

STONY POINT TOWN BOARD MEETING – July 9, 2024

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, July 9, 2024, at 7:00pm at the Stony Point Senior and Community Center, 19 Clubhouse Lane, Stony Point, NY. Supervisor Monaghan called the meeting to order and asked Kevin Travaglini of Boy Scout Troop #61 to lead 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
	Mr. Alak Shah	Esquire

SUPERVISOR’S REPORT

Supervisor Monaghan reported as follows:

- SPLL major division won the District 18 Championships
- Riverfront Park looks great. Concerts begin on Wednesday, July 10th. New bathrooms and plenty of parking.
- Town Pool looks fabulous. Additional shade stations have been added.
- CHPE started construction on Route 9W.

POLICE DEPARTMENT REPORT/BUSINESS

Chief Becker read the following report:

Police Department Report for the Month of June 2024.

Number of calls for service:	922
Number of reported accidents:	31
Number of arrests:	23
(2) Felonies (15) Misdemeanors (2) Violations (4) Warrants	
Fuel Usage :	1288.0 gallons
Sum Total of all traffic enforcement action:	143
Number of Youth Officer sponsored events:	4
Number of commercial vehicle enforcement details:	0
Number of traffic/special enforcement details:	1
Number of training hours:	96 hrs
Total fees collected:	\$160.00
(Foil \$.00, Prints \$90.00, and Reports \$70.00)	

Youth events: Junel: NR Youth Police Academy Graduation 6/4 Graduated 32 recruits, PAL Bike Safety/Touch a Truck Event 6/9 approx. 25 pieces of equipment and 600 attendees, Father’s Day Fishing 6/16 approx. 60 attendees & PAL Fundraising Event 6/18

Chief Becker’s Time Record

A motion was made by Supervisor Monaghan, seconded by Councilman Puccio and unanimously carried by a voice vote of all board members present to approve Chief Finn’s time record for the month of June 2024 as presented.

Overtime and Sick Leave Reports

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 overtime and sick leave reports as presented for the month of June 2024.

Golf Course Report

The following report was presented for June 2024:

- Green Fees \$ 460,066.54
- ID Cards \$ 1,855.00
- Merchandise \$ 18,552.70

- Range Fees \$ 21,501.00
- Club Rental \$ 1,350.00
- Total \$ 503,325.24

Ambulance Report-June 2024

Calls for service 148
 Calls provided by mutual aid 16
 Calls for mutual aid 14

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 to approve the following purchase orders:

Golf Course Maintenance

PO#3741 Carriere Material, LLC \$5,408.00
 PO#3742 Storr Tractor \$3,648.20

Sewer Dept:

PO#3732 WH Kassner \$4,880.00

Highway Department:

PO#3743 Jesco Power Plan \$2,042.15

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:

GENERAL FUND -JULY 9, 2024

	<u>CLAIM#</u>	<u>FUND TOTAL</u>
<u>General</u>	786-868	\$501,719.48
<u>Highway</u>	298-324	\$70,406.78
<u>Sewer</u>	242-267	\$37,222.85
<u>Special District</u>		
Enterprise	237- 265	\$31,224.40
Solid Waste	21-23	\$7,286.25
Ambulance	27- 28	\$42,008.46

MINUTES

A motion was made by Supervisor Monaghan, seconded by Councilman Rose and unanimously carried by a voice vote of those board members present to approve the minutes of June 25, 2024.

DEPARTMENTAL REPORTS

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

Architectural Review Board

From: 6/01/2024 To: 6/30/2024
 Applications Received 3
 Applications Approved 3
 Applications Pending 0

Fees Collected \$300.00

Building & Zoning Department

April 2024

Applications Received	55
Applications Returned/Withdrawn	0
Applications Denied	3
Building & Blasting Permits Issued	43
Applications Pending	9
Certificate of Occupancy	14
Certificate of Compliance	16
Fees Collected	\$22,785.00

Planning Board

From: 6/01/2024 To: 6/30/2024

Applications Received	0
Applications Approved	0
Applications Pending	
Amended Subdivision	0
General Category	0
Informal Discussion	1
Lot Line Change	0
Site Plan	5
Subdivision	1
Fees Collected	\$150.00

Submitted by the Planning Board Clerk

Zoning Board of Appeals

6/01/2024 to 6/30/2024

Applications Received	0
Applications Returned/Withdrawn	0
Applications Denied	0
Applications Pending	1
Applications Approved	0
Fees Collected	\$0.00

Town Clerk

June 2024

Amount Paid To NYS Agriculture & Markets	
For Spay/Neuter Program	\$ 21.00
Amount Paid To NYS Health Dept. For Marriage Licenses	\$ 90.00
Amount Paid To NYS Dept. Of Environmental Conservation	\$ 590.48
Amount Paid To Supervisor	\$ 4,006.07
TOTAL AMOUNT REMITTED	\$ 6,222.90

CORRESPONDENCE

None

PUBLIC INPUT

George Potanovic-597 Old Gate Hill Road stated that he was glad we did not sell the Golf Course as it has been a successful season so far. George also suggested Hybrid meetings. Would like the meetings to be recorded. Thanked the Board for the update on CHPE.

Open Continued Public Hearing-Local Law-Amending Chapter 176-Sewers

At 7:22pm a motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present to open the continued the public hearing for a local law amending Chapter 176-Sewers.

Close Public Hearing-Local Law Amending Chapter 176-Sewers

At 7:22pm a motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present to close the public hearing for a local law amending Chapter 176-Sewers.

Adopt Local Law #4-Amending Chapter 176-Sewers

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to adopt the following Local Law:

**RESOLUTION NO. 18 ADOPTING LOCAL LAW NO. 4 OF 2024
LOCAL LAW TO REPEAL AND REPLACE CHAPTER 176 (SEWERS) OF THE TOWN
CODE OF THE TOWN OF STONY POINT**

WHEREAS, the Town Board of the Town of Stony Point, New York (“Town Board”) from time to time reviews its laws, rules and regulations to be certain the same are consistent with all current lawful practices as well as best practices to protect the health, safety and welfare of Town residents; and

WHEREAS, the Town Board desires to adopt a Local Law to Repeal and Replace Chapter 176 (Sewers) of the Town Code of the Town of Stony Point; and

WHEREAS, such introductory Local Law was introduced before the Town Board on April 23, 2024; and

WHEREAS, upon notice duly published and posted, a Public Hearing was held on said Local Law on May 23, 2024; and then continued to June 11, 2024, June 25, 2024 and July 9, 2024, wherein public discussion was heard concerning the merits of said Local Law and all persons were afforded an opportunity to be heard and the Town Board declared the public hearing closed.

