

STONY POINT TOWN BOARD MEETING – September 27, 2022

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, September 27, 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:

Michael Puccio	Councilman
Keith Williams	Councilman
Todd Rose	Councilman
James Monaghan	Supervisor
Brian Nugent	Attorney

ABSENT: Paul Joachim Councilman

SUPERVISOR’S REPORT

Supervisor Monaghan reported on the following:

- Fall Festival and family fun day is Saturday, October 1st from 10am-4pm at Kirkbride Hall.
- Free Paper Shredding sponsored by Rockland Green on Saturday, October 8th from 8am-12pm in front of Kirkbride Hall. Residents are asked to bring a non-perishable item.
- Stony Point PBA is hosting a Veterans Lunch at Clark Park on Sunday, October 9th from 12pm-4pm.

PURCHASE ORDER REQUEST

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

PO#3531	Gorman Bros, Inc	\$ 404,167.36
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AUDIT OF BILLS – A motion was made by Councilman Puccio, seconded by Councilman Rose and unanimously carried by a voice vote of those board members present with Councilman Joachim being absent to approve the following bills as presented for payment:

CONTRACTUAL FUND-September 27, 2022

<u>FUND</u>	<u>CLAIM#</u>	<u>FUND TOTAL</u>
General	1013-1052	\$ 139,637.87
Highway	335-349	\$ 424,530.51
Sewer	307-317	\$ 14,713.58
<u>Special Districts</u>		
Enterprise	360-375	\$ 125,367.33
Ambulance	24-26	\$ 2,060.75
Solid Waste	27	\$ 3,952.76
Street Light	12	\$ 20,104.30

MINUTES - A motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present with Councilman Joachim being absent to approve the minutes of September 14, 2022, Town Board Meeting.

CORRESPONDENCE - None

PUBLIC INPUT –

Kevin Maher-130 Central Highway made the Town Board aware of errors he found on the CSX agreement. Spoke on the Infiltration system for the sewer plant. Encourage residents to disconnect sump pumps.

Continued Public Hearing-RRBR

At 7:09pm a motion was made by Supervisor Monaghan, seconded by Councilman Puccio and unanimously carried by a voice vote of those board members present with Councilman Joachim being absent to open the public hearing for the RRBR.

Public Input

George Potonavic-597 Old Gate Hill Rd., SPACE Pres, asked if there was any additional correspondence for the RRBR and questioned the Building Inspector authority.

Danica Adler-6 Herbert Court, asked if the Board could consider park land.

Continue Public Hearing-RRBR

At 7:13pm a motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present with Councilman Joachim being absent to continue the public hearing for the RRBR Floating Zone to the October 11, 2022 Town Board meeting at 7pm at the RHO Building located at 5 Clubhouse Lane Stony Point, NY 10980.

Accept 2023 Tentative Budget

A motion was made by Supervisor Monaghan, seconded by Councilman Puccio and unanimously carried by a voice vote of those board members present with Councilman Joachim being absent to accept the 2023 Tentative Budget as the preliminary budget.

Set Public Hearing-2023 Preliminary Budget

A motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present with Councilman Joachim being absent to set a public hearing for the 2023 Preliminary budget for October 25, 2022 Town Board Meeting at 7PM at the RHO Building at 5 Clubhouse Lane Stony Point, NY 10980.

Re-Appoint Ethics Board Member

A motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present with Councilman Joachim being absent to re-appoint Joan Skinner to the Ethics Board. This appointment is a 3-year term and will expire June 2025.

Adopt Bond Resolution-Patriot Hills Clubhouse

A motion was made by Supervisor Monaghan, seconded by Councilman Puccio and unanimously carried by a voice vote of those board members present with Councilman Joachim being absent to adopt the bond resolution for the Patriot Hill Clubhouse.

BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING CERTAIN IMPROVEMENTS TO THE TOWN'S MUNICIPAL GOLF COURSE; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$1,042,150; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$1,042,150 IN SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION

WHEREAS, the Town Board (the "Board") the Town of Stony Point, Rockland County, New York (the "Town") proposes to authorize the issuance of \$1,042,150 in serial

bonds of the Town to finance certain improvements to the Town's Municipal Golf Course (the "Project"), at an estimated maximum cost of \$1,042,150; and

WHEREAS, the Board now wishes to appropriate funds for the Project and to authorize the issuance of the Town's serial bonds and bond anticipation notes to be issued to finance the aforementioned specific object or purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board (the "Town Board") of the Town of Stony Point, Rockland County, New York (the "Issuer" or the "Town") (by the favorable vote of not less than two-thirds of all the members of such body), as follows:

SECTION 1. The Town is hereby authorized to undertake certain improvements to the Town's Municipal Golf Course consisting of the reconstruction of portions of the Patriot Hills Clubhouse. It is hereby determined that the maximum estimated cost of the aforementioned class of object or purpose is \$1,042,150, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of the \$1,042,150 in serial bonds of the Town authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (ii) unless paid from other sources, the levy and collection of taxes on all taxable real property of the Town to pay the principal of such bonds or notes and the interest thereon as the same become due and payable.

