STONY POINT TOWN BOARD MEETING - OCTOBER 9, 2018

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, October 9, 2018 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 lead the group in the Pledge of Allegiance.

Supervisor Monaghan opened the meeting in loving memory of Virginia Malloy, a long time Stony Point resident and owner/operator of Malloy's Pharmacy along with her husband, William Malloy Jr., for many decades. Mrs. Malloy was very active in the community throughout the years and turned 100 years old on August 31, 2018.

Town Clerk Joan Skinner called the following roll:

PRESENT: Mr. Thomas Basile Councilman

Mr. Karl Javenes Councilman
Mr. James White Councilman
Mr. Michael Puccio Councilman
Mr. James Monaghan Supervisor

Mr. Brian Nugent Esquire

PUBLIC INPUT

None

PURCHASE ORDER REQUEST

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

Golf Course Clubhouse:

PO#3166 Ferguson Landscaping Const. \$2,000.00

Golf Course:

PO#3165 Storr Tractor Supply \$1,197.98

Highway Department:

PO#3164 Newburgh Branch Transaxle \$10,990.00

Police Dept:

PO#3103 Precision Roofing \$1,675.00 PO#3104 Centurion Telephone \$1,400.00

AUDIT OF BILLS

<u>Joan Skinner Town Clerk</u> presented the following bills to the Town Board for audit and a motion was made by Councilman White, seconded by Councilman Basile and **carried** by a voice vote of all board members present, to approve the following audit of bills:

General - October 9, 2018

<u>FUND</u>	CLAIM #		FUND TOTAL		
General	1095-1170	\$	136,174.25		
<u>Highway</u>	332-361	\$	45,107.42		
Sewer	300-321	\$	44,579.73		
Special Districts					
Ambulance	19-20	\$	29,548.27		
Enterprise	327-347	\$	28,029.49		
Solid Waste	21-23	\$	5,510.50		

<u>MINUTES</u> – 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 minutes of September 25, 2018.

CORRESPONDENCE - NONE

<u>SUPERVISOR'S REPORT</u> - Supervisor Monaghan indicated that:

- <u>Free Paper Shredding</u> Rockland County Solid is sponsoring a free paper shredding event on Oct 13th from 8-12 in front of Kirkbride Hall. Since October is Hunger Awareness month, we are asking that everyone bring nonperishable food items to the event to share with the North Rockland Food Pantry.
- <u>Halloween Spooktacular</u> Recreation Dept is sponsoring their annual Halloween event on Friday, Oct. 26th starting at 6 pm.
- Lions Club is hosting a garage sale in the commuter lot on Saturday, October 13^{th.}

AMBULANCE CORP. REPORT -None

POLICE DEPARTMENT REPORT/BUSINESS

Chief Moore read the following report:

Police Department Report for the Month of September 2018

Number of calls for service: 793 Number of reported accidents: 23 Number of arrests: 33

(1) Felonies (26) Misdemeanors (6) Violations

Fuel usage: 1159.0 gallons

Sum total of all traffic enforcement action:

Number of Youth Officer sponsored events:

Number of child safety seat installations:

Number of commercial vehicle enforcement details:

Number of traffic/special enforcement details:

28

School Safety & PTS

Number of training hours: 344 hrs Total fees collected: \$100.50

(Foil \$.50, Prints \$70.00, and Reports \$30.00)

Miscellaneous:

Youth events: (1) Youth Court Session, (1) PAL Meeting, (5) NR Youth Police Academy Sessions, the Annual PAL Fall Festival @ Kirkbride Hall with Approx 1000 Attendees-I would like to thank our Youth Officer, his staff and the youth and adult volunteers who worked hard to make it a big success. We continued the daily security checks of all our schools. Upcoming Events: PAL Movie Night @ Lowland is this Friday, 10/12 at 6:15pm- Hotel Transylvania 3 and PAL Pocketbook Bingo 11/2 at 6:30pm @ Kirkbride Hall.

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 September 2018.