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

Section 1. All “WHEREAS” paragraphs are incorporated herein by reference as though set forth in full.

Section 2. The Town Board hereby adopts Local Law No. 4 of 2024 entitled, “A Local Law to Repeal and Replace Chapter 176 (Sewers) of the Town Code of the Town of Stony Point” as attached hereto.

Section 3. The Town Clerk is hereby directed to enter said Local Law into the minutes of this meeting and in the Local Law book of the Town of Stony Point, and to give due notice of the adoption of said Local Law by filing the Local Law in the Office of the Secretary of State in the State of New York.

Section 4. This Resolution shall be effective immediately.

TOWN OF STONY POINT
LOCAL LAW NO. 4 OF THE YEAR 2024

**A LOCAL LAW TO REPEAL AND REPLACE CHAPTER 176 (SEWERS) OF THE
TOWN CODE OF THE TOWN OF STONY POINT**

Be it enacted by the Town Board of the Town of Stony Point, County of Rockland, State of New York as follows:

Section 1. **Title.**

This local law shall be known and may be cited as Local Law No.4 to Repeal and Replace Chapter 176 (Sewers) of the Town Code of the Town of Stony Point.

Section 2. **Legislative Purpose.**

The purpose of this Local Law is to repeal and replace Chapter 176 (Sewers) of the Code of the Town of Stony Point, New York, in order to update the language therein.

Section 3. **Authority.**

The adoption of this Local Law is in accordance with Section 10 of the New York Municipal Home Rule Law.

Section 4. **Amendments**

Chapter 176 (Sewers) of the Town of Stony Point Code shall be repealed and replaced as follows:

Part 1. **Sewer Connection and Use; Sewage Treatment**

Article I. **Purpose; Definitions.**

§ 176-1. Purpose of enactment.

In order to assure the proper disposal of sewage and wastewaters and the proper operation and maintenance of the public sewers, sewage treatment plant and other sewage works within the Town of Stony Point, the following regulations are enacted by the Town of Stony Point, by virtue of the authority invested in the Town Board of the Town of Stony Point pursuant to the Town Law of the State of New York

§ 176-2. Definitions and word usage.

“Shall is mandatory; “may” is permissive.

A. Unless the context specifically indicates otherwise, the meaning of terms used in these regulations shall be as follows:

BOD (denoting “biochemical oxygen demand”)

The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20° Celsius expressed in milligrams per liter by weight.

CHLORINE DEMAND

The amount of chlorine which must be added to water or waste to produce a residual chlorine content of at least 0.1 milligram per liter after a minimum contact time of 10 minutes.

FOG

Fats, oils and grease created as a by-product of cooking.

NATURAL OUTLET

Any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

PERSON

Any individual, firm, company, association, society, corporation or group.

pH

The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

PRIVATE SEWAGE DISPOSAL SYSTEM

Any system, privately maintained and not connected to the public sanitary sewer collection system, constructed or maintained for the purpose of private disposal of sewage. Examples include septic systems, subsurface disposal systems, etc.

SEWAGE — Wastewater or water-carried wastes from residences, business buildings, institutions and industrial establishments. Sewage shall be further classified as follows:

- (1). **DOMESTIC OR SANITARY SEWAGE**. The solid and liquid wastes from toilet and lavatory fixtures, kitchens, laundries, bathtubs, shower baths or equivalent plumbing fixtures as discharged from dwellings, business and industrial buildings.
- (2). **INDUSTRIAL SEWAGE OR WASTES**. Includes the water-carried wastes of any industrial process, as distinct from domestic or sanitary sewage. All substances carried in industrial wastes, whether dissolved, in suspension or mechanically carried by water, shall be considered as industrial wastes.
- (3). **STORMWATER**. Includes the runoff or discharge of rain and melted snow or other water from roofs, surfaces of public or private lands, or elsewhere. Stormwater also shall include subsoil drainage as defined below.
- (4). **SUBSOIL DRAINAGE**. Includes water from the soil percolating into subsoil drains and through foundation walls, basement floors or underground pipes.
- (5). **COOLING WATER**. Includes the wastewater from air conditioning, industrial cooling, condensing and hydraulically powered equipment or similar apparatus.
- (6). **GARBAGE**. Solid wastes from the preparation, cooking and dispensing of food, and from the handling, storage and sale of produce. “Properly shredded garbage” shall mean garbage which has been shredded so that no garbage particles will be greater than 1/2 inch in any dimension.

SEWAGE TREATMENT PLANT

Any arrangement of devices and structures used for treating sewage.

SEWAGE WORKS

All facilities for collecting, pumping, treating and disposing of sewage or wastewater.

SEWER or DRAIN— The pipe or conduit, together with manholes and other structures or equipment appurtenant thereto, provided to carry sewage, waste liquids, stormwater or other waters. Sewers shall be further classified as follows:

- (1). **PUBLIC SEWER**. A trunk, main or lateral sewer up to and including the “Y” branch or tee provided for connection thereto and to which all owners of abutting properties have equal rights, and which is controlled by public authority. The public sewer does not include the building or house sewer or the building connection lateral after it is connected with a building sewer.
- (2). **SANITARY SEWER**. A sewer which carries only sanitary sewage and to which stormwater, subsoil drainage and cooling water are not intentionally admitted.

(3). **COMBINED SEWER.** A sewer receiving both stormwater and domestic sewage, including acceptable discharge of industrial wastes, subsoil drainage and cooling water.

(4). **STORM SEWER or STORM DRAIN.** A pipeline carrying stormwater, subsoil drainage, acceptable cooling water or other reasonably clean waters, but excluding domestic and polluted industrial waste.

SLUG

Any discharge of water, sewage or industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than 15 minutes more than five times the average twenty-four-hour concentration or flows during normal operation.

SUPERINTENDENT

The Chief Operator of the Sewage Works, the Town Engineer or other designated official of the Town of Stony Point or his authorized deputy, agent or representative.

