lead Agency status (“Lead Agency”) for the purposes of environmental review with respect to the review of the proposed Zoning Text Amendment and potential future uses pursuant to securing applicable approvals, in accordance with Article 8 of the Environmental Conservation Law of the State of New York, and the regulations promulgated thereunder at 6 NYCRR 617.6; and

**WHEREAS**, the Town Board hereby previously classified the action as a Type 1 Action under SEQRA and distributed Lead Agency notification, the proposed Zoning and Comprehensive Plan Amendments and Part 1 of the Environmental Assessment Form (“EAF”) and other documents submitted by the Petitioner; and

**WHEREAS**, a public hearing was duly noticed, and opened with respect to such proposed Zoning Change Amendments by the Town Board on **December 8, 2015 at 7:00 p.m.** at the RHO Building, 5 Clubhouse Lane, Stony Point, NY 10980 and appropriate notice was issued to the Rockland County Planning Department and other municipalities, boards and agencies entitled to notice thereof as set forth herein; and

**WHEREAS**, by Letter dated **November 23, 2015**, the Town of Stony Point Planning Board recommended that the Town Board adopt the proposed Zone Change Amendments ; and

**WHEREAS**, the Rockland County Planning Department, by letter dated **November 4, 2015**, recommended certain modifications to the proposed Zoning Text Amendment; and

**WHEREAS**, such public hearing was closed on November 4, 2015; and

**WHEREAS**, the Town Board reviewed the Part 2 Environmental Assessment Form (EAF) submitted with respect to such proposed Zoning Text Amendment, and issued a negative declaration With respect to such proposed Zoning Text Amendment; and

**WHEREAS**, Pursuant to the provisions of New York State General Municipal Law § 239-m, the Town Board reviewed and considered the proposed recommendations of the Rockland County Planning Department.

**NOW THEREFORE BE IT RESOLVED that:**

1. The above WHEREAS clauses are hereby incorporated by reference.
2. The proposed modifications set forth in the **November 4, 2015** response of the Rockland County Department of Planning are hereby overridden for the reasons set forth below:
  - a. With respect to proposed Modifications # 1: While it is appropriate to refer individual site plans of the New York State Department of Transportation, such agencies are not, in this instance, appropriate sources of meaningful input on the proposed zoning amendment legislation given their jurisdiction, authority and expertise. For these reasons and those set forth above, the Town Board has determined that the input recommended from the stated agencies is not reasonably necessary for the Town Board to make their legislative determination to allow the proposed zone change that is the subject of the Petition before the Town Board.
3. This Resolution shall only be effective if it is approved by a majority plus one of the members of the Town Board.
4. The Town Clerk is hereby directed to provide a copy of this Resolution to the Rockland County Planning Department within thirty (30) days of the date of this Resolution in accordance with the provisions of New York State General Municipal Law § 239-m.
4. This Resolution shall be effective immediately.

The following resolution was duly offered by Councilman Javenes, seconded by Councilman White and carried by a voice vote, with Councilman Basile abstaining of those board members present, to wit:

**RESOLUTION APPROVING ZONE CHANGE AMENDMENT AND AMENDMENT TO COMPREHENSIVE PLAN**

**WHEREAS**, the Town Board of the Town of Stony Point (“Town Board”) previously received a petition of the Red Ridge Realty Corp., LLC for a Zoning change for lands in the Business (BU) Zoning District and R-1 Zoning District in the Town of Stony Point; and

**WHEREAS**, such Zone change seeks to change the zoning designation of tax lots 15.02-3-26 and 15.02-3-27 from the BU District to MHC and tax lot 15.02-3-29 from R-1 to MHC; and

**WHEREAS**, The change in zoning designation would require amendment to § 215-21(A) of the Town Zoning Code and amendment of § 215-11 of the Town Zoning Code, Table of General Use Requirements, Part I, Residential Districts, MHC District, Column B, #1 to read: “Manufactured Housing Community, subject to section 215-21;” and

**WHEREAS**, such change requires amendment of the Town’s Comprehensive Plan to update provisions of the Comprehensive Plan that express concern about the capacity of the then-existing sanitary sewer system to accurately portray the existing capacity of the system and to delete provisions that expressly or impliedly prohibit the expansion of the land area of mobile home parks; and