Golf Course Report

The following report was presented for September 2018:

•	Green Fees	\$209,443.04
•	ID Cards	\$270.00
•	Merchandise	\$10,650.44
•	Range Fees	\$7,817.00
•	Club Rental	\$512.03
•	Total	\$228,692.51

DEPARTMENTAL REPORTS

<u>Joan Skinner</u>, Town Clerk offered the following reports for the record:

Architectural Review Board

From: 09/01/2018	To: 09/30/2018
Applications Received	
Site Plan	0
Solar Panels	5
Applications Approved	
Solar Panels	5
Applications Pending	
Site Plan	0
Solar Panels	0
Fees Collected:	\$500.00
Money in Lieu of Land	\$0.00
Submitted by the ARB cler	k

Building & Zoning Department

September 2018	
Applications Received	23
Applications Returned/Withdrawn	0
Applications Denied	2
Building & Blasting Permits Issued	29
Applications Pending	46
Certificate of Occupancy	12
Certificate of Compliance	15
Fees Collected	\$9,087.50

Dog Control Officer

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Dogs seized and sheltered	1
Dogs returned to owner	0
Number of complaints received	3
Miles traveled patrolling the Town	
and transporting dogs	328

Fire Inspector

September 2018	Month	Total
Inspections Performed	32	197
Field Correction Issued	20	107
Violations Issued	0	0
Violations Outstanding	0	0
Permits Issued	2	6
Requests by Police Dept.	1	1
Requests by Fire Dept.	8	54
Fires Investigated	1	11

Planning Board

From: 09/01/2018	To: 09/30/2018
Applications Received	
Subdivision-Minor	0
Applications Approved	0
Applications Pending	
Amended Subdivision	on 1
General Category	3
Informal Discussion	3
Lot Line Change	2
Site Plan	7
Subdivision-Minor	0

Town Board Minutes October 9, 2018 Fees Collected: \$0.00 Money in Lieu of Land \$0.00

Submitted by the Planning Board Clerk

Sewer Department

None

Zoning Board of Appeals

09/01/2018 to 09/30/2018	
Applications Received	
Appeal	0
Area Variance	1
Applications Returned/Withdrawn	0
Applications Closed	2
Applications Pending	
Appeal	0
Area Variance	2
Fees Collected	\$300.00

Town Clerk

TOWN CION	
September 2018	
Amount Paid To NYS Agriculture & Markets	
For Spay/Neuter Program	\$ 25.00
Amount Paid To NYS Health Dept. For Marriage Licenses	\$ 157.50
Amount Paid To NYS Dept. Of Environmental Conservation	\$ 4,022.29
Amount Paid To Supervisor	\$ 2,196.6 <u>5</u>
TOTAL AMOUNT REMITTED	\$ 6,401.44

PUBLIC HEARINGS:

Continued Public Hearing – Nuisance Party Ordinance

At 7:08PM a motion was made by Supervisor Monaghan, seconded by Councilman Javenes and unanimously carried by a voice vote of those board members present to open the public hearing regarding the nuisance party ordinance.

Public Input

Supervisor Monaghan

At this time Supervisor Monaghan asked Brian Nugent to speak regarding the changes made to the Local Law.

Brian Nugent

Brian Nugent discussed with the town board about slight changes made to the ordinance regarding the raising of the fines.

Close and Continue Public Hearing

At 7:14PM 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 oral comments portion of the public hearing and to leave the written comment portion open and continue the public hearing for October 23, 2018 @ 7PM at the RHO Building.

Proposed Local Law Tax Levy Override-Open Public Hearing

At 7:15PM a motion was made by Supervisor Monaghan, seconded by Councilman Puccio and unanimously carried by a voice vote of those board members present to open the public hearing for the proposed local law authorizing a property tax levy in excess of the limit established in General Municipal Law § 3-C.

Public Input

Brian Nugent

Explained that the local law is required if the tax cap is exceeded.

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No one else spoke at this time.

Continue Public Hearing

At 7:21PM a motion was made by Supervisor Monaghan, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to continue the public hearing for October 23rd at 7PM at the RHO Building.

Presentation of 2017 Audited Financial Statements

At this time <u>Jeffrey Shaver</u> from O'Connor Davies presented the 2017 Audited Financial Statements.

Accept/Approve 2017 Audited Financial Statements

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 and approve the 2017 Audited Financial Statements as presented by Jeffrey Shaver from O'Connor Davies.

Review 2019 Tentative Budget

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to adjust the 2019 Tentative Budget as presented on September 25, 2018 with the following changes:

- Added \$100,000 in permitting revenue for TZ construction as well as an additional \$50,000 for miscellaneous permitting revenue
- Added \$225,000 in Fund balance appropriation(revenue)
- Removed \$34,000 from police equipment (vehicle) expense

With these changes the net impact on the above is a reduction in the general fund levy of \$409,000

<u>Set Public Hearing – 2019 Preliminary Budget</u>

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to set a public hearing for the Preliminary Budget for October 23, 2018 at 7:00 pm at RHO Building.

Resolution Re-Dedicating Highview Ave.

