

STONY POINT TOWN BOARD MEETING – January 26, 2021

The Town Board of the Town of Stony Point convened on Tuesday, January 26, 2021 at 7:00 pm. This meeting was conducted via Zoom video conferencing online at <https://us02web.zoom.us/j/82816042434?pwd=WkpnVjZuWlcvWTY2NVFqRHZhc1ozdz09> and hosted by Brian Nugent, Esq., Attorney for the Town. The meeting was also accessible by telephone at 1-929-205-6099, webinar ID: 828 1604 2434. 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:	Mr. Thomas Basile	Councilman
	Mr. Karl Javenes	Councilman
	Mr. Paul Joachim	Councilman
	Mr. Michael Puccio	Councilman
	Mr. James Monaghan	Supervisor

Attorney: Mr. Brian Nugent Esquire

SUPERVISOR'S REPORT

Supervisor Monaghan reported as follows:

Thanked the highway personnel and Larry Brissing, Superintendent of Highways for a great job keeping the roads clear.

The Covid-19 rate in Stony Point has gone down. There is frustration with the availability of the vaccine. There is a hotline where senior citizens can call in to get updated information – Rockland County Office of the Aging at (845) 364-2100.

PURCHASE ORDER REQUEST

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 following purchase orders:

Highway Dept:		
PO#3412	Expanded Supply Products	\$1,298.00

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 all board members present, to approve the bills as presented for payment:

CONTRACTUAL GENERAL-January 26, 2021

<u>FUND</u>	<u>CLAIM#</u>	<u>FUND TOTAL</u>
General	85-118	\$ 73,360.92
Highway	28-32	\$ 3,549.93
Sewer	27-37	\$ 9,160.82
<u>Special Districts</u>		
Enterprise	13-17	\$ 1,256.90
Street Light	3-3	\$ 19,228.73
Solid Waste	3-4	\$ 3,917.12
Ambulance	2-2	\$ 31,085.58

MINUTES - A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and carried by a voice vote of those board members present, with to approve the minutes of January 12, 2021.

CORRESPONDENCE – None

PUBLIC INPUT

Susan Filgueras, 87 Mott Farm Rd., spoke on the Champlain Hudson Power Express.

George Potanovic, 597 Old Gate Hill Rd., Pres. SPACE, spoke on being only able to see the panel on ZOOM meetings, and not the participants.

Brian Nugent, Special Counsel, replied.

Walter Cintron, 22 Ridgetop, spoke on the Champlain Hudson Power Express.

Continue Public Hearing-Zoning Amendment

Supervisor Monaghan stated that the Town Board has received recommendations from the Rockland County Department of Planning with excellent suggestions. The Town will be incorporating said recommendations into the proposed law.

At 7:18pm 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 continued public hearing for the Zoning Amendment for Public Assembly in Homes, Houses of Worship, School and Dormitory Uses.

Public Input

George Potanovic, 597 Old Gate Hill Rd.:

- Reviewed the recommendations from the Rockland County Department of Planning.
- Scope of existing land use
- Comprehensive Planning

Continue Public Hearing-Zoning Amendment

At 7:26pm a motion was made by Supervisor Monaghan, seconded by Councilman Basile and unanimously carried by a voice vote of those board members present to continue the public hearing for the Zoning Amendment for Public Assembly in Homes, House of Worships, School and Dormitory Uses to the February 9, 2021 meeting at 7PM.

Authorize Town Clerk to Advertise for Bids for Plant Protectants & Fertilizer

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

Approve License Agreement for Use of Ramapo Police Firing Range

A motion was made by Supervisor Monaghan, seconded by Councilman Basile 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 2021.

Refund Use of Facility Fee

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to refund Tiana Hodges from Patient Grind the facility use fee in the amount of \$750.00. Due to Covid-19 they no longer can use the facility.

Renew Contract-VJ Network

A motion was made by Supervisor Monaghan seconded by Councilman Basile, and unanimously carried by a voice vote of those board members present to authorize the Supervisor to sign a contract with VJ Networks for computer services at Town facilities at a fixed monthly fee of \$3,100.00 commencing February 1, 2021 through January 31, 2023 as outlined in the contract on file in the Town Clerk's Office.

