

STONY POINT TOWN BOARD MEETING – June 26, 2018

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, June 26, 2018 at 7:00 pm at the Stony Point Community Center (Rho Building), 5 Clubhouse Lane, Stony Point, NY.

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

ATTORNEY PRESENT: John Kolesar, Esq.

OPEN MEETING

Supervisor Monaghan opened the meeting in memory of Jim Davis who passed away today. Jim, a local builder, was a long time Stony Point resident and a true gentleman. He served in the United States Marines, with two tours in Vietnam.

PUBLIC INPUT -

- Kevin Maher-130 Central Highway Stony Point stated that he was Vice Chair of the Rockland County Environmental Council. He is hoping to set up an informal meeting with all the Supervisors to discuss the EMC's purpose and get feedback on what they would like to see done in the County. Kevin also asked about the RFQ for the sewer plant and if anyone was awarded the project.
- George Potanovic spoke regarding his concerns with the Eagle Bay Project and submitted the following letter to the town board:

Stony Point Town Board considers increasing condo density along Hudson River at request of developer

As the Stony Point Town Board struggles with its options to finance \$3-5 million in necessary capacity upgrades to our town sewer plant, the board is also considering a zone change request by developer Eli Hershkowitz that would allow three times the number of condo units along our Hudson River waterfront than what is currently permitted under town zoning law – thereby putting even greater demand on our failing town sewer plant and dramatically increasing traffic along undersized Beach Road, which frequently becomes impassible due to constant flooding.

In 2014, the zoning of this northern riverfront property in the Stony Point Protected Waterfront (PW) district was pushed through by then supervisor Geoff Finn as he was leaving office, largely as a favor to marina owner Wayne Corts. Then councilmen Jim Monaghan, Jim White, Karl Javenes and Tom Basile all endorsed and supported the new mixed use waterfront zone, despite the unresolved issues of traffic, limited road access, parking and sewer capacity, as well as who would pay for the necessary offsite improvements.

When Corts failed to complete the land deal necessary to build his dream development of 190 condo units and boat slips, including retail stores and restaurants called "The Breakers," he sold the marina properties to Hershkowitz in 2017. In March of this year, Hershkowitz first unveiled his plans for 290 high-end, high-rise condo units called "Eagle Bay," including retail stores, restaurants, public access to the waterfront and a "boatel" – a large building with rack storage for boats.

Receiving a cold response on the boatel idea, Hershkowitz returned in May with a revised plan for slightly fewer condos (267), along with a request that the town rewrite its zoning code to require fewer boat slips. The town code, approved in 2014, requires one boat slip per condo unit, Hershkowitz is now asking the town to allow three condo units per boat slip.

The town building inspector, Bill Sheehan, determined that this request is only a simple “text change” to reduce the number of unnecessary boat slips. However, this is actually a more significant change to our town zoning code – one that can increase the density of condos along our waterfront up to three times. Remember that Hershkowitz is not a marina developer and bought the property knowing what the zoning code is. Therefore, the town board is under no obligation to change our waterfront zone to accommodate his request for an increased number of condo units.

The Stony Point Planning Board has been asked to register its opinion on the request for greater condo density. Will the planning board make its decision independently or simply rubberstamp the request for an increased number of condos, as recommended by our building inspector?

It seems obvious that our waterfront zone change of 2014 was hastily approved and never fully considered the issues of size, scale, traffic, flood zones, and limited sewer capacity. Questions regarding who is going to pay for necessary offsite improvements – the rebuilding of Beach Road and the expansion of our sewer plant, remain unanswered.

SPACE supports good land use planning and the economic development potential of our town waterfront. However, since this project will set a precedent for future waterfront development, our Stony Point Town Board’s primary obligation must be the residents of our town – to ensure that any new waterfront development is in scale and appearance with our waterfront community. We must not allow our beautiful waterfront to become a “shell game” for any developer or means by which to sell upscale condos at Stony Point expense.

- Susan Figueras advised that she had attended the Zoning Board Meeting and agrees with George regarding the concerns of the waterfront. Asked what plans there may be for the south side of the waterfront (Ba-Mar). Susan announced that the Daughters of the American Revolution were having their honorary luncheon at the Pyngyp School.

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 with Concilman Basile abstaining to approve the following purchase orders:

Town Hall:			
	PO#3138	Vislocky Painting Inc.	\$51,000.00
Highway Dept:			
	PO#3142	Vasso Waste Systems, Inc.	\$ 3,056.20

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

Contractual General – June 26, 2018

<u>FUND</u>	<u>CLAIM #</u>	<u>FUND TOTAL</u>
General	677-710	\$ 307,340.41
Highway	212-218	\$ 32,030.29
Sewer	185-192	\$ 14,045.92
<u>Special Districts</u>		
Enterprise	199-205	\$ 20,092.26
Solid Waste	12-12	\$ 2,810.48
Street Lighting	6-6	\$ 23,345.67

MINUTES - A motion was made by Supervisor Monaghan, seconded by Councilman Puccio and **carried** by a voice vote of those board members present with Councilman Javenes abstaining, to approve the minutes of June 12, 2018.

