

**STONY POINT TOWN BOARD MEETING – July 24, 2018**

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, July 24, 2018 at 7:00 pm at the Stony Point Community Center (Rho Building), 5 Clubhouse Lane, Stony Point, NY. Supervisor James Monaghan called the meeting to order.

**OPEN MEETING**

Supervisor Monaghan announced that the meeting would be opened and closed in memory of Wellington Casscles who recently passed away. Wellington was a 25 year member of the Zoning Board of Appeals and a business owner in town. He volunteered his time to do all the electrical work at the Pyngyp School when it was restored.

Supervisor Monaghan invited all Veterans present to lead the group in the Pledge of Allegiance.

Town Clerk, Joan Skinner called the following roll:

PRESENT:	Tom Basile	Councilman
	Karl Javenes	Councilman
	James White	Councilman
	Michael Puccio	Councilman
	James Monaghan	Supervisor

ATTORNEY PRESENT: Brian Nugent, Esq.

At this time Supervisor Monaghan went to the podium with Town Clerk Joan Skinner and thanked everyone for coming. He explained that tonight was a very special evening since we were honoring World War II Veteran Edward Kwiecinski on the occasion of his 100<sup>th</sup> Birthday. Mr. Kwiecinski was accompanied by wife Gloria, brother Charles (also a World War II Veteran) and nephew Charles.

Supervisor Monaghan read the following Proclamation:

TOWN OF STONY POINT, NEW YORK  
HONORING  
Edward G. Kwiecinski  
On The Occasion Of His 100<sup>th</sup> Birthday

**WHEREAS** Edward G. Kwiecinski was born in North Rockland on August 10, 1918 and for the last 60 years has called Stony Point his “home”, and

**WHEREAS** Edward proudly served his Country in The United States Army during World War II as a member of the 112<sup>th</sup> Infantry Combat Team from April 14, 1941 through October 15, 1945, and

**WHEREAS** his Unit was in the second wave to hit Omaha Beach, France on July 22, 1944, taking part in the Normandy Invasion, the Battle of Northern France, the liberation of Paris and participating in the victory parade there on August 29, 1944, proceeding then through Belgium and Luxemburg into Germany, participating in the Battle of the Bulge, Battle of Rhineland and later the Battle of Central Europe and from April through September 1945 was part of the Army of Occupation, and

**WHEREAS** Edward returned to America, living as a model citizen, established himself in a career as a blacksmith (metal worker) at Letchworth Village, working there until his retirement in 1983 and 70 years ago, on September 25<sup>th</sup>, 1948 married Gloria, the love of his life, and together raising their five children and now enjoying their seven grandchildren.

**RESOLVED** that I, James Monaghan, as Supervisor and acting on behalf of the Town Board and the grateful citizens of the Town of Stony Point on the occasion of Edward’s 100<sup>th</sup> birthday, do hereby declare August 10, 2018 Edward G. Kwiecinski Day in the Town of Stony Point.

Supervisor Monaghan further explained that Edward and his four brothers; Charles, Richard, John and Joseph, all served in the armed forces during World War II. John was killed in combat in France and Joseph passed away a few years ago. But Edward and his two remaining brothers continue to join us for Memorial Day services and their military banners hang together on Route 9W.

At this point all the Veterans were again called forward to congratulate Mr. Kwiecinski.

A five minute recess was called so that those wishing to leave could do so at this point.

**PUBLIC INPUT**

- Christine Mandara-20 Phillips Drive Stony Point-spoke about the Rose Memorial’s Harry Potter fundraiser. Throughout the town, art students from North Rockland High School have painted Harry Potter themed windows. On Tuesday, July 31<sup>st</sup> the library is hosting an event open to the public from 6-7:30 PM to announce the winner of the raffle.
- George Potonavic-597 Old Gate Hill Rd. spoke against the proposed development on the waterfront.
- Susan Figueras-187 Mott Farm Rd. spoke against the proposed development on the waterfront.

**PURCHASE ORDER REQUEST**

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

Buildings & Grounds:		
PO#3140	Shuback Farms, Inc.	\$2,045.00
PO#3141	Barmore Pump Inc.	\$1,942.00

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

**Contractual General – July 24, 2018**

<u>FUND</u>	<u>CLAIM #</u>	<u>FUND TOTAL</u>
General	799-833	\$ 271,791.03
Highway	246-252	\$ 32,160.30
Sewer	213-221	\$ 14,528.22
<u>Special Districts</u>		
Enterprise	238-248	\$ 63,444.92
Street Lighting	7-7	\$ 23,390.44
Solid Waste	15-15	\$ 4,965.08

**MINUTES** – A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present with Councilman White abstaining to approve the minutes of July 10, 2018.

