

STONY POINT TOWN BOARD MEETING – SEPTEMBER 12, 2018

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, September 12, 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 led 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

Attorney Present: Mr. Brian Nugent Esquire

PUBLIC INPUT

- George Harris, Willow Grove Rd., spoke about the proposed Nuisance Party Law and the proposed Memorandum of Understanding for the Patriot Hills facility.
- George Potanovic, Gate Hill Rd. spoke about the proposed Eagle Bay project at the waterfront.
- Suzanne Barclay, the executive director from Cornell Cooperative Extension read the following letter:

As you are aware, we experienced some electric service issues in our building over the summer when the power went out. I learned that O&R was not responsible and so I called you. You immediately reached Jared Stalter who delivered and set up a generator. We were back up and running within 24 hours.

I understand that because Town staff did a lot of the trench work, Hush Electric was able to lower its cost which we greatly appreciate. Hush worked quickly and both the contractor and the Town employees kept damage to the landscape at a minimum.

Town employees then restored our gravel path, reseeded the lawn and repaired the walk. I'm assured that they'll be back in the next couple of weeks to work with our Master Gardeners to relocate the large stones around the garden.

I wasn't to commend the Town for working with us to address this problem expeditiously. And in particular I'd like to thank three Town employees: Jared Stalter, Harry Hansen and Tom Cass Jr. They were professional, respectful and a pleasure to work with. I hope this doesn't happen again, but if it does I know that the Town will work with us to quickly resolve or otherwise make it work.

PURCHASE ORDER REQUEST

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

Buildings & Grounds:

PO#3152	Hush Electrical Contracting	\$1,960.00
PO#3153	Hush Electrical Contracting	\$1,275.00

Highway Department:

PO#3150	Newburgh Branch Transaxle	\$3,873.95
PO#3151	Evergreen Truck & Trailer Repair	\$4,030.00

Police Dept:

PO#3006	Goosetown Communications	\$3,982.23
PO#3100	Amchar Wholesale Inc.	\$6,931.80
PO#3101	Maaco	\$2,000.00

Sewer Dept:			
PO#3154	Carmody Ford Inc.		\$37,483.20
PO#3156	Jack Doheny Companies		\$4,903.94
Pyngyp School:			
PO#3157	H. Biehle Electric Inc.		\$1,100.00

AUDIT OF BILLS

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

Contractual General – August 28, 2018

<u>FUND</u>	<u>CLAIM #</u>	<u>FUND TOTAL</u>
General	947-972	\$ 176,620.95
Highway	292-296	\$ 3,313.54
Sewer	256-263	\$ 6,019.95
<u>Special Districts</u>		
Enterprise	284-289	\$ 2,185.49
Street Lighting	8-8	\$ 23,938.07
Solid Waste	18-18	\$ 4,298.56

General – September 12, 2018

<u>FUND</u>	<u>CLAIM #</u>	<u>FUND TOTAL</u>
General	973-1062	\$ 265,588.98
Highway	297-325	\$ 18,815.23
Sewer	264-290	\$ 64,709.93
<u>Special Districts</u>		
Ambulance	17-18	\$ 29,568.25
Enterprise	290-317	\$ 47,202.50
Street Lighting	9-9	\$ 37.49

MINUTES - A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and **carried** by a voice vote of those board members present, with Councilman Basile abstaining, to approve the minutes of August 14, 2018.

SUPERVISOR’S REPORT

Supervisor Monaghan reported as follows:

- Stony Point PAL will be hosting their Fall Festival Saturday, September 15th from 10-4 at Kirkbride. It’s a great family day with a petting zoo, bouncy house, micro reality stock car racing and many more fun events.
- The bricks for the dog park are still being sold. Lilyann Wilson is the contact person and all information can be found on the town’s website.

POLICE DEPARTMENT REPORT/BUSINESS

Chief Moore read the following report:

Police Department Report for the Month of August 2018

Number of calls for service:	867	
Number of reported accidents:	29	
Number of arrests:	36	
(1) Felonies	(32) Misdemeanors	(3) Violations
Fuel usage:	1197.1 gallons	
Sum total of all traffic enforcement action:	169	
Number of Youth Officer sponsored events:	5	
Number of child safety seat installations:	1	
Number of commercial vehicle enforcement details:	1	
Number of traffic/special enforcement details:	5	
Number of training hours:	80 hrs	

Total fees collected: \$62.50

(Foil \$2.50, Prints \$20.00, and Reports \$40.00)

Miscellaneous:

Youth events: We held a Lowland Day Camp visit with the RC Sheriff’s Dept Mounted Unit on August 1st, 1 Youth court session, 1 PAL meeting, PAL Movie Night @ Lowland, Our Youth Officer attended the NY Police Juvenile Assoc training conference, and we continued the daily security checks of all our day camps. **Upcoming events: Annual Fall Festival is this Saturday, 9/15 from 10am-4pm @ Kirkbride Hall and our fall NR Youth Police Academy class has commenced.**

Chief Moore addressed the board regarding the following matters:

• **Chief Moore’s Time Record**

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

- Chief Moore announced that the Veterans Picnic is Sunday, September 16th at 1pm at Clark Park, Stony Point.