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 2018/43

RESOLUTION AMENDING AND AFFIRMING THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION LOCAL HIGHWAY INVENTORY TO INCLUDE HIGHVIEW AVENUE FOR THE TOWN OF STONY POINT

WHEREAS, the New York State Department of Transportation ("DOT") is conducting a Geographic Information ("GIS") Public Road Network Project, the purpose of which is to reconcile inaccuracies in the measurements of roadways shown in the GIS network created by the DOT with the records maintained by the Town of Stony Point; and

WHEREAS, the DOT prepared and provided a review of roadways and their lengths that are located in the Town and identified in the Local Highway Inventory, which includes new geospatial data of roadways gathered from aerial photography and GIS mapping, which was previously reviewed, verified and submitted to the DOT; and

WHEREAS, the Town previously acknowledged that the DOT program, to gather geospatial information and data in connection with the Local Highway Inventory, will be a factor used to calculate and apportion the Consolidated Local Street and Highway

Improvement Program ("CHIPS") funding when said program is fully complete statewide: and

WHEREAS, the DOT has requested that the Town Superintendent of Highways further reviewed the existing data relating to certain Town roadways and provide updated data and verify that the lengths, DOT IDs, and designations of the listed roadways currently maintained by the Town is accurately reflected in a Resolution; and

WHEREAS, the Town previously accepted any new roads included or amended, the addition of any olds roads not inventoried, any more than minor length changes, and acknowledged that any road that may appear to be private is actually public; and

WHEREAS, the Town Board previously declared to be the owner of and accepted all of the legal maintenance, and repair responsibility for the roadways, which were included in the Local Highway Inventory, by Resolution dated May 8, 2018; and

WHEREAS, the Town Superintendent of Highways desires to include an additional roadway, Highview Ave, in the Local Highway Inventory; and

WHEREAS, the Town Board declares the Town to be the owner of and does hereby accept all of the legal, maintenance, and repair responsibility for Highview Ave as set forth in detailed herein, which is to be included in the Local Highway Inventory.

NOW, THEREFORE, BE IT RESOLVED by the Town Board as follows:

<u>Section 1</u>. The Town hereby ratifies and affirms each and every "Whereas" clause above as though set forth in full herein.

<u>Section 2</u>. The Town Board does hereby declare the Town of Stony Point to be the owner of and does hereby accept all of the legal, maintenance, and repair responsibility for the following roadway:

Roadway Name	DOT ID	<u>Length</u>	<u>Description</u>	<u>Types of</u> Responsibility
		Feet Miles		
Highview Avenue		264 (0.05)	30 ft. roadway in width with a 10 ft. easement on either side of roadway	Snowplowing, asphalt maintenance, paving and control of vegetation

<u>Section 3.</u> The Town Superintendent of Highways is hereby directed to proceed with a complete review and respond to the DOT inquiry regarding the comprehensive review of the roadway and its length to be included in the Local Highway Inventory.

<u>Section 4.</u> This Resolution shall be effective immediately.

Resolution to Adopt a Sexual Harassment Policy

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 2018/44

RESOLUTION TO ADOPT A SEXUAL HARASSMENT POLICY AND TO AUTHORIZE THE SUPERVISOR TO SCHEDULE THE REQUIRED SEXUAL HARASSMENT TRAINING PROGRAM FOR ALL

TOWN EMPLOYEES AND OFFICIALS IN ACCORDANCE WITH THE NEW YORK STATE PREVENTION OF SEXUAL HARASSMENT LAW

WHEREAS, the Town of Stony Point ("Town") currently has a Sexual Harassment Policy set forth in the Town's Employee Handbook; and

WHEREAS, on April 12, 2018, Governor Andrew Cuomo amended the New York State Prevention of Sexual Harassment Law as part of signing into law the 2019 New York State Budget; and

WHEREAS, the newly amended Prevention of Sexual Harassment Law mandates that all New York State employers, including the Town, adopt a Sexual Harassment Prevention Policy by October 9, 2018 and institute a Sexual Harassment Prevention Training Program for all employees, which must be completed by each employee by January 1, 2019, and annually thereafter; and

WHEREAS, the New York State Department of Labor, in coordination with the Division of Human Rights, has also published a Model Sexual Harassment Prevention Policy and Model Sexual Harassment Prevention Training Program for State of New York Employers to adopt; and

WHEREAS, the Town Board desires to adopt the Model Sexual Harassment Prevention Policy (as attached hereto) and to incorporate said Policy into the Town's Employee Handbook to replace the existing sexual harassment policy; and

WHEREAS, the Town also desires to authorize the Supervisor to arrange for the required sexual harassment training program to be provided to all Town Employees and Officials by January 1, 2019, and annually thereafter.

