

STONY POINT TOWN BOARD MEETING – January 23, 2024

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, January 23, 2024 at 7:00 pm at the Stony Point Community Center, 19 Clubhouse Lane, Stony Point, NY. Supervisor Monaghan opened the meeting in memory of Robert Eugene Smith. Robert was an ex-Chief and life member of Wayne Hose Fire Company in Stony Point, serving 63 years. 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
	Paul Joachim	Councilman
	Todd Rose	Councilman
	James Monaghan	Supervisor
	Brian Nugent	Attorney

Supervisor Monaghan invited George Mulligan to the dais to present him with a Certificate of Recognition. George retired from the Stony Point Fire District having served 42 years as Treasurer.

SUPERVISOR’S REPORT

Supervisor Monaghan reported on the following:

- There was an issue with the mailing house the Town uses, so many residents did not receive their tax bills. The tax bills are readily available at the Receiver of Taxes Offices.
- The Champlain Hudson Power Express is planning to hold a public forum in the near future. The 9W project will start in Clarkstown and work it’s way north to Stony Point.
- This year marks the 25th anniversary of the Stony Point Seals’ Polar Plunge Fundraiser in Grassy Point on February 11, 2024, 10am to 2pm. This year’s recipients are Elijah Torres, age 5, suffering from Bain-bridge Ropers Syndrome and Kayden Germosen, age 3, suffering from Prune Belly Syndrome.

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#3704	Plant Food Company	\$35,560.23
Golf Course: PO#3698	ID Shop	\$2,018.22
Police Dept: PO#3667	BuyShade.Com	\$2,2024.00

AUDIT OF BILLS – A motion was made by Councilman Puccio, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to approve the following bills as presented for payment:

<u>FUND</u>	<u>CLAIM#</u>	<u>FUND TOTAL</u>
<u>General</u>	62-114	\$95,600.70
<u>Cap Projects</u>	10-13	\$156,886.05
<u>Highway</u>	26-43	\$33,673.12

<u>Sewer</u>	25-33	\$20,417.01
<u>Special District</u>		
Enterprise	15-20	\$6,909.12
Sewer Cap Projects	2	\$14,620.00
Solid Waste	2	\$2,116.56
Street Light	1	\$222.38
Ambulance	1-3	\$54,405.36

MINUTES - 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 minutes of January 9, 2024, Town Board Meeting.

CORRESPONDENCE - None

PUBLIC INPUT

George Potanovic-597 Old Gate Hill Rd., SPACE Pres., questioned the following:

- Amendments that will be discussed at the public hearing, February 13, 2024, in Chapter 215 (Zoning).
- The Article 78 served on the town by 111 S. Liberty
- CHPE public forum

Open Continued Public Hearing-Senior and Disabled Exemptions

At 7:18pm 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 public hearing for the Senior and Disabled Exemptions.

No Public Input

Close Public Hearing-Senior and Disabled Exemption

At 7:19pm a motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to close the public hearing for Senior and Disabled Exemptions.

Resolution Adopting Exemption Schedule Pursuant to Town Code § 194,

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

The following resolution was duly offered and seconded to wit:

**RESOLUTION 2024/4
RESOLUTION AMENDING CHAPTER 194, ARTICLE I (SENIOR CITIZENS EXEMPTION) AND ARTICLE IV (EXEMPTION FOR DISABLED PERSONS) OF THE TOWN CODE OF THE TOWN OF STONY POINT, NEW YORK**

WHEREAS, the Town Board desires to amend its local laws from time to time as necessary to be consistent with state law and best practices; and

WHEREAS, certain amendments have been made to the New York State Real Property Tax Law (“RPTL”) Section 467 concerning Senior Citizen and Disabled Persons Tax Exemptions; and

WHEREAS, the Town Board desires to amend Chapter 194, Article I (Senior Citizens Exemption) and Article IV (Exemption for Disabled Persons) of the Town Code

which concerns exemptions in order to be consistent with New York State RPTL Section 467 and to act upon options that may be available to the Town under that statute.