Golf Court Report

The following report was presented for August 2018:

- Green Fees \$ 207,357.10
- ID Cards \$ 235.00
- Merchandise \$ 12,204.67
- Range Fees \$ 8,949.00
- Club Rental \$ 830.32
- Total \$ 229,576.09

DEPARTMENTAL REPORTS

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

Architectural Review Board

From: 08/01/2018 To: 08/31/2018

Applications Received	
Solar Panels	1
Applications Approved	
Solar Panels	1
Applications Pending	
Solar Panels	0
Fees Collected:	\$ 100.00
Money in Lieu of Land	\$ 0.00

Building & Zoning Department

August 2018

Applications Received	35
Applications Returned/Withdrawn	0
Applications Denied	0
Building & Blasting Permits Issued	25
Applications Pending	57
Certificate of Occupancy	12
Certificate of Compliance	4
Fees Collected	\$17,605.00

Fire Inspector

<u>August 2018</u>	Month	Total
Inspections Performed	25	165
Field Correction Issued	10	87
Violations Issued	0	0
Violations Outstanding	0	0
Permits Issued	2	4
Requests by Police Dept.	1	1
Requests by Fire Dept.	6	46
Fires Investigated	0	10

Planning Board

From: 08/01/2018	To: 08/31/2018
Applications Received	1
Informal Discussion	
Applications Approved	0
Applications Pending	
Amended Subdivision	1
General Category	3
Informal Discussion	3
Lot Line Change	2
Site Plan	7
Subdivision-Minor	1
Fees Collected:	\$150.00
Money in Lieu of Land	\$ 0.00

Submitted by the Planning Board Clerk

Zoning Board of Appeals

8/1/2018	to	8/31/2018	
Applications Received			1
Applications Returned/Withdrawn			0
Applications Closed			0
Applications Pending			
Area Variance			3
Fees Collected			\$300.00

Town Clerk

August 2018

Amount Paid To NYS Agriculture & Markets	
For Spay/Neuter Program	\$ 27.00
Amount Paid To NYS Health Dept. For Marriage Licenses	\$ 180.00
Amount Paid To NYS Dept. Of Environmental Conservation	\$ 3,009.30
Amount Paid To Supervisor	\$ 2,210.16
TOTAL AMOUNT REMITTED	\$ 5,426.46

Dog Control Officer

May 2018

Dogs seized and sheltered	0
Dogs returned to owner	0
Number of complaints received	1
Miles traveled patrolling the Town	
and transporting dogs	460

CORRESPONDENCE

None

Appoint Police Officer Candidate

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to permanently

appoint John Ferrara to the vacant position as Police Officer effective September 13, 2018.

Town Clerk Joan Skinner administered the Oath of Office to PO Ferrara.

Public Hearing To Undertake Certain Improvements to Town Sewer District #2

Town Clerk Joan Skinner offered the following Public Hearing Notice that appeared in the Town's official newspaper:

**TOWN OF STONY POINT
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Stony Point, Rockland County, New York, on August 14, 2018 at 7:00 pm at the Stony Point Community Center (Rho Building), 5 Clubhouse Lane, Stony Point, NY to consider authorizing certain improvements to the town's wastewater treatment plant.

The purpose of this public hearing is to consider whether to authorize certain improvements to the Town's Wastewater Treatment Plant consisting of a vertical spiral screen and two rotary lobe blowers at an aggregate estimated maximum cost of \$310,000.

This public hearing is being held in accordance with Section 202-b of the Town Law considering whether it is in the public interest to undertake such a project at such estimated maximum cost as so allocated among the Districts.

By Order of the Town Board dated July 24, 2018
Joan Skinner – Town Clerk

Open Public Hearing

At 7:26 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 open this public hearing.

Public Input

George Potanovic, Gate Hill Rd. asked about the type of repairs, how much money the project would cost and how it would be financed.

At this point there was conversation and statements made by the Town Board with regard to this project.

Close Public Hearing

At 7:42 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 close this public hearing.