**WHEREAS**, the Town Board previously declared Lead Agency status (“Lead Agency”) for the purposes of environmental review with respect to the review of the proposed Zoning Text Amendment and potential future uses pursuant to securing applicable approvals, in accordance with Article 8 of the Environmental Conservation Law of the State of New York, and the regulations promulgated thereunder at 6 NYCRR 617.6; and

**WHEREAS**, the Town Board hereby previously classified the action as a Type 1 Action under SEQRA and distributed Lead Agency notification, the proposed Zoning and Comprehensive Plan Amendments and Part 1 of the Environmental Assessment Form (“EAF”) and other documents submitted by the Petitioner; and

**WHEREAS**, a public hearing was duly noticed, and opened with respect to such proposed Zoning Text Amendment by the Town Board on **December 8, 2015 at 7:00 p.m.** at the RHO Building, 5 Clubhouse Lane, Stony Point, NY 10980 and appropriate notice was issued to the Rockland County Planning Department and other municipalities, boards and agencies entitled to notice thereof as set forth herein; and

**WHEREAS**, by Letter dated November 23, 2015, the Stony Point Planning Board reviewed the proposed Zoning Text Amendment and determined that the Planning Board recommended adoption of the Proposed Zoning Text Amendment and had no objections to the Proposed Zoning Text Amendment; and

**WHEREAS**, the Town of Stony Point Planning Board recommended that the Town Board adopt the proposed Zoning Text Amendment; and

**WHEREAS**, the Rockland County Planning Department, by letter dated November 4, 2015, after review of the proposed Zone Change Amendments, recommended a review by the NYS Department of Transportation and any concerns be addresses or permits obtained and further requested to review the lot line change when such application is presented to the Town Planning Board; and

**WHEREAS**, under separate Resolution of **December 8, 2015**, for Town Board, by a vote of five voted to override the recommended modifications to the proposed Zone Changes set forth by the Rockland County Department of Planning for the reasons set forth in such separate Resolution; and

**WHEREAS**, such public hearing was closed on December 8m, 2015; and

**WHEREAS**, no changes were made to the proposed Zone Change Amendments as previously presented to the Town Board and no modifications were made to the proposed Zone Change Amendments during or after such public hearing; and

**WHEREAS**, the Town Board reviewed the Part 2 and Part 3 EAF submitted with respect to such proposed Zoning Text Amendment, and issued a Negative Declaration with respect to such proposed Zoning Text Amendment; and

**NOW, THEREFORE, BE IT RESOLVED that:**

1. The above WHEREAS clauses are incorporated herein by reference.
2. The Town Board of the Town of Stony Point hereby adopts the Amendments to the Zoning Code entitled “Zone Change Amendment in the BU and R-1 Districts regarding Manufactured Homes” amending section 215-21(A) of the Town Zoning Code to read:
  - A. *Consistent with the Comprehensive Plan of the Town of Stony Point, no new MHC zoning districts shall be created beyond those in existence*

on April 14, 1998. Expansion of an MHC zoning district may be permitted subject to the following requirements:

(1) The expansion shall require a zoning map amendment by the Town Board subject to the requirements of §215-130 and all other applicable laws;

(2) In 1998 the Comprehensive Plan established that the number of units in mobile home parks is reasonable as a proportion of the total number of housing units in the Town. Based on this finding the acreage of land in MHC Districts shall be limited to no more than one acre per 75 units of housing other than manufactured housing.

(3) Expansions shall not be permitted to extend across public roads, county streams or railroad rights-of-way;

(4) In determining whether or not to expand the MHC District, the Town Board shall make a finding that the expansion is consistent with the character of the neighborhood and will not result in adverse impact to community character;

1. The Town Board of the Town of Stony Point hereby adopts the Amendments to the Zoning Code entitled "Zone Change Amendment in the BU and R-1 Districts regarding Manufactured Homes" amending section 215-11 of the Town Zoning Code, Table of General Use Requirements, Part I, Residential Districts, MHC District, Column B, #1 to read:

*"Manufactured Housing Community, subject to section 215-21."*

2. Such Amendments shall amend the current Zoning Code (Chapter 215 of the Town Code).

3. Such amendments shall be effective immediately upon filing with the Secretary of State.

4. The Town Clerk be and hereby is directed to enter said amendment to the Local Law in the minutes of this meeting and in the Local Law Book of the Town of Stony Point, and to give due notice of the adoption of said Local Law to the Secretary of State of New York and the New York State Department of Environmental Conservation.