SUSPENDED SOLIDS

Solids that either float on the surface of or are in suspension in water, sewage or other liquids and which are removable by filtering, as prescribed in Standard Methods for the Examination of Water, Sewage and Industrial Waste, American Public Health Association.

TOWN

The Town of Stony Point.

WATERCOURSE

A channel in which a flow of water occurs, either continuously or intermittently.

Article II. Disposal of Wastes; Connection to Public Sewer.

§ 176-3. Deposit of wastes on public or private property prohibited.

A. It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner upon public or private property within the Town of Stony Point or in any area under the jurisdiction of said town any human or animal excrement, garbage or other objectionable waste.

B. It shall be unlawful for any person to construct or repair any privy, privy vault, septic tank, cesspool, leach field, seepage, or other facility intended for the disposal of sewage if public sewers are available.

§ 176-4. Discharge to storm sewers and outlets prohibited.

It shall be unlawful to discharge to any natural outlet or storm sewer within the Town of Stony Point, or in any area under the jurisdiction of said town, any sanitary sewage, industrial wastes or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this Part 1, and required permits, licenses, inspections and reports have been satisfied.

§ 176-5. Connection to sewers required and Permits required.

A. Except as where served by appropriate and adequate private sewer disposal systems, specifically permitted/approved by the Rockland County Health Department, the owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purpose situated within the Town and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer are hereby required at their expense to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this Part 1, within 30 days after date of official notice to do so.

B. Permit required. A written permit shall be obtained from the Superintendent before any connection, opening, uncovering, use, discharge, alteration or other disturbance of a Town sewer or its tributaries and appurtenances is made. The permit shall be displayed in a conspicuous place. Any work performed after issuance of a permit shall be in conformity with its terms and conditions and the provisions of this article.

C. Permit application and application fee:

(1). The property owner shall apply for a permit on a form furnished by the Superintendent and shall provide all information called for on the form.

(2). The permit application shall be accompanied by an application fee, established pursuant to a schedule adopted by resolution of the Town Board, and by plans, specifications or other information considered pertinent by the Superintendent.

(3). All permit applications for service to establishments producing industrial wastes shall be subject to Town Board approval after a public hearing held upon 10 days' notice to the general public by publication in the Town's official newspaper.

(4). A combined permit and inspection fee shall be paid to the Town before a permit is issued. Fees shall be established pursuant to a schedule adopted by resolution of the Board and may vary depending on whether the property served is residential, commercial or industrial and on whether the permit is for an original building sewer connection or some other purpose, such as connection to the Town's force main to the Rockland County treatment facility.

D. Construction inspection and approval. The applicant for the connection of any building sewer to the sewer system shall schedule the work and notify the Superintendent when the building sewer is ready for inspection and connection to the sewer. In no case shall any underground portions of the building sewer be covered or connection to the sewer made without the approval and/or supervision of the Superintendent. Trenches refilled prior to inspection shall be reopened by the contractor or owner at no expense to the Town. The building sewer may be put into use only after satisfactory final inspection has been made and approval given by the Superintendent.

E. Disturbance of highways; additional permission required. No permit granted by the Sewer Superintendent shall be construed to permit any interference or disturbance of any state or county or Town highway pavement, as the case may be in the municipality, or any excavation in any road, street or public place, unless the permit shall expressly so provide. No permit shall be granted for such interference or disturbance of said pavement or for the excavation for sewer purposes in any public street or public place unless the applicant shall have first obtained from the state or county or Town Highway Department, as the case may be, a permit therefor in accordance with the requirements of the Highway Department having jurisdiction. Any permit fee, bonding or other expense in connection with the issuance of a permit for opening any street or pavement shall be paid by the applicant. No permit shall be deemed to authorize anything not stated in the application therefore.

F. Expenses; indemnification; contractor registration and insurance.

(1). All costs and expenses incidental to the installation and connection of the building sewer, including engineering and legal fees, shall be borne by the property owner.

(2). Property owners who install their own building sewer lateral connection shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by said installation.

(3). Any person working for fee (contractor) to make connections to the sewer system must register with the County and must be adequately insured including liability and workers' compensation.

G. Separate building sewers. The drainage and plumbing system of each building shall have a separate and independent connection with the sewer wherever possible. With Superintendent approval, where one building stands in the rear of another or is on an interior lot and no connection to a sewer is available nor can be made through an adjoining alley, court, yard or driveway, then the building sewer from the building on the front of the lot may be extended to the building on the rear of the lot. This may be considered as one building sewer for permit and inspection fee purposes, but for sewer service charge or rent purposes, the number of connections shall be based upon the number of units being serviced.

H. Existing building sewers. Existing building sewers may be used in conjunction with new buildings only when they are found, upon information and testing verified by the Superintendent, wholly at the expense of the property owner, to meet all requirements of this article and any other laws, rules, regulations and specifications which apply.

I. Maintenance and repair. The repair, maintenance, connection, disconnection, hook up, cleaning of a building sewer or any other work is the responsibility of the property owner. In the event of the property owner's failure to repair, maintain, connect, disconnect, hook up or clean, the Town may undertake the necessary work and charge all expenses to the property owner. The Board shall establish by resolution fees for Town repair, maintenance, connection, disconnection, hook up, cleaning or other work on said sewers to be paid by the property owner.

J. Disconnection:

(1). Before any building with a building sewer is demolished, the owner thereof shall conform with requirements established by the Superintendent. The cutoff, capping or plugging of the building sewer shall be done only with the permission and under the supervision of the Superintendent.

(2). The Town, upon discovery of an illegal sewer connection or hook up, shall disconnect or unhook said sewer and charge all expenses, including costs, labor, engineering and legal fees, to the property owner.

K. Specific construction requirements. All work and materials and testing related to the sewers must be reviewed and approved by the Superintendent. Specifications shall conform to generally accepted construction and engineering standards and shall conform to NYSDEC, NYSDOH and Rockland County Health Department regulations.

Article III. Prohibited Discharge; Treatment of Wastes.

§ 176-6. Types of discharge restricted.

No person shall discharge into any public sewer of the Town of Stony Point any waste, substance or waters other than such kinds or types of waters or water-carried wastes for the conveyance of which the particular public sewer is intended, designed or provided.

§ 176-7. Storm- and related waters prohibited.

