

**STONY POINT TOWN BOARD MEETING – DECEMBER 11, 2018**

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, December 11, 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.

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**

David and Dolores Lowe of 3 Tyler Place Stony Point spoke about their concerns with drainage at their home due to a neighbor filling in pipes causing the backup on their property. They stated that the owner of the home does not have a permit. Engineer said that the pipes are on his property and it is within his right to fill them in.

**PURCHASE ORDER REQUEST**

None

**AUDIT OF BILLS**

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

**General – December 11, 2018**

<u>FUND</u>	<u>CLAIM #</u>	<u>FUND TOTAL</u>
General	1340-1435	\$ 189,138.42
Highway	404-438	\$ 32,657.08
Sewer	367-394	\$ 73,692.34
Special Districts		
Ambulance	23-25	\$ 31,193.49
Enterprise	391-410	\$ 10,203.83
Solid Waste	26-26	\$ 2,584.00

**MINUTES** – 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 November 27, 2018.

**CORRESPONDENCE - NONE**

**SUPERVISOR’S REPORT:**

Supervisor Monaghan spoke regarding:

- Recreation Department is hosting Breakfast with Santa at the Clubhouse at Patriot Hill on December 15<sup>th</sup> at 9:30 AM.
- Wayne Hose Fire Department will be driving around with Santa & Friends on the fire truck on the south side of the bridge on Saturday, December 15<sup>th</sup> and the north side on Sunday, December 16<sup>th</sup>.
- Rockland County Office for the Aging is hosting a Senior Law Day on Friday, December 14<sup>th</sup> from 10am-noon at the Rho Building.
- The Polar Express was a great success. He thanked Karenanne and her staff on the wonderful job.

- Congratulated Chief Moore on Officer Daniel Hylas receiving a merit award at the RCPBA awards dinner.

**POLICE DEPARTMENT REPORT/BUSINESS**

Chief Moore read the following report:

Police Department Report for the Month of November 2018

Number of calls for service:	830
Number of reported accidents:	25
Number of arrests:	60
(7) Felonies            (46) Misdemeanors            (7) Violations	
Fuel usage:	1273.0 gallons
Sum total of all traffic enforcement action:	160
Number of Youth Officer sponsored events:	7
Number of child safety seat installations:	5
Number of commercial vehicle enforcement details:	1
Number of traffic/special enforcement details:	2
STOP DWI	
Number of training hours:	80 hrs
Total fees collected:	\$145.50
(Foil \$1.50, Prints \$90.00, and Reports \$45.00)	

Miscellaneous:

Youth events: (1) PAL meeting, (2) NR Youth Police Academy sessions and a graduation, PAL Pocketbook Bingo fundraiser, Youth Community Service, (1) Youth Court Session and met with ST PT Senior Groups 1 & 2 to discuss Crime Prevention topics. Upcoming Events-12/21 @6:30pm at RHO Youth Bingo, Open gym @ Kirkbride in January and the Harlem Wizards game on 2/8/19 @ NRHS. We continued the daily security checks of all our schools.

**Chief Moore’s Time Record**

A motion was made by Councilman Basile, seconded by Councilman Puccio and **unanimously carried** by a voice vote of all board members present, to approve Chief Moore’s time record for the month of November 2018 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 November 2018.

**Golf Course Report**

The following report was presented for November 2018:

• Green Fees	\$42,711.76
• ID Cards	\$0.00
• Merchandise	\$4,043.47
• Range Fees	\$1,263.00
• Club Rental	\$239.87
• Total	\$48,258.10

**DEPARTMENTAL REPORTS**

Joan Skinner, Town Clerk offered the following reports for the record:

**Architectural Review Board**

From: **11/01/2018**                      To: **11/30/2018**

Applications Received	
Site Plan	0
Solar Panels	7
Applications Approved	
Solar Panels	7

Applications Pending	
Site Plan	0
Solar Panels	0
Fees Collected:	\$700.00
Money in Lieu of Land	\$0.00
Submitted by the ARB clerk	

**Building & Zoning Department**

**November 2018**

Applications Received	31
Applications Returned/Withdrawn	4
Applications Denied	1
Building & Blasting Permits Issued	36
Applications Pending	49
Certificate of Occupancy	10
Certificate of Compliance	9
Fees Collected	\$19,100.00

**Dog Control Officer**

**November 2018**

Dogs seized and sheltered	1
Dogs returned to owner	1
Number of complaints received	2
Miles traveled patrolling the Town and transporting dogs	531