Resolution No. 2018/35

The following resolution was offered by Councilman White, who moved its adoption, seconded by Councilman Basile, and **unanimously carried** by a voice vote of those board members present, to-wit:

RESOLUTION NO. 2018/35

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK (THE "TOWN") PURSUANT TO SECTION 202-b OF THE TOWN LAW DETERMINING THAT IT IS IN THE PUBLIC INTEREST TO UNDERTAKE CERTAIN IMPROVEMENTS TO THE TOWN'S SEWER DISTRICT NO. 2

WHEREAS, the Town Board (the "Town Board") of the Town of Stony Point, Rockland County, New York (the "Town") is considering authorizing certain improvements to the Town of Stony Point Sewer District No. 2 (the "District"), consisting of (A) the acquisition and installation of the following improvements at the Wastewater Treatment Plant: (i) two replacement rotary lobe blowers, (ii) one vertical spiral screen, (iii) three influent pumps, including removal of the existing pump and undertaking all necessary piping modifications, (iv) pump controls, and (v) lighting at the plant; (B) the acquisition and installation of one vertical spiral screen at the Beach Road pump station; and (C) all ancillary and related equipment, furnishings, apparatuses, electrical devices, hardware, wiring and improvements necessary or proper in connection with the foregoing (collectively, the "Project"); and

WHEREAS, the Town's engineers have estimated that the maximum cost of undertaking the Project is \$464,239; and

WHEREAS, by resolution adopted on August 14, 2018, at a regular meeting of the Town Board held on such date, the Town Board directed that a public hearing be held on whether to authorize the Project, and to hear all persons interested in the subject thereof concerning the same on September 12, 2018 at 7:00 p.m. at the Town Hall, 74 East Main Street, Stony Point, New York 10980; and

WHEREAS, notice of said public hearing certified by the Town Clerk was duly published and posted as required by law, to wit: a duly certified copy thereof was published in the *Rockland County Times*, the official newspaper of the Town, on August 30, 2018 and a copy of such notice was posted on August 27, 2018 on the signboard maintained by the Town Clerk, and on the Town's website, pursuant to Town Law Section 193; and

WHEREAS, said public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; and

NOW THEREFORE, THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK HEREBY RESOLVES, AS FOLLOWS:

SECTION 1. It is hereby determined that the Project constitutes a "Type II" action under the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617.5(c)(2)) (collectively, "SEQRA") and therefore no further action need be taken by the Town Board under SEQRA as a pre-condition to the adoption of this resolution.

SECTION 2. Based upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to undertake the Project as hereinabove described at the estimated maximum cost of \$464,239. The Town is hereby authorized on behalf of the District to undertake the Project at such estimated maximum cost.

SECTION 3. The Town Clerk is hereby authorized and directed to cause a certified copy of this resolution to be duly recorded in the office of the Clerk of Rockland County, New York within ten (10) days after the adoption hereof, in accordance with Section 195 of the Town Law.

SECTION 4. This resolution shall take effect immediately.

Resolution 2018/36 \$464,239 Bond for Certain Improvements to Town Sewer District #2

The following resolution was offered by Supervisor Monaghan who moved its adoption, seconded by Councilman White, and **unanimously carried** by a voice vote of those board members present, to-wit:

RESOLUTION 2018/36

BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ISSUANCE OF UP TO \$464,239 IN SERIAL BONDS OF THE TOWN TO UNDERTAKE CERTAIN IMPROVEMENTS TO THE TOWN'S SEWER DISTRICT NO. 2

WHEREAS, the Town Board (the "Town Board") of the Town of Stony Point, Rockland County, New York (the "Town") is considering undertaking certain improvements to the Town of Stony Point Sewer District No. 2 (the "District"), consisting of (A) the acquisition and installation of the following improvements at the Wastewater Treatment Plant: (i) two replacement rotary lobe blowers, (ii) one vertical spiral screen, (iii) three influent pumps, including removal of the existing pump and undertaking all necessary piping modifications, (iv) pump controls, and (v) lighting at the plant; (B) the acquisition and installation of one vertical spiral screen at the Beach Road pump station; and (C) all ancillary and related equipment, furnishings, apparatuses, electrical devices, hardware, wiring and improvements necessary or proper in connection with the foregoing (collectively, the "Project"); and

WHEREAS, by resolution adopted dated September 12, 2018, adopted immediately prior to the consideration of this resolution, the Board determined (i) that the Project constitutes a "Type II" action under the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, "SEQRA") 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 (ii) in accordance with Section 202-b of the Town Law, the Town Board determined it to be in the public interest to undertake the Project at an estimated maximum cost of \$464,239; and

WHEREAS, the Town Board now wishes to appropriate funds for the Project and to authorize the issuance of the Town's serial bonds or bond anticipation notes to finance said appropriation.