**SUPERVISOR’S REPORT**

Supervisor Monaghan spoke regarding:

- The concert at Riverfront Park scheduled for Wednesday, July 25<sup>th</sup> at 7PM will be cancelled due to the threat of thunderstorms and flooding. We hope to reschedule for later in the summer. The concert series was kicked off with “The Mighty Spectrum Band” and it was a huge success.
- The Stony Point Seals is hosting a halfway to Super Bowl Sunday Fundraiser on Saturday, July 28<sup>th</sup> at Riverfront Park. Tickets are being sold for a 300 club raffle.

- The Planning Board meeting will be held on Tuesday, July 31<sup>st</sup> at 7pm and they will be having a public scoping session on the Eagle Bay Project.

**DEPARTMENTAL REPORTS** - None

**CORRESPONDENCE** – None

**Continued Public Hearing**

At 7:39pm 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 Tolake.

- No Public Input
- Close Public Hearing  
At 7:40pm 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 Tolake.
- Resolution-2018/28  
The following resolution was duly offered by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present, with Councilman Javenes abstaining, to wit:

**RESOLUTION 2018/28 AUTHORIZING THE EXECUTION OF A  
SECOND AMENDMENT TO EXTEND THE TERM OF THE  
CONSERVATION EASEMENT ON LANDS OF TOLAKE CORP.**

**WHEREAS**, Tolake Corp. (the “Grantor”) is the owner of several parcels of undeveloped land within a private community located within the Town of Stony Point, New York (the “Affected Land”); and

**WHEREAS**, on March 1, 1999, the Town Board authorized and the Town of Stony Point (the “Town”) acquired from the Grantor, a Conservation Easement on the Affected Land for a period of fifteen (15) years (“Conservation Easement”); and

**WHEREAS**, on December 14, 2010, the Town Board authorized a First Amendment to the Conservation Easement Agreement for an additional period of eleven (11) years; and

**WHEREAS**, the Grantor desires to amend the Conservation Easement to include five (5) additional parcels of property into the Conservation Agreement and desires to extend the term of the Agreement from March 1, 2025 to March 1, 2030; and

**WHEREAS**, preserving the scenic, open and natural values of these lands are objectives that were outlined when the Town Board adopted the “Conservation Law of the Town of Stony Point;” and

**WHEREAS**, Section 247 of the General Municipal Law authorizes the Town to acquire less-than-fee interests in land to protect its natural scenic beauty, to retain its existing openness or natural condition or to maintain or enhance the conservation of natural or scenic resources, including open land; and

**WHEREAS**, the Conservation Easement limits or restricts development of the Affected Land; and

**WHEREAS**, by continuing the term of the Conservation Easement the goals of the Conservation Easement Laws will be furthered; and

**WHEREAS**, the Town Board having conducted a duly-noticed public hearing on July 10, 2018 and there being no objection to the extension of the Conservation Easement on the Affected Land; and

**WHEREAS**, the Town Assessor has determined that it is in the public interest to accept the proposed Second Amendment; and

**WHEREAS**, the proposed Second Amendment to the Conservation Easement has been referred to the Rockland County Department of Planning for review; and

**WHEREAS**, written notice of the proposed Second Amendment has been given to adjacent property owners and to any municipality whose boundaries are within 500 feet of the boundaries of the proposed area of land.

**NOW THEREFORE, BE IT RESOLVED** that:

**Section 1.** The above "Whereas" paragraphs above are incorporated herein by reference as if set forth fully.

**Section 2.** The Town Board, having reviewed the Short Form Environmental Assessment Forms hereby determines that this unlisted action will not have any significant impact on the environment and hereby issues a negative declaration with respect to such action.

**Section 3.** The Supervisor is hereby authorized to execute an Amendment extending the term of the Conservation Easement with Tolake Corp. to add the additional parcels described herein and to extend the Conservation Agreement from March 1, 2025 through March 1, 2030 in a form meeting the standards of the Conservation Law of the Town of Stony Point and Article 49 of the Environmental Conservation Law and approved by Town Special Counsel and to execute any additional documents in conjunction with such Amendment.

**Section 4.** The execution of this Amendment shall not be deemed to affect any existing rights with respect to easements, egress, ingress or any other rights in the parcels herein or any adjoining parcels.

**Section 5.** If a court of competent jurisdiction finds any provisions of this Resolution or the subject Amendment invalid, all other provisions of this Resolution and the Amendment shall continue to be separately and fully effective.

