

STONY POINT TOWN BOARD MEETING – DECEMBER 14, 2010

A Regular Meeting of the Stony Point Town Board, Rockland County, NY, was held on Tuesday, December 14, 2010 at 7:00 P.M. at the Stony Point Community Center (Rho Building), 5 Clubhouse Lane, Stony Point, NY. The meeting began with the Pledge of Allegiance.

PRESENT: Mr. Geoffrey Finn Councilman
Mr. Louis Vicari Councilman
Mr. James White Councilman
Ms. Luanne Konopko Councilwoman
Mr. William E. Sherwood Supervisor

Public Input

Chris Pearsall, North Liberty Dr., spoke regarding the Senior Bus Transportation.

Susan Filgueras, Mott Farm Rd, spoke regarding drainage on the Farley Bridge.

George Potanovic, Old Gate Hill Rd spoke against the demolition of the Malloy Building.

Ava Seavey, Buckberg Mt. Rd. spoke about showing support for Town Board members.

Carol Reilly, Hickory Dr. spoke about increasing taxes.

George Harris, Willow Grove Rd., spoke in favor of demolition of the Malloy Building

Purchase Orders - None

Audit Of Bills

Joan Skinner, Town Clerk, presented the following bills to the Town Board for audit and a motion was made by Councilman Vicari, seconded by Councilman Finn and unanimously **carried** by a voice vote to approve the bills as presented for payment:

Contractual General – November

<u>FUND</u>	<u>CLAIM #</u>	<u>BILL TOTAL</u>	<u>FUND TOTAL</u>
General	1499-1514	\$ 815,557.92	\$ 857,557.92
Highway	515-529	\$ 77,582.94	\$ 92,582.94
Sewer	461-476	\$ 58,113.45	\$ 58,707.25
<u>Special Districts</u>			
Ambulance	26-26		\$ 1,782.62
Enterprise	565-586	\$ 62,239.68	\$ 157,239.68

General – December

General	1542-1626		\$ 119,294.00
Highway	530-546		\$ 126,182.04
Sewer	477-495		\$ 15,358.13
<u>Special Districts</u>			
Ambulance	27-28		\$ 25,754.37
Enterprise Fund	587-613		\$ 31,821.98
Solid Waste	44-46		\$ 22,054.35

Minutes – A motion was made by Councilman White, seconded by Councilman Finn and unanimously **carried** by a voice vote to approve the minutes of Nov. 4, 2010, Nov. 9, 2010, Nov. 15, 2010, and Nov. 22, 2010.

Reports

Economic Development – None

Police Department

Chief Brophy presented the Board with the following report:

Police Department Report for the Month of November, 2010

Number of calls for service:	555
Number of reported accidents:	27
Number of arrests:	37
Fuel usage:	1320.4 gallons
Sum total of all traffic enforcement action:	27
Number of Youth Officer sponsored events:	8
Number of child safety seat installations:	4
Number of commercial vehicle enforcement details:	0
Number of traffic enforcement details:	0
Number of training hours:	192:00hrs
Total fees collected:	\$276.50
(\$200.00 for prints; \$51.50 for reports; \$25.00subpoenas)	

Police Business:

• **Chief Brophy’s Time Record**

A motion was made by Councilman White, seconded by Councilman Finn and unanimously **carried** by a voice vote to approve Chief Brophy’s time sheet for the month of November, 2010.

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

A motion was made by Councilman White, seconded by Councilman Vicari and unanimously **carried** by a voice vote to accept the over-time and sick leave reports for November, 2010.

• **Reimbursement of Overtime Costs – PRD Training**

A motion was made by Councilwoman Konopko, seconded by Councilman White and unanimously **carried** by a voice vote to authorize Supervisor Sherwood to execute the agreement with the County of Rockland for reimbursement of overtime costs related to PRD (personal radiation detector) Training in the amount of \$9,686.16.

• **Reimbursement of Costs – Rockland County Intel Center**

A motion was made by Councilwoman Konopko, seconded by Councilman White and unanimously **carried** by a voice vote to authorize Supervisor Sherwood to execute the agreement with the County of Rockland for reimbursement of costs related to the assignment of an officer to the Rockland County Intel Center for 2010 in the amount of \$179,156.