No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, sump-pump, subsurface drainage, cooling water, air-conditioning and refrigerating wastewaters or unpolluted industrial process waters to any sanitary sewer.

§ 176-8. Regulation of stormwater drainage.

Stormwater and all other unpolluted drainage or uncontaminated process water in excessive quantities shall be discharged to storm sewers or to a natural outlet. Such waters shall be discharged only after approval of any local, county or state regulatory agency having jurisdiction.

§ 176-9. Prohibited discharges.

Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer. However, in the event of such discharge, accidental or otherwise, its occurrence shall be immediately reported to the Town.

A. Any liquid or vapor having a temperature higher than 150° F. or which causes the influent to the plant to exceed 104° F. (40° C.).

B. Any water or waste which may contain more than 100 milligrams per liter by weight of fat, oil, wax or grease or may contain other substances which may solidify or become viscous at temperatures between 32° F. and 150° F. (also see Article VA – FOG Program).

C. Any gasoline, kerosene, disinfectants, solvents, benzene, naphtha, alcohol, tar, fuel oil or other flammable or explosive liquid, solid, gas or vapor.

D. Any garbage except properly shredded garbage. The installation and operation of any garbage grinder equipped with a motor of 3/4 horsepower or greater shall be subject to the review and approval of the Superintendent.

E. Any ashes, cinders, stones, sand, mud, straw, shavings or sawdust, metal, sticks, coarse rubbish, glass, rags, tar, feathers, plastics, waste rubber, animal guts or tissues, entrails, blood, hair, hides, wood, paunch manure or any other substance likely to damage, destroy or cause an obstruction to the flow in any sewer or which may interfere with the proper operation of the sewage works.

F. Any waters, sewage or wastes having a pH lower than 5.0 or higher than 9.5 or having any other corrosive or detrimental property capable of causing damage or hazard to the sewage works or personnel.

G. Any waters or wastes containing a toxic, poisonous or radioactive substance in sufficient quantity to injure or interfere with any sewage treatment process or to constitute a hazard to humans, animals or marine life or create any hazard in the receiving waters. Radioactive wastes or materials may be discharged into a public sewer if Conditions I and II below are met and if either Condition III or IV is also met, provided that such discharges are in compliance with applicable state or federal regulations.

(1). Condition I: Such wastes must be readily soluble or dispersible in water.

(2). Condition II: The gross quantity of all radioactive materials so discharged must not exceed one curie per year.

(3). Condition III: The daily quantity of any radioactive material, if diluted by the average daily volume of sewage discharged into the system from the installation, must not exceed the maximum concentrations allowed by regulations of the United States Atomic Energy Commission.

(4). Condition IV: Daily quantities of radioactive materials up to the maximum permitted by the United States Atomic Energy Commission may be so discharged, provided that the total monthly quantities, if diluted by the average monthly volume of sewage discharged from the installation, do not exceed the concentrations permissible under Condition III above.

H. Any noxious, malodorous or taste-producing gas, vapor or substance, such as phenols, which, either singly or by interaction with other sewage, are capable of creating a public or private nuisance or which may prove toxic to sewage treatment processes or which may exceed acceptable limits for discharge to receiving waters.

I. Any waters or wastes containing phenols or other taste or odor-producing substances in such concentrations exceeding limits which may be established by the United States Environmental Protection Agency, as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge to the receiving waters.

J. It shall be unlawful for any individual or corporation to discharge waters or wastes to the sanitary sewer containing metallic ions and salts or heavy metals, in solution or suspension, in concentrations exceeding the following, the analytical results to be expressed in terms of the element indicated:

Element	Milligrams per Liter
Arsenic	0.05
Barium	5.0
Boron	1.0
Cadmium	0.02
Chromium	5.0
Copper	1.0
Cyanide	1.0
Lead	0.10
Manganese	1.0
Mercury	0.0005
Nickel	1.00
Selenium	0.02
Silver	0.10
Zinc	5.0

K. Materials which exert or cause:

- (1). Unusual concentrations of inert suspended solids (such as but not limited to fuller's earth, lime slurries and lime residues) or of dissolved solids (such as but not limited to sodium chloride and sodium sulfate).
- (2). Excessive discoloration (such as but not limited to dye wastes and vegetable tanning solutions).
- (3). Unusual BOD, suspended solids, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
- (4). Unusual volume of flow or concentration of wastes constituting slugs, as defined herein.

L. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

§ 176-10. Pretreatment requirements.

A. Town Board approval is required if any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in § 176-9 and which may have a deleterious effect upon the sewage works, processes, equipment or receiving waters or which otherwise create a hazard to life or constitute a public nuisance, the Town may:

- (1). Reject the wastes;
- (2). Require pretreatment to an acceptable condition for discharge to the public sewers;
- (3). Require control over the quantities and rates of discharge; and/or
- (4). Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges.

B. If the Town permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Town and of any or all state regulatory agencies having jurisdiction, and no construction of such facilities shall be commenced until said approvals are obtained in writing and fees are paid according to the adopted fee schedule.

§ 176-11. Determining factors for exclusion of wastes.

In determining whether any waste discharged or proposed to be discharged into any public sewer is to be excluded, consideration will be given to the quantity, time or times, rate and manner of discharge, dilution and character of the waste in question, the size of the sewer into which the waste is to be discharged, the probable quantity of sewage or other wastes likely in said sewer and other pertinent facts. Minute quantities of a waste which would be objectionable in a larger quantity may be accepted if sufficiently diluted when and as discharged or if the quantity discharged is small as compared to the flow in the receiving sewer; but any permission to discharge minute quantities of an otherwise excluded waste shall be revocable at any time by the Town.

§ 176-12. Pretreatment facilities.

A. At all premises where wastes or substances specified to be excluded from public sewers by these regulations are present and liable to be discharged, directly or indirectly, into said sewers, suitable and sufficient piping layouts, oil, grease, sand and flammable waste traps or separators, screens, settling tanks, diluting devices, storage or regulating chambers, treatment, cooling or other equipment and devices shall be provided. These shall be maintained and properly operated by the owner of the premises or his agent at his expense to ensure that no waste or substance is discharged in violation of the requirements of these regulations. Pretreatment systems must be approved in writing and fees paid according to the adopted fee schedule.

