

STONY POINT TOWN BOARD MEETING – SEPTEMBER 8, 2020

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, September 8, 2020 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.

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 Present: Mr. Brian Nugent Esquire

SUPERVISOR’S REPORT

Supervisor Monaghan reported as follows:

- Challenges faced by the Town dealing with the COVID 19 pandemic.
- Commended the recreation department and parks department on their efforts to open the town pool and operating within the guidelines of the CDC.
- Recognized Joan DeBois for 25 years of service with the Town at the Pool. Presented her with flowers and a plaque.
- Recognized Lifeguards, Emily Garvey and Shane Brosnan, for quick and selfless action, saving lives.
- Friday, September 11, 2020 at 7:00pm there will be a memorial service at Town Hall for 9-11.
- No contract, as of yet, for the Sale of the Golf Course.
- Stony Point Police Athletic League will be holding the following events:
 - Charles S. Eccher Park for “Paint in the Park” and “Pottery in the Park” scheduled for Saturday, September 26th and Saturday, October 3rd from 9:00AM to 1:00PM with a rain date of October 3rd.
 - Riverfront Park for a Comedy Night, scheduled for Friday, September 25th from 5:00PM to 10:00PM with a rain date of October 3rd.
 - Kirkbride Hall for a Drive-In Movie Series, scheduled for Friday, September 18th and Saturday October 17th from 6:00PM to 11:00PM with no rain date.

PURCHASE ORDER REQUEST

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

Highway Dept:			
PO#3386	Transaxle		\$1,311.98
Sewer Dept:			
PO#3388	TEK-Sales Inc.		\$1,580.00

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 – August 24, 2020

<u>FUND</u>	<u>CLAIM #</u>	<u>FUND TOTAL</u>
General	843-882	\$ 290,969.03
Highway	286-291	\$ 30,433.38
Sewer	269-277	\$ 22,514.17
<u>Special Districts</u>		
Enterprise	237-244	\$ 11,619.68
Solid Waste	26-26	\$ 4,692.24
Street Lighting	12-12	\$ 18,906.68

General – September 8, 2020

<u>FUND</u>	<u>CLAIM #</u>	<u>FUND TOTAL</u>
General	883-927	\$ 45,178.55
Highway	292-316	\$ 12,972.22
Sewer	278-297	\$ 109,327.94
<u>Special Districts</u>		
Ambulance	22-23	\$ 31,660.52
Enterprise	245-263	\$ 33,459.40
Solid Waste	27-29	\$ 3,073.80
Street Light	13-13	\$ 7,800.00

MINUTES - A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and carried by a voice vote, with Councilman Basile abstaining, to approve the minutes of August 11, 2020.

POLICE DEPARTMENT REPORT/BUSINESS

Chief Moore read the following report:

Police Department Report for the Month of August 2020

Number of calls for service:	924	
Number of reported accidents:	32	
Number of arrests:	48	
(9) Felonies	(24) Misdemeanors	(8) Violations
Fuel usage :	1564.7 gallons	
Sum total of all traffic enforcement action:	94	
Number of Youth Officer sponsored events:	2	
Number of child safety seat installations:	1	
Number of commercial vehicle enforcement details:	1	
Number of traffic/special enforcement details:	13	
Number of training hours:	104 hrs	
Total fees collected:	\$55.00	

(Foil \$0.00, Prints \$0.00, and Reports \$55.00)

Miscellaneous:

Youth events: PAL Drive-In Movie 60 people and a PAL meeting. Upcoming Events: Drive-In Movie Event 9/18/20 at 7pm Frozen 2, 9/25 Comedy Show @ Riverfront Park 6pm-9pm, 9/26 Pottery in the park for children @ Lowland Park at 10am and on 10/3 Painting in the Park for adults @ Lowland Park at 10am. Further information available on the Stony Point Pal:website.

Chief Moore addressed the board regarding the following matters:

- **Chief Moore's Time Record**

A motion was made by Councilman Basile, seconded by Councilman Joachim and unanimously carried by a voice vote of all board members present to approve Chief Moore's time record for the month of August 2020 as presented.

- **Overtime and Sick Leave Reports**

A motion was made by Councilman Basile, seconded by Councilman Joachim 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 August 2020.