Golf Course

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

• Greens Fees	\$ 88,935.64
• ID Cards	\$ 0.00
• Merchandise	\$ 3,696.45
• Driving Range	\$ 2,595.00
• Misc.	\$ 60.00
• Club Rental	\$ 258.32
• TOTAL REVENUE	\$ 95,545.41

Legislative Report – None

Supervisor’s Report – Supervisor Sherwood reported:

I will try and be brief since we have a full agenda and this is the last meeting of the year.

We had a very successful Christmas tree lighting ceremony at Kirkbride Hall and I want to thank the Recreation Department and Noreen Smith as well as the PAL for making it a hugely successful party. Parks Department also offered hay rides and of course Wayne Hose Company delivered Santa and his helpers.

Special thanks to the Muir family who donated the tree, Northern Tree Service who delivered it and got it set up working with our Parks crew and Frontino Crane Service. Northern Tree Service and Frontino also decorated the tree and they did a great job for us all at no charge.

The Inserra family and Shop Rite donated cookies and hot chocolate.

The family movie night at Kirkbride also was well attended on Sunday afternoon.

I want to acknowledge fellow board member Geoff Finn who worked very hard on the police negotiations and attended several sessions culminating in a settlement of the contract on terms that we should all be able to agree represent substantial savings over what we would anticipate the arbitration award might be.

He persisted when no one else was available and we all owe a debt of thanks. The Stony Point PBA also cooperated with some difficult concessions and I will be asking the board to approve the contract provisions tonight.

I had to add a few things to the agenda that arose at the last moment and I apologize by they are matters that can't wait till our January meeting.

We need to authorize the Highway Department to pick up debris on Blanchard Road left after an eviction proceeding by the Sheriff's Department. The landlord has been notified to clean it up and if they have not done so we need to authorize the Highway Department to pick it up and dispose of it and bill the landlord for the cost.

I know some board members have been concerned that we do not discuss economic development matters at our meetings. Among other efforts that we have been making on a daily basis I was informed that Orange and Rockland Utilities is promoting and planning data center sitting in its service area and I have reached out to them to make sure our town is considered for these desirable commercial developments.

They have a specialized response team headed by Rick Struck and I will be meeting with them next week to review what the town can offer and the various public and private sites that could easily accommodate this type of development within our town.

I attended a community block grant presentation and have forwarded the applications to our grant writer and have asked that we schedule our public hearing on this program at our first meeting in January.

I have been busy with Rockland County's Solid Waste Management Authority and I spent a long cold afternoon at a site visit reviewing problems at the Clarkstown transfer facility.

I forwarded some proposals for a small expansion at the Patriot Hills Banquet Center that the licensee would like to go forward with to enhance that facility – again at no expense to the town. I attended a meeting of the North Rockland Business Alliance, also attended by Councilperson Konopko and that organization seems to be doing very well and they are optimistic about business opportunities in North Rockland.

We also had the honor of having the Rockland County Civil Right Hall of Fame awards held right here at Patriot Hills and I was delighted to attend that ceremony on behalf of the Town.

With Superintendent Larry Brissing I met with Reed Systems Ltd. and reviewed their proposals for a new spreader for anti-icing that they believe can save overtime, salt and trucks and other equipment for the town.

I have added to your agenda tonight a proposal to outfit a single truck with this equipment to see if it lives up to their expectations. We have reached out to other towns and Clarkstown has purchased and is installing the equipment on 10 trucks and Superintendent Wayne Ballard believes the system will result in substantial savings. Orangetown has elected to try it on one truck this season and Superintendent Jim Dean will be trying it as well.

Mr. Reed of the Company is so sure it will save us money that he has agreed to a full refund if Larry Brissing is not satisfied with the equipment after the winter season. If it is even half as good as he claims it will pay for itself.

Finally – our North Rockland Midget Football team has won the New York State championship. And the Cheerleaders for the North Rockland Midget team just competed in the national championship held in Orlando, Florida and they won that competition so the cheerleaders are now the National Champions.

And I understand the Junior Cheerleaders did almost as well and took second place in their Nations Championship competition.

So we have the State Champs, the National Champs and the runner up National Champs and I think that is a great record.

