

STONY POINT TOWN BOARD MEETING – July 13, 2021

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, July 13, 2021, at 7:00pm 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
Mr. Robert Zitt	Esquire

Supervisor Monaghan stated that tonight’s meeting was being aired on Facebook Live.

SUPERVISOR’S REPORT

Supervisor Monaghan reported as follows:

- Due to the National lawsuit against the Boy Scouts of America the Hudson Valley Council has been forced to sell off property. The Town Board is working with Council Leaders trying to save Camp Bullawa.
- NY Blood Center is having a blood drive July 14th at RHO Bldg. from 12pm to 6pm. Please come out and donate.
- Stony Point Summer Concerts begin on July 14th at Riverfront Park (weather permitting)
- Stony Point PAL will be holding their Drive in on July 16th showing Godzilla v. Kong.

Presentation of 2020 Audited Financial Statements by PKF O’Connor Davies

Supervisor Monaghan introduced Nicholas DeSantis and Jeffrey Shaver of PKF O’Connor Davies to present the 2020 Audited Financial Statements to the Town Board.

Mr. DeSantis and Mr. Shaver gave the Town Board an overview of the 2020 audit.

POLICE DEPARTMENT REPORT/BUSINESS

Lieutenant Finn read the following report:

Police Department Report for the Month of June 2021.

Number of calls for service:	780		
Number of reported accidents:	36		
Number of arrests:	29		
(3) Felonies	(13) Misdemeanors	(1) Violations	(12) Warrants
Fuel Usage :	1351.6gallons		
Sum Total of all traffic enforcement action:	73		
Number of Youth Officer sponsored events:	4		
Number of commercial vehicle enforcement details:	1		
Number of traffic/special enforcement details:	3		
Number of training hours:	248 hrs		
Total fees collected:	\$250.50		
(Foil \$15.50, Prints \$170.00, and Reports \$65.00)			

Miscellaneous:

Youth events: 1 PAL meeting, 1 PAL Drive-In Movie Events (75-100 attendees), 1 Touch a Truck/Bike Safety event, 1 Annual Fishing Derby

Upcoming Events: July 16, 2021- Drive-In Movie Night

- **Lieutenant Finn’s Time Record**

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 Lt. Finn's time record for the month of June 2021 as presented.

• **Overtime and Sick Leave Reports**

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 overtime and sick leave reports as presented for the month of June 2021.

Golf Course Report

The following report was presented for June 2021:

• Green Fees	\$	327,290.02
• ID Cards	\$	2,805.00
• Merchandise	\$	16,559.52
• Range Fees	\$	18,376.00
• Gift Certificates	\$	4,311.00
• Rain Checks Issued	\$	4,183.50
• Club Rental		450.00
• Total	\$	365,608.04

PURCHASE ORDER REQUEST

A motion was made by Councilman Puccio, seconded by Councilman Basile and unanimously carried by a voice vote of those board members present to approve the following purchase orders:

Golf Course			
PO#3443	Carriere Materials LLC		\$3,120.06
Sewer Dept.			
PO#3444	East Coast Environmental		\$35,928.00
PO#3441	National Water Main Cleaning Co.		\$ 4,410.00

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

General – JULY 13, 2021

<u>FUND</u>	<u>CLAIM #</u>	<u>FUND TOTAL</u>
General	669-763	\$ 335,434.09
Highway	238-275	\$ 57,006.13
Sewer	182-203	\$ 50,560.09
<u>Special Districts</u>		
Enterprise	179-216	\$ 72,361.80
Solid Waste	18-19	\$ 13,509.30
Ambulance	14-16	\$ 32,331.85
Street Light	12-12	\$ 18,119.96

MINUTES - 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 Basile abstaining to approve the minutes of June 27, 2021.

DEPARTMENTAL REPORTS

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

Architectural Review Board

From: 6/01/2021 To: 6/30/2021

Applications Received	1
Applications Approved	1
Fees Collected	\$100.00

Building & Zoning Department

June 2021

Applications Received	40
Applications Returned/Withdrawn	10
Applications Denied	5
Building & Blasting Permits Issued	20
Applications Pending	47
Certificate of Occupancy	9
Certificate of Compliance	20

Planning Board

From: 6/01/2021 To: 6/30/2021

Applications Pending	
Amended Subdivision	1
General Category	3
Informal Discussion	0
Lot Line Change	0
Site Plan	7
Subdivision Minor	1
Fees Collected	\$1,090.00
Money in Lieu of Land	\$1,500.00

Submitted by the Planning Board Clerk

Zoning Board of Appeals

6/1/2021 to 6/30/2021

Applications Received	5
Applications Returned/Withdrawn	0
Applications Denied	0
Applications Pending	4
Applications Approved	3
Fees Collected	\$ 2410.00

Town Clerk

June 2021

Amount Paid To NYS Agriculture & Markets	
For Spay/Neuter Program	\$ 39.00
Amount Paid To NYS Health Dept. For Marriage Licenses	\$ 135.00
Amount Paid To NYS Dept. Of Environmental Conservation	\$ 462.94
Amount Paid To Supervisor	\$ 2,872.38
TOTAL AMOUNT REMITTED	\$ 3,509.32

CORRESPONDENCE

None

PUBLIC INPUT

Supervisor Monaghan asked Ralph Heavner to make a statement on behalf of saving Camp Bullawa.