**Section 6.** This Resolution shall take effect immediately.

#### **Approve Resolution 2018-29 – Reconstruction and Re-Paving of the Roads**

A motion was made by Supervisor Monaghan, seconded by Councilman Puccio and **carried** by a voice vote of those board members present, with Councilman White voting no, to adopt the following

#### **Resolution No. 2018-29**

**BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE RECONSTRUCTION AND REPAVING OF VARIOUS ROADS THROUGHOUT THE TOWN; STATING THE MAXIMUM ESTIMATED COST THEREOF IS \$400,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF UP TO \$400,000 IN SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION**

WHEREAS, the Town Board (the "Board") the Town of Stony Point, Rockland County, New York (the "Town") proposes to authorize the issuance of \$400,000 in serial bonds of the Town to finance the reconstruction and repaving of various roads throughout the Town, including, as necessary or appropriate, the construction or reconstruction of sidewalks, curbs, gutters, drainage, landscaping, and grading or improving right of way improvements in connection therewith (collectively, the "Project"), at an estimated maximum cost of \$400,000; and

WHEREAS, the Board now wishes to appropriate funds for the Project and to authorize the issuance of the Town's serial bonds and bond anticipation notes to be issued to finance the aforementioned class of objects or purposes.

THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK (the "Town") HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

SECTION 1. The Town is hereby authorized to undertake the reconstruction and repaving of various roads throughout the Town, including, as necessary or appropriate, the construction or reconstruction of sidewalks, curbs, gutters, drainage, landscaping, and grading or improving right of way improvements in connection therewith. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$400,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of the \$400,000 in serial bonds of the Town authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (ii) unless paid from other sources, the levy and collection of taxes on all taxable real property of the Town to pay the principal of such bonds or notes and the interest thereon as the same become due and payable.

SECTION 2. Serial bonds of the Town in the principal amount of \$400,000 are hereby authorized to be issued pursuant to provisions of Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the aforementioned class of objects or purposes.

SECTION 3. It is hereby determined that the period of probable usefulness of the aforementioned specific object or purpose is five (5) years, pursuant to subdivisions 20(c). and 89. of paragraph a. of Section 11.00 of the Law.

SECTION 4. The final maturity of the bonds herein authorized to be issued shall not be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to this resolution.

SECTION 5. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in Section 1 of this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 1 of this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00 and Sections 62.10 and 63.00 of the Law, the powers and duties of the Town Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters relating thereto, and of any bond anticipation notes issued in anticipation of said

bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Town Supervisor of the Town, the chief fiscal officer of the Town (the "Town Supervisor"). Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for the object or purpose authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Town, then the power of the Town Board to determine the "weighted average period of probable usefulness" (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town.

SECTION 8. The Town Supervisor of the Town is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Town Board.

SECTION 10. The Town Board hereby determines that the actions authorized by this resolution and the adoption hereof collectively constitute a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, "SEQRA") and that no further action under SEQRA need be taken by the Town Board as a condition precedent to the adoption of this resolution.

SECTION 11. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

SECTION 12. The Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the Town for such purpose.

SECTION 13. This resolution shall take effect immediately

### **Approve Resolution 2018-30 – Authorizing the Town to Undertake Various Public Improvements**

A motion was made by Supervisor Monaghan, seconded by Councilman Puccio and unanimously **carried** by a voice vote of those board members present with Councilman White voting no, to adopt the following

**Resolution No. 2018-30**

**BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE TOWN TO UNDERTAKE VARIOUS PUBLIC IMPROVEMENTS AND THE ISSUANCE OF \$288,500 IN SERIAL BONDS OF THE TOWN TO FINANCE SAID OBJECTS OR PURPOSES**

WHEREAS, the Town Board (the "Board") the Town of Stony Point, Rockland County, New York (the "Town") proposes to authorize the issuance of \$288,500 in serial bonds of the Town to finance various public purposes and improvements and appropriate funds for each such purpose and to make certain determinations in connection with such purpose; and

WHEREAS, all conditions precedent to the financing of each of the objects or purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act (collectively, "SEQRA"), have been performed and therefore no further action need be taken by the Town Board under SEQRA as a pre-condition to the adoption of this resolution; and

WHEREAS, the Board now wishes to appropriate funds for the Project and to authorize the issuance of the Town's serial bonds and bond anticipation notes to be issued to finance the aforementioned class of objects or purposes.

THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK (the "Town") HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

SECTION 1. The Town is hereby authorized to undertake the acquisition of one police vehicle to replace an existing police vehicle that has been in service for at least one year and to issue \$33,500 principal amount of serial bonds pursuant to the provisions of the Local Finance Law (the "Law") to finance such specific object or purpose. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$33,500, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$33,500 in serial bonds of the Town, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) to the extent necessary, the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds or bond anticipation notes and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is three (3) years, pursuant to subdivision 77(first). of paragraph a. of Section 11.00 of the Law.

SECTION 2. The Town is hereby authorized to undertake the acquisition and installation of computer hardware for the purpose of upgrading the Town Police Department's computer system and to issue \$2,500 principal amount of serial bonds pursuant to the provisions of the Law to finance such specific object or purpose. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$2,500, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$2,500 in serial bonds of the Town, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) to the extent necessary, the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds or bond anticipation notes and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is five (5) years, pursuant to subdivision 32. of paragraph a. of Section 11.00 of the Law.

SECTION 3. The Town is hereby authorized to undertake the acquisition of one 4x4 rack mount truck for use by the Town's Parks Department and to issue \$50,000 principal amount of serial bonds pursuant to the provisions of the Law to finance such

specific object or purpose. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$50,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$50,000 in serial bonds of the Town, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) to the extent necessary, the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds or bond anticipation notes and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is five (5) years, pursuant to subdivision 29. of paragraph a. of Section 11.00 of the Law.

SECTION 4. The Town is hereby authorized to undertake the acquisition of playground equipment for Eccher Park and to issue \$40,000 principal amount of serial bonds pursuant to the provisions of the Law to finance such specific object or purpose. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$40,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$40,000 in serial bonds of the Town, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) to the extent necessary, the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds or bond anticipation notes and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is five (5) years, pursuant to subdivisions 19(c). and 89. of paragraph a. of Section 11.00 of the Law.

SECTION 5. The Town is hereby authorized to undertake improvements to Town Hall consisting of interior upgrades, the acquisition and installation of new flooring and lighting upgrades and to issue \$50,000 principal amount of serial bonds pursuant to the provisions of the Law to finance such specific object or purpose. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$50,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$50,000 in serial bonds of the Town, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) to the extent necessary, the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds or bond anticipation notes and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is five (5) years, pursuant to subdivisions 12(a)(3)., 13., and 89. of paragraph a. of Section 11.00 of the Law.

SECTION 6. The Town is hereby authorized to undertake the acquisition of a driving range ball dispenser for use by the Town's municipal golf course and to issue \$12,000 principal amount of serial bonds pursuant to the provisions of the Law to finance such specific object or purpose. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$12,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$12,000 in serial bonds of the Town, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) to the extent necessary, the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds or bond anticipation notes and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is five (5) years, pursuant to subdivision 32. of paragraph a. of Section 11.00 of the Law.

SECTION 7. The Town is hereby authorized to undertake the acquisition of a one-ton dump truck with snow plow package for use by the Town's Highway Department and to issue \$50,500 principal amount of serial bonds pursuant to the provisions of the Law to finance such specific object or purpose. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$50,500, said amount is hereby appropriated therefor and the plan for the



financing thereof shall consist of (i) the issuance of \$50,500 in serial bonds of the Town, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) to the extent necessary, the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds or bond anticipation notes and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is five (5) years, pursuant to subdivisions 28. and 89. of paragraph a. of Section 11.00 of the Law.

SECTION 8. The Town is hereby authorized to undertake the acquisition of a 4x4 pick-up truck with plow package for use by the Town's Sewer Department and to issue \$50,000 principal amount of serial bonds pursuant to the provisions of the Law to finance such specific object or purpose. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$50,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$50,000 in serial bonds of the Town, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) to the extent necessary, the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds or bond anticipation notes and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is five (5) years, pursuant to subdivisions 28. and 89. of paragraph a. of Section 11.00 of the Law.

SECTION 9. The final maturity of the bonds authorized to be issued in each of Sections 1 through 8 hereof shall be in excess of five (5) years measured in each case from the date of issuance of the first serial bond or bond anticipation notes issued pursuant to such section.

SECTION 10. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures as part of the projects described herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

SECTION 11. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 12. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations, and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00, Section 62.10 and Section 63.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the

Town Supervisor, the chief fiscal officer of the Town. Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for any of the objects or purposes authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more other objects or purposes authorized by this resolution or other resolutions of the Town Board, then the power of the Town Board to determine the “weighted average period of probable usefulness” (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town.

SECTION 13. The Town Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for Federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”) and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as “qualified tax-exempt bonds” in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 14. The Town Supervisor is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchaser of any of the bonds or notes authorized by this resolution in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 15. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Town Board.