SECTION 2. Serial bonds of the Town in the principal amount of \$1,042,150 are hereby authorized to be issued pursuant to provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the aforementioned class of object or purpose.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforementioned class of object or purpose is fifteen (15) years, pursuant to subdivision 12(a)(2). of paragraph a. of Section 11.00 of the Law.

SECTION 4. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 5. The final maturity of the bonds herein authorized to be issued shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to this resolution.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town subject to applicable statutory limits, if any. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes or the renewals of said obligations and of

Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Town Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town (the "Town Supervisor"). Such notes shall be of such terms, form and contents as may be prescribed by said Town Supervisor consistent with the provisions of Local Finance Law. Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for the class of object or purpose authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for one or more object or purpose authorized by other resolutions of the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town.

SECTION 8. The Town Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Town Supervisor is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes authorized by this resolution in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The Town Board hereby determines that the actions authorized by this resolution and the adoption hereof collectively constitute a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, "SEQRA") and that no further action under SEQRA need be taken by the Town Board as a condition precedent to the adoption of this resolution.

SECTION 11. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board.

SECTION 12. Pursuant to subdivision b. of Section 35.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article 7 of the Town Law of the State of New York (the "Town Law"). The Town Clerk is hereby authorized and directed, within ten (10) days after the date of adoption of this resolution, to publish and post a notice satisfying the requirements of Section 90 of the Town Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Town for such purpose.

SECTION 13. This resolution shall take effect thirty (30) days after the date of its adoption or, if within such thirty (30) day period there is filed with the Town Clerk a petition subscribed and acknowledged by the number of qualified electors of the Town required by Section 91 of the Town Law and in the manner specified in such Section, until

approved by the affirmative vote of a majority of such qualified electors voting on a proposition for its approval.

SECTION 14. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the constitution.

SECTION 15. Upon this resolution becoming effective, the Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the Town for such purpose, together with a notice of the Town Clerk substantially the form provided in Section 81.00 of the Law.

Adopt Bond Resolution-Police Radio Console

A motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present with Councilman Joachim being absent to adopt the bond resolution for Police Radio Console.

BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ACQUISITION OF COMMUNICATION EQUIPMENT FOR USE BY THE POLICE DEPARTMENT; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$150,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$150,000 IN SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION

WHEREAS, the Town Board (the "Board") the Town of Stony Point, Rockland County, New York (the "Town") proposes to authorize the issuance of \$150,000 in serial bonds of the Town to finance the acquisition of communication equipment for use by the Police Department (the "Project"), at an estimated maximum cost of \$150,000; and

WHEREAS, the Board now wishes to appropriate funds for the Project and to authorize the issuance of the Town's serial bonds and bond anticipation notes to be issued to finance the aforementioned specific object or purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board (the "Town Board") of the Town of Stony Point, Rockland County, New York (the "Issuer" or the "Town") (by the favorable vote of not less than two-thirds of all the members of such body), as follows:

SECTION 1. The Town is hereby authorized to undertake the acquisition of communication equipment for use by the Police Department consisting of a police base radio console. It is hereby determined that the maximum estimated cost of the aforementioned class of object or purpose is \$150,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of the \$150,000 in serial bonds of the Town authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (ii) unless paid from other sources, the levy and collection of taxes on all taxable real property of the

Town to pay the principal of such bonds or notes and the interest thereon as the same become due and payable.

SECTION 2. Serial bonds of the Town in the principal amount of \$150,000 are hereby authorized to be issued pursuant to provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the aforementioned class of object or purpose.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforementioned class of object or purpose is ten (10) years, pursuant to subdivision 25. of paragraph a. of Section 11.00 of the Law.

SECTION 4. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 5. The final maturity of the bonds herein authorized to be issued shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to this resolution.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town subject to applicable statutory limits, if any. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Town Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town (the "Town Supervisor"). Such notes shall be of such terms, form and contents as may be prescribed by said Town Supervisor consistent with the provisions of Local Finance Law. Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for the class of object or purpose authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for one or more object or purpose authorized by other resolutions of the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town.

SECTION 8. The Town Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Town Supervisor is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes authorized by this resolution in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The Town Board hereby determines that the actions authorized by this resolution and the adoption hereof collectively constitute a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, "SEQRA") and that no further action under SEQRA need be taken by the Town Board as a condition precedent to the adoption of this resolution.

SECTION 11. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board.

SECTION 12. Pursuant to subdivision b. of Section 35.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article 7 of the Town Law of the State of New York (the "Town Law"). The Town Clerk is hereby authorized and directed, within ten (10) days after the date of adoption of this resolution, to publish and post a notice satisfying the requirements of Section 90 of the Town Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Town for such purpose.

