

**STONY POINT TOWN BOARD MEETING – SEPTEMBER 13, 2022**

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, September 13, 2022 at 7:00 pm at the Stony Point Community Center (Rho Building), 5 Clubhouse Lane, Stony Point, NY. Supervisor Monaghan called the meeting to order and led the group in the Pledge of Allegiance.

Town Clerk Megan Carey called the following roll:

PRESENT: Mr. Michael Puccio Councilman  
Mr. Keith Williams Councilman  
Mr. Paul Joachim Councilman  
Mr. Todd Rose Councilman  
Mr. James Monaghan Supervisor

Attorney: Mr. Brian Nugent Esquire

**SUPERVISOR’S REPORT**

Supervisor Monaghan reported as follows:

- He, with Town Board support, and all the Supervisors of Rockland County have expressed their opposition to the proposed MTA congestion pricing plan. Rockland County currently has no representative on the Transportation Mobility Review Board.
- Discussed the MOU for the sale of the Letchworth Property with Hudson Park LLC:
  - will provide a cost analysis
  - design concept for a recreation center
  - relocation of 2 golf course holes
  - design for a new courthouse in Kirkbride Hall
  - public presentation
  - website

**POLICE DEPARTMENT REPORT/BUSINESS**

Chief Finn read the following report:

Police Department Report for the Month of August 2022

Number of calls for service:	922
Number of reported accidents:	18
Number of arrests:	29
(11) Felonies (12) Misdemeanors (4) Violations (2) Warrants	
Fuel usage :	1378.6 gallons
Sum total of all traffic enforcement action:	88
Number of Youth Officer sponsored events:	5
Number of commercial vehicle enforcement details:	1
Number of traffic/special enforcement details:	0
Number of training hours:	120 hrs
Total fees collected:	\$129.00
(Foil \$4.00, Prints \$40.00, and Reports \$85.00)	

Youth events: 8/3-Girl Scout camp safety presentation, 8/12-PAL drive in movie, 8/16-Youth Court, 8/23-PAL meeting, 8/27-NRYPA, Youth Court and instructors’ night at Boulders Stadium

Upcoming Youth Events- September: 9/8 and 9/13-NR Youth Police Academy, 9/20 PAL meeting, Oct 1- Annual Fall Festival event.

Chief Finn addressed the board regarding the following matters:

- **Chief Finn’s Time Record**

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to approve Chief Finn's time record for the month of August 2022 as presented.

• **Overtime and Sick Leave Reports**

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to approve the overtime and sick leave reports as presented for the month of August 2022.

Supervisor Monaghan commended the Stony Point Police Department along with the Sheriff's Department and all Police Departments in Rockland for the successful Active Shooter training done prior to school opening.

**Golf Course Report**

The following report was presented for August 2022:

- Green Fees                   \$ 331,921.48
- ID Cards                     \$ 710.00
- Merchandise               \$ 14,399.73
- Range Fees                 \$ 19,893.90
- Club Rental                 \$ 1,200.00
- Total                         \$ 368,125.11

**Highway & Parks Report for August 2022**

**Highway**

Cleaning culverts throughout the town.  
Painting Stop sign markings on roads.  
Resurfacing roads and Belgian block curbing repairs.  
Cleaning and repairing CB's.  
Tree work performed throughout and at sewer plant.  
Just reminder residents need to make an appt for pickup services by calling.  
845-786-2300 or emailing us at [highway@townofstonypoint.org](mailto:highway@townofstonypoint.org).

**Parks**

Pools are being drained and winterized for the winter.  
Basketball court roofing completed.  
Patriot Hills roofing completed.  
Roof rebuild and dormers removed at golf maintenance barn.  
Parking lot leveled and millings spread at Veterans Park.

**Sewer**

Cleaning of aeration tanks has been completed.  
Exterior walls and windows replaced at break room and office.  
Trees cleared along fence line.  
New UV disinfection system project is completed.  
Electrical service upgrades at the plant.  
Exterior door replaced at Beach Road pump station changed out and painted.

