

STONY POINT TOWN BOARD

Agenda

7:00PM

June 11, 2024

Pledge of Allegiance
Roll Call
Supervisors Report
Police Dept Report
Golf Course Report
Purchase Order Request
Audit of Bills
Minutes: May 28, 2024
Departmental Reports
Correspondence
Public Input-Limited to 3 minutes

Continued Public Hearing - Local Law #4-Amending Chapter 176

1. Surplus Weapon
2. Approve Police Chief Retirement Payout
3. Approve Tax Certiorari Settlement
4. Approve Assessor to Attend NYS Assessors Association Annual Seminar
5. Approve Chief of Police Contract
6. Approve Hire-Senior Bus Driver
7. Approve Hires-Golf Course Operations
8. Approve Hires-Lifeguards-Town Pool

Executive Session-If Necessary

Chapter 176

Sewers

Article I Individual Disposal Systems

§ 176-1 Approval required.

No new or replacement septic tank, seepage pit, tile field, pipe or other means for the disposal or discharge of sewage or sink wastes shall be installed anywhere in the Town of Stony Point except as herein provided, notwithstanding any discharge approval or plan approval which may have been granted by county, state or federal governments.

§ 176-2 Application for approvals.

A. Construction plans.

- (1) No installation of any septic tank, seepage pit, tile field, pipe or other means for the disposal or discharge of trade wastes, industrial wastes, sewage, excreta, kitchen wastes, sink wastes or laundry wastes shall be begun, nor shall the construction or erection of any structure intended for human occupancy be commenced, until an application, on forms supplied by the Town Engineer, design plans, including plans for a reserve area permitting a 50% expansion of the system, and drawings showing the intended location of the sewage disposal system proposed to be used shall have been prepared and certified by a professional engineer licensed in the State of New York and filed with the Town Engineer. No work shall be begun until the drawings and application are approved by the Town Engineer, who shall note this approval on the applicant's copy.
- (2) Minor repairs or replacement of components in an otherwise properly operating disposal system may be permitted by the Town Engineer without certified plans, provided that such repair or replacement may be accomplished without adversely affecting proper operation of the sewage disposal system.
- (3) A fee to be determined from time to time by resolution of the Town Board shall be paid to the Town Engineer at the time of the filing of the application. No building permit shall be issued until the Town Engineer has approved for construction an application and plans for the sewage disposal system.
- (4) An applicant may appeal an adverse determination of the Town Engineer by applying for a waiver from the County Department of Health.

B. As-built plans. After a sewage disposal system is completely installed, as-built plans prepared, certified and sealed by a professional engineer licensed in the State of New York shall be submitted to the Town Engineer for approval. No sewage disposal system shall be put into use until the Town Engineer has issued a certificate of compliance approving the as-built plans.

§ 176-3 General duties of the Town Engineer.

It shall be the general duty of the Town Engineer:

- A. To promptly investigate the proposed installation and approve or disapprove the application; and, if approved, to so note on the original and applicant's copy and issue said permit to applicant, which permit shall be prominently displayed on or near the work site.
- B. To see that the provisions of this article are observed.
- C. After final inspection of the site and approval of the as-built plans, to note approval on the original and on the applicant's copy of the permit.

§ 176-4 Distances.

- A. The minimum separation distances from wastewater sources shall be in accordance with the State Sanitary Code.
- B. In the case of an existing lot not adjoining any vacant lot in the same ownership, an applicant may apply to the County Department of Health for a waiver of the above referenced separation distance requirements.

§ 176-5 Exposure of sewage.

No person, firm or corporation either as owner, lessee or tenant of any property, dwelling, building or place shall construct or maintain any seepage pit, septic tank, sewage disposal system, pipe or drain so as to expose or discharge the contents or other liquid or matter therefrom to the atmosphere or on the surface of the ground or so as to endanger any source of drinking water, nor shall any such person, firm or corporation discharge into any watercourse, storm drain or body of water any sewage or sewage effluent from a seepage pit, septic tank, sewage disposal system, pipe or drain, except as permitted under the provisions of the Public Health Law or Environmental Conservation Law.

§ 176-6 Sewage disposal by water carriage method.

- A. The water carriage system is a system of piping through which all sewage and domestic liquid wastes are conveyed by the flow of water from the point or origin in a place of human habitation to the point of disposal.
- B. All such sewage disposal systems shall be installed in accordance with the requirements of the Department of Health.
- C. The plans will be examined on the basis of the sewage flows noted in the following table:

	Gallons per day per person
Camps	25 to 75
Small dwellings	75 (150 per bedroom)
Large dwellings, boarding schools, etc.	75 to 100
Institutions	75 to 125

Gallons per day per person

Day schools	15
Factories	25

- D. No septic tank shall be installed unless it shall have a net capacity below the flow line of at least 750 gallons. Septic tanks shall have an effective liquid depth of at least four feet and a length of at least twice and not more than four times the width. A tank of such capacity installed to serve a residence shall be considered adequate for a two-bedroom house.