SECTION 13. This resolution shall take effect thirty (30) days after the date of its adoption or, if within such thirty (30) day period there is filed with the Town Clerk a petition subscribed and acknowledged by the number of qualified electors of the Town required by Section 91 of the Town Law and in the manner specified in such Section, until approved by the affirmative vote of a majority of such qualified electors voting on a proposition for its approval.

SECTION 14. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the constitution.

SECTION 15. Upon this resolution becoming effective, the Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the Town for such purpose, together with a notice of the Town Clerk substantially the form provided in Section 81.00 of the Law.

Adopt Bond Resolution-Highway/Sewer Equipment

A motion was made by Supervisor Monaghan, seconded by Councilman Rose and unanimously carried by a voice vote of those board members present with Councilman Joachim being absent to adopt the bond resolution for Highway/Sewer Equipment.

BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ACQUISITION OF MACHINERY AND APPARATUS FOR USE BY THE TOWN; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$570,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$570,000 IN SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION

WHEREAS, the Town Board (the "Board") the Town of Stony Point, Rockland County, New York (the "Town") proposes to authorize the issuance of \$570,000 in serial bonds of the Town to finance the acquisition of machinery and apparatus for use by the Town (the "Project"), at an estimated maximum cost of \$570,000; and

WHEREAS, the Board now wishes to appropriate funds for the Project and to authorize the issuance of the Town's serial bonds and bond anticipation notes to be issued to finance the aforementioned specific object or purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board (the "Town Board") of the Town of Stony Point, Rockland County, New York (the "Issuer" or the "Town") (by the favorable vote of not less than two-thirds of all the members of such body), as follows:

SECTION 1. The Town is hereby authorized to undertake the acquisition of machinery and apparatus consisting of (i) one (1) Vactor truck for use by the Town's Highway Department and Sewer Department; and (ii) camera equipment to be retrofitted on an existing piece of machinery in use by the Town's Sewer Department. It is hereby determined that the maximum estimated cost of the aforementioned class of object or purpose is \$570,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of the \$570,000 in serial bonds of the Town authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (ii) unless paid from other sources, the levy and collection of taxes on all taxable real property of the Town to pay the principal of such bonds or notes and the interest thereon as the same become due and payable.

SECTION 2. Serial bonds of the Town in the principal amount of \$570,000 are hereby authorized to be issued pursuant to provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the aforementioned class of object or purpose.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforementioned class of object or purpose is fifteen (15) years, pursuant to subdivision 28. of paragraph a. of Section 11.00 of the Law.

SECTION 4. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of official intent to reimburse the

expenditures authorized herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 5. The final maturity of the bonds herein authorized to be issued shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to this resolution.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town subject to applicable statutory limits, if any. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Town Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town (the "Town Supervisor"). Such notes shall be of such terms, form and contents as may be prescribed by said Town Supervisor consistent with the provisions of Local Finance Law. Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for the class of object or purpose authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for one or more object or purpose authorized by other resolutions of the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town.

SECTION 8. The Town Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Town Supervisor is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes authorized by this resolution in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The Town Board hereby determines that the actions authorized by this resolution and the adoption hereof collectively constitute a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder

(collectively, "SEQRA") and that no further action under SEQRA need be taken by the Town Board as a condition precedent to the adoption of this resolution.

SECTION 11. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board.

SECTION 12. Pursuant to subdivision b. of Section 35.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article 7 of the Town Law of the State of New York (the "Town Law"). The Town Clerk is hereby authorized and directed, within ten (10) days after the date of adoption of this resolution, to publish and post a notice satisfying the requirements of Section 90 of the Town Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Town for such purpose.

SECTION 13. This resolution shall take effect thirty (30) days after the date of its adoption or, if within such thirty (30) day period there is filed with the Town Clerk a petition subscribed and acknowledged by the number of qualified electors of the Town required by Section 91 of the Town Law and in the manner specified in such Section, until approved by the affirmative vote of a majority of such qualified electors voting on a proposition for its approval.

SECTION 14. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the constitution.

SECTION 15. Upon this resolution becoming effective, the Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the Town for such purpose, together with a notice of the Town Clerk substantially the form provided in Section 81.00 of the Law.

Approve Building Permit Refund

A motion was made by Supervisor Monaghan, seconded by Councilman Rose and unanimously carried by a voice vote of those board members present with Councilman Joachim being absent to approve a building permit refund to Francis Martino in the amount of \$80.00. The project was canceled.

Property Maintenance-13 Waldron Drive

A motion was made by Supervisor Monaghan, seconded by Councilman Puccio and unanimously carried by a voice vote of those board members present with Councilman Joachim being absent to exercise Section 161-5 of the Property Maintenance Law of the Town of Stony Point at 13 Waldron Drive (20.11-1-39).