SUPERVISOR'S REPORT

Supervisor Monaghan spoke regarding:

- There have been major renovations at the town pool. The original opening date of June 30th will be delayed. The Board commended the town employees on their work at the pool and is hopeful that the contractors will finish up the work within the next 2 weeks.
- Arrangements are being made for the day camp as the pool will not be ready to open on June 30th as estimated. The day camp director along with the recreation director has spoken to Kruckers and will reach out to other establishments requesting use of their facilities in the interim. The meeting place for day camp will be Veterans Memorial Park until the pool facilities are complete.
- On Saturday, June 30th Suez will be hosting the Supervisors Challenge for the 4th year. It will be held at Lake Deforest beginning at 8AM. Supervisor Monaghan will be participating with Brendan Sullivan and hopes to take the cup home for the 3rd year.
- Rose Memorial Library is raising funds for the library with their Harry Potter raffle. They have partnered with NRHS arts department and students have been painting storefront windows throughout the town with the Harry Potter theme. Raffle tickets can be purchased at the library and the prize will be picked on July 31st which is Harry Potter and JK Rowlings birthdays.
- Wayne Day Bazaar is July 11th- 14th
- Summer concerts will be at Riverfront Park and will begin on Wednesday July 18th at 7PM beginning with "Spectrum".

DEPARTMENTAL REPORTS - None

CORRESPONDENCE - None

Public Hearing-Sewer Extension-Gate Hill Road

- A motion was made by Supervisor Monaghan, seconded by Councilman Basile and unanimously carried by a voice vote of those board members present to open the public hearing for the sewer extension for Gate Hill Rd.
- Public Input- George Potanovic asked Supervisor Monaghan to explain where and what roads the sewer extension would run.
- A motion was made by Supervisor Monaghan, seconded by Councilman Basile and unanimously carried by a voice vote of those board members present to close the public hearing for the sewer extension for Gate Hill Rd.
- 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 sewer extension for Gate Hill Road.

RESOLUTION AND ORDER OF TOWN BOARD APPROVING PETITION FOR SANITARY SEWER DISTRICT #3

At a meeting of the Town Board of the Town of Stony Point, held at Rho Building, 5 Clubhouse Lane, in the Town of Stony Point, Rockland County, New York, on the **26th day of June, 2018.**

PRESENT: COUNCILMAN THOMAS BASILE
COUNCILMAN KARL JAVENES

COUNCILMAN WHITE
COUNCILMAN MICHAEL PUCCIO
SUPERVISOR MONAGHAN

ABSENT: NONE

WHEREAS, a written Petition dated **May 7, 2018** signed and acknowledged by **Josh Male (JB Realty of Rockland County)**, has been presented to and filed with the Town Board of the Town of Stony Point requesting the Extension of a sanitary sewer and laterals in a proposed Extension of District **#3** to be known as the Extension of Sanitary Sewer District **#3** as more particularly described in said Petition, and

WHEREAS, a certified copy of the order of this Board calling a hearing hereon, which order is dated **May 22, 2018** was duly and regularly published in the Rockland County Times and on the official sign board of the Town on **June 14, 2018** and certified copies thereof were posted in five public places within the proposed Extension of Sanitary Sewer District **#2** on **June 14, 2018**, and

WHEREAS, a Public Hearing, having taken place at Rho Building, 5 Clubhouse Lane in the Town of Stony Point, Rockland County, New York on **June 26, 2018**, at 7:00 PM the petitioners having appeared in support of said application and proof having been presented concerning the same, and no objection or protest having been made to the proposed Extension.

WHEREAS, the Town Board has given due deliberation to the hearing and the testimony and allegations presented and has determined to grant the prayer of said petition, and

WHEREAS, the map and plan aforesaid has been approved by the State Department of Health, and copies thereof filed with said Department, and with the Town Clerk, pursuant to Section 192 of the Town Law.

