

**STONY POINT TOWN BOARD MEETING – AUGUST 13, 2013**

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, August 13, 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:

- Genon requesting another tax rebate
- Marsh lands
- Spectra Gas pipeline expansion

George Potanovic – Old Gate Hill Rd. spoke about:

- Proposed amendments to the Master Plan and questioned the version that appears on the Town website.
- Supports the Town’s opposition to United Water’s request for a rate increase.
- Drainage issues at Jessup’s Ridge West

Kathy Leroy – Easton St. spoke about concerns with the Major Andre Drive and Route 9W intersection.

Laura Pasarelli – Hoke Dr. spoke about the renovations at the shopping center adjacent to Hoke Dr.

**PURCHASE ORDER REQUEST - 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 White, seconded by Councilman McDonnell and **carried** by a voice vote of all board members present (Councilwoman Konopko abstained) to approve the bills as presented for payment.

**Contractual General – July**

<u>FUND</u>	<u>CLAIM #</u>	<u>BILL TOTAL</u>	<u>FUND TOTAL</u>
General	867-915	\$ 228,524.85	\$ 228,524.85
Highway	236-245	\$ 20,523.75	\$ 20,523.75
Sewer	198-211	\$ 20,455.21	\$ 20,455.21
<u>Special Districts</u>			
Enterprise	245-263	\$ 75,156.85	\$ 75,156.85
Street Lighting	9-9	\$ 23,443.31	\$ 23,443.31
<b><u>General – August</u></b>			
General	916-1005		\$ 103,889.43
Highway	246-271		\$ 38,130.40
Sewer	212-239		\$ 28,272.73
<u>Special Districts</u>			
Ambulance	15-15		\$ 27,346.06
Enterprise Fund	264-294		\$ 39,163.22
Hwy. Cap. Proj.	1-1		\$ 10,312.50
Solid Waste	14-16		\$ 21,805.90

**MINUTES** - None

**SUPERVISOR'S REPORT**

Supervisor Finn spoke on the following:

1. Thanked everyone involved in the recent Family Fun Day sponsored by PAL
2. Reminded everyone about the Wednesday night concerts in Riverfront Park
3. New York Rising Communities Committee held their first meeting
4. Negotiating with NRG for a staging area for work on the new Tappan Zee Bridge
5. Reviewing cell tower leases
6. Seven families affected by Hurricane Sandy have already applied for HUD monies with the County
7. ALDI will be opening on Aug. 22<sup>nd</sup>

Councilman McDonnell thanked Susan Filgueras for all the work she did in welcoming all those associated with the Two Row Wampum Treaty 400 Year Celebration, when they came ashore at Clark Park.

**POLICE DEPARTMENT REPORT/BUSINESS**

Lt. Williams presented the following report:

Police Department Report for the Month of July, 2013

Number of calls for service:	763
Number of reported accidents:	28
Number of arrests:	42
Fuel usage:	1419.5 gallons
Sum total of all traffic enforcement action:	180
Number of Youth Officer sponsored events:	12
Number of child safety seat installations:	11
Number of commercial vehicle enforcement details:	0
Number of traffic enforcement details:	8
3 Stop DWI/ 5 STEP Grant	
Number of training hours:	16:00hrs
Total fees collected:	\$168.00
	(\$12.50 for FOIL; \$80.00 for prints; \$75.50.00 for reports)

Miscellaneous:

Youth sponsored events: 911 and Stranger Danger lecture to Stony Point Playground Program 90 kids @ lowland Park, 4 days at Wayne Day Bazaar, Project LifeSaver Demo to Seniors 1 & 2, Bullying Lecture to First Church of God Colonial Plaza, 1 Community Service day, 2 PAL Meetings.

Lt. Williams addressed the board regarding the following matters:

- **CHIEF MOORE'S TIME RECORD**  
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 Chief Moore's time record for the month of July 2013 as presented.
- **OVERTIME & SICK LEAVE REPORTS**  
A motion was made by Councilman White, seconded by Supervisor Finn 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 July 2013.
- **Family Fun Day** – thanked Det. Zayas and his staff for their efforts in the recent Family Fun Day.