**Fire Inspector**

**November 2018**

	Month	Total
Inspections Performed	32	252
Field Correction Issued	8	125
Violations Issued	0	0
Violations Outstanding	0	0
Permits Issued	2	6
Requests by Police Dept.	0	2
Requests by Fire Dept.	3	60
Fires Investigated	0	12

**Planning Board**

From: **11/01/2018**                      **To: 11/30/2018**

Applications Pending	
Amended Subdivision	1
General Category	3
Informal Discussion	3
Lot Line Change	2
Site Plan	7

Fees Collected:	\$15,324.90
Money in Lieu of Land	\$0.00

Submitted by the Planning Board Clerk

**Sewer Department**

**None**

**Zoning Board of Appeals**

**11/01/2018 to 11/30/2018**

Applications Received	
Area Variance	1
Applications Closed	
Area Variance	1

Applications Pending	
Area Variance	5
Fees Collected	\$500.00

**Town Clerk**

**November 2018**

Amount Paid To NYS Agriculture & Markets	
For Spay/Neuter Program	\$ 9.00
Amount Paid To NYS Health Dept. For Marriage Licenses	\$ 180.00
Amount Paid To NYS Dept. Of Environmental Conservation	\$ 849.45
Amount Paid To Supervisor	\$ <u>1,221.50</u>
TOTAL AMOUNT REMITTED	\$ 2,259.95

**Approve- 2019 Rockland Mobile Care Paramedic Service Contract**

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 Rockland Mobile Care Inc. Agreement for 2019 in the amount of \$358,685.00.

**Release Letter of Credit-Briarwood Farms**

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present, upon the recommendation of John O'Rourke (Lanc & Tully, P.C.) and Larry Brissing (Superintendent of Highways) to release the retainage money currently held for Briarwood Farms with the exception of 10% for a maintenance bond in the amount of \$71,795.80.

**Authorize-Memorandum of Understanding-INTEL Agreement**

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, to wit:

**RESOLUTION 2018/54**

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT  
AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH THE  
COUNTY OF ROCKLAND AND PARTICIPATING AGENCIES RELATING TO THE  
ROCKLAND COUNTY INTELLIGENCE CENTER**

WHEREAS, the County of Rockland along with Participating Agencies including the Town of Haverstraw, Town of Ramapo, Village of Spring Valley, Village of Piermont, and Villages of South Nyack/Grandview are seeking to enter into an agreement share services relating to critical law enforcement issues and the Rockland County Intelligence Center ("RCIC"); and

WHEREAS, under the terms of the proposed Agreement, the Participating Agencies will maintain the RCIC, which will provide local law enforcement agencies with criminal intelligence and avoid duplication of effort and expenses by efficiently and effectively utilizing all available resources; and

WHEREAS, the Term of the proposed Agreement begins January 1, 2018 and expires December 31, 2023 and provides for the option to renew for five (5) additional one (1) year terms; and

WHEREAS, the Town Board for the Town of Stony Point ("Town Board") hereby desires to enter into said Agreement; and

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

Section 1. The above "WHEREAS" clauses are hereby incorporated by reference as though set forth in full herein.

Section 2. The Town Board hereby authorizes the Supervisor to execute the Agreement with the County of Rockland relating to the Rockland County Intelligence Center and to otherwise take necessary actions to facilitate the provisions of the Agreement.

Section 3. The Town Board hereby authorizes the Chief of Police to take necessary actions to facilitate the provisions of the Agreement and to participate in the activities of the Rockland County Intelligence Center.

Section 4. This Resolution shall be effective immediately.

**Re-Appoint Zoning Board Member**

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to reappoint Ed Keegan to the ZBA. The appointment will expire December 2023.

**Re-Appoint Zoning Board Member**

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to reappoint Joseph Anginoli to the ZBA. The appointment will expire December 2023.

**Appoint Zoning Board Member**

A motion was made by Supervisor Monaghan, seconded by Councilman Puccio and **unanimously carried** by a voice vote of those board members present to appoint John Gazzola to the ZBA to fill the unexpired term of Wellington Casscles. The appointment will expire December 2022.

**Re-Appoint Planning Board Member**

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to reappoint Tom Gubitosa as chairman to the Planning Board. The appointment will expire December 2026.

**Appoint ARB Member**

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to appoint Todd Rose to the Planning Board to fill the unexpired term of John Gazzola. The appointment will expire April 2021.

**Sanitation Agreement**

A motion was made by Supervisor Monaghan, seconded by Councilmen Basile and **unanimously carried** by a voice vote of those board members present, to renew the sanitation contract with Vignola Sanitation Corp and Carlo Minuto Carting Co. for an additional three year period, beginning March 1, 2019 and running through February 28, 2022.

