

STONY POINT TOWN BOARD MEETING – NOVEMBER 26, 2019

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, November 26, 2019 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:

Megan Carey called the following roll:

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

PUBLIC INPUT

None

PURCHASE ORDER REQUEST

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

Buildings & Grounds:

PO#3316	Hush Maintenance Corp.	\$1,920.00
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Golf Course:

PO#3300	National Lawn Sprinklers	\$1,270.00
PO#3306	Metro Turf Specialists	\$53,540.00
PO#3307	Metro Turf Specialists	\$28,691.50

Sewer Dept:

PO#3286	Fleet Pump	\$3,400.00
PO#3312	Gentech LTD	\$2,950.87

AUDIT OF BILLS – A motion was made by Councilman Puccio, 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 – November 26, 2019

<u>FUND</u>	<u>CLAIM #</u>	<u>FUND TOTAL</u>
General	1246-1282	\$ 291,506.97
Highway	419-426	\$ 31,333.35
Sewer	366-373	\$ 25,311.34
<u>Special Districts</u>		
Enterprise	390-398	\$ 14,314.63
Solid Waste	37-37	\$ 1,422.72
Street Lighting	18-19	\$ 22,014.48

MINUTES – A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present with Councilman White abstaining, to approve the minutes of November 12, 2019.

SUPERVISOR’S REPORT

Supervisor Monaghan spoke regarding:

- On December 10th Sheriff Falco will be hosting an informational meeting to discuss the Criminal Justice Reform.

- Annual Tree lighting will be held on Monday, December 2nd at 6:00PM at Kirkbride Hall. The Stony Point Elementary School chorus will perform. Santa and Mrs. Claus will make a guest appearance. There will be free gifts for the children. This year they will be having a winter wonderland in the basement of Kirkbride.
- Recreation dept is having a craft celebration on December 5th from 6-8pm. There will be pizza and refreshments. The fee is \$20 per person.
- On November 30th the Stony Point Historical Society is hosting an event “History Mystery”. They will be sharing pictures of Tomkins Cove and Jones Point. If interested contact Susan Filgueras as spots are limited.
- Weather Permitting, Patriot Hills Golf Course will be open this coming weekend and then will be closing for the season.

CORRESPONDENCE

None

Approval of ATM Machine-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 the installation of an ATM by Alexa’s ATM Machine at Justice Court.

Approve Lease for Copier-Building Department

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 new lease for a copier at the building department.

Waive Permit Fee-Wayne Hose-Christmas Tree Sales

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and unanimously carried by voice vote of those Board members present to waive the fees associated with Christmas Tree sales for Wayne Hose Company #1.

Waive Permit Fee-Boy Scout Troup 10-Christmas Tree Sales

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and unanimously carried by voice vote of those Board members present to waive the fees associated with Christmas Tree sales for Boy Scout Troop 10.

Approve Funding from Bldg./Facility Improvement Fund for Emergency Repair

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and unanimously carried by voice vote of those Board members present to approve the following resolution:

RESOLUTION

The following resolution was duly offered and seconded to wit:

RESOLUTION 2019/37

RESOLUTION AUTHORIZING THE EXPENDITURE OF TOWN FUNDS FOR AN EMERGENCY REPAIR

WHEREAS, there is an unforeseen and unexpected sink hole located on S Hill Road, which is creating a condition that jeopardizes the health, safety, and welfare of Town residents; and

WHEREAS, the Highway Superintendent has determined that emergency circumstances relating to the sink hole require the Town Board to authorize immediate

action which cannot await competitive bidding pursuant to General Municipal Law § 103(4); and

WHEREAS, the Town Superintendent of Highways has provided to the Town Board two proposals for the emergency repairs identifying the location at S Hill Road; and

WHEREAS, the Town Board has reviewed the proposals and desires to award Environmental Construction, Inc., a professional company with the capability to conduct the immediate repairs; and

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 expenditure of no more than \$150,000.00 from the Town’s Building & Improvement Fund to Environmental Construction, Inc. to conduct such emergency repairs, subject to permissive referendum prior to any payment being made.

Section 3. This Resolution is subject to permissive referendum and the Town Clerk is hereby authorized and directed to post and publish notices required regarding the permissive referendum requirements.

Section 4. The Town Board hereby authorizes the Town Supervisor to execute any and all contract documents on behalf of the Town in a form to be approved by Town Counsel and to take such actions as may be necessary for the performance and completion of the emergency repairs.

Section 5. The Town Board hereby directs the Town Finance Director to include the appropriation of fund balance and amend the 2019 Town Budget accordingly.

Section 6. This Resolution shall be effective immediately.

Resolution Authorizing Retention of Law Firm in Opioid Litigation

A motion was made by Supervisor Monaghan, seconded by Councilman Puccio and unanimously carried by voice vote of those Board members present to approve the following resolution:

RESOLUTION

The following resolution was duly offered and seconded to wit:

RESOLUTION 2019/38

RESOLUTION AUTHORIZING RETENTION OF LAW FIRM IN OPIOID LITIGATION AGAINST MANUFACTURERS AND DISTRIBUTORS OF OPIOIDS

WHEREAS, the Town desires to retain Tate Grossman Kelly & Iaccarino, LLP (“the Firm”) as Client’s attorneys in the prosecution of any legal claim against manufacturers and distributors of opioids arising out of the manufacturers’ and distributors’ fraudulent, negligent and otherwise wrongful conduct (“the Litigation”); and

WHEREAS, the Town of Stony Point (“Town”) will not incur any costs or expenses in retaining the Firm and shall not be responsible for any costs or expenses that exceed any recovery in the Litigation as such retention is on a contingency basis; and

WHEREAS, the Litigation shall include claims of negligent marketing, negligence, violations of the Fair Business Practices Act, Fraud, Public Nuisance and Unjust Enrichment against such manufacturers and distributors.

NOW THEREFORE BE IT RESOLVED that:

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

Section 2. The law firm of Tate Grossman Kelly & Iaccarino, LLP (“the Firm”) is authorized to appear and prosecute the Litigation pursuant to the terms of the Legal Services Contract in the form presented to Town Board.

Section 3. The Town Supervisor is authorized to execute the Legal Services Contract as the Authorized Representative of the Town and to cause such executed Legal Services Contract to be mailed to the Firm.

Section 4. The Town Clerk and any other Town employee or official as directed by the Town Supervisor is authorized to take any and all actions necessary to carry out the provisions of this Resolution.

Section 5. This Resolution shall be effective immediately.

Approve agreement with Michael Jastremski of the Lower Hudson River Coalition of Conservation District to support the Upper Cedar Brook Barrier Mitigation Grant awarded by the NYS DEC

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and unanimously carried by voice vote of those Board members present approve agreement with Michael Jastremski of the Lower Hudson River Coalition of Conservation District to support the Upper Cedar Brook Barrier Mitigation Grant awarded by the NYS DEC.

Executive Session

At 7:23 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 into executive session for police personnel matters and a company interested in doing business with the town.

Adjourn

The November 26, 2019 Stony Point Town Board meeting adjourned at 8:00 pm and no further votes were taken.

Respectfully submitted

Holli Finn
Deputy Town Clerk