B. On premises where wastes or substances specified to be excluded from public sewers are present, the Town or employees of the United States Environmental Protection Agency or New York State Department of Environmental Conservation may require the owner to provide, operate and maintain at his expense a sampling well or wells, flow-measuring devices, manholes or other appurtenances, all readily accessible, on the building sewer or drain from said premises near the point where said sewer or drain connects to the public sewer. By means of said sampling well or wells, flow-measuring devices or other appurtenances, the Town, any public officer having legal jurisdiction or employees of the United States Environmental Protection Agency or New York State Department of Environmental Conservation may secure samples of or examine the wastes being discharged into the public sewer for the purpose of determining compliance or noncompliance with the requirements of these regulations.

C. The Town and employees of the United States Environmental Protection Agency or New York State Department of Environmental Conservation shall have the right to enter and inspect any part of the premises served by public sewers upon which there may be reason to believe that violations of the requirements of these regulations have occurred or are likely to occur or for the purpose of ascertaining the facts as to such violation or suspended violation or of obtaining samples of wastes or of inspecting flow-measuring devices or treatment facilities provided to prevent prohibited discharges.

§ 176-13. Discharge of excluded wastes into storm sewers prohibited.

No wastewaters or substances which are excluded from sanitary sewers shall be discharged into any storm sewer.

§ 176-14. Standard of measurement.

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this section shall be determined in accordance with Standard Methods for the Examination of Water and Sewage. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

§ 176-15. Agreements concerning acceptance of industrial wastes.

Special agreements between the Town and industry allowing acceptance of industrial wastes of unusual strength or character may be established, provided that:

- A. Such wastes do not violate any pretreatment standards, including national categorical pretreatment standards.
- B. Said wastes do not cause interference with the operation of the treatment plant, as defined in the General Pretreatment Regulations of the United States Environmental Protection Agency, dated January 29, 1981.
- C. Said wastes are subject to payment therefor by the industrial concern.
- D. If the Town permits the acceptance of industrial wastes, the design and installation of the plants and equipment shall be subject to the review and approval of the Town and of any or all state regulatory agencies having jurisdiction, and no construction of such facilities shall be commenced until said approvals are obtained in writing and fees are paid according to the adopted fee schedule.

Article IV. Private Sewage Disposal Systems.

§ 176-16. Discharge into public sewers prohibited.

- A. No person shall discharge or cause to be discharged into any public sewer, either directly or indirectly, any overflow or effluent from a septic tank, cesspool, subsurface drainage trench, bed or filter or other receptacle storing organic waste.
- B. Private sewage disposal systems in the Town of Stony Point are regulated by the Rockland County Health Department.
- C. Private sewage disposal systems include any system, privately maintained and not connected to the public sanitary sewer collection system, constructed or maintained for the purpose of private disposal of sewage. Examples include septic systems, subsurface disposal systems, etc.

§ 176-17. Processing of waste at sewage treatment plant.

The contents of privy vaults, septic tanks or cesspools may be delivered and will be processed at the municipal sewage treatment plant, provided that:

- A. Such contents were accumulated and located on property within the Town of Stony Point.
- B. Such contents consist only of domestic or commercial wastes, excluding any industrial wastes or substances specified to be excluded from public sewers by these regulations.
- C. Such contents are transported in sanitary, watertight vehicles, equipped with a suitable valve outlet and meeting such requirements as may be stipulated by local or state health agencies.
- D. A permit is issued by the Superintendent for the discharge of such contents. A fee in accordance with the adopted fee schedule shall be paid for each tankload of such wastes.
- E. Delivery of such contents is made to the sewage treatment plant site on weekdays between the hours of 8:00 a.m. and 4:30 p.m. and on Saturdays from 8:00 a.m. to 11:30 a.m., except holidays.
- F. One or more copies of the permit form for the discharge of such contents are surrendered to the sewage treatment plant operator or his agent and that said operator or his agent

accepts the delivery as containing no substances or wastes known to be harmful to the sewage treatment plant or its treatment processes.

G. Permits issued under this section shall be void after 30 days from date of issuance. All permits are subject to cancellation, revocation or suspension by the Superintendent when such action is deemed necessary to safeguard the sewage works.

Article V. Penalties.

§ 176-18. Penalties for offenses.

A. Any person found to be violating any provision of these regulations shall be served by the Town of Stony Point with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.

B. Any person who shall violate any provision of this Part 1 shall be fined not more than \$1,000 or imprisoned not more than 15 days, or both. Each day that any violation of these regulations continues and each day that any person continues to discharge prohibited wastes or substances into any public sewer shall be deemed to be a separate offense for the purpose of applying the penalty provided in this section.

C. Any person violating any of the provisions of this Part 1 shall be liable to the Town of Stony Point for any expense, loss or damage occasioned the municipality by reason of such violation.

D. Any person who takes part in or assists in any the commission of any violation of this article shall also be subject to the penalties provided herein.

Article VI. FOG Program.

§ 176-18.1. Purpose; policy.

The purpose of this article is to reduce the amount of fats, oils and grease (FOG) entering the Town of Stony Point wastewater collection system in order to comply with the Clean Water Act of 1977 and general pretreatment regulations (40 CFR, Part 403). This article provides for the regulation of FOG contributors to publicly owned treatment works (POTW) through the issuance of permits, inspections, sampling and enforcement. The requirements within this article shall be applied to, but not be limited to, all food processing facilities within the Town that discharge wastewater to be treated by the POTW. The requirements within this article shall also be applied to residential users within the Town that discharge wastewater to the POTW and that contribute FOG to the Town's sewage collection system.

§ 176-18.2. Definitions.

The following terms and phrases shall have the designated meanings in the context of this article.

DAYS

Shall be considered as calendar days unless otherwise specified.

FOG

Fats, oils and grease created as a by-product of cooking.

FOG ADMINISTRATOR

Town Code Enforcement Officer or Sewer Superintendent responsible for the enforcement of this article.

FOG OVERFLOW REPORT

A report supplied to FOG Administrator by the producer within five days of a FOG overflow explaining the cause of the overflow, steps taken to contain and clean up the overflow, and measures taken to prevent the overflow from occurring again.

GREASE TRAP

An apparatus located inside the structure that collects and contains the fats, oils and grease, and removes a significant portion of it from the wastewater to be discharged.

NOV

Notice of violation. A written notice specifically citing the nature of the violation and a specified time frame for correction.