**PURCHASE ORDER REQUEST**

A motion was made by Councilman Puccio, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to approve the following purchase orders:

Sewer Department

PO#3524	All Wiring Electric, LLC.	\$ 16,662.50
PO#3525	East Coast Environmental	\$ 41,004.00

Golf Course

PO#3522	Acushment Company	\$3,250.00
<u>Golf Course Maintenance</u>		
PO#3523	Fisher and Sons Co.	\$ 14,916.00
PO#3526	Plant Food Company	\$ 3,755.00

**AUDIT OF BILLS**

Megan Carey, Town Clerk, presented the following bills to the Town Board for audit and a motion was made by Councilman Puccio, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to approve the bills as presented for payment:

**CONTRACTUAL FUND-August 23, 2022**

<u>FUND</u>	<u>CLAIM#</u>	<u>FUND TOTAL</u>
General	872-911	\$ 318,275.95
Highway	289-299	\$ 40,634.28
Sewer	260-270	\$ 64,068.22
<u>Special Districts</u>		
Enterprise	310-324	\$ 59,044.32
Ambulance	20-21	\$ 34,385.45
Solid Waste	23-24	\$ 6,133.20
Street Light	11	\$ 19,900.15
Sewer Cap	8-9	\$ 199,940.00

**GENERAL FUND-September 13, 2022**

<u>FUND</u>	<u>CLAIM#</u>	<u>FUND TOTAL</u>
General	912-1012	\$ 374,811.76
Highway	300-334	\$ 57,588.18
Sewer	271-306	\$ 78,896.42
<u>Special Districts</u>		
Enterprise	325-359	\$ 123,387.87
Ambulance	22-23	\$ 34,145.54
Solid Waste	25-26	\$ 4,450.88
Sewer Cap	10	\$ 37,050.00

**MINUTES** - A motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of all board members present to approve the minutes of August 9 & August 30, 2022.

**DEPARTMENTAL REPORTS**

Megan Carey, Town Clerk offered the following reports for the record:

**Architectural Review Board**

From: 08/01/2022	To: 08/31/2022
Applications Received	5
Applications Approved	5
Fees Collected	\$500.00

**Building & Zoning Department**

August 2022

Applications Received	34
Applications Returned/Withdrawn	0
Applications Denied	1
Building & Blasting Permits Issued	19
Applications Pending	14
Certificate of Occupancy	12
Certificate of Compliance	25
Fees Collected	\$ 21,540.00

**Planning Board**

From: 08/01/2022 To: 08/31/2022  
Applications Received 1  
Applications Approved 0  
Applications Pending  
    Amended Subdivision 0  
    General Category 3  
    Informal Discussion 0  
    Lot Line Change 0  
    Site Plan 9  
    Subdivision-Minor 1  
    Fees Collected \$2,590.00  
Submitted by the Planning Board Clerk

**Zoning Board of Appeals**

8/1/2022 to 8/31/2022  
Applications Received 1  
Applications Returned/Withdrawn 0  
Applications Denied 0  
Applications Pending 8  
Applications Approved 0  
    Area Variance 1  
  
Fees Collected \$300.00

**Town Clerk**

**August 2022**

Amount Paid To NYS Agriculture & Markets  
    For Spay/Neuter Program \$ 44.00  
Amount Paid To NYS Health Dept. For Marriage Licenses \$ 270.00  
Amount Paid To NYS Dept. Of Environmental Conservation \$ 2,820.28  
Amount Paid To Supervisor \$ 2,901.71  
TOTAL AMOUNT REMITTED \$ 6,035.99

**CORRESPONDENCE** - None

**PUBLIC INPUT**

Ralph Heavner - 5 Wayne Ave congratulated the Town on the September 11<sup>th</sup> (9-11) ceremony and stated that it should be better attended.

George Potanovic- 597 Old Gate Hill Road, SPACE Pres., questioned the Hudson Park LLC MOU cost that will be incurred by the sewer and road infrastructure as well as police.

Pete Reilly- 1 Hawknest Road, spoke against the sale of the Letchworth property and high-density housing on 26 acres.

Todd Pezzimente- 34 Dickens Street, spoke on the recent tree clearing on Wilderness Dr. and Dickins St. and its impact on drainage on the neighbors.

Elaine Annunziata- 17 Margarita Drive asked the Town Board to place the Rose Memorial Library Proposition to increase the budget of library by \$1.475 million on this November's ballot regardless of the rejection of the invalid petitions.

**Continued Public Hearing-RRBR**

At 7:41pm a motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present to continue the public hearing for the RRBR Floating Zone.

**Public Input**

George Potanovic, 597 Old Gate Hill Rd., SPACE Pres., spoke on the authority given the Building Inspector to issue a Special Use Permit in this proposed overlay zone without going to the Planning Board.

Greg Julian, 15 Ridgetop Drive, spoke on using the PACE land use outreach and adding solar fields.