Golf Court Report

The following report was presented for August 2020:

- Green Fees \$ 294,037.88
- ID Cards \$ 1,810.00
- Merchandise \$ 7,123.78
- Range Fees \$ 17,909.00
- Club Rental \$ 46.13
- Total \$ 320,923.79

DEPARTMENTAL REPORTS

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

Architectural Review Board

From: 08/01/2020 To: 08/31/2020

- Applications Received 3
- Applications Approved 3

Building & Zoning Department

August 2020

- Applications Received 41
- Applications Returned/Withdrawn 0
- Applications Denied 1
- Building & Blasting Permits Issued 31
- Applications Pending 95
- Certificate of Occupancy 12
- Certificate of Compliance 11

Planning Board

From: 08/01/2020 To: 08/31/2020

- Applications Received 1
- Applications Pending
 - Amended Subdivision 0
 - General Category 0
 - Informal Discussion 0
 - Lot Line Change 0
 - Site Plan 1

Submitted by the Planning Board Clerk

Zoning Board of Appeals

8/1/2020 to 8/31/2020

- Applications Received 1
- Applications Returned/Withdrawn 0
- Applications Pending 4
- Area Variance 1

Fees Collected \$1500.00

Town Clerk

August 2020

- Amount Paid To NYS Agriculture & Markets
 - For Spay/Neuter Program \$ 39.00
- Amount Paid To NYS Health Dept. For Marriage Licenses \$ 292.50
- Amount Paid To NYS Dept. Of Environmental Conservation \$ 2,643.63
- Amount Paid To Supervisor \$ 2,939.69
- TOTAL AMOUNT REMITTED \$ 5,914.82

CORRESPONDENCE

August 9, 2020

Dear Supervisor Monaghan,

On behalf of the Immaculate Conception Food Pantry, I want to express our gratitude to you and to the Parks Department employees. They have done such a fantastic job picking up food at Patriot Hills and delivering it to us at the food pantry. With the unprecedented number of families that are now coming to our pantry, we have had a challenging job getting enough food, getting it all packed and getting it distributed. Your employees have enabled us to get deliveries from Albany on a regular basis with no worries. Even on the hottest days, they are friendly and polite. We are so proud of the character of these men and their willingness to help out during this global pandemic.

Thank you once again. Please stay safe. My very best to you and yours.

Sincerely,
Pat
Patricia Marino

PUBLIC INPUT

Supervisor Monaghan, asked that participants use the sanitizing wipes behind the podium to clean the microphone prior to speaking.

Kevin Maher, 130 Central Hwy., spoke on:

- Ban on Air Bed and Breakfasts citing issues on Tiorati Trails and Perrins Peak
- Asked for details on agenda items to approve Engineering Service fees and labor and machine rates for the Wastewater Treatment Plant
- Questioned agenda item for a zoning text amendment – Flood Zone Mapping
- Expressed concern with contracting JCO to operate the Sewer Plant

George Potanovic, 597 Old Gate Hill Rd., SPACE, stated:

- Appreciated the extra efforts in safety with the first in-person meeting since the start of the pandemic and his belief in everyone wearing masks.
- Asked to Zoom the town meetings to accommodate the residents uncomfortable with in person.
- Spoke on the sale of the Golf Course
 - Details of contract
 - Petitions for referendum signed by 543 people and thrown out due to a technical error.

2020-2021 Heating Equipment Service Contract

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and unanimously carried by a voice vote of all board members present to authorize the Supervisor to enter into contract with Berry Burners for the 2020-2021 Heating Equipment Service Contract for four buildings; RHO, Kirkbride, Justice Court, and Patriot Hills Club House at a cost of \$11,100.00.

Waive Town Fees Associated with Skate Park Planning

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of all board members present to waive all fees associated with the Skate Park Planning.

Approve SPPAL Request for Use of Pavilion at Charles S. Eccher Park-Paint in the Park and Pottery

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and unanimously carried by a voice vote of all board members present to approve the request from SPPAL for the use of rear pavilion at Charles S. Eccher Park for “Paint in the Park” and “Pottery in the Park”. The events are scheduled for Saturday, September 26th and Saturday, October 3rd from 9:00AM to 1:00PM with a rain date of October 3rd.

Approve SPPAL Request for Use of Riverfront Park and Mobile Sound Stage for a Comedy Night

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and unanimously carried by a voice vote of all board members present to approve the request from SPPAL for the use of Riverfront Park and the mobile sound stage and sound system for a Comedy Night. The event is scheduled for Friday, September 25th from 5:00PM to 10:00PM with a rain date of October 3rd.

Approve SPPAL Request for Use of Kirkbride Hall and Surrounding Property for Drive-In Movie Series

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and unanimously carried by a voice vote of all board members present to approve the request from SPPAL for the use of Kirkbride Hall and surrounding property for a Drive-In Movie Series. The events are scheduled for Friday, September 18th and Saturday October 17th from 6:00PM to 11:00PM with no rain date.

Surplus Equipment-Buildings and Grounds

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

- 2- Western Uni-Mount 8' Snowplows
- 2-Utility Truck Caps
- 1-1,650 lb Tommy Gate/Lift Gate

Approve Proposed Labor/Machine Rates for the Town Wastewater Treatment Plant

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of all board members present to accept the proposal for Pump Controls Service as submitted by Controlex at a cost to the town of \$1,200 per service technician and additional laborer cost at \$840.00 per day.

