

STONY POINT TOWN BOARD MEETING – January 25, 2022

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, January 25, 2022 at 7:00 pm at the Stony Point Community Center (Rho Building), 5 Clubhouse Lane, Stony Point, NY. Supervisor Monaghan called the meeting to order and led the group in the pledge of allegiance. The meeting is being opened and closed in memory of NYPD Officers Wilber Mora and Jason Rivera, killed in an ambush in Harlem in the line of duty.

Town Clerk, Megan Carey called the following roll:

PRESENT:

Keith Williams	Councilman
Karl Javenes	Councilman
Paul Joachim	Councilman
Todd Rose	Councilman
James Monaghan	Supervisor
Brian Nugent	Attorney

SUPERVISOR’S REPORT

Supervisor Monaghan reported on the following:

- KN-95 masks and rapid at home Covid-19 tests are available at the Town Clerk’s Office and Rho Building.
- The Covid-19 test site at Patriot Hills has been up and running very smoothly. They are only offering the rapid test.
- Rockland Community College has opened up as a Covid-19 test site offering the PCR test.

PURCHASE ORDER REQUEST – None

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

CONTRACTUAL FUND-January 25, 2022

<u>FUND</u>	<u>CLAIM#</u>	<u>FUND TOTAL</u>
General	55-91	\$ 267,985.29
Highway	20-30	\$ 38,996.44
Sewer	15-23	\$ 38,118.25
<u>Special Districts</u>		
Enterprise	13-19	\$ 10,849.19
Ambulance	2-3	\$ 34,596.56
Solid Waste	2-4	\$ 4,201.34
Street Light	1	\$ 18,577.80

MINUTES - A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and carried by a voice vote of all board members present to approve the minutes of January 11, 2022 Re-Org meeting and regular Town Board Meeting.

CORRESPONDENCE - None

PUBLIC INPUT

George Potonavic-597 Old Gate Hill Rd, Pres. SPACE, read a letter to the Town Board requesting that the Town Board both Video Record and Livestream all town meetings on an easily accessible platform like Zoom. He also stated that his organization had collected signatures from 63 people in a petition requesting such.

Open Public Hearing-Increase in Salary of Superintendent of Highways for the Fiscal year 2022

Town Clerk, Megan Carey 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 25, 2022 at 7:00 pm or soon thereafter at the Stony Point Community Center (Rho Building), 5 Clubhouse Lane, Stony Point, New York to consider a Local Law to increase the salary of the Town Highway Superintendent for the 2022 fiscal year.

The Town of Stony Point will make every effort to assure that the Public Hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or accommodations should contact the Town Clerk.

Said Local Law will be made available for review in the Town Clerk's Office, 74 East Main St., Stony Point, New York and may be examined by any interested party from 8:30 am to 4:30 pm, Monday through Friday in advance of the meeting after January 25, 2022.

By Order of the Town Board dated January 12, 2022

ACTION

At 7:15pm 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 for the Increase in Salary of Superintendent of Highways for the Fiscal Year 2022.

Public Input

Kevin Maher- 130 Central Highway, spoke in favor of creating a Department of Public Works that would also control the Sewer Department.

Close Public Hearing

At 7:17pm 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 the increase in salary of Superintendent of Highways for the Fiscal Year 2022.

Adopt Local Law

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

The following resolution was duly
offered and seconded to wit:

RESOLUTION 2022/5

**RESOLUTION TO ADOPT A LOCAL LAW INCREASING THE SALARY OF
HIGHWAY SUPERINTENDENT FOR 2022 FISCAL YEAR**

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 regarding increasing salary of Town Highway Superintendent for the 2022 fiscal year; and

WHEREAS, upon notice duly published and posted, a Public Hearing was held on said Local Law on January 25, 2022, wherein public discussion was heard concerning

the merits of said Local Law and after hearing from all those present wishing to speak and acknowledging that no written comments had been received, 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 a Local Law entitled, “LOCAL LAW INTRODUCTORY NO. 1 of 2022 INCREASING THE SALARY OF HIGHWAY SUPERINTENDENT FOR 2022 FISCAL YEAR as attached hereto as Schedule “A” be and hereby is adopted as Local Law No. 1 of 2022 of the Town of Stony Point on January 25, 2022.
- 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. The local law adopted by this Resolution is subject to permissive referendum pursuant to New York State Municipal Home Rule Law § 24 and as set forth in Section 6 of such local law and shall be effective in accordance with the provisions of Section 6 of such local law.