**Continue Public Hearing-RRBR**

At 7:59pm a motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to continue the public hearing for the RRBR Floating Zone to the September 27, 2022 Town Board meeting at 7pm at the RHO Building located at 5 Clubhouse Lane Stony Point, NY 10980.

**Set Public Hearing- Sewer Extension-39 Wilderness Drive**

A motion was made by Supervisor Monaghan, seconded by Councilman Puccio and unanimously carried by a voice vote of those board members present to set a public hearing for the following resolution:

RESOLUTION 2022/24 OF TOWN BOARD ORDERING PUBLIC HEARING  
ON PETITION FOR SANITARY SEWER DISTRICT #3

At a meeting of the Town Board held on **September 13, 2022**:

Present: **Councilman Michael Puccio**  
**Councilman Keith Williams**  
**Councilman Paul Joachim**  
**Councilman Todd Rose**  
**Supervisor James Monaghan**

In the matter of the Petition of **Mark Hamilla** owner of more than one-half of the assessed valuation of all the taxable real property in the proposed Extension of Sanitary Sewer District #3 in the Town of Stony Point, County of Rockland and State of New York and according to the latest completed assessment roll of the said town.

WHEREAS, a written petition dated: **August 19, 2022** has been presented to and filed with the Town Board of the Town of Stony Point praying that all the land situate in the Town of Stony Point, County of Rockland and which proposed extension, to be known as: Sewer Extension **2022/1** more fully described in the Schedule "A", **19.02-4-5** annexed hereto, and

WHEREAS, the maximum amount proposed to be expended for the Extension of said district shall not exceed the sum of \$0.00 DOLLARS (\$0.00), and

WHEREAS, the expense occasioned by the creation of the Extension of Sanitary Sewer District #3 shall be assessed, levied and collected from the several lots and parcel of land within the said district in proportion as nearly may be to the benefit which each lot or parcel of land in said district will derive therefrom.

NOW on motion of MOVED: **Supervisor Monaghan**

SECONDED: **Councilman Puccio**

ORDERED that a meeting of the Town Board of the Town of Stony Point be held at Rho Building, 5 Clubhouse Lane in the Town of Stony Point on the October 11, 2022 at 7:00 PM to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board with relation to such petition as may be required by law, and it is

FURTHER ORDERED that the Town Clerk give notice of such hearing by publishing in the Town's Official Newspaper, a certified copy of this order and by the applicant posting certified copies of this order in five (5) places within said proposed Extension of Sanitary Sewer District #3 in the Town of Stony Point not less than ten nor more than twenty days before such hearing.

Schedule "A"

All that certain plot, piece or parcel of land situate, lying and being in the Town of Stony Point, County of Rockland and State of New York, being bounded and described as follows:

BEGINNING at a point on the Northeasterly corner of lands now or formerly of Stanley Meltzoff, said point being 791.53 feet on a course of North 27° 57' 00" East from the Southeast corner of lands now or formerly of Balger Realty Corporation; running thence from said point of beginning along the boundary line between said lands now or formerly of Stanley Meltzoff and lands now or formerly of David E. Scherman, North 62° 3' 00" West a distance of 422.12 feet to a point in the Easterly side of a 50' Right of Way; thence along the same South 26° 55' 15" West a distance of 69.0 feet; thence still along the same on a curve to the left having a radius of 244.69 feet a distance of 89.72 feet; thence still along the same South 5° 54' 45" West a distance of 39.17 feet; thence along other lands now or formerly of Balger Realty Corporation South 62° 3' 00" East a distance of 388.35 feet to a point in the Easterly boundary line of lands now or formerly of Balger Realty Corporation; thence along said Easterly boundary line, North 27° 57' 00" East a distance of 192.69 feet to the point and place of BEGINNING.

#### **Award Bid-Golf Course Maintenance Building Roof**

A motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present to award the bid for the Golf Course Maintenance Building Roof to Environmental Construction in the amount of \$66,296.00.

#### **Approve Cornell Cooperative Extension Stormwater II Education**

A motion was made by Supervisor Monaghan, seconded by Councilman Rose and unanimously carried by a voice vote of all board members present to renew the 2022 Stormwater II Education Agreement with Cornell Cooperative Extension that will help the Town meet the educational and outreach requirements of EPA Phase II Stormwater Regulations. This agreement is at no cost to the Town of Stony Point.

#### **Approve Request for Town Assessor to Attend 2022 NYSAA Fall Conference**

A motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present to approve the request for the Town Assessor and the Real Property Valuation Assistant to attend the 2022 New York State Assessors Association Conference in Lake George from September 18 - September 21 at a cost to the town of \$2560.00 in total.

