

STONY POINT TOWN BOARD MEETING – SEPTEMBER 24, 2013

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, September 24, 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

Frank Collyer, Knapp Rd., spoke about matters being discussed in Executive Session.

Ralph Heavner, 5 Wayne Ave. spoke about the success of the recently held Stony Point PAL'S First Annual Family Day and urged everyone to welcome the new businesses in Town.

Susan Filgueras – Mott Farm Rd. spoke about:

- Stony Point Historical Society's new initiative, "Stories of Stony Point" which will be held monthly at Rose Memorial Library
- Spectra Energy's proposed new installation of larger gas lines
- Enhancing our current tree law

George Potanovic – Old Gate Hill Rd. spoke about:

- Matters being discussed in executive session
- Rockland County Water Coalition
- Candidate debates sponsored by SPACE

PURCHASE ORDER REQUEST

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

Highway			
	PO#2505	Beyer Bros. Corp.	\$2,345.64
	PO#2510	Northern Tree Service II Inc.	\$1,200.00
	PO#2511	E. Tetz & Sons Inc.	\$2,550.00
Sewer			
	PO#2507	Clean Waters Inc.	\$1,594.00

AUDIT OF BILLS

Joan Skinner, Town Clerk, presented the following bills to the Town Board for audit and a motion was made by Councilman White, seconded by Councilman Javenes and **unanimously carried** by a voice vote of all board members present to approve the bills as presented for payment.

Contractual General – September

<u>FUND</u>	<u>CLAIM #</u>	<u>BILL TOTAL</u>	<u>FUND TOTAL</u>
<u>Highway</u>	Special Voucher	\$ 92,185.00	\$ 92,185.00

Minutes – A motion was made by Councilman White, seconded by Councilman McDonnell and unanimously carried by a voice vote of all board members present to approve the minutes of September 13, 2013.

SUPERVISOR'S REPORT

Supervisor Finn spoke on the following:

- Drainage work on Elm Ave in Tomkins Cove is nearly complete
- Drainage work on Ayres Rd. in Jones Point has commenced
- New York State Rising Communities upcoming meeting
 - Toured the areas affected by Hurricane Irene and Super Storm Sandy
- Cell Towers
 - Acquisition, sale or lease of properties is proper for Executive Session – negotiations are not done in public
 - Several years ago the town was offered about \$200,000 to lease the towers
 - Current Board accepted, through a 5/0 vote, to lease the two towers for approximately 2.3 million dollars
 - Our budget process was commenced at least six months ago
 - This money will NOT be totally used in the 2014 budget
 - Agreement has been finalized with TZ Constructors for at least a five-year project to build and house parts of the new bridge at the old Lovett site
 - This will stimulate our local economy

POLICE DEPARTMENT REPORT/BUSINESS

Chief Brian Moore presented the following:

- **SURPLUS EQUIPMENT**
A motion was made by Councilman White, seconded by Supervisor Finn and **unanimously carried** by a voice vote of all board members present to authorize the police department to surplus one 2008 Ford Crown Victoria VIN# 2FAHP71V48X159317, sell the vehicle at auction and deposit the proceeds from the sale into Account #A2665B entitled Sale of Equipment Revenue, Restricted.
- **PROMOTION**
A motion was made by Supervisor Finn, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of all board members present to promote P.O. Andrew Kryger to the position of Detective, effective October 1, 2013.

