

STONY POINT TOWN BOARD MEETING – OCTOBER 10, 2017

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, October 10, 2017 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 lead the group in the Pledge of Allegiance.

Town Clerk Joan Skinner called the following roll:

PRESENT:	Mr. Thomas Basile	Councilman
	Mr. Karl Javenes	Councilman
	Mr. James White	Councilman
	Mr. Michael Puccio	Councilman
	Mr. James Monaghan	Supervisor

PUBLIC INPUT

Lillie Ann Wilson

- Thanked everyone involved with the banner program to honor our veterans.
- Would like to sell memorial bricks for the dog park at a cost of \$50.00 per brick and use the proceeds for planters to be placed around the benches along Route 9W. She will be working with Councilman Basile on this project.

Greg Jullian

- Asked if the Board would consider holding public input at the end of the meetings so that items that are discussed during the meetings could be brought up.
- Asked if the Town Board had the authority to have the Planning Board hold public input.
- Memorandum from the Town Planner regarding the solar energy fields mentioned a building that has not been approved and in his opinion, should not be approved.

George Potanovic

- Last Planning Board meeting the acting chairman attempted to limit the time for public input.
- Having difficulty with his phone service from Optimum.

PURCHASE ORDER REQUEST

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

Buildings & Grounds:		
PO#3030	Berry Burners of Nyack	\$3,165.00
Golf Course:		
PO#3031	National Irrigation	\$1,600.00
Highway Department:		
PO#3030	The Gorman Group	\$7,800.00

AUDIT OF BILLS

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

General – October 10, 2017

<u>FUND</u>	<u>CLAIM #</u>	<u>FUND TOTAL</u>
General	1147-1227	\$ 214,316.15

<u>Highway</u>	357-385	\$	36,314.13
<u>Sewer</u>	303-319	\$	17,969.38
<u>Special Districts</u>			
Ambulance	24-24	\$	28,729.75
Enterprise	354-379	\$	19,111.94
Solid Waste	21-22	\$	3,278.08

MINUTES – 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 minutes of September 26, 2017.

CORRESPONDENCE - NONE

SUPERVISOR’S REPORT - Supervisor Monaghan indicated that:

- Veteran Tribute Banners –there was an overwhelming response to this program and that it will be opened again in the spring. He again thanked everyone who worked on the project.
- Free Paper Shredding – Rockland County Solid is sponsoring a free paper shredding event on Oct 14th from 8-12 in front of Kirkbride Hall. Since October is Hunger Awareness month, we are asking that everyone bring nonperishable food items to the event to share with the North Rockland Food Pantry.
- Wayne Hose Fire Prevention - October 14th Wayne Hose is holding their annual fire prevention open house.
- Halloween Spooktacular – Recreation Dept is sponsoring their annual Halloween event on Friday, Oct. 27th starting at 6 pm.

AMBULANCE CORP. REPORT – Kathy Leroy, President of the Ambulance Corp reported that there was no report available.

POLICE DEPARTMENT REPORT/BUSINESS

Chief Moore read the following report:

Police Department Report for the Month of September 2017

Number of calls for service:	804	
Number of reported accidents:	37	
Number of arrests:	62	
(8)Felonies	(39) Misdemeanors	(15) Violations
Fuel usage:	1119.0 gallons	
Sum total of all traffic enforcement action:	214	
Number of Youth Officer sponsored events:	6	
Number of child safety seat installations:	55	
Car Seat Event HHH with HTPD & RCSO		
Number of commercial vehicle enforcement details:	1	
Number of traffic/special enforcement details:	2	
DWI Enforcement details (2)		
Number of training hours:	160 hrs	
Total fees collected:	\$53.00	
(Foil \$3.00, Prints \$20.00, and Reports \$30.00)		

Miscellaneous:

Youth events: (1) PAL meeting, Fall Festival with approx 1500 people in attendance, (4) NR Youth Police Academy sessions, and continued security checks of our schools.

Chief Moore’s Time Record

A motion was made by Councilman Basile, seconded by Supervisor Monaghan and **unanimously carried** by a voice vote of all board members present, to approve Chief Moore’s time record for the month of September 2017 as presented.

Overtime and Sick Leave Reports

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 the overtime and sick leave reports as presented for the month of September 2017.

Car Larcenies – Chief Moore advised that there have been a rash of car larcenies lately and usually these occur when vehicles are left unlocked, however, this time the targeted vehicle have been ones that are locked.

Stony Point Police Department 50th Anniversary Celebration – luncheon on Oct 29th from 1-5 pm at Patriot Hills Catering Hall. All are welcomed to attend. Tickets are \$25 in advance and \$30 at the door.

Golf Course Report

The following report was presented for September 2017:

- Green Fees \$164,040.01
- ID Cards \$90.00
- Merchandise \$12,750.41
- Range Fees \$8,170.00
- Club Rental \$452.06
- Total \$185,502.48

Patriots Day – on September 16 & 17 Patriots Day was held which is an annual event that is run nationwide. \$4,500 was raised and split between two groups; Met PGA Hope and Folds of Honor. Many thanks to all those who helped to make this event a success again this year, especially Bob Marino and Mary Cavanaugh.