Departmental Reports

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

Architectural Review Board

	From:	11/1/2010	To:	11/30/2010
Applications Received		0		
Applications Approved		0		
Applications Pending		0		
Fees Collected:		\$	0.00	
Money in Lieu of Land		\$	0.00	

Building & Zoning Department

November

Applications Pending In October	11
Applications Received	17
Applications Returned/Withdrawn	0
Applications Denied	0
Building & Blasting Permits Issued	14
Applications Pending	14
Certificate of Occupancy	20
Certificate of Compliance	5
Fees Collected	\$ 10,335.00

Dog Control Officer

November

Dogs seized and sheltered	2
Dogs returned to owner	2
Number of complaints received	10
Miles traveled patrolling the Town and transporting dogs	331

Fire Inspector

November

	Month	Total
Number Buildings Inspected	18	188
Number Buildings Re-Inspected	2	31
Field Correction Issued	3	4
Violations Issued	0	0
Violations Complied With	0	0
Violations Outstanding	0	0
Number of Permits Issued	0	0
Requests by Police Dept.	1	2
Requests by Fire Dept.	6	35
Fires Investigated	1	2
Miscellaneous		

Planning Board

	From:	11/1/2010	To:	11/30/2010
Applications Received		0		
Applications Approved				
Subdivision-Minor		1		
Applications Pending				
Lot Line Change		1		
Site Plan		6		
Subdivision-Major		1		
Subdivision-Minor		2		
Fees Collected:		\$0.00		
Money in Lieu of Land		\$6,000.00		

Zoning Board Of Appeals

	From:	11/1/2010	To:	11/30/2010
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Applications Received	0
Applications Closed	0
Applications Pending	
Area Variance	2
Fees Collected:	\$0.00

Town Clerk

November

Amount Paid To County Finance Officer For Dog Licenses	\$	35.25
Amount Paid To NYS Agriculture & Markets		
For Spay/Neuter Program	\$	3.00
Amount Paid To NYS Health Dept. For Marriage Licenses	\$	67.50
Amount Paid To NYS Dept. Of Environmental Conservation	\$	1,146.12
Amount Paid To Supervisor	\$	<u>4,340.02</u>
TOTAL AMOUNT REMITTED	\$	5,591.89

Correspondence – None

Continued Public Hearing – Zone Code Amendment – Outdoor Storage in LI Zone

Robert Geneslaw, Town Planner spoke:

- Original public hearing held in October
 - Shortly before hearing Town Board received a report from RC Planning raising a number of objections
- Memo of 11/8/10 sent to Town Board with suggested changes in response to RC Planning concerns:
 - Concerns:
 - Proposed amendment could apply to all parcels in LI District including large industrial properties
 - Suggested change
 - Apply to properties no larger than 10 acres which affectively would limit it to properties on Holt Dr.
 - Height of outdoor storage materials
 - Suggested change
 - In no case higher than 20 feet and landscaping materials such as gravel, loose stone, mulch, soils, salt and similar materials shall not be stored outside
 - Suggested change
 - Building Inspector would be required to make inspections periodically
 - Suggesting that Town Board override several recommendations from the County
 - Special permit process be used
 - Feels this is unnecessarily cumbersome
 - Town Board recognizes the need for screening
 - Proposed amendment has been sent to all adjoining municipalities with no response from any
 - Reviews be completed by NYSDOT, PIP, RC Highway, RC Drainage and Helen Hayes Hospital
 - By reducing qualifying parcels to 10 acres in size none of those agencies will need to be notified because none of the properties eligible will be near locations owned by those agencies or where they have any permit authority.

Joan Skinner, Town Clerk, read the following letter:

Stony Point Town Board, 74 East Main Street, Stony Point, NY 10980

Re: Proposed Local Law to Amend the Stony Point Zoning Code
Accessory Use in LI District

Dear Supervisor Sherwood and Council Members:

This office represents Crossroads-Holt Associates, LLC, the owner-developer of the new ShopRite shopping center on Holt Drive. We have just become aware of the proposal to amend the Zoning Code to allow open storage of materials as an accessory use in the LI zoning district.

As we understand it, the proposed amendment would allow outdoor storage of "materials necessary for the operation of a use permitted in the LI District" as an accessory use. Currently, all such storage must be indoors, unless the Town Board has granted a special permit for use of the parcel as a contractor's storage yard.

The proposed amendment would provide an easy way around the need for a special permit, and would also avoid many of the safeguards that would be built into such a permit. While we are aware that certain protections for surrounding property owners are contemplated in the amendment, the ultimate protection, a public airing of the storage proposal, would be wiped out.