ECONOMIC DEVELOPMENT COMMITTEE

Councilwoman Konopko gave the following update:

- An athletic company conducted a still photo shoot in Town last week.
 - Pointed out economic stimulus
 - Thanked everyone involved
- Up to \$1,000 has been approved for website funding
 - No further approval is needed at this time

CORRESPONDENCE

Town Clerk Joan Skinner read the following:

Petition to Improve Safety of Tomkins Avenue – Hoover Place Junction

The corner of Tomkins Avenue and Hoover Place is a dangerous junction for drivers. A combination of Tomkins Avenue narrowing, overgrown plants and poor upkeep of the properties on both sides of the road limit visibility significantly, causing drivers to roll into oncoming traffic to check if the road is clear to enter. Drivers turning off Tomkins onto Hoover tend to do so at a high rate of speed as well which has at least once caused a driver to lose control and drive over the curb into the front property of nearby residences. Often times the commuters on Tomkins Avenue are traveling in excess of the speed limit. It is only a matter of time before an incident occurs and people are injured or killed. This corner is also a school bus stop.

We demand that the Town of Stony Point widen Tomkins Avenue at the corner of Hoover Place and Tomkins Avenue, allowing for a larger shoulder and better visibility.

PRESENTATION OF THE 2014 TENTATIVE BUDGET

Town Clerk Joan Skinner presented the 2014 Tentative Budget to the Town Board.

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 2014 Tentative Budget and to set a public hearing on Tuesday, October 8, 2014 to review the Preliminary Budget.

The Board would also like to speak with the Police Dept., Highway Dept. and Ambulance Corp. at that public hearing.

BUDGET MODIFICATIONS

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 budget modifications through September 6, 2013 as requested by the Finance Director and filed in the Town Clerk's office.

HOMESTEAD BASE AND ADJUSTED BASE PROPORTIONS

A motion was made by Supervisor Finn, seconded by Councilman McDonnell and **unanimously carried** by a voice vote of all board members present to approve the Homestead Base and Adjusted Base Proportions as presented by William Beckman, Assessor and filed in the Town Clerk's office.

PROPERTY MAINTENANCE – 35 SUNRISE DRIVE

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of all board members present to exercise Section 161-12 (B) of the Property Maintenance Law of the Town of Stony Point at 35 Sunrise Drive SBL 20.06-1-1.

SEWER DEPARTMENT – PURCHASE EQUIPMENT

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 Sewer Dept. to purchase a comminutor motor for the Key Fries Pump Station at a cost of \$3,503 plus freight from Electric Inc., 140 Mill St., Newburgh, NY 12550.

SEWER DEPARTMENT – PURCHASE EQUIPMENT

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of all board members present to authorize the Sewer Dept. to purchase a trash pump in the amount of \$1,430 from United Rentals, 124 Windsor Highway, New Windsor, NY 12553.

SEWER DEPARTMENT – PURCHASE VEHICLE

A motion was made by Supervisor Finn, seconded by Councilman McDonnell and **unanimously carried** by a voice vote of all board members present to authorize the Sewer Dept. to purchase a 2014 Ford F250 extended cab 4x4 pickup truck from state bid in the amount of \$24,015.

DISCUSS ARCHITECTURE REVIEW BOARD APPOINTMENTS

Two appointments are up at this time. If the current board members are interested in returning to the board, they should submit a letter prior to the next Town Board meeting.

CONSOLIDATED PBA AGREEMENT

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

AUTHORIZING SUPERVISOR TO EXECUTE THE CONSOLIDATED STONY POINT POLICE COLLECTIVE BARGAINING AGREEMENT

WHEREAS, the Town of Stony Point ("TOWN") and the Stony Point Police Benevolent Association ("PBA") are parties to a Collective Bargaining Agreement ("CBA"); and

WHEREAS, since the expiration of the 2001-2004 CBA, the Town and the PBA have negotiated successor Agreements which were memorialized in Memorandum of Understanding, Memorandum of Agreement, Stipulations of Settlement and other untitled agreements (collectively "Unconsolidated Agreements"); and

WHEREAS, such Unconsolidated Agreements include a Memorandum of Understanding dated March 30, 2005; a Memorandum of Agreement dated November, 2005; a Memorandum of Agreement dated March 16, 2007; a Stipulation of Settlement dated June 17, 2010 (VGA Case A2009-162), a Memorandum of Agreement dated December 9, 2010; and a Memorandum of Agreement dated March 1, 2012.