**ECONOMIC DEVELOPMENT COMMITTEE**

Councilwoman Konopko gave the following update:

- Benches
  - Installation of benches will begin next week
  - Special thank you to LillyAnn Wilson, Kathy Leroy and the entire committee for their efforts

- Welcome Signs
  - Scott Johnson from Northeastern Landscaping has volunteered help at Exit 15 of the PIP
  - A second landscaper also offered to help
- Newsletter Committee
  - Will no longer be part of the Economic Development Committee
- Film Commission
  - The Food Channel has expressed interest in restaurants in Stony Point

**DEPARTMENTAL REPORTS**

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

**GOLF COURSE REPORT**

July 2013:

- Green Fees \$ 272,168.78
- ID Cards \$ 1,275.00
- Merchandise \$ 12,667.22
- Misc. \$ 625.00
- Range Fees \$ 10,571.00
- Club Rental \$ 936.41
- Total \$ 298,243.41

**Architectural Review Board**

From:	07/01/2013	To:	07/31/2013
Applications Received	2		
Applications Approved	2		
Applications Pending	1		
Fees Collected:	\$ 200.00		
Money in Lieu of Land	\$ 0.00		

**Building & Zoning Department**

July

Applications Received	25
Applications Returned/Withdrawn	0
Applications Denied	0
Building & Blasting Permits Issued	27
Applications Pending	18
Certificate of Occupancy	13
Certificate of Compliance	12
Fees Collected	\$10,298.00

**Dog Control Officer**

July

Dogs seized and sheltered	2
Dogs returned to owner	2
Number of complaints received	3
Miles traveled patrolling the Town and transporting dogs	574

**Fire Inspector**

July

	Month	Total
Inspections Performed	50	284
Field Correction Issued	24	165
Violations Issued	0	0
Violations Outstanding	0	0
Permits Issued	0	0
Requests by Police Dept.	0	0
Requests by Fire Dept.	3	23
Fires Investigated	1	5
Flood Damaged Buildings Inspected	0	34

**Planning Board**

From:	07/01/2013	To:	07/31/2013
Applications Received	0		
Applications Approved	0		
Applications Pending			
Site Plan	5		
Subdivision-Major	1		
Subdivision-Minor	1		
Fees Collected:	\$8,461.00		
Money in Lieu of Land	\$0.00		

**Sewer Department**

July

Overtime Hours	
Sunday	28 hrs.
Saturday	4 hrs.
Monday	15 hrs.
Call Ins	8 hrs.
Holiday	8 hrs.
Power Failure	9 hrs.
Monthly Flow	
Plant	23,056,500 gallons
Kay Fries	325,200 gallons
Fuel Usage	187.9 gallons
Heating Oil	14 gallons
Total to Sludge Compost Facility	38 Cu. Yds.
Solids	20.6%
Screenings	69.76 Cu. Ft.
Septage	4900 Gals.

**Zoning Board Of Appeals**

From:	07/01/2013	To:	07/31/2013
Applications Received	0		
Applications Closed			
Interpretation	1		
Applications Pending	0		
Fees Collected:	\$0.00		

**Town Clerk**

July

Amount Paid To NYS Agriculture & Markets	
For Spay/Neuter Program	\$ 31.00
Amount Paid To NYS Health Dept. For Marriage Licenses	\$ 180.00
Amount Paid To NYS Dept. Of Environmental Conservation	\$ 596.14
Amount Paid To Supervisor	<u>\$ 2,133.70</u>
TOTAL AMOUNT REMITTED	\$ 2,940.84

**CORRESPONDENCE**

Joan Skinner, Town Clerk, read the following:

To the Town Board of Stony Point:

Thanks to your assistance and co-operation, the paddlers of the Two Row Wampum Treaty Enactment landed at Clark Part on August 5, 2013, spent the night at Stony Point Center, and launched again on August 6, 2013, taking with them warm memories of the welcome they received here.

We at Stony Point Center are especially grateful for your part in helping to welcome these people, and to carry on the traditions of some of the earliest residents of this area as we continue to work for Peace Friendship Forever.

Rick Ufford-Chase – Stony Point Center

Supervisor Finn thanked the Stony Point Center for all they do for the community.