Under the Stony Point Zoning Code, "conditional accessory uses" are the only accessory uses that require a site plan approved by the Planning Board. However, there are no conditional accessory uses currently listed in the Code, and it is unclear whether the proposed use would be considered "conditional".

Therefore, if the amendment is approved in its current form, a property owner could build a small building with site plan approval, and then create a large storage area on the same property. Only the small building would need Planning Board approval, while the major use, the outdoor storage, would avoid public scrutiny. The small building could be designed to have little impact and to escape public criticism. Meanwhile, the much larger outdoor storage could be hidden from Planning Board and public review, and revealed only after the c/o is issued.

Furthermore, any person aggrieved by the establishment of an outdoor storage area would be required to first appeal to the Zoning Board of Appeals, and then seek judicial review. This places a great burden on neighboring property owners, while the owner of the storage area would be allowed to continue the use during the entire appeal and review process.

We therefore request that, if the Town Board wishes to approve this amendment, it expressly designate the proposed outdoor storage as a "conditional accessory use" subject to site plan approval. Very truly yours, Ira M. Emanuel

Public Input

George Potanovic, Old Gate Hill Rd asked if this new law would apply to raw materials or finished products being stored outside and if it applied to existing buildings or new buildings. If it applies to new buildings, they could avoid review of outside storage. Feels this should be looked at.

Action

Robert Geneslaw will incorporate the revised language, address Mr. Emanuel's concerns and the Public Hearing will be continued on January 11, 2011.

Public Hearing – Ambulance Corp – Text Amendment

Martin Sendlewski, Architect/Planner for Ambulance Corp addressed the Board recapping steps that have been taken at the Planning Board level. A letter from Thomas Gubitosa, Chairman of the Stony Point Planning Board was received recommending the adoption of the text amendments as proposed.

Reasonable restrictions will be imposed regarding occupancy of the units.

Rockland County Planning Board response has not been received.

Public Input - None

Action

This public hearing will be continued on January 11, 2010.

Public Hearing – Tolake Conservation Easement

Liz Verrier, Deputy Special Counsel advised that this easement took effect March 1, 1999 and will be extended to 2015. Extension of the easement will be on the same terms and conditions; nothing would change except the expiration date.

Assessor has indicated that he recommended extending the Easement.

Various members of the Tomkins Lake Colony Association spoke regarding the proposal.

Public Input was opened at 8:15 pm

George Potanovic, Old Gate Hill Rd spoke in favor of extending the easement.

Susan Filgueras, Mott Farm Rd, spoke in favor of extending the easement.

Action

At 8:20 pm a motion was made by Councilman Finn, seconded by Councilman Vicari and unanimously **carried** by a voice vote to close the public hearing.

Action

A motion was made by Councilman Finn, seconded by Councilman Vicari and unanimously **carried** by a voice vote to approve the following resolution:

RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO
EXTEND THE TERM OF THE CONSERVATION EASEMENT ON LANDS OF
TOLAKE CORP.

WHEREAS, Tolake Corp. (the “Grantor”) is the owner of several parcels of undeveloped land within a private community located within the Town of Stony Point, New York (the “Affected Land”); and

WHEREAS, on March 1, 1999, the Town Board authorized and the Town of Stony Point (the “Town”) acquired from the Grantor, a Conservation Easement on the Affected Land for an period of fifteen years (“Conservation Easement”); and

WHEREAS, the Grantor has expressed its desire to extend the term of the Conservation Easement for an additional period of eleven years; and

WHEREAS, preserving the scenic, open and natural values of these lands are objectives that were outlined when the Town Board adopted the “Conservation Law of the Town of Stony Point”; and

WHEREAS, Section 247 of the General Municipal Law authorizes the Town to acquire less-than-fee interests in land to protect its natural scenic beauty, to retain its existing openness or natural condition or to maintain or enhance the conservation of natural or scenic resources, including open land; and

WHEREAS, the Conservation Easement limits or restricts development of the Affected Land; and

WHEREAS, by continuing the term of the Conservation Easement the goals of the Conservation Easement Laws will be furthered; and

WHEREAS, the Town Board having conducted a duly-noticed public hearing on December 14, 2010, and there being no objection to the extension of the Conservation Easement on the Affected Land;

NOW THEREFORE, it is resolved by the Town Board as follows:

Section 1. The Supervisor is hereby authorized to execute an Amendment extending the term of the Conservation Easement with Tolake Corp. for an additional eleven year period in a form meeting the standards of the Conservation Law of the Town of Stony Point and Article 49 of the Environmental Conservation Law and approved by Deputy Special Counsel.