Authorize Supervisor to Sign CSX Agreement

A motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present with Councilman Joachim being absent to authorize Supervisor Monaghan to sign the agreement with CSX Transportation, Inc.

Authorize Supervisor Monaghan to Sign Natural Gas Agreement

A motion was made by Supervisor Monaghan, seconded by Councilman Rose and unanimously carried by a voice vote of those board members present with Councilman Joachim being absent to authorize Supervisor Monaghan to sign the agreement for New York Natural Gas Sales Agreement.

Authorizing Legal Services by Special Counsel for Extreme Risk Protective Order (ERPO) Hearings

A motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present with Councilman Joachim being absent to authorize legal services by special counsel for ERPO hearings.

The following resolution was duly offered and seconded to wit:

RESOLUTION 2022/29

AUTHORIZING LEGAL SERVICES BY SPECIAL TOWN COUNSEL FOR EXTREME RISK PROTECTIVE ORDER (“ERPO”) HEARINGS

WHEREAS, in accordance with the New York State Red Flag Laws, the Town of Stony Point Police Department may petition the Rockland County Supreme Court for the issuance of a Temporary Extreme Risk Protection Order upon receipt of credible information that an individual is likely to engage in conduct that would result in serious harm to himself, herself, or others; and

WHEREAS, upon such Petition, the supreme court shall hold a hearing to determine whether to issue a final extreme risk protection order and whether a firearm, rifle or shotgun surrendered by, or removed from, the respondent shall be returned or retained; and

WHEREAS, the Town of Stony Point Police Department seeks guidance of counsel for the purposes of procedural assistance and for conducting said hearings.

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. The above “WHEREAS” clauses are hereby incorporated by reference as though set forth in full herein.

Section 2. The Town Board hereby authorizes Special Counsel, Feerick Nugent MacCartney, PLLC to appear on behalf of, and at the request of, the Town of Stony Point Police Department and shall be compensated for all services performed for the Town of Stony Point with regard to the aforementioned hearings 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. Such authorization shall include hearings at which Feerick Nugent MacCartney PLLC appeared prior to the date of this resolution.

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.

ADD ON

Adopt Bond Resolution and Set Public Hearing-Sewer Improvements

A motion was made by Supervisor Monaghan, seconded by Councilman Puccio and unanimously carried by a voice vote of those board members present with Councilman Joachim being absent to set a public hearing for a bond resolution for Sewer improvements for October 11, 2022 Town Board Meeting at 7PM at the RHO Building at 5 Clubhouse Lane Stony Point, NY 10980.

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK CALLING FOR A PUBLIC HEARING IN ACCORDANCE WITH SECTION 202-b OF THE TOWN LAW WITH RESPECT TO CERTAIN IMPROVEMENTS TO TOWN OF STONY POINT SEWER DISTRICT NO. 2 FACILITIES

WHEREAS, the Town Board (the "Town Board") of the Town of Stony Point (the "Town") is considering authorizing certain improvements to the facilities serving Town of Stony Point Sewer District No. 2, consisting of the replacement, acquisition, and installation of the following improvements to the Town's Wastewater Treatment Plant: two (2) center feed circular clarifiers, a return activated sludge well, and ductile iron piping, including all appurtenant and related facilities related to the foregoing, and including site improvements, original furnishings, equipment, machinery, apparatus and other improvements incidental thereto (collectively, the "Project"), and

WHEREAS, the Town Board has been advised by Pitingaro & Doetsch Consulting Engineers, P.C., the Town's engineers, that the estimated maximum cost of undertaking the Project is \$2,600,000; and

WHEREAS, the Town Board now intends to conduct a public hearing in accordance with Section 202-b of the Town Law with respect to undertaking the Project at such estimated maximum cost.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board a follows:

Section 1. A public hearing shall be held at a public meeting of the Town Board to be held on October 11, 2022 at 7:00 p.m. at the Town of Stony Point Town Hall, 74 East Main Street, Stony Point, New York 10980, to consider if it is in the public interest to undertake the Project at an estimated maximum cost of \$2,600,000 and to hear all persons interested in the subject matter thereof.

Section 2. The Town Clerk is hereby directed to cause notice of such public hearing to be published in the *Rockland County Times* and posted on the Town Bulletin Board at 74 East Main Street, Stony Point, New York, 10980 in the manner prescribed by Section 193 of Town Law.

Section 3. This resolution shall take effect immediately.

EXECUTIVE SESSION

At 7:20pm a motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present with Councilman Joachim being absent to adjourn into executive session to discuss contract negotiations and personnel matter with police department.

ADJOURN

A motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present with Councilman Joachim being absent to close the Stony Point Town Board meeting at 8:40 pm.

Respectfully submitted
Megan Carey - Town Clerk