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

- Section 1. The above “WHEREAS” clauses are incorporated herein as if set forth in full.
- Section 2. The Town Board hereby adopts Local Law 1 of 2024 entitled, A LOCAL LAW AMENDING CHAPTER 194, ARTICLE I (SENIOR CITIZENS EXEMPTION) AND ARTICLE IV (EXEMPTION FOR DISABLED PERSONS) OF THE TOWN CODE OF THE TOWN OF STONY POINT, NEW YORK.
- Section 3. The Town Supervisor and any officer, employee or consultant as directed by the Town Supervisor is hereby authorized to take any and all actions necessary to carry out the provisions of this Resolution.
- Section 4. This Resolution shall be effective immediately.

TOWN OF STONY POINT

LOCAL LAW NO. 1 OF 2024

AMENDING CHAPTER 194, ARTICLE I (SENIOR CITIZENS EXEMPTION) AND ARTICLE IV (EXEMPTION FOR DISABLED PERSONS) OF THE TOWN CODE OF THE TOWN OF STONY POINT, NEW YORK

A LOCAL LAW to amend Chapter 194 (Senior Citizens Exemption), Article I and Article IV (Exemption for Disabled Persons) of the Town Code to amend language of the Town Code to reflect changes in State Law and to exercise options pursuant to Section 467(3)(iv)(3) and 459-c (5) of the Real Property Tax Law of the State of New York.

BE IT ENACTED AS FOLLOWS:

Section 1. Authority.

This Local Law is enacted pursuant to the provisions of Section 467(3)(iv)(3) and 459-c of the Real Property Tax Law of the State of New York and the New York State Municipal Home Rule Law § 10.

Section 2. Title and Purpose.

This law shall be known as and may be cited as “Local Law No. 1 of 2024” and is enacted to amend language of the Town Code to reflect changes in State Law and exercise a local option regarding inclusion of individual retirement account income in determining tax exemptions under New York State Real Property Tax Law § 467 (Persons sixty-five years of age or over) and § 459-c (Persons With Disabilities and Limited Incomes).

Section 3. Amendment, Chapter 194, Article I (Senior Citizens Exemption).

Article I of Chapter 194 of the Town Code (Senior Citizens Exemption) shall be repealed and replaced as follows:

Article I. Senior Citizens Exemption.

§ 194-1 Intent.

The Town Board of the Town of Stony Point, ever mindful of its responsibilities and obligations to provide for the welfare and financial independence of the senior citizens of this community, intends, by this article, to provide for the protection of the elderly low-income homeowner from the increased cost of living. It is the intention of the Town Board of the Town of Stony Point to provide tax exemptions of real property to certain of our qualifying senior citizens so as to better enable them to enjoy their retirement.

§ 194-2 Exemption Stated.

In accordance with Real Property Tax Law § 467, real property in the Town of Stony Point owned by a married couple or by siblings, one of whom is sixty-five years of age or over or real property owner by one or more persons, some of whom qualify under this section and others whom qualify under NYS Real Property Tax Law § 459-c (disability exemption) shall be exempt from taxation by the Town of Stony Point to the extent of the assessed valuation as established from time to time by resolution of the Town Board following a public hearing, upon compliance with provisions of this article, for the fiscal year for which an application is filed. For the purposes of this section, the term "sibling" shall include persons whose relationship as siblings has been established through either half blood, whole blood or adoption.

§ 194-3 Statutory Qualifications.

In order to qualify for an exemption, the following requirements must be met:

- A. All the owners of the real property must be 65 years of age or over on the date the application is filed, except where the property is owned by a married couple or by siblings (half-blood, whole blood or adoption), one of whom is sixty-five years of age or over.
- B. Title to the property shall have been vested in the owners of the property for at least 12 consecutive months prior to the date of the application.
- C. The property must be used exclusively for residential purposes and be occupied in whole or in part by the owner or owners and be their legal residence.
- D. "Income tax year" shall mean the twelve-month period for which the owner or owners filed a federal personal income tax return for the year before the income tax year immediately preceding the date of application. For taxpayers whose income tax returns are filed on the basis of a fiscal year rather than a calendar year, the applicable income tax year shall be the most recent fiscal year for which an income tax return has been filed. If no return was filed for the applicable income tax year, the applicant's income shall be determined based on the amounts that would have been reported if such a return had been filed. If such income does not exceed said sum so established, then the real property shall be exempt from taxation by the Town to the extent established by such schedule. Where title is vested in a married person the combined income of such person and such person's spouse may not exceed such sum, except where one spouse or ex-spouse is absent from the property as provide in NYS Real Property Tax Law § 467, then only the income of the spouse or ex-spouse residing on the property shall be considered and may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of capital asset in the same income tax year, net rental income, salary or earnings, veterans disability compensation and net income from self-

employment, but shall not include a return of capital, gifts, inheritances, payments made to individuals because of their status as victims of Nazi persecution, as defined by law, or monies earned through employment in the Federal Foster Grandparent Program. In computing net rental income from self-employment, no depreciation deduction shall be allowed for the exhaustion or wear and tear of real or personal property held for the production of income.

§ 194-4 Conditions of exemption; amount.

No exemption shall be granted:

- A. If the income of the owner or the combined income of the owners of the property for the applicable income tax year preceding the date of making application for exemption exceeds the sum established in the schedule as adopted by the Town Board and on file in the Town offices. "Income tax year" shall mean the twelve-month period for which the owner or owners filed a federal personal income tax return for the year before the income tax year immediately preceding the date of application. For taxpayers whose income tax returns are filed on the basis of a fiscal year rather than a calendar year, the applicable income tax year shall be the most recent fiscal year for which an income tax return has been filed. If no return was filed for the applicable income tax year, the applicant's income shall be determined based on the amounts that would have been reported if such a return had been filed. If such income does not exceed said sum so established, then the real property shall be exempt from taxation by the Town to the extent established by such schedule. Where title is vested in a married person the combined income of such person and such person's spouse may not exceed such sum, except where one spouse or ex-spouse is absent from the property as provide in NYS Real Property Tax Law § 467, then only the income of the spouse or ex-spouse residing on the property shall be considered and may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of capital asset in the same income tax year, net rental income, salary or earnings, veterans disability compensation and net income from self-employment, but shall not include a return of capital, gifts, inheritances, payments made to individuals because of their status as victims of Nazi persecution, as defined by law, or monies earned through employment in the federal Foster Grandparent Program. In computing net rental income from self-employment, no depreciation deduction shall be allowed for the exhaustion or wear and tear of real or personal property held for the production of income.
- B. Unless the title of the property shall have been vested in the owner or all of the owners of the property for at least 12 consecutive months prior to the date of making application for exemption.
 - (1) In the event of a transfer by a married person to such person's spouse of all or part of the title to the property, the time of ownership by the transferor spouse shall be deemed also a time of ownership by the transferee spouse and such ownership shall be deemed continuous for the purposes of computing such period of twelve consecutive months; and provided, further, that where property of the owner or owners has been acquired to replace property formerly owned by such owner or owners and taken by eminent domain or other involuntary proceeding, except a tax sale, the period of ownership of the former property shall be combined with the period of ownership of the property for which application is made for exemption, and such periods of ownership shall be deemed to be consecutive for purposes of this section.
 - (2) Where a residence is sold and replaced with another within one year and both residences are within the state, the period of ownership of both properties shall be deemed consecutive for purposes of the exemption from taxation by the Town of Stony Point.
- C. Unless the property is used exclusively for residential purposes, provided however, that in the event any portion of such property is not so used exclusively for residential purposes but is used for other purposes, such portion shall be subject to taxation or PILOT and the remaining portion only shall be entitled to the

exemption provided by this section.