OIL AND GREASE INTERCEPTOR

An apparatus located outside the structure that collects and contains the fats, oils and grease, and removes a significant portion of it from the wastewater to be discharged.

OVERFLOW

A discharge of FOG from a grease trap or interceptor into the POTW in a concentration greater than 100 mg/L or in the form of visible masses detrimental to the POTW.

POTW

Publicly owned treatment works, including the Town of Stony Point wastewater collection and conveyance system, and treatment plant.

PRODUCER

Any commercial or public facility or private residential property that is connected to the Town POTW and that produces, directly or indirectly, wastewater containing FOG in a concentration greater than that defined in the General Regulations of this article. Commercial facilities include, but are not limited to, restaurants, schools, private clubs, delis, churches and day-care centers. Producers shall be classified as follows:

- A. **CLASS 1 PRODUCER**. Any producer who has an oil and grease interceptor on the sewer line.
- B. **CLASS 2 PRODUCER**. Any producer who has a grease trap.
- C. **CLASS 3 PRODUCER**. Any residential producer.

§ 176-18.3. General regulations.

The following regulations apply to all producers contributing to the Town POTW:

- A. All Class 1 and 2 producers must have a FOG permit in order to discharge to the POTW. The FOG Administrator shall receive all FOG permit applications. All Class 1 and 2 producers are required to renew their permit annually and fees shall be paid in accordance with the adopted fee schedule.
- B. At no time shall a producer discharge, or cause to be discharged, any quantity of FOG to the POTW that exceeds the discharge limitation of 100 mg/l. At the discretion of the FOG Administrator, sampling by the Town of the producer's discharge may occur when the FOG Administrator has evidence that indicates the producer may not be complying with the requirements of this article. All Class 1 producers shall be responsible for providing an adequate sampling port on their grease interceptors.
- C. The producer is responsible, not less than twice annually at approximately 6 month intervals, for cleaning and/or having the oil and grease interceptor or grease trap cleaned on a regular basis so as not to discharge fats, oils and grease to the POTW that exceed the discharge limitation of 100 mg/l. The frequency of cleaning, at a minimum, shall be in accordance with the "25% Rule," as determined by the FOG Administrator and directed in the FOG permit. The 25% Rule requires that the depth of oil and grease (floating and settled) in an interceptor or trap shall not be equal to or greater than 25% of the total operating depth of the interceptor or trap. The operating depth of an interceptor or trap is determined by measuring the internal depth from the outlet water elevation to the bottom of the interceptor or trap. In application of this rule, the cleaning frequency shall also be determined by the size of the interceptor and inspection of the sewer lines. The Class 1 producer shall empty and clean the grease interceptor as often as is necessary to prevent overflowing of FOG into the POTW.

D. Existing producers which currently have an internal grease trap shall be required to clean and maintain that trap in an efficient manner. The following is prohibited to be discharged to an internal grease trap:

- (1) Wastewater with a temperature greater than 140° F.
- (2) Acid or caustic trap cleaners: this may include enzymes and/or degreasers which liquefy the fats, oils and grease and allow them to pass from the grease trap and deposit in the POTW lines. Therefore, all enzymes and degreasers must be approved by the FOG Administrator or duly authorized representatives.

E. On or after the effective date of this article, existing food service or automotive-related facilities shall be required to install an approved, properly operated and maintained oil and grease interceptor or oil/water separator by a compliance date determined by the FOG Administrator. Existing facilities shall not be grandfathered from this article.

F. Newly built Class 1 producers or renovated existing Class 1 producers shall install a properly sized oil and grease interceptor on the sewer line from the facility. The oil and grease interceptor shall be approved by the FOG Administrator. The oil and grease interceptor shall have the following design features (as a minimum): a tee inlet in which one tee branch extends a minimum of one foot below the liquid level, an outlet tee with a minimum submergence of 2/3 of the liquid depth, a baffle to separate the trap into two compartments, and two manhole access ways for inspection of the inlet and outlet tees. The interceptor shall have cleanouts and shall be located with easy access for pump out and inspection. The producer may present alternative designs to the FOG Administrator. The FOG Administrator reserves the right to approve or reject the alternative design.

G. All producers may be inspected by the FOG Administrator at his discretion. The FOG Administrator has the authority to access and inspect any oil and grease interceptor or grease trap. The FOG Administrator shall give adequate notice to all Class 3 producers prior to inspection on their property.

H. Overflowing an oil and grease interceptor on the sewer line or on the sink discharge line is strictly prohibited. In such case, the producer shall be responsible for the subsequent containment, cleanup and disposal of the overflow material as well as its expense. It is the responsibility of the producer to immediately notify the Town FOG Administrator of the incident. The notification shall include the location of the overflow, the type of material, the volume and corrective actions. Within five days of the overflow, the producer shall submit to the Town a detailed written report describing the cause of the overflow, steps taken to contain the overflow, steps taken to prevent it from occurring again and the cleanup of the overflow.

I. Class 1 and Class 2 producers must keep on site a current grease interceptor and grease trap cleaning log. Included on the cleaning log shall be the following information: date, time, who did the cleaning, volume of waste disposed of, location of disposal, and manifest if done by an outside hauler. Permit renewals shall require submission of the prior year's cleaning log.

J. The Town reserves the right to inspect a connected residential user(s) of the POTW if evidence within the POTW indicates that a significant buildup of FOG is occurring within proximity of the residential user(s) and that such evidence cannot be attributed to Class 1 or 2 producers. Sampling will occur at the residential lateral cleanouts whenever possible.

§ 176-18.4. Permit fees.

Shall be as established in Chapter A221.

A. The following permits shall apply to all Class 1 and Class 2 producers contributing to the POTW:

- (1) Initial permit.

(2) Annual permit renewal.

B. All permit fees are the responsibility of the producer and must be paid within 30 days. Bills remaining unpaid after the due date will be charged additional interest at the rate of 6% per annum. Producers with unpaid permit fees shall be prohibited from obtaining any further annual permit renewals and may have unpaid fees re-levied to property owner's tax bills to be collected in the same manner as property taxes.

C. Any change in the rate and/or fees charged shall be made by a resolution adopted by the Town of Stony Point Town Board.

§ 176-18.5. Enforcement.