Approve Proposed Engineering Service Fees for the Town Wastewater Treatment Plant

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of all board members present to accept the proposal for Engineering Services as submitted by Pitingaro & Doetsch Consulting Engineers titled Preparation of Engineer's Report for Disconnect from Joint Regional Sewage Board.

Accept Governor's Traffic Safety Committee Grant Award

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of all board members present to authorize Supervisor Monaghan to accept the Governor's Traffic Safety grant award in the amount of (\$3,325.00 for Seat Belt Mobilization Enforcement, \$7,600.00 for Regular PTS Enforcement) for a total amount of \$10,925.00 awarded to the Stony Point Police Dept.

Zoning Text Amendment-Flood Zones Mapping

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

RESOLUTION 17/2020

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT
DECLARING LEAD AGENCY AND REFERRING CONSIDERATION OF A
PROPOSED AMENDMENT TO THE TOWN CODE**

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 is desirous of reviewing the proposed amendment to Town Code Chapter 112-6-A and obtaining input from the Town’s professionals and officials 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 is within a Coastal Area necessitating referral to the Planning Board acting as the Waterfront Advisory Committee; 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 declares Lead Agency status pursuant to SEQRA in connection with the petition seeking to amend Chapter 112-6-A of the Town Code by adding a new subsection (4), and the Town Board will therefore determine if the proposed Local Law will have a significant adverse environmental impact.

Section 3. The Town Board hereby refers this matter to the Town of Stony Point Planning Board, acting as the Waterfront Advisory Committee for review in accordance with Town Code, Chapter 209 and requests a response in accordance with Chapter 209 of the Town Code. The Supervisor is authorized to direct the Petitioner to prepare a Coastal Assessment Form, as necessary, for submission to the Waterfront Advisory Committee.

Section 4. The Town Board hereby refers this proposed amendment to the Town Planner, Town Engineer and Town Building Inspector for review and response.

Section 5. 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.

Section 6. The Town Board hereby directs that a Public Hearing be scheduled for **October 13 at 7:00 p.m.** for consideration of a local law amending Chapter 112-6-A of the Town Code to add a new subsection (4) and the Town Clerk is directed to publish notice of such hearing in accordance with law.

Section 8. This Resolution shall be effective immediately.

Special Use Permit Renewal-Verizon Wireless

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

RESOLUTION 18/2020

**RESOLUTION AUTHORIZING WAIVERS OF CERTAIN REQUIREMENTS
OF TOWN CODE SECTION 215-66**

WHEREAS, New York SMSA Limited Partnership d/b/a Verizon Wireless (“Applicant”) applied for and received a Special Use Permit for a wireless telecommunication facility located at 560 North Liberty Drive, Stony Point, New York (“Property”) on or about October 13, 2015 pursuant to Town Board Resolution 2015-35; and

WHEREAS, pursuant to Town Code Section 215-66, such Special Permit is valid for a five year period at which time a new Special Permit is required or the facility must be removed from the site; and

WHEREAS, the Applicant has submitted an application dated August 6, 2020 seeking to renew the Special Permit at the above location; and

WHEREAS, the Applicant has also, pursuant to Section 215-66, requested waivers for certain provisions of the Special Permit provisions applicable to wireless telecommunications facilities.

NOW THEREFORE BE IT RESOLVED that:

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

Section 2. The Town Board hereby waives the following requirements at Section 215-66:

- a. Submission of the removal application to the Planning Board;
- b. The Public hearing requirement;
- c. Updated site plan drawings.

Section 3. The Town Board hereby determines that such waivers are appropriate as with respect to the Special Permit renewal application there is no new work proposed and the facility otherwise remains in compliance with the site plan previously approved by the Town in 2015.

Section 4. The Town Board hereby determines that upon review of the Special Permit renewal application, that the technology and provision of the facility has not changed such the necessity for the permit at the time of approval has been eliminated or modified and further determines that such permit should be renewed under the same terms and conditions as the Special Permit was previously approved.

Section 5. The renewal of the Resolution shall be effective October 13, 2020 and shall continue through October 13, 2025 at which time the Applicant shall be required to submit an application for renewal of the Special Permit.

Section 6. This Resolution shall be effective immediately.

Police Candidate Nomination

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and unanimously carried by a voice vote of those board members present to nominate Brendan Mallon to fill the vacant police officer position. This nomination will allow Rockland County Personnel to continue the testing of the candidate.

New Hire-Golf Course Maintenance

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 Gabe Shaw, seasonal worker for golf course maintenance, at a rate of \$12.50 per hour.

EXECUTIVE SESSION

At 7:42 pm a motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of all board members present to adjourn into executive session to discuss CSEA Negotiations and a company interested in doing business with the town.

ADJOURN

The September 8, 2020 Stony Point Town Board meeting adjourned 9:30pm and no further votes were taken.

Respectfully submitted
Megan Carey, Town Clerk