Table 1 Minimum Capacities of Septic Tanks

Serving Individual Dwellings

Number of Bedrooms

(gallons)	Liquid Volume
3 or less	1,000
4	1,200
5 or more	1,250

- E. Metal septic tanks are prohibited.
- F. Any materials used in septic tank construction other than concrete shall be of similar structural strength and working operation and shall require the approval of the Town Engineer.
- G. Wherever septic tanks are approved for installation to service business or commercial buildings, a tank of 750 gallon net capacity shall be considered adequate for 15 employees and shall be increased by 25 gallons for each additional employee.
- H. Where wastes contain oil, such wastes shall first pass through an approved oil separator (minimum capacity 25 gallons) placed at an easily accessible location.
- I. Drains through the foundation shall be of four-inch cast-iron soil pipe laid at a minimum slope of 1/4 inch per foot and shall extend a distance of at least 10 feet from the foundation to the installed septic tank. The house sewer shall be vented through the roof with at least a three-inch vent so that full circulation of air is established at all times. If kitchen or other plumbing fixtures are vented into the house sewer, the vent shall be increased to a four-inch pipe through the roof. No roof leaders or floor or cellar drains are to drain to septic tanks. Septic tank effluents shall be disposed of by discharging to subsurface tile systems, seepage pits, sand filter or by such other means as approved, in writing, by the Town Engineer. Sewer lines to septic tanks and from septic tanks to the leaching system shall be made watertight and protected from damage by roots and other causes.

§ 176-7 Soil tests.

- A. All tests shall be made within the area of the proposed sewage disposal system. At least two soil percolation tests shall be made in separate test hold locations and at least one test pit dug in the area proposed for the sewerage disposal system.

- B. All soil test results shall be certified by a professional engineer licensed in the State of New York.
- C. The procedure noted below shall be followed in performing a soil percolation test:
- (1) Dig a hole with vertical sides and approximately 12 inches wide. If a tile trench field is being considered, the depth of the percolation test holes shall be between 24 and 30 inches below the final ground surface. If a seepage pit is under construction, then percolation tests should be run at 1/2 the depth and at the full estimated depth of the seepage pit. Small stones shall be placed in the bottom of the test hole to reduce scouring and silting action.
 - (2) Fill the test hole with water and allow it to completely seep away. This is known as "presoaking" and must be done 24 hours before the test and again at the time of the test. After the water has seeped away, remove any loose soil that has fallen from the sides of the hole.
 - (3) Pour clean water into the hole, with as little splashing as possible, to a depth of six inches.
 - (4) Observe and record the time in minutes required for the water to drop one inch (from the six-inch to the five-inch mark.)
 - (5) Repeat the test (a minimum of three times) until the time for the water to drop one inch for two successive tests gives equal results. The last test will then be taken as the stabilized rate of percolation, and the time recorded for this test will be the design basis for determining the square footage of leaching or absorption areas required for a subsurface leaching system.
 - (6) Percolation tests shall not be made in frozen or newly made fill. In fill areas, tests may be made after a six-month settling period or after other suitable stabilization. Test pits shall be excavated at least two feet below the elevation of the proposed disposal system. A soil log shall be maintained and depths to groundwater and rock noted.

§ 176-8 Subsurface tile field systems.

- A. Subsurface tile field shall be used where the more porous natural earth is close to the surface where it is desired to give private water supplies the maximum protection and where the porosity shall not be less than one inch fall to 60 minutes.
- B. Dosing tanks shall be used in systems with over 500 feet of tile and shall be equipped with automatic siphons and have a dosing capacity equal to 60% to 75% of the interior capacity of the pipe in the portion of the subsurface tile system which is dosed at one time. Where the total length of the tile laterals exceeds 1,000 feet, the dosing tank shall be provided with two siphons, each serving 1/2 the tile field and dosing in alternation. Standard siphons must be used, but alternating service shall be specified. If inadequate head is available to permit the use of siphons, a pump shall be substituted for each siphon.
- C. Main distributors shall have diameters of not less than four inches and be laid with tight joints on uniform slopes. Where a dosing tank is used, the slope shall be 0.5% or 1/16 of an inch per foot. Lateral distributors comprising the tile field shall be four inches in diameter and shall be laid in trenches not less than 24 inches wide and not less than 18 inches, nor more than 24 inches deep, depth less than 24 inches being preferable. The bottom of the trenches and lateral distributors must be on a slope of 1/16 inch per foot or 1/32 inch per foot. The spacing between lateral distributors shall be at least six feet. Where excessive slopes are encountered, drop manholes shall be used on main distributors. Distributors shall be agricultural drain tile, clay tile, bituminous fiber, rigid plastic or corrugated plastic pipe. When perforated pipes are used, the holes shall be placed down in such a manner that the liquid will escape at an equal rate along the entire lateral. If the laterals are constructed of agricultural drain tile or vitrified clay pipe they shall be laid upon open joints 1/8 inch to 1/4 inch wide and protected with strips of tar paper or other approved material laid over the top and 2/3 around the circumference of the pipe. All laterals shall be surrounded by graded gravel or broken stone 3/4 to 1 1/2 inches in size from a level of

at least six inches below the bottom of the pipe to a level of at least two inches above the top of the pipe. Before backfilling, a single layer of building paper or a thick mat of hay or straw shall be placed on top of the gravel or broken stone and across the full width of the trench. The placing of distributors or laterals over water service lines is prohibited. Curtain drains of suitable depth and location shall be provided to intercept surface and groundwater, and the tile field system shall be protected from damage by roots.