Adopt Local Law- Base Flood Elevations

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

RESOLUTION

The following resolution was duly offered and seconded to wit:

RESOLUTION 3/2021

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT ADOPTING LOCAL LAW 1 OF 2021 REGARDING AMENDMENT TO BASED FLOOD ELEVATIONS

WHEREAS, the Town of Stony Point Town Board (“Town Board”) received a Petition from Eagle Bay (“Petitioner”), owner of Tax Map Parcels S-B-L 15.04-6-3, 15.04-6-4, and 15.04-6-6 requesting that the Town consider an amendment to Chapter 112 (Flood Plain), Section 6-A of the Town Code to amend subsection 4; and

WHEREAS, a Petition to amend a Town Code is not required to be considered by the Town Board and such action to amend a provision of the Town Code is a matter of Town Board discretion; and

WHEREAS, the Town Board was desirous of reviewing the proposed amendment to Town Code Chapter 112-6-A and obtaining input from the Town’s professionals with respect to the requested change as well as changes within such area that may be desirous; and

WHEREAS, pursuant to Town Code Chapter 209 (Waterfront Consistency), the proposed action was within a Coastal Area necessitating referral to the Planning Board acting as the Waterfront Advisory Committee; and

WHEREAS, the Town Board declared itself lead agency and has reviewed a short form Environmental Assessment Form regarding this action;

WHEREAS, the Town Planning Board reviewed the proposed changes and provided a report to the Town Board with no objections to the proposed changes.

WHEREAS, the Town Board opened a public hearing on October 13, 2020 regarding the proposed amendments where all persons were afforded an opportunity to be heard; and

WHEREAS, the Town Board continued such public hearing to October 27, 2020 regarding the proposed amendments where all persons were afforded an opportunity to be heard after which the public hearing was closed, but remained open for written comments through November 10, 2020; and

WHEREAS, the Town Board is the sole agency involved in the consideration of the proposed Local Law; and

NOW, THEREFORE BE IT RESOLVED that:

- Section 1. The above “WHEREAS” clauses are incorporated herein by reference.
- Section 2. The Town Board hereby determines that the proposed action shall not result in any adverse environmental impacts and issues a negative declaration regarding the proposed amendments of the local law.
- Section 3. The Town Board hereby adopts Local Law 1 of 2021 amending Chapter 112-6(A) to add a new paragraph (5) to that section as presented to the Town Board.
- Section 4. The Town Board further directs the Town Clerk and any other officer or employee, as directed by the Town Supervisor, to take any action necessary to carry out the provisions of this Resolution, and to transmit any required notifications, including filing the adopted local law with the Secretary of State.
- Section 5. This Resolution shall be effective immediately.

TOWN OF STONY POINT

LOCAL LAW NO. 1 OF 2021

AMENDING CHAPTER 112, SECTION (6)(A) OF THE TOWN CODE OF THE TOWN OF STONY POINT, NEW YORK

A LOCAL LAW to amend Chapter 112, Section (6)(A) of the Town Code of the Town of Stony Point, Rockland County, New York, pursuant to Section 10 of the Municipal Home Rule Law of the State of New York.

BE IT ENACTED AS FOLLOWS:

Section 1. Authority

This Local Law is adopted pursuant to Section 10 of the Municipal Home Rule Law of the State of New York.

Section 2. Title and Purpose

This Local Law shall be known as “Local Law No. 1 of 2021.”

The purpose of the proposed Local Law is to amend Chapter 112, Section (6)(A) entitled “Basis for establishing areas of special flood hazard” to allow the utilization of the

Advisory Base Flood Elevations set forth on a Revised Base Flood Elevation Map dated May 1, 2020, which sets forth accurate and current estimates of future flood elevations for certain parcels in the Town.

Section 3. Amendment

Chapter 112, Section (6)(A) of the Town Code is hereby amended to add § 112-6(A)(5) and shall read as follows:

§ 112-6(A) Basis for establishing areas of special flood hazard.

- (5) Notwithstanding the provisions of subsections (1), (2), (3) and (4) , above, with respect to the real property identified on the Town of Stony Point Tax Map located at 31-36 Hudson Drive, Tax Lot 15.04-6-3; 29 Hudson Drive, Tax Lot 15.04-6-4; and 22 Hudson Drive, Tax Lot 15.04-6-6 in the Town of Stony Point, New York, 10989 in the PW (Planned Waterfront) zoning district the areas of special flood hazard are identified on the “Revised Base Flood Elevation Map” dated May 1, 2020 prepared by Atzl, Nasher & Zigler, P.C., and the documents supporting said Map.

Section 4. Repeal, Amendment, and Supersession of Other Laws

All other Resolutions, Ordinances or Local Laws of the Town of Stony Point, 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 5. 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 6. 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.

EXECUTIVE SESSION

At 7:30pm 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 into executive session to discuss personnel matters and contract negotiations.

RECONVENE

At 8:20 pm a motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to reconvene the January 26, 2021 Town Board Meeting.

ADJOURN

At 8:20pm 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 the January 26, 2021 Town Board Meeting.

Respectfully submitted
Megan Carey, Town Clerk