TOWN OF STONY POINT

LOCAL LAW NO. 1 OF 2022

A LOCAL LAW INCREASING THE SALARY OF HIGHWAY SUPERINTENDENT FOR 2022 FISCAL YEAR

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

Section 1. Purpose and Intent.

It is the intent of this Local Law to increase the salary of the Town Highway Superintendent of the Town of Stony Point for the 2022 Fiscal Year. Upon publication of the Public Hearing Notice for the Preliminary Budget, the salaries stated in such notice may only be increased by enactment of a local law subject to permissive referendum and the Town Board desires to increase the salary of the Town Highway Superintendent.

Section 2. Authority.

This Local Law is adopted pursuant to the provisions of New York State Town Law § 27 and Municipal Home Rule Law §§ 10 and 24. Specifically, Town Law § 27 authorizes the Town Board to increase the salary of certain elected officials of the Town, including the Highway Superintendent, to an amount in excess of the amount specified in the notice of public hearing on the preliminary budget for not more than one fiscal year by the adoption of a Local Law pursuant to Municipal Home Rule Law

Section 3. **Salary Increase for the Town Highway Superintendent**

The salary of the Town Highway Superintendent is hereby increased from \$92,777.00, the amount which was specified in the notice of hearing on the preliminary budget of the Town for the year 2022, to a maximum of \$120,000.00 for the Town’s fiscal

year which begins on January 1, 2022. This increase shall be for a one fiscal year in accordance with the provisions of New York State Town Law § 27

Section 4. State Environmental Quality Review Act

Pursuant to 6 NYCRR 617.5(c)(26) and (33), this Local Law is classified as a Type II Action as it involves the adoption of regulations, policies, procedures and local legislative decisions in connection with routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment.

Section 5. Severability.

If any clause, sentence, paragraph, word, section or other part of this Local Law, or the application thereof to any person, entity, or circumstance, shall be determined by any court or tribunal of competent jurisdiction to be unconstitutional, illegal, invalid or unenforceable, such determination shall not affect, impair or invalidate the remaining provisions of this Local Law or the application thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or other part thereof directly involved in the controversy in which such determination shall have been rendered and the remaining provisions of this Local Law shall not be impaired thereby and such determination. The Town Board of the Town of Stony Point hereby declares that it would have passed this Local Law or the remaining provisions thereof had such invalid provision or the application thereof been apparent at the time of enactment.

Section 6. Effective Date and Permissive Referendum.

This Local Law shall be subject to permissive referendum and thus shall not take effect and shall not be filed with the Secretary of State until at least forty-five (45) days after the adoption of this local law or until such local law is approved by the affirmative vote of a majority of the qualified electors of the local government, whichever occurs later. No permissive referendum shall be required unless within forty-five (45) days after its adoption there be filed with the clerk a petition protesting against such local law, signed and authenticated as herein required by qualified electors of such local government, registered to vote therein at the last preceding general election, in number equal to at least ten per centum of the total number of votes cast for governor at the last gubernatorial election in such local government. In the event that this law becomes effective, without or without a referendum, after January 1, 2022, upon such effectiveness of this local law, the pay increase shall be deemed to be effective as of February 1, 2022.

Appoint Police Candidate-Temporary Full Time

A motion was made by Supervisor Monaghan, seconded by Councilman Williams and carried by a voice vote of all board members present to appoint Kaitlyn Guttenberger to position of full-time temporary police officer commencing February 7, 2022.

Chief Finn presented Police Officer Guttenberger with her badge.

Town Clerk, Megan Carey administered the Oath of Office.

Confer the Responsibility for the Parks Department/Buildings and Grounds upon the Town Superintendent of Highways

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

The following resolution was duly offered and seconded to wit:

RESOLUTION 2022/6

RESOLUTION TO CONFER RESPONSIBILITY FOR SUPERVISION OF THE TOWN'S PARKS DEPARTMENT

WHEREAS, the Town of Stony Point ("Town") maintains a Highway Department supervised by the Superintendent of Highways as well as a Parks Department that is separately supervised; and

WHEREAS, the Town Board desires to confer the responsibility for the supervision of the Parks Department upon the Town Superintendent of Highways; and

WHEREAS, the Town desires to ensure that any such duties imposed on the Town Superintendent of Highways are consistent with law.