- D. Unless the real property is the legal residence of and is occupied in whole or in part by the owner or by all of the owners of the property, except where, (i) an owner is absent from the residence while receiving health-related care as an inpatient of a residential health care facility, as defined in section twenty-eight hundred one of the public health law, provided that any income accruing to that person shall only be income only to the extent that it exceeds the amount paid by such owner, spouse, or co-owner for care in the facility, and provided further, that during such confinement such property is not occupied by other than the spouse or co-owner of such owner; or, (ii) the real property is owned by a married person or a married couple, or by a formerly married person or a formerly married couple, and one spouse or ex-spouse is absent from the residence due to divorce, legal separation or abandonment and all other provisions of this section are met provided that where an exemption was previously granted when both resided on the property, then the person remaining on the real property shall be sixty-two years of age or over.

§ 194-5 Income Defined.

The term “income” as used herein shall mean the “adjusted gross income” for federal income tax purposes as reported on the applicant’s federal or state income tax return for the applicable income tax year, subject to any subsequent amendments or revisions, plus any social security benefits not included in such federal adjusted gross income; provided that if no such return was filed for the applicable income tax year, the applicant’s income shall be determined based on the amounts that would have so been reported if such a return had been filed; and provided further, that when determining income for purposes of this section, the following conditions shall be applicable:

- A. Any social security benefits that were not included in the applicant’s federal adjusted gross income shall be considered income; and
- B. Distributions received from an individual retirement account or individual retirement annuity that were included in the applicant’s federal adjusted gross income shall be considered income; and
- C. Income shall not be offset by medical and prescription drug expenses actually paid that were not reimbursed or paid for by insurance; and
- D. Any tax-exempt interest or dividends that were excluded from the applicant’s federal adjusted gross income shall be considered income; and
- E. Any losses that were applied to reduce the applicant’s federal adjusted gross income shall be subject to the following limitations:
 - 1. The net amount of loss reported on Federal Schedule C, D, E, or F shall not exceed three thousand dollars per schedule,
 - 2. The net amount of any other separate category of loss shall not exceed three thousand dollars, and
 - 3. The aggregate amount of all losses shall not exceed fifteen thousand dollars.

§ 194-6 Application procedure.

Application for such exemption must be made by the owner or all of the owners of the property on forms to be furnished by the Town Assessor’s office. The annual application shall furnish the information and be executed in the manner required or prescribed in such forms and shall be filed in such Assessor’s office on or before March 1st of each year.

§ 194-7 Penalties for offenses; willful false statement.

Any conviction of having made any willful false statement in the application for such exemption shall be punishable by a fine of not more than \$250 and shall disqualify the applicant or applicants from further exemption for a period of five years.

§ 194-8 Applications to be filed annually.

Applications must be filed annually for such exemption on forms provided by the Town.

Section 4. Amendment, Chapter 194, Article IV (Exemption for Disabled Persons).

Article IV of Chapter 194 of the Town Code (Exemptions for Disabled Persons shall be repealed and replaced as follows:

§ 194-14 Legislative Intent.

The Town Board of the Town of Stony Point, ever mindful of its responsibilities and obligations to provide for the welfare and financial independence of persons with disabilities in this community, intends, by this article, to provide for the protection of such persons with disabilities from the increased cost of living. It is the intention of the Town Board of the Town of Stony Point to provide tax exemptions for real property pursuant to New York State Real Property Law § 459- to certain of our qualifying persons with disabilities so as to better enable them to enjoy the benefits of increased available income.

§ 194-15 Definitions.

For the purpose of this article the following terms shall have the meanings indicated:

A PERSON WITH A DISABILITY

One who has a physical or mental impairment, not due to current use of alcohol or illegal drug use, which substantially limits such person's ability to engage in one or more major life activities, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working, and who (i) is certified to receive social security disability insurance (SSDI) or supplemental security income (SSI) benefits under the federal Social Security Act, or (ii) is certified to receive Railroad Retirement Disability benefits under the federal Railroad Retirement Act, or (iii) has received a certificate from the state commission for the blind stating that such person is legally blind, or (iv) is certified to receive a United States Postal Service disability pension, or (v) is certified to receive a United States department of veterans affairs disability pension pursuant to 38 U.S.C. § 1521.

SIBLING

Persons whose relationship as siblings has been established through either half blood, whole blood or adoption.

§ 194-16 Application.