Now on motion of **Supervisor Monaghan**, seconded by **Councilman Javenes** all members present voting therefore, it is

FOUND, ORDERED AN DETERMINED that said petition dated , for the creation of the Extension of Sanitary Sewer District **#3** in the Town of Stony Point, Rockland County, New York, is signed, approved and acknowledged, as required by law, and is otherwise sufficient and complies with the provision of Section 191 of the Town Law, constituting Chapter 62 of the Consolidated Laws of the State of New York, and such other sections of said chapter as are applicable thereto; and that there is annexed to said petition a map and plans showing the boundaries of the proposed Extension of Sanitary Sewer District **#3** and a general plan of the proposed district, and it is

FOUND, ORDERED AND DETERMINED by the Town Board of the Town of Stony Point that it is in the public interest to grant the whole relief sought by said petition, and that all of the property, property owners and interested persons within said proposed Extension of District **#3** are benefited thereby, and that all property, or property owners benefited are included therein, and that no property or property owners or interested persons benefited thereby have been excluded therefrom, and it is

ORDERED that the petition for the creation of the extension of Sanitary Sewer District **#3** be established in said Town of Stony Point, as described in said petition, map and plan, to be known as the Extension of Sanitary Sewer District **#3** and to include the property know as 19.01 Block 1- Lot 1.

SCHEDULE C

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Stony Point, County of Rockland, State of New York, bounded and described as follows:

BEGINNING at a point on the southerly side of Gate Hill Road, where the same is intersected by lands now or formerly of Mancuso;

RUNNING THENCE along the southerly side of Gate Hill Road the following courses and distances:

1. North 68 degrees 47 minutes 15 seconds East, 935.03 feet;
2. North 50 degrees 53 minutes 25 seconds East, 234.76 feet;
3. North 44 degrees 53 minutes 35 seconds East, 237.99 feet to a point of curve;
4. On a curve to the right with a radius of 474.06 feet a distance of 42.03 feet to lands now or formerly of Cooper;

RUNNING THENCE along said lands, South 56 degrees 54 minutes 10 seconds East 508.32 feet to lands now or formerly of Schneider;

RUNNING THENCE along said lands, South 50 degrees 09 minutes 20 seconds West 350.00 feet and South 10 degrees 51 minutes 50 seconds West, 188.47 feet to lands described in Parcel III herein;

RUNNING THENCE along said lands the following courses and distances:

1. South 09 degrees 16 minutes 00 seconds East, 59.08 feet;
2. South 65 degrees 10 minutes 30 seconds East, 119.65 feet;
3. South 13 degrees 04 minutes 00 seconds East, 104.69 feet and
4. South 52 degrees 17 minutes 15 seconds East, 133.66 feet to lands now or formerly of Degregoria;

RUNNING THENCE along said lands, South 17 degrees 55 minutes 50 seconds West, 205.36 feet, South 72 degrees 04 minutes 10 seconds East, 100.00 feet and South 17 degrees 55 minutes 50 seconds West, 269.61 feet along said lands now or formerly Haemmerle;

RUNNING THENCE along said lands of Hammerle, south 17 degrees 53 minutes 20 seconds East, 217.18 feet to a point;

RUNNING THENCE along said lands of Hammerle and lands now or formerly of Rofer, South 54 degrees 50 minutes 30 seconds West, 257.99 feet to lands now or formerly of Boesch;

RUNNING THENCE along said lands, North 76 degrees 19 minutes 42 seconds West, 218.85 feet to lands now or formerly of Magee;

RUNNING THENCE along said lands of Magee the following courses and distances:

1. North 45 degrees 53 minutes 30 seconds East, 230 feet;
2. North 36 degrees 59 minutes 49 seconds West, 851.58 feet;
3. South 65 degrees 51 minutes 45 seconds West, 105.00 feet;
4. South 33 degrees 10 minutes 45 seconds West, 149.74 feet and
5. South 62 degrees 43 minutes 30 seconds West, 83.57 feet to lands now or formerly of Smith, RUNNING THENCE along said lands and lands now or

formerly of Madonia, Zwits and Mancuso, North 53 degrees 50 minutes 29 seconds, 761.02 feet to the point and place of BEGINNING.

PARCEL II

Beginning at a point being distant 283.71 feet northwesterly from the center line of Blanchard Road, along the 50' Right-of-way as described in Parcel III herein;

RUNNING THENCE from said point of beginning along said Right-of-Way North 67 degrees 07 minutes 10 seconds West, 129.49 feet and South 87 degrees 14 minutes 35 seconds West, 399.42 feet to lands now or formerly of Peters;

RUNNING THENCE along said lands, North 01 degree 16 minutes 02 seconds West, 273.04 feet to lands now or formerly of Nakashian;

RUNNING THENCE along said lands, North 50 degrees 09 minutes 20 seconds East, 207.71 feet to lands now or formerly of Pine;

RUNNING THENCE along said lands, South 39 degrees 50 minutes 40 seconds East, 569.41 feet to the point and place of BEGINNING

PARCEL III

Beginning at a point in the center of Blanchard Road at the southwesterly corner of lands now or formerly of Pine;

RUNNING THENCE along said lands, North 39 degrees 50 minutes 40 seconds West, 283.71 feet to Parcel II hereinbefore described;