A. The Town shall suspend any FOG permit held by a producer if the producer does not adhere to the requirements of this article. Once the permit is suspended, the producer shall not discharge to the POTW until the permit is reinstated. The permit shall remain suspended until the producer demonstrates proof that the noncompliance was eliminated.

B. The methods of enforcement shall include the issuance of a NOV and/or the assessment of a monetary penalty as defined in this article.

C. Should the FOG inspectors need to sample any producer, the producer shall be responsible for the costs required for the analytical laboratory to perform the analysis of the sample. Payment must be paid within 30 days of the date on which the FOG Administrator mails a bill to the producer. Bills remaining unpaid after such thirty-day period will be charged interest at the rate of 6% per annum.

D. Any costs incurred by the Town for cleaning the producer's FOG from the POTW and/or penalties, fines or other costs incurred by the Town for the Producer's FOG shall be the responsibility of the producer. Payment must be paid within 30 days of the date on which the FOG Administrator mails a bill to the producer. Bills remaining unpaid after such thirty-day period will be charged interest at the rate of 6% per annum. Producers with unpaid permit fees shall be prohibited from obtaining any further annual permit renewals and may have unpaid fees re-levied to property owner's tax bills to be collected in the same manner as property taxes.

§ 176-18.6. Notice of violations.

In addition to all other remedies available to it, the Town shall have the right to issue a NOV(s) and/or impose a monetary penalty(ies), as hereinafter set forth, for a violation of any requirements of this article. The following factors shall be considered in imposing any and all monetary penalties:

A. Damage to the air, water and land of the Town and surrounding the Town.

B. Damage and/or harm to the POTW and/or its personnel.

C. Past violations and compliance history.

D. Producer's willingness and efficiency to comply; response to the NOV in a timely manner; notification to the Town; and quick, effective corrective action to eliminate the noncompliance.

E. Magnitude of the violation.

§ 176-18.7. Types of violations and penalties.

The following is a schedule of violations and maximum penalties to be assessed. Payment must be paid within 30 days of the date on which the FOG Administrator mails a bill to the producer. Bills remaining unpaid after such thirty-day period will be charged interest at the rate of 6% per annum. Producers with unpaid permit fees shall be prohibited from obtaining any further annual permit

renewals and may have unpaid fees re-levied to property owner's tax bills to be collected in the same manner as property taxes.

- A. Failure to clean oil and grease interceptor/grease trap (first offense): NOV.
- B. Failure to clean oil and grease interceptor/grease trap (second offense) according to schedule: NOV plus a \$250 penalty.
- C. Failure to clean oil and grease interceptor/grease trap (third offense and thereafter) according to schedule: NOV plus a \$500 penalty for every day the cleaning is not completed.
- D. Failure to clean oil and grease interceptor/grease trap four or more times within a twelve-month time period: NOV plus a \$1,000 penalty and the revocation of the producer's permit.
- E. Failure to keep and maintain cleaning log with necessary hauling manifests (first offense): NOV plus a \$100 penalty.
- F. Failure to keep and maintain cleaning log with necessary hauling manifests (second offense): NOV plus a \$200 penalty.
- G. Failure to keep and maintain cleaning log with necessary hauling manifests (third offense and thereafter): NOV plus a \$300 penalty.
- H. Failure to keep and maintain cleaning log with necessary hauling manifests four or more times within a twelve-month time period: NOV plus up to a \$500 penalty and the revocation of the producer's permit.
- I. Overflow of oil and grease interceptor/grease trap: NOV plus a penalty to be assessed by factors set forth in this article, plus the violator will be liable for the entire cost of cleanup of site.
- J. Failure to notify FOG Administrator of overflow immediately: NOV plus a \$1,000 penalty. Within five days, an overflow report must be submitted to the FOG Administrator.
- K. Failure to submit FOG overflow report within five days to FOG Administrator: NOV plus a \$250 penalty.
- L. Deliberately pouring FOG into the sewer system, including pouring anything that will wash out the oil and grease interceptor/grease trap: NOV plus a \$5,000 penalty.
- M. Discharging more than 100 mg/l of fats, oil and grease: NOV plus a \$100 penalty.

§ 176-18.8. Rules and regulations.

The FOG Administrator shall have the power to establish additional appropriate rules and regulations for the administration and enforcement of the provisions of the FOG Program.

§ 176-18.9. Construction; severability.

In the event any provision, section, sentence, clause or part of this article shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this article, it being the intent of the Town Board that such remainder shall be and shall remain in full force and effect.

§ 176-18.10. Additional remedies.

Any producer which refuses or fails to comply with any of the provisions of this article, in addition to the enforcement proceedings, fines, and penalties set forth in this article may suffer discontinuance of water service and/or shall be subject to all other remedies available to the Town

at law, or in equity, or both. Each owner of a regulated facility shall be deemed to have joint and severable liability and responsibility under the provisions of this article.

§ 176-18.11. Severance.

The invalidity of any word, section, clause, paragraph, part or provision of this article shall not affect the validity of any other part of this article which can be given effect without such invalid part of parts.

§ 176-18.12. When effective.

This article shall take effect immediately upon filing with the Secretary of State.

Part 2. **Sewer Rents**

Article VI. **General Provisions; Units of Use; Payment; Penalties.**

§ 176-19. Legislative intent.

A. It is the intention of the Town Board of the Town of Stony Point, by the adoption of this Part 2, to establish and impose sewer rents in accordance with the provisions of the Town Law and of the General Municipal Law and any other applicable law.

B. New sewer users (new construction or conversion from private to public sewerage) are required to petition the Town Board for authorization to have their parcel included in the established sewer district(s). Petitioner shall be responsible for an application fee in accordance with the adopted fee schedule and a publication fee to accommodate the necessary public hearing. Additionally, Petitioner is also responsible to pay a one-time connection fee in accordance with the adopted fee schedule. The connection fee is separate from the sewer permit and sewer inspection fees. Connection fees are collected for future improvements to the public sewer system.

§ 176-20. Definitions.

As used or referred to in this Part 2, unless a different meaning clearly appears from the context, the following words shall have the meanings herein indicated:

DISTRICT

Any sewer district created by the Town Board or any extension of such district.

SEWER SYSTEM

All sewer pipes and other appurtenances constructed, operated and maintained by the district and used for the collection, treatment and disposal of sewage, industrial waste and other wastes, including sewers, intercepting sewers, outfall sewers, pumping, treatment and disposal works and their appurtenances.