Section 2. If a court of competent jurisdiction finds any provisions of this Resolution or the subject Amendment invalid, all other provisions of this Resolution and the Amendment shall continue to be separately and fully effective.

Section 3. This Resolution shall take effect immediately.

Councilman Vicari thanked Liz Verrier for all the work she has done for the town as Deputy Special Counsel as she will be leaving as of December 31, 2010.

Stony Point Seals, Mass Gathering Permit & Permission to Use Parking Lots

Discussion developed between the Town Board and Chief Patrick Brophy over the Chief's concerns regarding staffing for the Polar Plunge Event scheduled for February 6, 2011. He indicated that there were no resources in the 2011 budget for crowd & traffic control for an event that is continuously growing in size. Councilwoman Konopko suggested that we ask for assistance from the Town of Orangetown, since we send officers to the St. Patrick's Day Parade in their Town. Other suggestions discussed were using auxiliary police, fire police, sheriff's officers, volunteers from the Seals, etc. Chief Brophy indicated that most of these alternatives were commonly used each year. Supervisor Sherwood asked that a plan be submitted for the January 11, 2011 meeting for what posts need to be manned and a budget for that.

Action

A motion was made by Councilman Finn, seconded by Councilwoman Konopko and unanimously **carried** by a voice vote to waive the public hearing for the Mass Gathering Permit applied for by the Stony Point Seals, grant the Mass Gathering Permit and use of the following parking lots for the event on February 6, 2011; Route 9W Commuter lot, Town Hall lot, Rose Memorial Library lot, Clark Park lot and Riverview Park lot. The Seals will need to supply a certificate of insurance for the event.

Appointment – Zoning Board of Appeals Member

A motion was made by Councilman Vicari, seconded by Councilman Finn and unanimously **carried** by a voice vote to reappoint John Fox to another five year term on the Zoning Board of Appeals, said term to run from 2011-2016.

Highway Dept – Surplus 1995 Ford F-800

A motion was made by Councilman Finn, seconded by Councilman Vicari and unanimously **carried** by a voice vote to surplus a 1995 Ford F-800 (1FDYF80E3SVA34026) used by the Highway Department.

Highway Dept – Scrap Metal Income

A motion was made by Councilwoman Konopko, seconded by Councilman Finn and unanimously **carried** by a voice vote to reverse a prior resolution establishing the Highway Scrap Metal Income as restricted monies to be used as a tool fund for the highway department and to establish these incoming funds as General Revenues for the Highway Department with no restrictions.

Highway Dept - Establish Fees

Action

A motion was made Councilwoman Konopko, seconded by Councilman White and unanimously **carried** by a voice vote to approve and establish the following fees for the Highway Department:

- Tire drop-off and disposal fee
 - Passenger Tires (on or off rims) \$2.00 per tire
 - Motorcycle Tires \$2.00 per tire
 - Light Truck Tires (up to size 825x20) \$2.00 per tire
 - Large Truck Tires \$13.00 per tire
(up to 47" high and/or 12" wide)
 - Extra Large Truck & Off Road Tires as per attached list

- Catch basin tie-in fee (existing catch basin) \$2000.00
Requires significant work and cost of material

- Brush pick-up (in excess of 10 yards) \$60.00 per hour for backhoe plus \$85.00 per hour for roll off truck

Action

A motion was made by Councilman White and seconded by Councilman Vicari to establish the following fee with regard to drop offs at the Highway Dept:

- Annual resident drop-off fee \$20.00 per vehicle
(Resident windshield sticker would be necessary)

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

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

Highway Dept – Purchase Slide-In Salt Spreader

A motion was made by Councilman Finn, seconded by Councilman Vicari and unanimously **carried** by a voice vote to authorize the Highway Dept to purchase a slide-in salt spreader from Reed Systems in the amount of \$15,568, purchase price as determined from the Town of Clarkstown bid #37-2010.