WHEREAS, the consolidation of the Unconsolidated Agreements does not constitute a new agreement between the Town the PBA, but rather constitutes a consolidation of all prior Unconsolidated Agreements that were entered into between the Town and the PBA at various points in time; and

WHEREAS, pursuant to a Memorandum of Agreement executed by the parties in March of 2012, the Town and the PBA agreed, among other things, to use their best efforts to integrate the expired CBA and all successor Memoranda of Agreement into one integrated CBA; and

WHEREAS, representatives of the Town and the PBA have met and conferred on the matter of the CBA consolidation and, working from the expired CBA document drafted by the PBA, the Town and the PBA have consolidated the various Unconsolidated Agreements into a consolidated CBA document that the parties agree properly includes all previously agreed upon terms and conditions between the parties through December 31, 2013, except as to: 1) a July 23, 2013 Memorandum of Agreement concerning shift differential which is expressly excluded by its terms; and 2) any agreement between the parties that is executed after the date of this Resolution; and

NOW THEREFORE BE IT RESOLVED that:

Section 1. All of the above WHEREAS paragraphs are incorporated herein by reference.

Section 2. The Town Board authorized the Supervisor to execute the consolidated Stony Point Police CBA in a form approved by Special Counsel.

Section 3. The approval of the consolidated document shall not be deemed to negate or otherwise affect any previous position taken by the Town or the PBA that has not been finally determined by an appropriate court or tribunal, or is not otherwise precluded from being asserted.

Section 4. The failure to identify any prior Agreement between the parties in this Resolution shall not affect the validity of the terms of any such Agreement so long as the terms of such prior Agreement are incorporated into the Consolidated CBA.

Section 5: This Resolution shall be effective immediately.

The Resolution was thereupon duly adopted.

SURVEY – SPECTRA ENERGY/ALGONQUIN GAS

A motion was made by Supervisor Finn, seconded by Councilman Javenes and **unanimously carried** by a voice vote of all board members present to authorize Supervisor Finn to enter into an agreement with Spectra Energy/Algonquin Gas to survey the unpaved extension of Conklin Drive in regard to Algonquin Gas's proposed Incremental Market Project.

RHO BUILDING – PURCHASE EQUIPMENT

A motion was made by Supervisor Finn, seconded by Councilman McDonnell and **unanimously carried** by a voice vote of all board members present to approve purchasing a commercial oven to be installed in Rho Building, not to exceed \$2,000.

BENEFIT – ROCKLAND COUNTY FIRST RESPONDERS

A motion was made by Supervisor Finn, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of all board members present to authorize an expenditure of \$450 for the Rockland Community Foundation's October 10th, 2013 Benefit honoring Rockland County First Responders.

TRANSFER FUNDS – REPAIR RESERVE FUND

A motion was made by Supervisor Finn, seconded by Councilman McDonnell and **unanimously carried** by a voice vote of all board members present to schedule a Public Hearing on October 24, 2013 to establish a Repair Reserve Fund, to transfer funds from the Building & Facilities Fund to such Repair Reserve Fund (subject to review of Special Counsel) and to approve expenditures from such Repair Reserve Fund for various repairs to Town buildings and facilities.

EXPENDITURE – COMMUNITY CLOCK

A motion was made by Supervisor Finn, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of all board members present to authorize \$1,400 to American Masonry to complete the brick work at the base of the community clock. Bricks from local brick yards will be placed in the base, compliments of Tom Sullivan, Sr.

ADJOURN

A motion was made by Councilman McDonnell, seconded by Councilwoman Konopko and **unanimously carried** by a voice vote of all board members present to adjourn the September 24, 2013 Stony Point Town Board meeting at 8:06 pm for the purpose of discussing personnel matters.

ADJOURN

At 9:15 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 September 24, 2013 Stony Point Town Board meeting.

Respectfully submitted

Joan Skinner – Town Clerk