NOW, THEREFORE, BE IT RESOLVED that:

- <u>Section 1</u>. The above "WHEREAS" clauses are hereby incorporated by reference as though set forth in full herein.
- Section 2. The Supervisor or his designee is hereby directed to supply to all Town Employees and Officials a copy of the amended Town of Stony Point Sexual Harassment Policy, Complaint Form and Employee Acknowledgment Form.
- Section 3. The Supervisor is hereby authorized to undertake the necessary steps to schedule a date and time for all Town Employees and Officials to successfully complete the new Sexual Harassment Prevention Training Program by January 1, 2019, and annually thereafter.
- <u>Section 4</u>. All Town Employees and Officials must complete the Sexual Harassment Prevention Training Program.
- <u>Section 5</u>. The Supervisor, or any other Town official, employee or consultant at the Supervisor's direction, is hereby authorized to take any and all necessary actions to carry out the provisions of this Resolution.
- Section 6. This Resolution shall take effect immediately.

Resolution Regarding Direction and Control of Town Dog Control Officer

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 2018/45

RESOLUTION REGARDING DIRECTION AND CONTROL OF TOWN DOG CONTROL OFFICER

WHEREAS, the Town of Stony Point ("Town") currently employs a Town Dog Control Officer pursuant to the provisions of the New York State Agriculture and Markets Law; and

WHEREAS, such Dog Control Officer is currently under the direction and control of the Appointing Authority of the Town of Stony Point ("Town Board"); and

WHEREAS, consistent with the best practices of management and efficiency of operations, the direction of the Dog Control Officer is best delegated to the Town Police Department due to the nature of the Dog Control work; the likelihood of requests for service for Dog Control coming through the police department communications systems; the more immediately availability of members of the police department to provide immediate direction and control to the Dog Control Officer and the close interaction between the Town Police Department and Dog Control Officer in the past; and

WHEREAS, the Town Board desires to facilitate the most effective means of direction and control over the Town Dog Control Officer.

NOW, THEREFORE, BE IT RESOLVED that:

- <u>Section 1</u>. The above "WHEREAS" clauses are hereby incorporated by reference as though set forth in full herein.
- Section 2. The Town Board hereby delegates direction, control and supervision of the Town Dog Control Officer to the Town Police Department as determined most appropriate by the Chief of Police or his designee.
- Section 3. The Chief of Police is hereby authorized to establish any necessary protocols, rules or direction and communicate same to the Town Dog Control Officer, including but not limited to scheduling, purchasing, budgeting, work assignment, etc.
- Section 4. In the event of any issue requiring resolution with respect to the activities of the Town Dog Control Officer, the Town Supervisor is hereby authorized to provide any required direction to the Chief of Police or his designee on behalf of the Town Board.
- <u>Section 5</u>. This Resolution shall take effect immediately.

Approve GASB 75 Compliance Valuation 2 year proposal (2018 & 2019) with USI Consulting Group

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 GASB 75 Compliance Valuation 2 year proposal (2018 & 2019) with USI Consulting Group to provide actuarial services.

Approve Lease Agreement for New Copier-Justice Court

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 a five year contract with DEC Copiers at \$179 a month for a copier for Justice Court.

Set Public Hearing for Senior and Disabled Exemption

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 concerning the proposed local law to amend the proposed senior citizen and disabled persons exemptions:

RESOLUTION NO. 2018/46

RESOLUTION NO. 2018/46OF THE TOWN BOARD OF THE TOWN OF STONY POINT SETTING A PUBLIC HEARING CONCERNING THE PROPOSED LOCAL LAW TO AMEND CHAPTER 194 (TAXATION) ARTICLE IV (EXEMPTION FOR DISABLED PERSONS) OF THE TOWN OF STONY POINT TOWN CODE

WHEREAS, the Town of Stony Point Town Board ("Town Board") is considering the adoption of a local law to amend the Article I, entitled Exemption for Disabled

Persons, of Chapter 194, entitled Taxation, pursuant to Section 459-c of the Real Property Tax Law of the State of New York; and

WHEREAS, the purpose of this Local Law is to amend Chapter 194, Article IV, Section 18 of the Town Code to increase the maximum income eligibility level in accordance with Section 459-c of the Real Property Tax Law; and

WHEREAS, the Town Board hereby desires to schedule a public hearing concerning the proposed Local Law to solicit public comment.