Ralph Heavner-5 Wayne Avenue, made the following statement:

My name is Ralph Heavner.

I live in Stony Point and work at 5 Wayne Avenue, Stony Point, NY.

Good evening.

Tank you Mr. Supervisor and members of the Town Board in working to save Camp Bullowa.

Camp Bullowa is in peril.

Camp Bullowa may soon be a memory.

Founded in 1946. A gift from daughters to the Rockland County Boy Scouts to honor their late mother, Emilie M. Bullowa.

In 1949 the gift expanded to a donation of approximately \$100,000.00 placed in a trust fund for the care and operation of the camp.

That trust fund is now between 3 and 3.5 million dollars.

Over the last seventy-five years, Bullowa has served hundreds of thousands of youth.

Bullowa is facing extinction.

Those who swore to serve Scouting and protect its ideals and mission statement now seem to be the architects of the camp's destruction.

For a property that was repeatedly addressed as "never for sale", the Board listed the property with Cushman and Wakefield Realty.

Prospective buyers visit and tour the camp.

All a surprise to Scouting members such as Scoutmasters, Packmasters and other grass root adult leaders.

We learn that all of this was conducted in private. Few participants, sworn to secrecy.

With mergers over the years, there are now 7 counties that can decide the future of Bullowa.

Can we trust this Scout Board?

Can we trust fiduciaries who meet in secrecy and provide no information to its members?

You can reach your own conclusions.

So, you ask, what can I do?

To begin, we can act locally. Place Save Camp Bullowa signs throughout our Town and County. Make phone calls. Send emails. Write letters.

Communication is key to reminding the Scout Board that the Camp is important to you and our community.

Instead of selling camps, raise funds. Use trust monies. Establish partnerships with open space non-profits. Be a fiduciary.

Selling Scout camps is like the Little League selling its baseball fields.

In a world where daily events make us wonder whether the world really may be upside down, pay attention. Be involved.

Support Scouting.

Support Open Space.

Save Camp Bullowa.

Pete Riley-1 Hawknest Road, spoke on the sale of the Golf Course and asked for an informational meeting.

Greg Julian-15 Ridgetop Drive, spoke on:

- Camp Bullawa
- New Planet
- Referendum on the Sale of the Golf Course
- Police overtime

Open Public Hearing-Local Law Prohibiting Smoking and Vaping on Town Property

At 7:52pm 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 for the Local Law Prohibiting Smoking and Vaping on Town Property.

Public Input

None

Close Public Hearing- Local Law Prohibiting Smoking and Vaping on Town Property

At 7:52pm 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 public hearing for the Local Law Prohibiting Smoking and Vaping on Town Property.

Adopt Local Law Prohibiting Smoking and Vaping on Town Property

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 July 13, 2021, at 7:00 pm at the Stony Point Community Center (Rho Building), 5 Clubhouse Lane, Stony Point, NY to consider the adoption of a Local Law Prohibiting Smoking and Vaping on Town Property.

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 after June 24, 2021.

By Order of the Town Board dated June 9, 2021

Megan Carey – Town Clerk

ACTION

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 Local Law Prohibiting Smoking and Vaping on Town Property:

**RESOLUTION 2021/16
RESOLUTION ADOPTING LOCAL LAW NO. 5 OF 2021
LOCAL LAW PROHIBITING SMOKING AND VAPING ON TOWN PROPERTY**

WHEREAS, within the Town Board for the Town of Stony Point, New York ("Town Board") there is a need to protect the public health and safety from time to time with regard to the enactment of Local Laws pursuant to the powers of the municipality under the Municipal Home Rule Law, and

WHEREAS, certain events have brought to the attention of the Town Board the need to further protect public health, safety and welfare with regard to the enactment of a Local Law pursuant to the aforementioned statutory powers; and

WHEREAS, the Town Board after due deliberation, finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the adoption of the introductory Local Law entitled "Local Law Prohibiting Smoking and Vaping on Town Property" is a Type 2 and is determined not to have a significant effect on the environment.

Section 1.All "Whereas" clauses are hereby incorporated by reference as though set forth in full herein.