Application for exemption must be made annually by the owner or all of the owners of the property on forms prescribed by the State Board and shall be filed in the appropriate Assessor's office on or before the appropriate taxable status date; provided, however, that proof of a permanent disability need be submitted only in the year that the exemption, pursuant to this section, is first sought or the disability

is first determined to be permanent. An award letter from the Social Security Administration, the Railway Retirement Board, a certificate from the State Commission for the Blind and Visually Handicapped or an award letter from the United States Department of Veterans Affairs shall be submitted as proof of disability.

§ 194-17 Applicability.

- A. All real property owned by one or more persons with disabilities, or real property owned by a married person or a married couple, or by siblings, at least one of whom has a disability, or real property owned by one or more persons, some of whom qualify under this section and the others of whom qualify under section four hundred sixty-seven of the New York State Real Property law, and whose income, as hereafter defined, is limited by reason of such disability, shall be exempt from taxation to the extent set forth herein of fifty per centum of the assessed valuation thereof as hereinafter provided.
- B. The term “real property” shall include title to that portion of real property owned by a cooperative apartment corporation in which a tenant-stockholder of such corporation resides. That proportion of the assessment of such real property owned by a cooperative apartment corporation determined by the relationship of such real property vested in such tenant-stockholder to such entire parcel and buildings thereon owned by such cooperative apartment corporation in which such tenant-stockholder resides shall be subject to exemption from taxation pursuant to this article. Any exemption granted shall be credited against the assessed; valuation of such real property; the reduction in real property taxes realized thereby shall be credited by the cooperative apartment corporation against the amount of such taxes otherwise payable by or chargeable to such tenant-stockholder.
- C. Any exemption provided shall be computed after all other partial exemptions allowed by law have been subtracted from the total amount assessed; provided, however, that no parcel may receive an exemption for the same municipal tax purpose pursuant to Real Property Law § 467 and § 459-c.
- D. Notwithstanding any other provision of law to the contrary, the provisions of this article shall apply to real property held in trust solely for the benefit of a person or persons who would otherwise be eligible for a real property tax exemption were such person or persons the owner or owners of such real property.

§ 194-18 Exemption Stated.

- A. In accordance with Real Property Tax Law § 459-c, real property in the Town of Stony Point owned by a married couple or by siblings who are Persons with a Disability as defined herein and other whom qualify under NYS Real Property Tax Law § 467 (Persons over age sixty-five) shall be exempt from taxation by the Town of Stony Point to the extent of the assessed valuation as established from time to time by resolution of the Town Board following public hearing, upon compliance with provisions of this article, for the fiscal year for which an application is filed.
- B. No exemption shall be granted under the provisions of this article:
 - (1) If the income of the owner exceeds the income as adopted from time to time by Resolution of the Town Board.
 - (a) Where the taxable status date is on or before April fourteenth, the applicable income tax year shall be the second most recent calendar year. Where the taxable status date is on or after April fifteenth, the applicable income tax year shall be the most recent calendar year. Provided, however, that for taxpayers whose income tax returns are filed on the basis of a fiscal year rather than a calendar year, the applicable income tax year shall be the most recent fiscal year for which an income tax return has been filed.
 - (b) Where title is vested in a married person, the combined income of such person and such person's spouse may not exceed such sum, except where one spouse or ex-spouse is absent from the property due to divorce, legal

separation or abandonment, then only the income of the spouse or ex-spouse residing on the property shall be considered and may not exceed such sum.

- (2) unless the property is used exclusively for residential purposes, provided, however, that in the event any portion of such property is not so used exclusively for residential purposes but is used for other purposes, such portion shall be subject to taxation or PILOT and the remaining portion only shall be entitled to the exemption provided by this section;
- (3) unless the real property is the legal residence of and is occupied in whole or in part by the disabled person; except where the disabled person is absent from the residence while receiving health-related care as an inpatient of a residential health care facility, as defined in section twenty-eight hundred one of the New York State Public Health Law, provided that any income accruing to that person shall be considered income for purposes of this section only to the extent that it exceeds the amount paid by such person or spouse or sibling of such person for care in the facility.