SECTION 16. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

SECTION 17. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to publish the foregoing resolution in full, or a summary thereof, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the Town (a) for such publication, and (b) for the publication of the notice of sale in connection with any bonds issued pursuant to this resolution.

#### **Superintendent of Highway Request - NYSAOTSOH Conference**

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to approve the request from the Superintendent of Highways to attend the NYSAOTSOH Conference September 17<sup>th</sup> – 20<sup>th</sup>, 2018 at The Turning Stone Resort.

**Approve Resolution 2018/31 Adopting the Rockland County Multi-Jurisdictional Hazard Mitigation Plan**

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:

**RESOLUTION 2018/31**

**RESOLUTION 2018/31 ADOPTING THE ROCKLAND COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN**

**WHEREAS**, the Disaster Mitigation Act of 2000 (DMA 2000) (P.L. 106-390) provides an opportunity for States, Tribes, and local governments to take a new and revitalized approach to mitigation planning; and

**WHEREAS**, DMA 2000 amended the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Act) by repealing the previous Mitigation Planning section and emphasizes the need for State, Tribal, and local entities to closely coordinate mitigation planning and implementation efforts; and

**WHEREAS**, the Town of Stony Point, in partnership with the County of Rockland and with the assistance of Tetra-Tech Corporation, has gathered information and prepared the Rockland County Multi-Jurisdictional Hazard Mitigation Plan; and

**WHEREAS**, the Rockland County Multi-Jurisdictional Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

**WHEREAS**, the Town of Stony Point has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

**WHEREAS**, the Town of Stony Point has reviewed the Plan and affirms that sections pertaining to the Town will be updated no less than every five years.

**NOW, THEREFORE, BE IT RESOLVED** that:

**Section 1.** The above “Whereas” paragraphs above are incorporated herein by reference as if set forth fully.

**Section 2.** The Town of Stony Point hereby adopts the Rockland County Multi-Jurisdictional Hazard Mitigation Plan as the Town’s Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

**Section 3.** The Town Board hereby authorizes the Town Supervisor, and any other official or employee as directed by the Town Supervisor, to take any action necessary to carry out the provisions of this Resolution.

**Section 4.** This Resolution shall take effect immediately.

**Breaking Aids Bike Ride**

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to grant permission to BRAKING AIDS Bike Ride to travel through the town on Sunday, September 16<sup>th</sup>, 2018.

**Nominate Police Candidates**

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to accept Chief Moore’s nomination for police officer candidate John Ferrara.

### **Correction – General Fund Abstract #6 Voucher #360**

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to approve a correction to the General Fund on Abstract #13. Invoice # 116008 was paid twice in the amount of \$215.56. This changes the General Fund to \$132,715.62.

### **Approve Use of Town Hall Lawn to Rose Memorial Library**

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to grant permission to Rose Memorial Library for the use of the Town Hall Lawn and parking lot for a fundraiser being held on July 31<sup>st</sup>. The Library should submit a certificate of insurance for the event.

### **Approve Use of Town Soundstage**

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to grant permission for the use of the town's soundstage to the Village of Suffern for "Suffern Day" on September 22<sup>nd</sup> providing they submit a certificate of insurance. The Village of Suffern will also be responsible for paying our employees for their time to set up and break down the stage and must submit a certificate of insurance covering the use of the stage for the event.

### **Approve Dedication of Stacy Court and Conklin Drive**

After discussion with counsel, Supervisor Monaghan tabled this matter.

### **Approve Adjusted Base Proportions**

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to accept the Homestead Base and Adjusted Base Proportions for 2018 as presented by William Beckman, Assessor and on file in the Town Clerk's Office.

### **Resolution 2018/32 Set a Public Hearing for Sewer District Bond Resolution**

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to set a public hearing for August 14, 2018 under Town Law Section 202-B relating to certain improvements to the Town's wastewater treatment plant.

### **CLOSE MEETING**

Supervisor Monaghan closed the July 24<sup>th</sup> Town Board meeting in memory of Wellington Casscles who recently passed away. Wellington was a 25 year member of the Zoning Board of Appeals and a business owner in town. He volunteered his time to do all the electrical work at the Pyngyp School when it was restored.

### **Executive Session**

At 8:02pm 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 a company who would like to do business with the town.

### **ADJOURN**

The July 24<sup>th</sup>, 2018 Stony Point Town Board meeting adjourned at 9:00pm and no further votes were taken.

Respectfully submitted

Joan Skinner  
Town Clerk