SEWER RENTS

A scale of annual charges established and imposed by the Town Board for the use of the sewer system.

UNITS OF USE

The quantity of usage of the sewer system assigned to different classifications of real property in the district.

USER

Any owner of real property within the district who is depositing or is required to deposit sewage, either directly or indirectly, into the sewer system of the district.

§ 176-21. Schedule of units of use.

The basis of the charge for sewer rents to be paid by the users shall be determined from the following schedule of units of use:

Classification of Property	Units of Use
1-family dwelling	1
Each separate apartment in a 2-family, 3-family or multiple dwelling	1
Garbage disposal unit, each disposal	1
Indoor pool (in a dwelling)	2
Launderette in apartment house, each 2 washing machines	1
Mobile home	1
Combination 1-family home with a professional or business office, owner-occupied	1-1/2
Hotel or motel	
No meals, each 4 rooms or part thereof	1
American plan with meals, each 2 rooms	1
Indoor pool (in a business or multi-family)	2
Office, with 5 occupants or fewer	1
Store, with 5 occupants or fewer	1
Commercial establishment, with 5 occupants or fewer ("Occupants" are defined as owners, managers or employees.)	1
For each additional 5 occupants or part thereof	1
Industrial plant, each 5 occupants or part thereof, plus an additional charge for effluent, based on quantity and quality as determined by the Sewer Supt.	1
Launderette, each 2 washing machines	1
Laundry	(based on capacity as determined by the Sewer Supt.)
Car laundry	(based on capacity as determined by the Sewer Supt.)
Bar and grill	3
Luncheonette	
Open less than 14 hours per day	3
Open more than 14 hours per day	6
Restaurant	
Small, 20 seats or fewer	3
Medium, 21 to 75 seats	4
Large, over 75 seats	5
With bar	Add 3
School, public, private or parochial	
Elementary, each 20 pupils	1
Junior high school, each 17 pupils	1
Senior high school, each 14 pupils	1
College	
Each 17 day students	1
Each 25 evening students	1
Each 8 resident students (where dormitories are available)	1
Church, synagogue or temple (including Sunday school)	
Small congregation, under 100 families	1
Medium congregation, 101 to 250 families	2
Large congregation, 250 families	3
For part-time weekday school	Add 1
Drive-in theater, each 40 car spaces or part	1
Theater, each 60 seats or part	1
Bowling alley, each 2 lanes	1
Hospital, each 4 beds	3
Convalescent home, each 2 beds	1
Service station, without car wash	2

Classification of Property	Units of Use
Beauty shop	
Fewer than 3 employees and/or owners	1
3 through 5 employees and/or owners	2
6 or more employees and/or owners	3
Firehouse	1
Post office, each 5 employees or part thereof	1

§ 176-22. Annual sewer rent.

There is hereby established and imposed an annual sewer rent on all users, to be determined by multiplying the unit charge times the number of units assigned to each user based upon the schedule of units of use in § 176-21 of this Part 2. The unit charge shall be established annually by the Town Board at the time of the adoption of the Town budget.

§ 176-23. Date of payment; lien date; penalties and interest.

All sewer rents shall become due and be payable at the same time and in the same manner as other Town charges. Sewer rents shall constitute a lien upon the real property of the users on the first day of January in each year. Penalties and interest for sewer rents in arrears shall be imposed and collected in the same amounts and in the same manner as they are imposed on other Town charges.

§ 176-24. Prorated rent.

Anything to the contrary notwithstanding in this Part 2, if a property owner in the district becomes a user, as defined herein, between the first day of January and the 31st day of October in any year, the sewer rent for such year shall be prorated for the number of months commencing with the month in which such owner becomes a user and ending with the last month of such year.

§ 176-25. Sewer Rent Fund.

Revenue derived from sewer rents, including penalties and interest, shall be credited to a special fund, to be known as the “Sewer Rent Fund,” and moneys in such fund shall be used as provided by law.

Section 5. State Environmental Quality Review Act.

Pursuant to 6 NYCRR 617.5 (26) and (33) this Local Law is classified as a Type II action which requires no further review under the State Environmental Quality Review Act.

Section 6. Severability.

If a court of competent jurisdiction determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 7. Inconsistency.

All other local laws and ordinances of the Town of Stony Point that are inconsistent with the provisions of this local law are hereby repealed; provided, however, that such repeal shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered by this local law.

Section 8. Code Preparation.

The Town's Code preparation contractor is authorized, without further action of the Town Board, to correct typographical errors, numbering and other related technical changes that do not affect or alter the substantive provisions of this local law.

Section 9. Effective date.

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the New York Municipal Home Rule Law.

Approve for Judge Franks to Attend NYS Magistrates Association

A motion was made by Supervisor Monaghan, seconded by Councilman Rose and unanimously carried by a voice vote of those board members present to approve the request from Judge William Franks to attend the NYS Magistrates Training Conference from September 22nd-25th at a cost to the town of \$875.00.

Approve Employee Retirement Payout

A motion was made by Supervisor Monaghan, seconded by Councilman Puccio and unanimously carried by a voice vote of those board members present to approve the employee retirement payout to Peter Kassell as presented by the finance department.

Approve Sponsorship for Helen Hayes Hospital Foundation

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 sponsorship for Helen Hayes Hospital Foundation for their 13th Annual Charity Golf Outing in the amount of \$500.00 as a Welcome Sponsor.

Approve Hire of Grounds Worker – Parks Dept

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 hire of Andrew Roff to groundworker, grade 11 as per CSEA Contract.

Approve Hire of Recreational Assistant-Seasonal

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 hire of Karolyn Costin to a seasonal Recreation Assistant at a rate of pay of \$20 per hour.

Approve Adjusted Base Proportions

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 Homestead Base and Adjusted Base Proportions for 2024 as presented by William Beckman, Assessor and on file in the Town Clerk's Office.

Add-On:

Authorize Supervisor to Appoint Chief Operator-WWTP

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 Supervisor Monaghan to appoint Jared Maloney to Chief Operator and System Supervisor for the WWTP at a salary of \$90,000 per year. Contingent on approval from Rockland County Personnel.

ADJOURN

At 7:26pm a motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present to close the July 9, 2024 Town Board Meeting. No further votes were taken.

Respectfully submitted.
Megan Carey, Town Clerk