§ 194-19 Income defined.

The term “income” as used herein shall mean the “adjusted gross income” for federal income tax purposes as reported on the applicant’s federal or state income tax return for the applicable income tax year, subject to any subsequent amendments or revisions, plus any social security benefits not included in such federal adjusted gross income; provided that if no such return was filed for the applicable income tax year, the applicant’s income shall be determined based on the amounts that would have so been reported if such a return had been filed; and provided further, that when determining income for purposes of this section, the following conditions shall be applicable:

- A. Any social security benefits that were not included in the applicant’s federal adjusted gross income shall be considered income; and
- B. Distributions received from an individual retirement account or individual retirement annuity that were included in the applicant’s federal adjusted gross income shall be considered income; and
- C. Income shall not be offset by medical and prescription drug expenses actually paid that were not reimbursed or paid for by insurance; and
- D. Any tax-exempt interest or dividends that were excluded from the applicant’s federal adjusted gross income shall be considered income; and
- E. Any losses that were applied to reduce the applicant’s federal adjusted gross income shall be subject to the following limitations:
 1. The net amount of loss reported on Federal Schedule C, D, E, or F shall not exceed three thousand dollars per schedule,
 2. The net amount of any other separate category of loss shall not exceed three thousand dollars, and
 3. The aggregate amount of all losses shall not exceed fifteen thousand dollars.

Section 5. Repeal, Amendment, and Supersession of Other Laws.

All other Resolutions, Ordinances or Local Laws of the Town, which conflict with the provisions of this Local Law are hereby superseded or repealed to the extent necessary to give this Local Law full force and effect.

Section 6. 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 7. Severability.

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this Local Law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of 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 and shall become effective for assessment rolls prepared after the date of adoption of this local law.

The following resolution was duly
offered and seconded to wit:

RESOLUTION 2024/5

**RESOLUTION ADOPTING EXEMPTION SCHEDULE PURSUANT
TO TOWN CODE § 194, ARTICLE I (SENIOR CITIZENS EXEMPTION) AND ARTICLE
IV (EXEMPTION FOR DISABLED PERSONS)**

WHEREAS, the Town of Stony Point ("Town") has adopted a local law to amend Chapter 194, Article I of the Town Code (Senior Citizens Exemption) and Article IV (Exemption for Disabled Persons) to make necessary changes consistent with New York State Real Property Tax Law ("RPTL") §§ 467 and 459-c; and

WHEREAS, pursuant to such local law, the Town Board must adopt an exemption schedule for the Senior Citizens Exemption and Exemption for Disabled Persons in the Town.

NOW THEREFORE BE IT RESOLVED that:

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

Section 2. The Board hereby adopts and establishes the following exemption schedule pursuant to the Senior Citizens Exemption under Article I of Chapter 194 and the Exemption for Disabled Persons under Article IV of Chapter 194 of the Town Code:

Percentage of Assessed Valuation Exempt from Taxation	Annual Income
50%	50,000 OR LESS
45%	50,000-51,000
40%	51,000-52,000
35%	52,000-53,000
30%	53,900-63,000
25%	53,900-54,800
20%	54,800-55,700
15%	55,700-56,600
10%	56,600-57,500
5%	57,500-58,400

Section 3. The Town Supervisor and any other officer, employee or consultant as directed by the Town Supervisor is hereby authorized to take any and all action necessary to carry out the provisions of this Resolution.

Section 4. This Resolution shall be effective at the same time that the amendments to Chapter 194 adopted on January 9, 2024 become effective upon filing with the Secretary of State.

Section 5. This Resolution shall be effective immediately.

Open Public Hearing-Amending Chapter 77

At 7:20 a motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to open the public hearing to Amend Chapter 77.

Megan Carey, Town Clerk, presented the following Public Hearing Notice:

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

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Stony Point, Rockland County, New York, on January 23, 2024 at 7:00 pm at the Stony Point Senior and Community Center, 19 Clubhouse Lane, Stony Point, NY to consider the adoption of a Local Law Amending Chapter 77, Building Code Administration and Enforcement.