Bid - Senior Bus Transportation 2011

Action

A motion was made by Councilman Finn, seconded by Councilman Vicari and unanimously **carried** by a voice vote to accept the withdrawal of the bid submitted by J&R Tours.

Action

A motion was made by Councilman Finn and seconded by Councilman Vicari to reject the bid submitted by Monsey Tours in the amount of \$17,429 as unresponsive and unsigned and to award the bid to the next lowest bidder, West Point Tours, in the amount of \$24,230.

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

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

Community Development Block Grant – Set Public Hearing

A motion was made by Councilwoman Konopko, seconded by Councilman White and unanimously **carried** by a voice vote to set a public hearing for January 11, 2010 at 7:00 pm for the Community Development Block Grant for 2011.

Contribution to Health Insurance – Non-CSEA and PBA Employees

A motion was made by Councilman White and seconded by Councilwoman Konopko to reverse a prior resolution indicating that non-union employees would no longer have to contribute towards health insurance. The following employees would now contribute 5% towards their health insurance; Lois Baisley (Principal Account Clerk), Jennifer Sciscente (Finance Director), Rosemarie Caramanno (Confidential Assistant to the Supervisor), Kevin Maher (Town Engineer), Jack O’Shaughnessy (Assessor), William Sheehan (Building Inspector), Dave Fusco (Director of Golf), Joe Smyth (Grounds Keeper/Golf Course), Jimmy O’Connor (Chief Operator/Sewer Plant), Barbara Oyer (Deputy Town Clerk), Larry Brissing (Superintendent of Highways), Frank Phillips (Town Justice), Kathy Lyons (Receiver of Taxes), and Joan Skinner (Town Clerk).

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

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

ABSTAIN: None
ABSENT: None

Budget Transfers

A motion was made by Councilman White, seconded by Councilman Finn and unanimously **carried** by a voice vote to authorize the Finance Director to make the necessary budget transfers only for the purposes of finalizing the 2010 books.

Asset Works Appraisal

A motion was made by Councilman Finn, seconded by Councilman White and unanimously **carried** by a voice vote to authorize an appraisal by Asset Works which is necessary to provide depreciation schedules for the auditors.

Global Tower Partners-Amendment to Wireless Telecommunications Facility Lease Agreement

A motion was made by Councilman White, seconded by Councilman Finn and unanimously **carried** by a voice vote to authorize Supervisor Sherwood to execute the First Amendment to Wireless Telecommunications Facility Lease Agreement, subject to review by Special Counsel.

Little League – Request to Change Lighting

A motion was made by Councilman White, seconded by Councilman Finn and unanimously **carried** by a voice vote to approve the Little League's request to change the wooden poles at the field to metal ones at no cost to the Town of Stony Point.

Set Public Hearing – Local Law Amending Chapter 182-Permits & Extend Existing Valid Sanitation Permits

Supervisor Sherwood explained that we have a proposed Local Law to change the current carting permit process.

Action

A motion was made by Councilman Finn, seconded by Councilwoman Konopko and unanimously **carried** by a voice vote to set a public hearing for 7:00 pm on January 11, 2011 regarding a proposed Local Law to Amend the Code of the Town of Stony Point - Chapter 182 Permits.

Action

A motion was made by Councilman Finn, seconded by Councilman White and unanimously **carried** by a voice vote to, in light of the 90 day moratorium enacted on October 12, 2010, extend existing valid sanitation permits until the proposed Local Law can be reviewed and acted on.

Cablevision Audit

At the Town's request, Audit Masters performed an audit on the implementation of the franchise agreement between the Town of Stony Point and Cablevision of Wappingers Falls, Inc. Any rebates would be shared equally between the Town and Cablevision.

Action

A motion was made by Councilman White, seconded by Councilman Vicari and unanimously **carried** by a voice vote to authorize Supervisor Sherwood to sign the settlement and release with Cablevision of Wappingers Falls, Inc. in the amount of \$15,000.