5. The Town Board hereby approves and adopts the following amendment to the Town's Comprehensive Plan:

**Page IV-16, #5:** Delete sentence: "Existing mobile home park could not be increased in area (acreage)" in addition deletion of any provision that may implicitly or explicitly prohibit the expansion of an existing mobile home park by reason of limited sewer capacity, community character or other cause.

#### **Rockland County Soil & Water Conservation District**

The following resolution was duly offered by Councilman Basile, seconded by Councilman Javenes and unanimously carried by a voice vote of those board members present, to wit:

**RESOLUTION COMMITTING THE TOWN OF STONY POINT TO PARTICIPATE IN THE 2016-2017 NYS DEC HUDSON RIVER ESTUARY PROGRAM LOCAL STEWARDSHIP GRANT, TITLED "PLANNING FOR CLIMATE RESILIENT AND FISH-FRIENDLY ROAD-STREAM CROSSINGS IN THE HUDSON RIVER VALLEY.**

**WHEREAS**, the severe weather events of 2006, 2007, 2011 and 2012 have illustrated the need for pro-active management of water resources for flood damage prevention and water quality protection;

**WHEREAS**, there is growing interest amongst watershed municipalities, county resource agencies, and watershed non-profits in pursuing watershed-wide collaborative management in the Hudson River watershed;

**WHEREAS**, a Town-level management plan can allow local municipalities to access funding and technical support that would not be available otherwise, including but not limited to watershed planning and implementation programs administered by New York State Department of Environmental Conservation Hudson River Estuary Program;

**WHEREAS**, the Town of Stony Point's participation in this New York State Department of Environmental Conservation Hudson River Estuary Program Local Stewardship Planning Grant would create road-stream crossing inventory documents to prioritize crossings for replacement based on habitat restoration value and flood hazard mitigation potential; create conceptual-level designs and implementation strategies using the United States Forest Service Stream Simulation Design method for one or two top ranked crossings in the Town; and create a Road Stream Crossing Management Plan which would build local capacity to apply for implementation funding and address stream habitat and flood risk.

**NOW, therefore be it resolved that** the Town of Stony Point supports efforts to collaboratively manage the Town owned road-stream crossings for flood damage prevention, water quality protection, and stewardship of natural resources, and intends to participate in future management activities including collaborating with the Rockland County Soil and Water Conservation District to identify and rank priority crossings; and develop road-related elements of conceptual designs for the replacement of one or two top-ranked road-stream crossings.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

The Resolution was thereupon duly adopted.

#### **Set Re-Organization Meeting**

A motion was made by Councilman Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those Board members present to set the re-organization Meeting for Thursday, January 7, 2016 @ 6:00PM in the RHO Building.

#### **STONY POINT SEALS – MASS GATHERING PERMIT**

A motion was made by Councilman Basile, seconded by Councilman Javenes and **unanimously carried** by a voice vote of all board members present to approve the request of the Stony Point Seals as follows for their annual Polar Plunge on Sunday, February 7, 2016:

- Waive the requirements for a mass gathering permit
- Approve a mass gathering permit
- Approve use of the sound stage
- Approve use of the portable restrooms at Riverfront Park
- Approve use of the parking lots at the Commuter Lot on 9W, at Town Hall, Rose Memorial Library, Clark Park and Riverfront Park.

The Seals will provide the appropriate certificate of insurance to the Town prior to their event.

#### **Request - Road Dedication/Tomlin's View**

The following resolution was duly offered by Councilman Basile, seconded by Councilman White and unanimously carried by a voice vote of those board members present, to wit:

**RESOLUTION ACCEPTING DEED TO TOMLIN'S VIEW ROAD FOR DEDICATION**

WHEREAS, a certain parcel of land described and depicted in Exhibit "A" has been offered for dedication to the Town of Stony Point (the "Town") for highway purposes by **Patrick J. Donaghy, Jr.**, the owner of said land as shown on a plan prepared by Theodore Atzl PLS, Licensed Surveyor, dated October 9, 2000 and filed on February 21, 2001; and

WHEREAS, the Highway Superintendent of the Town has recommended acceptance of said parcel for dedication for highway purposes, upon the completion of construction of said roadway in accordance with Town specifications and the filing with the Town of a performance bond in the amount of \$47,596.50 to guarantee any maintenance and repairs required to said roadway by the Town for a period of one (1) year after said road is constructed and accepted by the Town, and