Said Local Law will be made available for review in the Town Clerk’s Office, 74 East Main St., Stony Point, NY and may be examined by any interested party from 8:30 am to 4:30 pm, Monday through Friday in advance of the meeting.

By Order of the Town Board dated January 9, 2024.

Megan Carey – Town Clerk

Public Input

George Potanovic-597 Old Gate Hill Rd., SPACE Pres., questioned the changes the Chapter 77 and if the Board agreed with said changes.

Continue Public Hearing-Amending Chapter 77

At 7:30pm a motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to continue the public hearing to Amend Chapter 77 to the February 13th Town Board meeting at 19 Clubhouse Lane at 7pm.

Resolution to Extend the Agreement with West Point Tours for Senior Bus Transportation

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 Resolution:

The following resolution was duly offered and seconded to wit:

**RESOLUTION 2024/6
RESOLUTION TO EXTEND THE AGREEMENT WITH WEST POINT TOURS, INC.
FOR SENIOR BUS TRANSPORTATION**

WHEREAS, the Town of Stony Point (“Town”) currently contracts with West Point Tours, Inc. for senior transportation services; and

WHEREAS, pursuant to the provisions of the current agreement, the Town Board desires to extend the Agreement between the Town and West Point Tours, Inc. for such services for an additional one year period, beginning March 1, 2024 (“Agreement”).

NOW THEREFORE BE IT RESOLVED that:

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

Section 2. The Town Board hereby authorizes and approves extension to West Point Tours, Inc. for an additional one-year period beginning March 1, 2024 to February 28, 2025 to provide senior transportation services to the Town.

Section 3. The Town Supervisor, and any Town official, employee or consultant as directed by the Town Supervisor is hereby authorized to take any and all actions necessary to carry out the provisions of this Resolution, including transmission of a letter authorization to extend such agreement to West Point Tours for execution.

Section 4. This Resolution shall be effective immediately.

Authorize the Golf Course Superintendent to attend the Golf Course National Turf Show

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to authorize the Golf Course Superintendent- Evan Weymouth to attend the GCSAA Conference and Trade show in Phoenix, Arizona at a cost to the town of \$675 for registration.

Resolution Authorizing Legal Services by Special Town Counsel in Litigation

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

The following resolution was duly offered and seconded to wit:

RESOLUTION 2024/7

AUTHORIZING LEGAL SERVICES BY SPECIAL TOWN COUNSEL IN LITIGATION

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

WHEREAS, a verified Petition has been filed against the Town in a proceeding entitled 111 South Liberty Driver, LLC v. Schuetz, et al. under Index Number 030301/2024 in the County of Rockland Supreme Court, State of New York regarding an Article 78 Proceeding concerning a Town Planning Board application; and

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

NOW, THEREFORE, it is resolved as follows:

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

Section 2. Special Counsel, Feerick Nugent MacCartney, PLLC, is authorized to appear on behalf of the Town of Stony Point and shall be compensated for all services performed for the Town of Stony Point with regard to the aforesaid proceeding entitled 111 South Liberty Driver, LLC v. Schuetz, et al. under Index Number 030301/2024 at the hourly rate set forth in the Legal Retainer Agreement which appointed Special Counsel Feerick Nugent MacCartney, PLLC. Said services will be paid separate and apart from those services for which Special Counsel has previously been retained to handle for the Town.

Section 3. The Town Supervisor, or any employee, officer or consultant as directed by 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.

Renew License Agreement for Use of Ramapo Police Firing Range

A motion was made by Supervisor Monaghan, seconded by Councilman Williams and unanimously carried by a voice vote of those board members present to authorize the Supervisor to execute the agreement with the Town of Ramapo for use of the Police Firing Range for 2024.

EXECUTIVE SESSION

At 7:32pm a motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to adjourn into executive session to discuss personnel matters.

ADJOURN

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present with Councilman Williams being absent to close the Stony Point Town Board meeting at 8:15pm in memory of Robert Smith.

Respectfully submitted
Megan Carey - Town Clerk