DEPARTMENTAL REPORTS

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

Architectural Review Board

From: 09/01/2017	To: 09/30/2017
Applications Received	
Site Plan	1
Solar Panels	4
Applications Approved	
Solar Panels	3
Applications Pending	
Site Plan	1
Solar Panels	1
Fees Collected:	\$500.00
Money in Lieu of Land	\$0.00
Submitted by the ARB clerk	

Building & Zoning Department

September 2017

Applications Received	38
Applications Returned/Withdrawn	1
Applications Denied	1
Building & Blasting Permits Issued	26
Applications Pending	43
Certificate of Occupancy	15
Certificate of Compliance	6
Fees Collected	\$14725.00

Dog Control Officer

September 2017

Dogs seized and sheltered	1
Dogs returned to owner	1
Number of complaints received	5

Miles traveled patrolling the Town
and transporting dogs 18

Fire Inspector

September 2017	Month	Total
Inspections Performed	40	197
Field Correction Issued	5	44
Violations Issued	0	0
Violations Outstanding	0	0
Permits Issued	0	0
Requests by Police Dept.	0	4
Requests by Fire Dept.	3	44
Fires Investigated	1	6

Planning Board

From: **09/01/2017** To: **09/30/2017**

Applications Received	
Subdivision-Minor	1
Applications Approved	0
Applications Pending	
Amended Subdivision	1
General Category	2
Informal Discussion	1
Lot Line Change	1
Site Plan	7
Subdivision-Minor	1
Fees Collected:	\$1,040.00
Money in Lieu of Land	\$0.00

Submitted by the Planning Board Clerk

Sewer Department

Unavailable due to illness

Zoning Board of Appeals

09/01/2017 to 09/30/2017

Applications Received	
Appeal	1
Area Variance	1
Applications Returned/Withdrawn	0
Applications Closed	0
Applications Pending	
Appeal	1
Area Variance	1
Fees Collected	\$360.00

Town Clerk

September 2017

Amount Paid To NYS Agriculture & Markets	
For Spay/Neuter Program	\$ 37.00
Amount Paid To NYS Health Dept. For Marriage Licenses	\$ 247.50
Amount Paid To NYS Dept. Of Environmental Conservation	\$ 3,732.98
Amount Paid To Supervisor	\$ <u>2,011.34</u>
TOTAL AMOUNT REMITTED	\$ 6,028.82

PUBLIC HEARINGS:

Continued Public Hearing – Zone Change – Solar Fields – Written Comments Only

Supervisor Monaghan advised that our Engineer and Attorney are reviewing the written comments received.

Action

A motion was made by Supervisor Monaghan, seconded by Councilman White and **unanimously carried** by a voice vote of those board members present to continue the public hearing for written comments only to the November 14th Town Board Meeting.

Proposed Local Law Tax Levy Override

The following Public Notice was properly posted:

**TOWN OF STONY POINT
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that on 10th day of October, 2017, at 7:00 p.m., or as soon thereafter as the matter can be heard, a Public Hearing will be held before the Town Board of the Town of Stony Point, New York, at the Rho Building, located at 5 Clubhouse Lane, Stony Point, New York, to consider a Local Law, authorizing a property tax levy in excess of the limit established in General Municipal Law § 3-c. The purpose of this Local Law is to allow the Town of Stony Point to override the limit on the amount of real property taxes that may be levied by the Town of Stony Point and to adopt a budget for the fiscal year commencing January 1, 2018 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

The full text of the proposed Local Law is on file in the Town Clerk's Office, 74 East Main Street, Stony Point, New York, and may be obtained by any interested parties from 8:30 AM to 4:00 PM, Monday through Friday.

By Order of the Town Board dated September 26, 2017.

Joan Skinner - Town Clerk - October 5, 2017

Action

At 7:32 pm a motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to open the public hearing.

Supervisor Monaghan presented a very brief overview of the reason for this public hearing and proposed local law.

William Beckman, Assessor gave an overview of the process used for determining tax rates in Stony Point. At present there is a 5% increase in the tax levy but a 0% increase in residential tax rates and a decrease in the tax rate for commercial. This is because our tax base has risen substantially.

There would be no penalty to homeowners or the Town if we go override the tax levy limit. The only rebate this year is for STAR and that's related to school taxes, not town taxes.

Supervisor Monahan commended every department head for doing more with less.

Councilman White asked if the Town goes over the tax cap does it affect any other programs, grants, etc.

Brian Nugent, Special Counsel advised that there are no consequences to the Town or to the tax payers, regarding any rebates because those programs are either expired or do not affect the Town but rather the school district. Spoke with the Comptroller's Office this morning and was advised that there are no adverse or negative affects to the tax payer.

Councilman Basile recapped by saying that the vote taken tonight is not to override the tax cap; it gives us the ability to override it if necessary as we continue to move thru the budget process.