**Award Bid for Vertical Screen for WWTP**

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of all board members present, to award WesTech Engineering the bid for the Vertical Spiral Screen for WWTP in the amount of \$71,841.00.

**Maintenance Renewal – Town Clock**

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and **unanimously carried** by a voice vote of all board members present to approve renewal of the maintenance agreement with the Verdin Company for the Town Clock located in Malloy's Park in the amount of \$630.00 for 2019

**2019 Senior Bus Transportation**

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of all board members present to award the bid for 2019 Senior Bus Transportation to West Point Tours in the amount of \$16,250.00.

**Road Dedication-Jessup Ridge West & Margarita Drive**

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, to wit:

RESOLUTION 2018/55

**RESOLUTION ACCEPTING DEDICATION OF JESSUP LANE AND MARGARITA DRIVE FROM JESSUP RIDGE ESTATES, LLC**

**WHEREAS**, certain parcels of land described and depicted in Exhibit “A” have been offered for dedication to the Town of Stony Point (the “Town”) for highway purposes by Jessup Ridge Estates, LLC, the owner of said land as shown on the subdivision map entitled “Jessup Ridge West” and filed on May 14, 2014 as map No. 8240 in Book 129 and page 84 of Maps; and

**WHEREAS**, the Highway Superintendent of the Town and the Town Engineer have reviewed the proposed dedication and have not indicated any impediments to the dedication for highway purposes, and have recommended retention of \$104,000 for a one year maintenance/repair period as recommended by the Town Engineer; and

**WHEREAS**, the Town has been presented with appropriate deed documents and related title documents describing all lands to be conveyed to the Town as a Town roadway.

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

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

Section 2. The Town hereby accepts the dedication of the property described in Exhibit “A” as Town roadway and directs the Town Clerk to file or cause to be filed by the applicant any and all necessary documents in the Rockland County Clerk’s Office.

Section 3. The Town Clerk, Town Engineer, and Town Special Counsel are hereby authorized and directed to take any and all necessary actions to carry out the provisions of this Resolution.

Section 4. The Town Supervisor and the Town Highway Superintendent is hereby authorized to execute any and all documents necessary to carry out the provisions of this Resolution.

Section 5. This Resolution shall be effective immediately.

**Refer Skate Park Preliminary Design to ARB**

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of all board members present to refer the preliminary design of the Stony Point Skate Park to the ARB.

**Resolution –Pending Litigation**

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 to wit:

RESOLUTION 2018/56

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT  
AUTHORIZING THE SUPERVISOR TO RETAIN MCGIFF HALVERSON, LLP TO  
PURSUE AND DEMAND INSURANCE COVERAGE FOR PENDING LITIGATION**

WHEREAS, the Town Board for the Town of Stony Point ("Town Board") desires to retain McGiff Halverson, LLP to provide legal services and representation to demand a defense under the Town's Public Entity Management Liability Policy from Travelers' Insurance; and

WHEREAS, Travelers previously denied the Town's request for defense and indemnification in the Matter of Phillips, et al. v. Town of Stony Point, et al. (Index No.: 000339-2018; and

WHEREAS, the Town Board has reviewed Travelers denial and desires to retain legal counsel to demand a defense from Travelers in said proceeding; and

WHEREAS, the Town Board deems it necessary to secure legal counsel through Travelers as there may be significant cost savings to the Town.

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

Section 1. The above "WHEREAS" clauses are hereby incorporated by reference as though set forth in full herein.

Section 2. The Town Board hereby authorizes the Supervisor to execute a retainer agreement with McGiff Halverson, LLP and to otherwise take necessary actions to further the purposes of this Resolution in an amount not to exceed \$7,500 without further Board approval.

Section 3. This Resolution shall be effective immediately.

### **Employee Retirement Payout**

A motion was made by Supervisor Monaghan, seconded by Councilman Puccio and **unanimously carried** by a voice vote of those board members present to approve the payout for Joe Smyth, Greenskeeper at Patriot Hills Golf Course, as presented by the Finance Department.

### **Approve Proposal from Atzl, Nasher & Zigler for Sewer Plant**

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 proposal from Atzl, Nasher & Zigler for expansion of the Stony Point Sewer.

### **EXECUTIVE SESSION**

At 7:27 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 pending litigation. No further votes will be taken.

### **ADJOURN**

The December 11, 2018 Stony Point Town Board meeting adjourned at 8:00 pm and no additional votes were taken.

Respectfully submitted

Joan Skinner, Town Clerk