Section 2.That the introductory Local Law entitled "Local Law Prohibiting Smoking and Vaping on Town Property" be and hereby is adopted as Local Law No. 5 of 2021 of the Town of Stony Point on July 13, 2021.

Section 3.The Town Board hereby directs the Town Clerk to enter said Local Law in 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 to the Secretary of State of New York and to take all steps to process and file said Local Law amendment with the State of New York.

Section 4.This Resolution shall be effective immediately.

**LOCAL LAW NO. 5 OF 2021
A LOCAL LAW PROHIBITING SMOKING AND VAPING ON TOWN PROPERTY**

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.

The Town of Stony Point recognizes that there is a continuing need to protect the health, safety, and well-being of the residents of the Town of Stony Point, by prohibiting smoking and vaping on certain Town properties and Town Parks. This local law fosters and perpetuates that protection by its prohibition of smoking cigarettes, cigars, electronic cigarettes (commonly referred to as e-cigarettes) and similar devices. It is the intent of this local law that such conduct be prohibited unless otherwise designated by the Town Board.

Section 2. Authority.

This chapter is enacted pursuant to the authority of Article 13E of the Public Health Law of the State of New York. It is further enacted pursuant to the authority of the Municipal Home Rule Law of the State of New York.

Section 3.

A new chapter, Chapter 179, shall be added to the Town Code entitled "Prohibition, Smoking and Vaping" and shall read as follows:

Chapter 179 Prohibition, Smoking and Vaping

§ 179-1. Except where approved or otherwise designated by the Town Board, it shall be unlawful for any person to smoke on any Town property within the Town which has been posted by order of the Town Board with signs prohibiting such conduct.

§ 179-2. Penalties for Offenses

A violation of this chapter shall constitute a violation, and any person so convicted shall be subject to a fine of not more than \$500.00 .

Section 4. SEQR.

The Local Law prohibition of smoking or vaping on Town property shall be a Type 2 action under SEQR.

Section 5. Validity.

The invalidity of any provision of this Local Law shall not affect the validity of any other portion of this Local Law which can be given effect without such invalid provision.

Section 6. Effective Date.

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

Open Public Hearing - Local Law Opting Out of Allowing Retail Cannabis Dispensaries

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 July 13, 2021, at 7:00 pm at the Stony Point Community Center (Rho Building), 5 Clubhouse Lane, Stony Point, NY to consider the adoption of a Local Law Opting Out of Allowing Retail Cannabis

Dispensaries and/or On-site Cannabis Consumption Establishments Within the Town of Stony Point

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 after June 24, 2021.

By Order of the Town Board dated June 9, 2021

Megan Carey – Town Clerk

ACTION

At 7:54pm 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 for the Local Law Opting Out of Allowing Retail Cannabis Dispensaries.

Public Input

The following people spoke against the Local Law Opting Out of Allowing Retail Cannabis Dispensaries:

Lauren Schimko, 4 Foxwood Drive
Mari Morrison Rodriguez, 53 East Main Street
Pietro Geraci, 26 Rockwood Drive Newburgh
Greg Julian, 15 Ridgetop Drive
Kim Petro, 28 Colonel Conklin

Ed Keegan, 300 Battalion Drive, Conservative Party, spoke in favor of this Local Law.

Close Public Hearing- Local Law Opting Out of Allowing Retail Cannabis Dispensaries

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 public hearing for the Local Law Opting Out of Allowing Retail Cannabis Dispensaries.

Adopt Local Law Opting Out of Allowing Retail Cannabis Dispensaries

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 Local Law Opting Out of Allowing Retail Cannabis Dispensaries:

**RESOLUTION 2021/17
RESOLUTION ADOPTING LOCAL LAW NO. 6 OF 2021
LOCAL LAW OPTING OUT OF ALLOWING RETAIL CANNABIS DISPENSARIES
AND/OR ON-SITE CANNABIS CONSUMPTION ESTABLISHMENTS WITHIN THE
TOWN OF STONY POINT**

WHEREAS, within the Town Board for the Town of Stony Point, New York ("Town Board") there is a need to protect the public health and safety from time to time with regard to the enactment of Local Laws pursuant to the powers of the municipality under the Municipal Home Rule Law, and

WHEREAS, certain events have brought to the attention of the Town Board the need to further protect public health, safety and welfare with regard to the enactment of a Local Law pursuant to the aforementioned statutory powers; and

WHEREAS, the Town Board after due deliberation, finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the adoption of the introductory Local Law entitled “Local Law Opting Out of Allowing Retail Cannabis Dispensaries and/or On-Site Cannabis Consumption Establishments Within the Town of Stony Point” is a Type 2 action and is determined not to have a significant effect on the environment.

Section 1. All “Whereas” clauses are hereby incorporated by reference as though set forth in full herein.