#### **Approve Toro Agreement**

A motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present to approve the renewal agreement with TORO NSN for service and extended warranty.

#### **Authorizing Legal Services by Special Town Counsel in Litigation**

A motion was made by Supervisor Monaghan, seconded by Councilman Puccio and unanimously carried by a voice vote of those board members present to authorize legal services by special Town Counsel in litigation:

The following resolution was duly  
offered and seconded to wit:

#### RESOLUTION 2022/25

#### **AUTHORIZING LEGAL SERVICES BY SPECIAL TOWN COUNSEL IN LITIGATION**

WHEREAS, the Town of Stony Point ("Town") retains Special Counsel, Feerick Nugent MacCartney, PLLC, to represent the Town of Stony Point in certain legal matters; and

WHEREAS, an Article 78 Petition was filed on August 15, 2022 against the Town Clerk, the Town Board and the Town in a proceeding entitled Rose Memorial Library Association v. Carey, et al., under Index Number EF0033589-2022 in the County of Rockland Supreme Court (the "Litigation") concerning a ballot-proposition submitted to the Town for the November 8, 2022 general election; and

WHEREAS, the Town of Stony Point requires legal Counsel to undertake representation of the Town in the Litigation; and

NOW, THEREFORE, it is resolved as follows:

Section 1. The above "WHEREAS" clauses are incorporated herein as if set forth in full.

Section 2. Special Counsel, Feerick Nugent MacCartney, PLLC, is authorized to appear on behalf of the Town of Stony Point and shall be compensated for all services performed for the Town of Stony Point with regard to the Litigation on the terms and conditions set forth in the Town Board Resolution appointing Special Counsel Feerick Nugent MacCartney, PLLC. Said services will be paid separate and apart from those services for which Special Counsel has previously been retained to handle for the Town.

Section 3. The Town Supervisor is authorized to execute any documents necessary to carry out the provisions of this Resolution.

Section 4. This Resolution shall be effective immediately.

#### **Create Recreation Supervisor Seasonal (NC)**

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to create the position of Recreation Supervisor Seasonal non-competitive.

#### **Request to Hire Patriot Hills Golf Club Employees**

A motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present to hire the following employees for Golf Course Operations at Patriot Hills Golf Club:

#### **Carts and Range**

Kevin Cahill	\$13.20/hr
Connor Baisley	\$13.20/hr

#### **2022-2023 Heating Equipment Service Contract**

A motion was made by Supervisor Monaghan, seconded by Councilman Puccio and unanimously carried by a voice vote of those board members present to authorize the Supervisor to enter into contract with Berry Burners for the 2022-2023 Heating Equipment Service Contract for four buildings: RHO, Kirkbride, Justice Court, and Patriot Hills Club House at a cost of \$11,150.00.

#### **Refund Building Permit**

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to issue a refund of \$140.00 for a building permit to Maryann Bulson as the project was cancelled.

#### **Property Maintenance-23 Brooks Drive**

A motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present to exercise Section 161-5 of the Property Maintenance Law of the Town of Stony Point at 23 Brooks Drive (20.06-2-74).

#### **Accept Resignation-Ethics Board**

A motion was made by Supervisor Monaghan, seconded by Councilman Puccio and unanimously carried by a voice vote of those board members present to accept the resignation of Reverend Peter Brayda from the Ethics Board effective immediately.

**Appoint Ethics Board Member**

A motion was made by Supervisor Monaghan, seconded by Councilman Rose and unanimously carried by a voice vote of those board members present to appoint Reverend Pastor Stephen Rush to the Ethics Board to fill the unexpired term of Reverend Pastor Peter Brayda. This term will expire June 2024.

**Appoint Planning Board Member**

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to appoint James Purcell to the planning board. This appointment is to fill the unexpired term of Jake Cataldo. This term will expire December 2022.

**Appoint Part Time Senior Clerk**

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to appoint Sherri Leeber to the position of Senior Clerk for the Recreation Department at a rate of pay of \$17/hr contingent on approval of Rockland County Department of Personnel.

**EXECUTIVE SESSION**

At 8:05pm a motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to adjourn into executive session to discuss union contracts and personnel matters.

**ADJOURN**

The September 13, 2022 Stony Point Town Board meeting adjourned 10:25pm and no further votes were taken.

Respectfully submitted  
Megan Carey, Town Clerk