NOW THEREFORE BE IT RESOLVED that:

Section 1. The above "WHEREAS" clauses are incorporated herein by reference.

Section 2. The Town Board hereby confers the responsibility for the supervision of the Town's Parks Department upon the Town Superintendent of Highways.

Section 3. The Town Board hereby determines that such assignment of responsibility is consistent with authority conferred upon the Town Board pursuant to Town Law § 32.

Section 4. The Town Board hereby authorizes the Town Supervisor and the Town Highway Superintendent to take any all steps necessary to carry out the provisions of this Resolution, including any and all administrative changes that may be required as a result of this Resolution.

Section 5. Notwithstanding the assignment of responsibilities to the Superintendent of Highways, the Town Board directs that any expenses incurred in performing any Parks Department related duties, including maintenance of the Parks, shall be charged to the appropriate general fund accounts as the Highway fund is properly chargeable only for expenses attributable to the Highway Department Personnel and Equipment and in connection with those functions within the contemplation of New York State Highway Law § 141.

Section 6. 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.

Section 7. This Resolution shall be effective immediately.

Accept Resignation of Superintendent of Highways

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and carried by a voice vote of all board members present to accept the resignation of Larry Brissing, Superintendent of Highways effective January 28, 2022.

Accept Resignation of Town Council

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and carried by a voice vote of all board members present to accept the resignation of Karl Javenes, Town Council effective January 28, 2022.

Appoint Superintendent of Highways

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and carried by a voice vote of all board members present to appoint Karl Javenes to the position of Superintendent of Highways effective January 29, 2022.

Appoint Town Councilman

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and carried by a voice vote of all board members present to appoint Michael Puccio to Town Council effective January 29, 2022.

Authorize the Issuance of Request for Proposals for entities to operate the Clubhouse and Grill Room at Patriot Hills Golf Course

A motion was made by Supervisor Monaghan, seconded by Councilman Williams and carried by a voice vote of all board members present to authorize the issuance of a Requests for Proposals for entities to operate the Clubhouse and Grill Room at Patriot Hills Golf Course.

Approve/Authorize Paul Joachim and Todd Rose as Signers on Sterling Bank Accounts

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and carried by a voice vote of all board members present to approve and authorize Paul Joachim and Todd Rose as Signers on Sterling Bank Accounts.

Approve Hosting and Maintenance for Town Website

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and carried by a voice vote of all board members present to approve the hosting and maintenance of the Towns website.

Approve Surplus of Golf Course Equipment

A motion was made by Supervisor Monaghan, seconded by Councilman Williams and carried by a voice vote of all board members present to surplus the following equipment:

- 2002 Toro Groundmaster 228D Rough Mower
- 2003 John Deere Triplex Mower
- 2002 Toro 1100 Utility Cart
- 2002 Toro 1100 Utility Cart

Authorize Town Clerk to go out for Bid for Plant Protectants & Fertilizers

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and carried by a voice vote of all board members present to authorize the Town Clerk to go out for bid for Plant Protectants & Fertilizers for Golf Course Maintenance.

Authorize Town Clerk to go out for Bid for Senior Bus Transportation

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and carried by a voice vote of all board members present to authorize the Town Clerk to go out for bid for Senior Bus Transportation.

Authorize Town Clerk to go out for Bid for Installation of the UV System-Wastewater Treatment Plant

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and carried by a voice vote of all board members present to authorize the Town Clerk to go out for bid for Installation of the UV System for the Wastewater Treatment Plant.

EXECUTIVE SESSION

At 7:27 pm a motion was made by Supervisor Monaghan, seconded by Councilman Javenes and unanimously carried by a voice vote of all board members present to adjourn into executive session to discuss finances with a company who is interested in doing business with the town.

ADJOURN

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and carried by a voice vote of those board members present to close the Stony Point Town Board meeting at 8:30 pm in memory of NYPD Officers Wilbert Mora and Jason Rivera and no further votes were taken.

Respectfully submitted
Megan Carey - Town Clerk