### **PRESENTATION**

Daniel P. Duthie, Esq. addressed the Board regarding the United Water New York 2013 Rate Filing.

### **ACTION**

A motion was made by Supervisor Finn, seconded by Councilman White and **unanimously carried** by a voice vote of those board members present to authorize Supervisor Finn to enter into an agreement with Daniel P. Duthie, Esq. to provide legal and consulting services for the Town of Stony Point with regard to United Water New York's 2013 Rate Filing, after Special Counsel has had the opportunity to review said agreement.

### **FLOOD DAMAGE PREVENTION**

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

#### **A RESOLUTION RELATING TO THE INITIAL REVIEW, UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW LAW, OF THE PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW AMENDING THE TOWN OF STONY POINT CODE REGARDING FLOOD DAMAGE PREVENTION"**

The Town Board of the Town of Stony Point, duly convened in regular session, does hereby resolve as follows:

Section 1. Pursuant to, and in accordance with, the provisions of section 617.6 (Initial Review of Actions and Establishing Lead Agency) of the New York State Environmental Quality Review Regulations (6 NYCRR part 617) the Town Board of the Town hereby makes the following determinations and classifications with respect to the Town Proposed Local Law entitled, "A Local Law Amending the Town Code, Chapter 112, Regarding Flood Damage Prevention."

1. The Town Board of the Town hereby determines that the action is subject to SEQR.
2. The Town Board hereby determines that the action does not involve a Federal agency, and does not involve other agencies.
3. The Town Board hereby makes a preliminary classification of the action as an Unlisted Action.
4. The Town Board hereby determines that it is, and will be, the lead agency with respect to the adoption of, and approval of, the above-described Local Law.

Section 2. A public hearing with reference to the above-described proposed Local Law shall be held on September 10, 2013 at 7:00 P.M. at 1 Clubhouse Lane (Rho Building) in the Town of Stony Point. The Town Clerk of the Town is hereby authorized to publish a notice of said public hearing in the Rockland County Times and to give notice thereof to the Rockland County Department of Planning and to other municipalities, boards and agencies entitled to notice thereof.

Section 3. A copy of the proposed Local Law and a copy of this Resolution shall be sent by the Town Clerk of the Town of Stony Point to the Town Planning Board, Town Zoning Board of Appeals, Building and Code Inspector of the Town, Rockland County Department of Planning, N.Y. State Commissioner of Agriculture and Markets, N.Y. State Commissioner of Environmental Conservation, and N.Y. State Office of Parks, Recreation and Historic Preservation.

Section 4. This Resolution shall take effect immediately.

## **CONSIDERATION OF FGIS FOR MASTER PLAN AND ZONING AMENDMENTS**

This matter was tabled to the September 10, 2013 Town Board meeting to allow sufficient time for review of documents.

## **TOURISM DEVELOPMENT PROGRAM**

After further review and discussion of this program the Town Board decided not to take any action.

## **USE OF COMMUTER LOT**

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 use of the Commuter Lot by the Italian American Social Club Ladies Auxiliary, on October 5, 2013 from 10:00am – 4:00pm with a rain date of October 6, 2013 for a Tag/Boutique Sale.

## **AGREEMENT – SQUAN**

A motion was made by Supervisor Finn, seconded by Councilman McDonnell, and **unanimously carried** by a voice vote of those board members present to execute the agreement with SQUAN of 329 Harold Avenue, Englewood, NJ for the purchase of a telecommunications shelter located at 79 Rt. 210, Stony Point, NY for the amount of \$1.00.

## **USE OF COMMUTER LOT**

A motion was made by Supervisor Finn, seconded by Councilman McDonnell, and **unanimously carried** by a voice vote of those board members present to approve the use of the Commuter Lot by Iglesia Camino, Verdad y Vida Church, on August 31, 2013 with a rain date of Sept. 7, 2013 from 7:00am - 4:00pm for a tag sale.

## **TAX CERTIORARI – 146 LIBERTY DRIVE**

A motion was made by Supervisor Finn, seconded by Councilman White and **unanimously carried** by a voice vote of those board members present to settle the tax certiorari for 146 Liberty Drive for the years 2008-2010 in the amount of \$1,031.38.