NOW, THEREFORE, IT IS RESOLVED as follows:

- <u>Section 1.</u> The Town hereby ratifies and affirms each and every "Whereas" paragraph above as though set forth in full herein.
- Section 2. The Town Board hereby schedules a public hearing to be held on October 23, 2018, at 7:00 p.m., at the **RHO Building, 5 Clubhouse Lane Stony Point, New York 10980.**
- <u>Section 3</u>. 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.
 - <u>Section 4.</u> This Resolution shall be effective immediately.

RESOLUTION NO. 2018/47

RESOLUTION NO.2018/47 OF THE TOWN BOARD OF THE TOWN OF STONY POINT SETTING A PUBLIC HEARING CONCERNING THE PROPOSED LOCAL LAW TO AMEND CHAPTER 194 (TAXATION) ARTICLE I (SENIOR CITIZENS EXEMPTION) OF THE TOWN OF STONY POINT TOWN CODE

WHEREAS, the Town of Stony Point Town Board ("Town Board") is considering the adoption of a local law to amend Article I, entitled Senior Citizens Exemptions, of Chapter 194, entitled Taxation, pursuant to Section 467 of the Real Property Tax Law of the State of New York; and

WHEREAS, the purpose of this Local Law is to amend Chapter 194 of the Town Code to increase the maximum income eligibility level in accordance with Section 467 of the New York State Real Property Tax; and

WHEREAS, the Town Board hereby desires to schedule a public hearing concerning the proposed Local Law to solicit public comment.

NOW, THEREFORE, IT IS RESOLVED as follows:

- <u>Section 1.</u> The Town hereby ratifies and affirms each and every "Whereas" paragraph above as though set forth in full herein.
- Section 2. The Town Board hereby schedules a public hearing to be held on October 23, 2018, at 7:00 p.m., at the **RHO Building, 5 Clubhouse Lane Stony Point, New York 10980.**
- <u>Section 3</u>. 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.
 - <u>Section 4.</u> This Resolution shall be effective immediately.

Use of Commuter Lot-Powerhouse Dance Center

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and unanimously carried by a voice vote to approve the request by Power House Center to use the commuter lot on Rt. 9W for a Garage Sale on October 14, 2018 from 9am – 3pm with a rain date of October 21, 2018.

Request For Use of 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 Hillburn for their Fall Festival on Saturday, October 13th with a rain date of Sunday, October 14th. This approval is contingent upon a copy of an insurance certificate being submitted to the town clerk's office as well as the Village of Hillburn being responsible for our employees to be compensated for their time for setup and breakdown of the stage.

Resolution-Execute Agreement with Farr Engineering

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

RESOLUTION 2018/48

RESOLUTION AUTHORIZING SUPERVISOR TO EXECUTE AN AGREEMENT WITH FARR ENGINEERING (JAMES FARR, P.E.) FOR ENGINEERING SERVICES CONCERNING TOWN SEWER INFRASTRUCTURE

WHEREAS, the Town of Stony Point Town Board ("Town Board") is in need of engineering services concerning the proposed extension and modification to the Town Sewer Infrastructure; and

WHEREAS, the Town previously issued a Request for Qualifications for engineering services and received responses to such Request for Qualifications; and

WHEREAS, the Town Board now desires to contract for the services of an engineer to assist the Town with the extension and modifications of the Town Sewer Infrastructure; and

NOW, THEREFORE, BE IT RESOLVED that:

- <u>Section 1</u>. The above "WHEREAS" clauses are hereby incorporated by reference as though set forth in full herein.
- <u>Section 2</u>. The Town Supervisor is hereby authorized to execute an Agreement with Farr Engineer (James Farr, P.E.) in a form approved by Town Special Counsel.
- Section 3. The Town Clerk and any other official or employee, as directed by the Town Supervisor, is hereby authorized to take any and all necessary actions to carry out the provisions of this Resolution.
- Section 4. This Resolution shall take effect immediately.

Use of Commuter Lot-The Jan & Niles Davies Learning Center

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and carried by a voice vote of those board members present to grant permission for The Jan & Niles Davies Learning Center at Helen Hayes Hospital to use the commuter parking lot for a community garage sale fundraiser to benefit the center on October 20th.

EXECUTIVE SESSION

At 8:19 pm 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 litigation. No further votes will be taken.

ADJOURN
The October 9, 2018 Stony Point Town Board meeting adjourned at 8:40pm and no additional votes were taken.

Respectfully submitted

Joan Skinner, Town Clerk