WHEREAS, the Town Board of the Town on **December 8, 2015** approved said dedication subject to said conditions and approval of the abstract of title by the Town Attorney, and

WHEREAS, said performance bond has been filed and the Highway Superintendent has indicated road construction has been completed to his satisfaction, and

NOW, THEREFORE, BE IT RESOLVED that:

1. The Town Board of the Town of Stony Point agrees to accept the deed of dedication on the said road, to be known as **Tomlin's View Road** and directs the Town Clerk to record the same in the Rockland County Clerk's Office.
2. The Town Clerk, Town Engineer and Town Special Counsel are hereby authorized and directed to take any and all necessary actions to carry out the provisions of this Resolution.
3. The Town Supervisor is hereby authorized to execute any and all documents necessary to carry out the provisions of this Resolution.
4. This Resolution shall be effective immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

The Resolution was thereupon duly adopted.

**Environmental Construction**

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of all board members present to approve payment for Environmental Construction for request No. 5(Final), \$17,500.00, and Change Order No. 1, \$28,046.50.

**EZ Link Software**

A motion was made by Supervisor Finn, seconded by Councilman White and **unanimously carried** by a voice vote of all board members present to authorize the Supervisor to enter into agreement with EZ Links for software at the Patriot Hills Golf Club, approval contingent on review of agreement by our Town Counsel.

### **PGA Merchandise Show**

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 request of Dave Fusco, Director of Golf, and his assistant golf director to attend the PGA Merchandise Show in Orlando, Florida from January 26, 2016 through January 29, 2016. The expense is covered in the 2016 budget and will not exceed \$1500.

### **Club Car Lease Renewal**

A motion was made by Supervisor Finn, seconded by Councilman White and **unanimously carried** by a voice vote of all board members present to authorize the Supervisor to enter into a new 4 year lease with Club Cars at a monthly fee of \$13,475.80, with the payment months being April through September.

### **Workers Comp Insurance – Travelers**

A motion was made by Councilman White, seconded by Councilman Basile and **unanimously carried** by a voice vote of all board members present approve Travelers Casualty Insurance Co of America as presented by John M Bernard for the year 2016 in the amount of \$337,347.00 for Workers Comp Insurance.

### **General Liability Insurance**

A motion was made by Councilman Monaghan, seconded by Councilman White and **unanimously carried** by a roll call vote of all board members present to approve Trident New General Insurance coverage as presented by the Ducey Agency for the year 2016 in the amount of \$221,862.00 plus \$3,906.00 for Terrorism (total \$225,768) which represents an approximate 44% decrease in premium from 2015.

### **Workers Comp Insurance**

A motion was made by Councilman White, seconded by Supervisor Finn and **unanimously carried** by voice vote to rescind the motion accepting Travelers Casualty Insurance Co. of America for Workers Comp Insurance **IF** Travelers premium increases due to the fact that the Town Board did not accept their proposal for General Liability Insurance. In that case the Town Board will go with the lowest proposal of either Travelers or Public Employer Risk Management Association, Inc. (PERMA).

### **LICENSE AGREEMENT – TOWN OF RAMAPO POLICE FIRING RANGE**

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 execute the license agreement with the Town of Ramapo for use of the police firing range for the year 2016.

### **MAINTENANCE RENEWAL – TOWN CLOCK**

A motion was made by Councilman Javenes, seconded by Councilman Basile and **unanimously carried** by a voice vote of all board members present to approve renewal of the maintenance agreement with the Verdin Company for the Town Clock located in Malloy's Park in the amount of \$580 for 2016.

### **PURCHASE TRUCK – BUILDING DEPARTMENT**

A motion was made by Supervisor Finn, seconded by Councilman Basile and **unanimously carried** by voice vote to approve the purchase of a 2016 Ford Explorer for the Building Inspector in the amount of \$28,182.00.

### **Adjourn**

A motion was made by Supervisor Finn, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to adjourn at 9:40 pm.

**CLOSE MEETING**

Councilman Basile requested the meeting be closed in honor of the entire Finn Family, who has given unselfishly to the Town of Stony Point for many years.

Respectfully submitted

Barbara Oyer, Deputy Town Clerk  
Megan Carey, Clerk Typist