## **PROPERTY MAINTENANCE – 7A ELM DRIVE**

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 (B) of the Property Maintenance Law of the Town of Stony Point at 7A Elm Drive SBL 20.05-3-4.

## **DEDICATION OF DRAINAGE STRUCTURE – JESSUP RIDGE WEST**

A motion was made by Supervisor Finn, seconded by Councilman White and **unanimously carried** by a voice vote of those board members present to direct Special Counsel to work with counsel for the applicant of Jessup Ridge West to prepare further documentation for the Town Board to review in regard to this matter.

## **NYS MAGISTRATES CONFERENCE**

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 Judge William Franks to attend to the upcoming NYS Magistrates Training Conference at an approximate cost of \$687.00.

## **EVENT PROPOSAL – LETCHWORTH VILLAGE CAMPUS**

This item was tabled to the September 10, 2013 Town Board meeting. (See minutes after Executive Session.)

## **EXECUTIVE SESSION**

A motion was made by Supervisor Finn, seconded by Councilman McDonnell and **unanimously carried** by a voice vote of all board members present to adjourn into executive session for the purpose of discussing personnel matters at 8:34 pm.

### **RECONVENE**

A motion was made by Supervisor Finn, seconded by Councilman White and **unanimously carried** by a voice vote of all board members present to reconvene the August 13, 2013 Town Board meeting at 9:00 pm.

### **CELL TOWER LEASES**

A motion was made by Supervisor Finn, seconded by Councilman McDonnell and unanimously carried by a voice vote of all board members present to adopt the following resolution:

#### **RESOLUTION AUTHORIZING EXECUTION OF DOCUMENTS BY SUPERVISOR**

WHEREAS, the Town Board for the Town of Stony Point, New York ("Town Board") having met on August 13, 2013 at a duly convened Town Board Meeting; and

WHEREAS, the Town Board in the interest of lessening the burden of government on Town taxpayers has considered three proposals with regard to leasing of existing cell towers on the Town Golf Course and at the Town Police Station; and

WHEREAS, upon the information of Special Counsel for the Town and the Town Assessor that a new leasing arrangement may be realized that would return the Cell Tower Properties aforementioned to the tax rolls and provide for a lump sum payment to the Town.

NOW THEREFORE BE IT RESOLVED, that

1. The above Whereas clauses are incorporated herein by reference as though set forth in full herein.

2. The Town Supervisor for the Town of Stony Point is hereby authorized to execute Agreements that would provide for the leasing of the cell tower for the golf course for a lump sum payment of no less than \$727,000 and for the leasing of the cell tower for the Police Station in an amount no less than \$1,500,000 for a period not to exceed forty (40) years. Any and all of said leasing shall be on the conditions that no police or emergency communications are interfered with by the aforesaid Agreements; that the Agreements return the properties to the Tax Roll; and that all Federal, State and Local Laws, Rules and Regulations are complied with regard to said Agreements. The Supervisor is authorized to execute any and all said documents that meet the foregoing conditions upon the recommendation of Special Counsel for the Town and the Town Assessor for the Town of Stony Point.

3. This Resolution shall take effect immediately.

### **EVENT PROPOSAL – LETCHWORTH VILLAGE CAMPUS**

A motion was made by Councilwoman Konopko, seconded by Supervisor Finn and **unanimously carried** by a voice vote of all board members present to grant the permit to Moondog Industries at the rates established by the Film Commission on the condition that legal, insurance, catering and police issues are addressed to the satisfaction of the Town.

### **EXECUTIVE SESSION**

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 at 9:05 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 August 13, 2013 Town Board meeting at 9:18 pm

### **EXTENSION OF SICK LEAVE**

A motion was made by Supervisor Finn, seconded by Councilman Javenes, and **unanimously carried** by a voice vote of the 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 August 14 through September 13, 2013 at which time the extended sick leave approval shall be re-evaluated by the Town Board.

### **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 at 9:20 pm.

### **ADJOURN**

A motion was made by Supervisor Finn, seconded by Councilman McDonnell and **unanimously carried** by a voice vote of all board members present to adjourn the August 13, 2013 Stony Point Town Board meeting at 9:45 pm.

Respectfully submitted - Joan Skinner – Town Clerk