Brian Nugent, Special Counsel

This is done as a precaution unless you are abundantly clear that you are not exceeding the cap.

Public Input

Lou Silver, 136 West Main St. inquired about the assessment on the pipeline.

George Potanovic, Old Gate Hill Rd. spoke about the values of properties along the pipeline.

Susan Filgueras, Tomkins Cove asked how CSX Railroad and electric lines running under Rt. 9W would be taxed.

Deirdre O'Connor, 3 Cross St., thanked the Town for keeping the taxes down and spoke of the need for the town and school district to start functioning as one community.

John Gazzola, Liberty Ridge spoke about the proposed CHPE line, agreeing with the Rockland County Times editorial to leave the line in the river.

Gregg Jullian – Tomkins Cove having been a former school member, spoke with current members and the statement that the district will be bankrupt soon is frivolous.

Close Public Hearing

At 8:12 pm a motion was made by Supervisor Monaghan, seconded by Councilman Basile and unanimously carried by a voice vote of those board members present to close this public hearing.

Resolution - Proposed Local Law Tax Levy Override

The following resolution was duly offered by Supervisor Monaghan, seconded by Councilman Puccio and **carried by a voice vote of those board members present, with Councilman White voting no;** to wit:

RESOLUTION 2017/18

RESOLUTION OF THE TOWN BOARD FOR THE TOWN OF STONY POINT, NEW YORK ADOPTING LOCAL LAW NO. 3 OF 2017 AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-C

WHEREAS, the Town Board of the Town of Stony Point, New York (“Town Board”) duly noticed a public hearing held on October 10, 2017; and

WHEREAS, the Town Board solicited public comment during a public hearing held on October 10, 2017; and

WHEREAS, the purpose of this Local Law is to authorize the Town Board to override the limit on the amount of real property taxes that may be levied by the Town and to further allow the Town Board to adopt a budget for the fiscal year commencing on January 1, 2018 that requires a real property tax levy in excess of the tax levy limit in accordance with General Municipal Law § 3-c.

NOW, THEREFORE, BE IT RESOLVED that:

Section 1. The above “WHEREAS” paragraphs are incorporated herein by reference.

Section 2. The Local Law Authorizing A Property Tax Levy In Excess of The Limit Established in General Municipal Law § 3-C as attached hereto as Schedule “A” be and hereby is adopted as Local Law No.3 of 2017 of the Town of Stony Point on October 10, 2017.

Section 3. The Town Board hereby directs the Town Clerk to take all steps to process and file said Local Law as amended.

Section 4. This Resolution shall be effective immediately.

Local Law No. 3 of 2017

**TOWN OF STONY POINT
LOCAL LAW NO. 3 OF 2017**

**A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE
LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-C**

BE IT ENACTED by the Town Board of the Town of Stony Point, Rockland County, New York (“Town Board”) as follows:

Section 1. Legislative Intent.

It is the intent of this Local Law to override the limit on the amount of real property taxes that may be levied by the Town of Stony Point (“Town”) and to allow the Town to adopt a budget for the fiscal year commencing January 1, 2018 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section 2. Authority.

This Local Law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the Town to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override.

The Town Board is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2018 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law § 3-c.

Section 4. 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 5. Effective date.

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

PRESENTATION – ROSE MEMORIAL LIBRARY

Library Director James Mahoney and Trustees Jennifer Lima and Christina Mendara gave a presentation to the Town Board regarding the Library’s proposed plan to purchase the former school building on West Main Street as the new site for the library. Audience members, Town Board members and Library personnel engaged in conversation and discussions regarding the proposal.

Create Position of Code Enforcement Officer 1

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to create the position of Code Enforcement Officer 1.

Hire Park Attendants

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to hire Elizabeth Fox and Ashley Morales as Park Attendants at \$9.70 per hour effective October 7, 2017.

Create Position Senior Groundswoker (Non-Competitive)

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to create the position of Senior Groundswoker (non-competitive) in the Parks Department at the rate of \$23.60 per hour.

Amend Purchase Order #3021

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to amend Purchase Order #3021 that was approved by the Town Board on September 12, 2017 and issued to Dykes Lumber in the amount of \$20,488.98. The actual amount of the purchase order was \$19,998.45.

Review 2018 Tentative Budget

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to adjust the 2018 Tentative Budget as presented on September 26, 2017 by increasing revenue by \$108,000 and taking \$225,000 from the General Fund Reserve.

Set Public Hearing – 2018 Preliminary Budget

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to set a public hearing for the Preliminary Budget for October 24, 2017 at 7:00 pm.

EXECUTIVE SESSION

At 9:30 pm a motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to adjourn to executive session to discuss financial obligations with the ambulance corp. No further votes will be taken.

ADJOURN

The October 10, 2017 Stony Point Town Board meeting adjourned at 10:30 pm and no additional votes were taken.

Respectfully submitted

Joan Skinner, Town Clerk