RUNNING THENCE along the same North 67 degrees 7 minutes 10 seconds West, 129.49 feet;

RUNNING THENCE along the same and along lands of Peters, south 87 degrees 14 minutes 35 seconds West 521.42 feet;

RUNNING THENCE still along lands of Peters, South 70 degrees 40 minutes 00 seconds West 71.61 feet and North 52 degrees 17 minutes 15 seconds West, 117.55 feet to lands of Nakashian;

RUNNING THENCE along the same, North 13 degrees 04 minutes 00 seconds West 111.77 feet;

RUNNING THENCE still along the same and along lands now or formerly of Schneider, North 66 degrees 10 minutes 30 seconds West, 177.33 feet to Parcel I hereinbefore described;

RUNNING THENCE along the same, South 09 degrees 16 minutes 00 seconds East, 59.68 feet, South 66 degrees 10 minutes 30 seconds East, 119.59 feet, South 13 degrees 04 minutes 00 seconds East, 104.69 feet and South 52 degrees 17 minutes 15 seconds East, 133.66 feet to lands now or formerly of Degregorio;

RUNNING THENCE along the same South 52 degrees 17 minutes 15 seconds East, 28.87 feet and North 70 degrees 40 minutes 00 seconds East, 91.50 feet to lands now or formerly of Roush;

RUNNING THENCE along the same, and lands now or formerly of Ludvigsen and Giordano, North 87 degrees 14 minutes 35 seconds East, 502.76 feet;

RUNNING THENCE still along lands of Giordano, South 67 degrees 07 minutes 10 seconds East, 105.98 feet and South 39 degrees 50 minutes 40 seconds East, 285.12 feet to the centerline of Blanchard Road;

RUNNING THENCE North 35 degrees 00 minutes 00 seconds East, 51.80 feet along said centerline of Blanchard Road to the point and place of BEGINNING.

Approve Training Conference-Town Justice

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and carried by a voice vote of those board members present to approve Town Justices', Frank J. Phillips and William F. Franks to attend the New York State Magistrates Association annual conference in Niagara Falls from September 23rd -September 25th at a total cost to the town of \$1,462.00 including registration fees.

Building Permit Refund

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and carried by a voice vote of those board members present to approve a refund to Crew2 in the amount of \$125 for a building permit application fee.

Fireworks Permit-Wayne Day

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 fireworks permit for Wayne Hose Co. No. 1 for a fireworks display at the annual Wayne Day Celebration on Friday, July 13, 2018.

Request Use of Sound Stage-PAL

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 the Stony Point Athletic League to use the sound stage and surrounding grounds for a "Movie in the Park" on Friday, August 17th, 2018 from 5pm-10pm at Charles S. Eccher Park.

Requests from Stony Point Seals

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and carried by a voice vote of those board members present to approve the use of the town's soundstage, mobile restrooms and Riverfront Park along with the town's parking lots to the Stony Point Seals for their 1st Annual 300 Club Picnic on Saturday, July 28th, 2018 from 12pm-4pm.

Extend Contract with Incredible Caterers

A motion was made by Supervisor Monaghan, seconded by Councilman Puccio and carried by a voice vote of those board members present to authorize the Supervisor to enter into an agreement with Inn Credible Caterers to extend their contract until November 1, 2019. Any extension beyond that date is solely at the discretion of the Town.

Refund Day Camp

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and carried by a voice vote of those board members present to authorize a summer day camp refund of \$442.00 which includes registration for 2 children, 2 extra t-shirts and 2 tickets to the Boulders game to The Romero Family.

Refund Day Camp

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and carried by a voice vote of those board members present to authorize a summer day camp refund of \$150.00 to The Morales Family.

Hudson River View Warehouse Inspection Fee Request

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and carried by a voice vote of those board members present, with Councilman Puccio abstaining to approve the Hudson River View Warehousing inspections fees as submitted by KBT Properties LTD in two installments: 10% at filing of approved site plan and the remaining 90% to be paid at the time of, and as a condition to, the issuance of the Building Permit.

Lifeguards-Alternate Positions

Due to the delay of the pool opening as scheduled, a motion was made by Supervisor Monaghan, seconded by Councilman Javenes and carried by a voice vote of those board members present; to authorize the recreation director to utilize the services of any lifeguards who wish to work in other areas of the town until the pool opens.

CLOSE MEETING

Supervisor Monaghan closed the meeting in memory of Jim Davis who passed away today. Jim, a local builder, was a long time Stony Point resident and a true gentleman. He served in the United States Marines, with two tours in Vietnam.

ADJOURN

The June 26th, 2018 Stony Point Town Board meeting adjourned at 7:30 pm and no further votes were taken.

Respectfully submitted

Holli Finn
Deputy Town Clerk