Section 2. That the introductory Local Law entitled “Local Law Opting Out of Allowing Retail Cannabis Dispensaries and/or On-Site Cannabis Consumption Establishments Within the Town of Stony Point” be and hereby is adopted as Local Law No. 6 of 2021 of the Town of Stony Point on July 13, 2021.

Section 3. The Town Board hereby directs the Town Clerk to enter said Local Law in 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 to the Secretary of State of New York and to take all steps to process and file said Local Law amendment with the State of New York.

Section 4. This Resolution shall be effective immediately.

LOCAL LAW NO. 6 OF 2021

A LOCAL LAW OPTING OUT OF ALLOWING RETAIL CANNABIS DISPENSARIES AND/OR ON-SITE CANNABIS CONSUMPTION ESTABLISHMENTS WITHIN THE TOWN OF STONY POINT

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 opt the Town of Stony Point out of hosting retail cannabis dispensaries and/or on-site cannabis consumption establishments within its boundaries.

Section 2. Authority.

This Local Law is adopted pursuant to the provisions of Cannabis Law § 131, which expressly authorizes cities and villages to opt-out of permitting retail cannabis dispensaries and/or on-site cannabis consumption establishments to locate and operate within their boundaries.

Section 3. Local Cannabis Retail Dispensary and/or On-Site Consumption Opt-Out

The Town Board hereby opts-out of licensing and establishing cannabis retail dispensaries and/or cannabis on-site consumption establishments within Town boundaries.

Section 5. 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 6. 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 7. Effective date.

This Local Law shall be effective immediately upon filing with the Secretary of State. Pursuant to Cannabis Law § 131, this Local Law is subject to a permissive referendum and thus may not be filed with the Secretary of State until the applicable time period has elapsed to file a petition or referendum has been conducted approving this local law.

Employee Retirement and Payout

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and unanimously carried by a voice vote of those board members present to approve the retirement payout for Brian Moore, Chief of Police as presented by the Finance Department.

Set Permissive Referendum-Sale of Town Property (Patriot Hills)

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 2021/18
RESOLUTION AUTHORIZING BALLOT PROPOSAL FOR
NOVEMBER 2021 GENERAL ELECTION**

WHEREAS, the Town Board previously authorized the Town Supervisor to execute a Purchase and Sale Agreement and Rider ("Agreement") regarding the sale of Town Tax Lots 19.02-1-1.1, 14.04-1-26 and 19.02-1-3 ("Property"); and

WHEREAS, as a result of a resident petition, the approval of such sale must be placed on an election ballot; and

WHEREAS, the Town desires such ballot proposal to be placed on the general election ballot in the Town as part of the November 2, 2021 general election.

NOW THEREFORE BE IT RESOLVED that:

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

Section 2. The Town Board hereby authorizes the Town Supervisor to take any and all actions necessary to have a ballot proposition regarding the property placed on the November 2, 2021 general election ballot in the following form:

SHALL THE TOWN BOARD RESOLUTION AUTHORIZING THE SALE OF THE PATRIOT HILLS GOLF COURSE AND FORMER LETCHWORTH VILLAGE PROPERTY BE APPROVED?

Section 3. The Town Supervisor and any other employee, official 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.

Approve Tire Disposal Fees

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and unanimously carried by a voice vote of those board members present to approve the tire disposal fees as stated below:

Motorcycle,ATV,lawn mower,Passenger class tires are \$4.00each
All those mentioned above on rims(wheels) are \$10.00 each
Race Car tires are \$5.00 each
Small NHS, Skid Sterr, 227/70/19.5 are \$10.00 each
Any of those on rims are \$25.00 each
Large NHS, Skid Sterr, 245/70/19.5 are \$20.00 each
Any of those on rims are \$50.00 each
Commercial class tires(truck) are \$25.00 each
Any of those on rims are \$75.00 each
OTR'S or Agri tires are \$25.00 per ply, up to 16ply

Request for Hire Patriot Hills Golf Club Operations

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and unanimously carried by a voice vote of those board members present to approve the hire of Mike McFadden to work at the Pro Shop for Patriot Hills Golf Club at a rate of pay of \$13.50/hr.

Approve Adjusted Base Proportions

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and carried by a voice vote of those board members present to accept the Homestead Base and Adjusted Base Proportions for 2021 as presented by William Beckman, Assessor and on file in the Town Clerk's Office.

Executive Session

At 8:35pm 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 personnel matters.

Reconvene

At 9:00pm a motion was made by Supervisor Monaghan, seconded by Councilman Basile and unanimously carried by a voice vote of those board members present to reconvene the July 13, 2021 Town Board Meeting.

ADJOURN

At 9:00pm 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 July 13, 2021 Town Board Meeting.

Respectfully submitted.
Megan Carey, Town Clerk