Grant-NYS Department of State-Police Study

A motion was made by Councilman White, seconded by Councilwoman Konopko and unanimously **carried** by a voice vote to adopt the following resolution:

Resolution Authorizing the Supervisor to Apply for a Grant

From the New York State Department of State on Behalf of the Towns of
Clarkstown, Orangetown, Haverstraw and Stony Point

WHEREAS, the Supervisors of the Towns of Clarkstown, Orangetown, Haverstraw and Stony Point, recognizing the exemplary work and contributions of the men and women in their respective police departments, propose a feasibility study for the consolidation of the police departments currently operating separately in each municipality in order to reduce the cost and size of government; and

WHEREAS, the Towns of Clarkstown, Orangetown, Haverstraw and Stony Point wish to obtain the Local Government Efficiency (LGE) Hi Priority Grant in the program year 2010-2011 from the New York State Department of State for monetary assistance in carrying out the project known as the Study for the Consolidation of Police Departments in Rockland County; and

WHEREAS, the Town of Clarkstown is to be the lead agency for such grant, and the Towns of Orangetown, Haverstraw and Stony Point will be co-applicants, which pursuant to an intermunicipal agreement shall reimburse the Town of Clarkstown for the expenditures rendered in order to complete the named project; now, therefore, be it

RESOLVED, that the Town Board of Stony Point hereby authorizes the submission of an application to the New York State Department of State for a grant in the amount of \$27,000 for reimbursement of said project; and be it further

RESOLVED, that the Town Board of the Town of Stony Point hereby authorizes a 10% contribution or the balance of the project as the local share for the project costs, of which will be reimbursed proportionately by the participating Towns in amounts to be determined in the future intermunicipal agreement. And it is further

RESOLVED, that the Supervisor is authorized to execute said application on behalf of the Town of Stony Point and take all necessary actions to implement this resolution.

Highway Dept – Blanchard Rd. Pickup

A motion was made by Councilman White, seconded by Councilman Finn and unanimously **carried** by a voice vote to authorize the Highway Department to pickup debris along Blanchard Road as a result of an eviction. The cost of this cleanup is to be billed to the landlord.

Police Agreement

Supervisor Sherwood reviewed the proposed agreement.

Councilman Finn spoke indicating that the Town Board was working for everyone in the town. This agreement helps the PBA, since five officers are saved from layoffs, and taxpayers save money. Personally thanked the PBA for their efforts.

Councilwoman Konopko spoke indicating that the budget and the negotiation processes were not easy on anyone and that no one was in favor a layoffs. She questioned how comp time would affect overtime and indicated that since the taxpayers have been impacted greatly, wherever possible, asked that the PBA work it out so that community events do not have to be cancelled.

Chief Brophy indicated that it was his understanding that comp time would be used only when staffing levels allow and that overtime would not be involved.

Councilman White indicated that police budget is a large part of the budget. 15% increase will remain but individuals will retain their jobs. An incentive retirement plan has been offered but as of yet, no one has accepted it. The newspapers seem to have information before Board members did.

Councilman Vicari spoke indicating that to the extent the MOA before the Board would avoid any layoffs, he would be in favor of it, however, it was not the way he

would have done it. He applauded the other members of the Board and the PBA for coming to a favorable agreement.

Action

A motion was made by Councilman Finn and seconded by Supervisor Sherwood to approve a Memorandum of Agreement between the Town of Stony Point and the Stony Point Policemen's Benevolent Association extending the terms of the expired Collective Bargaining Agreement from January 1, 2008 through December 31, 2010 on the terms set forth in the Memorandum of Agreement.

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

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

NAYS: None

ABSTAIN: None

ABSENT: None

Executive Session

At 9:52 pm a motion was made by Councilwoman Konopko, seconded by Councilman Finn and unanimously **carried** by a voice vote to adjourn into executive session for legal update and personnel matters. Councilman White left the meeting at this point.

Reconvene

At 10:00 pm a motion was made by Councilman Finn, seconded by Councilman Vicari and unanimously **carried** (Councilman White absent) by a voice vote to reconvene the December 14, 2010 Stony Point Town Board Meeting.

Civil Compromise

A motion was made by Councilwoman Konopko, seconded by Councilman Finn and unanimously **carried** (Councilman White absent) by a voice vote to accept the \$50,000 civil compromise in the matter of the Town of Stony Point with Perillo.

Executive Session

At 10:05 pm a motion was made by Councilman Vicari, seconded by Councilman Finn and unanimously **carried** (Councilman White absent) by a voice vote to adjourn into executive session.

Adjourn

The December 14, 2010 Stony Point Town Board meeting was adjourned at 10:45 pm.

Respectfully submitted,

Joan Skinner
Town Clerk