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF STONY POINT, ROCKLAND COUNTY, NEW YORK 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 Project as hereinabove described and issue up to \$464,239 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the estimated cost of the Project.

SECTION 2. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$464,239, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of the \$464,239 in serial bonds of the Town authorized to be issued pursuant to Section 1 of this resolution, or bond anticipation notes issued in anticipation thereof, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is thirty (30) years, pursuant to subdivision 4. of paragraph a. of Section 11.00 of the Law.

SECTION 4. The final maturity of the bonds herein authorized to be issued pursuant to Section 1 of this resolution shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued.

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 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 Supervisor of the Town, the chief fiscal officer of the Town (the "Supervisor"). Further, in connection with bonds and bond anticipation notes issued under the authority of Section 1 hereof, the power to contract with and issue bonds and bond anticipation notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Law and to approve the terms, form and content of such bonds and bond anticipation notes, consistent with the provisions of the Law, is hereby delegated to the 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 this 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 Supervisor, as the chief fiscal officer of the Town.

SECTION 8. The Supervisor is hereby further authorized, at his sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a serial bond, and, or a bond anticipation note issue in the event of the sale of same to the New York State Environmental Facilities Corporation.

SECTION 9. The 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 10. The Supervisor is further authorized to enter into continuing disclosure undertakings with or for the benefit of the initial purchaser of the bonds or notes 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 11. The intent of this resolution is to give the Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Town Board.

SECTION 12. 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 13. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in full, 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.

Request-No Parking Signs-Major Andre Drive and High Ridge Rd

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 No Parking signs at the intersection of Major Andre Drive and High Ridge Road.

Surplus Highway Truck #5-2006 Ford F350

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and **unanimously carried** by a voice vote of all board members present to authorize the Highway Department to surplus Truck #5, a 2006 Ford F350 Mason Dump Truck, Vin #1FDWF37576EB71721.

Donation-North Rockland Chamber of Commerce

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to donate \$1000.00 to the North Rockland Chamber of Commerce as they honor their 2018 Leaders & Citizens of the Year.

JCAP Grant Application-Resolution 2018/37

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to authorize the Stony Point Justice Court to apply for the grant of State funds offered by the 2018-2019 Justice Court Assistance Program Grant.

Playground Program Refund

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 refund of \$120.00 for Lucas Gonyea for two weeks of Playground Program due to an injury.

Request for Refund Building Permit

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 refund to D & D Communications Enterprises Inc. in the amount of \$95.00 for a building permit application fee.

Set Public Hearing for Nuisance Party Local Law-Resolution 2018/38

A meeting of the Town Board of the Town of Stony Point was convened on September 12, 2018, at 7:00 p.m.

RESOLUTION 2018/38

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 2018/37 OF THE TOWN BOARD OF THE TOWN OF STONY POINT SETTING A PUBLIC HEARING CONCERNING THE PROPOSED LOCAL LAW TO AMEND THE TOWN CODE TO ADD CHAPTER 150 TO REGULATE NUISANCE PARTIES

WHEREAS, the Town of Stony Point Town Board ("Town Board") is considering the adoption of a local law to amend the Town Code to add Chapter 150 entitled "Nuisance Party Ordinance;" and

WHEREAS, the purpose of the proposed Local Law is to regulate nuisance parties in the Town of Stony Point; and

WHEREAS, the Town Board finds that there are parties or gatherings on premises in the Town that are unsafe and of such character, intensity, duration, and repetition so as to create a public nuisance. These parties or gatherings often result in excessive noise and traffic, excessive consumption of alcohol, overcrowding, the selling of alcohol illegally, and other ordinance and state law violations; and

WHEREAS, the Town Board desires to protect the public from such unreasonable interference with the health, safety and general welfare of the Town residents; 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:

Section 1. 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 September 25, 2018, at 7:00 p.m., at the **RHO Building 5 Clubhouse Lane Stony Point, New York 10980.**

Section 3. 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.

Section 4. This Resolution shall be effective immediately.

Rescind Prior 2017 Budget Transfer and Accept Final Post Audit 2017 Budget Transfers

A motion was made by Supervisor Monaghan, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to rescind prior 2017 budget transfer and accept final post audit 2017 budget transfers as submitted by the Finance Director.

Approve Property Maintenance-22 Ten Eyck Street

A motion was made Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to exercise Section 161-12 (B) of the Property Maintenance Law of the Town of Stony Point at 22 Ten Eyck Street (SBL #15.19-1-25).

Approve Property Maintenance-12 River Road

A motion was made Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to exercise Section 161-12 (B) of the Property Maintenance Law of the Town of Stony Point at 12 River Road (SBL #21.09-1-30).

Approve Property Maintenance-3 Susan Drive

A motion was made Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to exercise Section 161-12 (B) of the Property Maintenance Law of the Town of Stony Point at 3 Susan Drive (SBL #20.14-2-4).

Approve Property Maintenance-27 Filors Lane

A motion was made Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to exercise Section 161-12 (B) of the Property Maintenance Law of the Town of Stony Point at 27 Filors Lane (SBL #20.11-1-47).

Approve Property Maintenance-14 Gurran Drive

A motion was made Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to exercise Section 161-12 (B) of the Property Maintenance Law of the Town of Stony Point at 14 Gurran Drive (SBL #20.06-2-32).

Waive Mass Gathering Permit-Virgin Mary St. Pachomius Coptic Church

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present to waive the public hearing for the purpose of a mass gathering and to issue the mass gathering permit for your events on October 6th & 7th and 13th & 14th, 2018.

Authorize Memorandum of Understanding-Patriot Hills Facility

A motion was made by Supervisor Monaghan, seconded by Councilman Puccio and **carried** by a voice vote of those board members present, **with Councilman Basile abstaining**, to authorize the Supervisor to enter into a Memorandum of Understanding with Patriot Hills Park, LLC.

Approve NYS Assessor's Association Annual Conference

A motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of those board members present, to authorize the Assessor to attend the NYS Assessors Association Annual Conference on September 30th - October 3rd at a cost to the town of \$1000.00.

EXECUTIVE SESSION

At 8:14 pm a motion was made by Supervisor Monaghan, seconded by Councilman Basile and **unanimously carried** by a voice vote of all board members present to adjourn into executive session to discuss personnel issues, police finances, litigation and a company looking to do business with the town.

RECONVENE

At 10:25 pm a motion was made by Supervisor Monaghan, seconded by Councilman Puccio and **unanimously carried** by a voice vote of those board members to reconvene the September 12th Stony Point Town Board meeting. The following two votes were taken:

Resolution Regarding Surgical Procedure for a Certain Police Officer

A motion was made by Councilman White, seconded by Councilman Javenes and **unanimously carried** by a voice vote of those board members present to direct a certain police officer to undergo surgery as recommended by Dr. Anne Miller in an independent medical examination report dated July 31, 2018.

Stipulation Joint Regional Sewage Board

RESOLUTION 2018/39

A meeting of the Town Board of the Town of Stony Point was convened on September 12, 2018, at 7:00 p.m.

The following resolution was duly offered
by Councilman White, seconded by Councilman Javenes
and unanimously carried by a voice vote of those board members present, to wit:

WHEREAS, the Town Board hereby desires to resolve and settle the pending litigations with the Joint Regional Sewerage Board (Rockland County Supreme Court Index Nos. 034037/2015 and 034619/2016) and to avoid the expense of further litigation, and

WHEREAS, Stony Point and the JRSB have negotiated a Stipulation of Settlement with Exhibits A through D (the "Stipulation"), which Stipulation has been read and reviewed by the members of this Board and the Town's counsel in its entirety and this Board is fully familiar with the Stipulation and its contents, and
NOW THEREFORE,

BE IT RESOLVED, the Town Board hereby expressly approves the Stipulation, agrees with all of the provisions contained therein and authorizes the performance of all actions and the execution of all documents referred to, attached to and set forth in the Stipulation, and

BE IT FURTHER RESOLVED, the Town Board hereby authorizes the Supervisor to execute the Stipulation and any additional documents as required by the Stipulation, including, but not limited to, the Controlling Agreement, which has a firm and non-negotiable termination date of July 5, 2025, and the Releases (as those documents are defined in the Stipulation), and

BE IT FURTHER RESOLVED, the Town Board hereby authorizes, upon the execution of the Stipulation, the payment of \$154,876.41 to the JRSB, in accordance with the terms of the Stipulation, representing payment for wastewater treatment services rendered by the JRSB for Stony Point for the calendar years 2013 and 2014, and

BE IT FURTHER RESOLVED, the Town Board hereby authorizes the appropriate officers and/or agents of the Town to perform any and all actions contemplated in the Stipulation in order to facilitate the settlement of this matter.

ADJOURN

The September 12, 2018 Stony Point Town Board meeting adjourned at 10:30 pm.

Respectfully submitted

Joan Skinner, Town Clerk