- D. Laterals shall not be nearer than 100 feet to any lake, stream, watercourse or other body of water, unless approved by the Rockland County Department of Health, and must not be laid in swampy soil or in soil that cannot adequately drain. The bottom of tile field trenches shall be at least two feet above the maximum groundwater table and at least two feet above solid rock or other impervious formation.
- E. A distribution box or chamber must be provided, into which the septic tank effluent discharges and from which the sewage enters the subsurface disposal field lines. The inlet pipe should enter at the end of the box two inches above the outlets. The sides of the box shall extend 12 inches above the invert of the inlet pipe, and the box shall be provided with a removable cover. The cover of the box shall be placed no more than 12 inches below the surface of the ground. Drainage lines shall be constructed with inverts at the bottom level of the box or one inch above the bottom, and all shall be set at the same elevation. They shall run straight, all horizontal bends shall be avoided and they should be made with tight joints. When set at the same elevation and operating under the same head, pipes all of the same size shall receive an equal flow. The box need not be more than 18 inches in width, nor longer than is necessary to accommodate the drain lines. Baffles shall be installed when directed by the Town Engineer. When a series of distribution boxes are used, the invert of the pipe leaving a box to carry effluent to the next box shall be at least 1 1/4 inches higher than the invert of the laterals from that same box. [Amended 1-25-1999 by L.L. No. 1-1999]
- F. Tile field trenches shall be of approximately equal length. The length of an individual trench shall not exceed 60 feet to 100 feet where dosing siphons are used. The minimum total length of tile field shall be 200 feet. The length of tile trenches shall be calculated using the data contained in Table 2.

Table 2

Tile Fields

Allowable Sewage Application

Percolation Time for One-Inch Fall (minutes)	Sewage Application (gallons per square foot per day)
0 to 5	1.20
6 to 7	1.00
8 to 10	.90
11 to 15	.80
16 to 20	.70

Table 2

Tile Fields

Allowable Sewage Application

Percolation Time for One-Inch Fall (minutes)	Sewage Application (gallons per square foot per day)
21 to 30	.60
31 to 45	.50
46 to 60	.45

§ 176-9 Seepage pit.

- A. Seepage pits may be installed where the top soil is underlain with sand, gravel or similar natural porous material. They shall be made of durable material and construction and of such proportions that the side area is approximately three times the bottom area. The flow of settled sewage to the seepage pits shall provide equal distribution to each pit, the minimum distance between center of pits shall be at least three times their diameter.
- B. The bottom of the seepage pits shall be at least two feet above the maximum groundwater table and at least three feet above solid rock or other impervious formation. A minimum of two pits shall be installed and the distance between any two pits shall be at least two times the larger pit diameter.
- C. The leaching area required for such installations shall be determined by the results of percolation tests in accordance with Table 3, but no permit will be issued for a seepage pit unless the character of the soil in which it is to be located is such that groundwater flow appears to be away from any adjoining property within 50 feet and away from any source of water supply. No permit shall be issued for any seepage pit where, in the judgment of the Town Engineer, such installations shall be dangerous to adjoining property.
- D. Details for seepage pits shall be submitted with the application and shall be subject to approval by the Town Engineer.
- E. Effective leaching area shall be calculated as the outside area of the pit below the inlet. The bottom area is not considered in these calculations.
- F. A test showing a rate of percolation slower than one inch in 60 minutes indicates that disposal of sewage by the subsurface method is not suitable and that other methods of disposal are required.

Table 3

Seepage Pit

Allowable Sewage Application

Percolation Time for 1 inch (minutes)	Sewage Application (gallons per square foot per day)
0 to 5	1.20
6 to 7	1.00
8 to 10	.90
11 to 15	.80
16 to 20	.70
21 to 30	.60
31 to 45	.50
46 to 60	.45

§ 176-10 Other types of water carriage disposal systems.

- A. Evapotranspiration-absorption systems, fill or built-up systems, aerobic digestion systems and sand filter systems may be installed as replacement systems only, provided that such system is designated and installed in accordance with state regulations and specifications contained in, 10 NYCRR Appendix 75-A and is approved by the Town Engineer.
- B. New installation of the above systems is allowed only upon approval from the Department of Health.

§ 176-11 Nonwater carriage sewage disposal.

- A. Nonwater carriage disposal is defined as a device for the disposal of human excreta in a pit of the earth where water carriage systems of disposal cannot be provided.
- B. Privies shall be permitted for temporary use in construction work; and, all privies in existence at the time of the adoption of this article shall not be affected by this article so long as they do not constitute a public or private nuisance or any form of health menace.
- C. Other types of nonwater carriage sewage disposal systems may be permitted, subject to the provisions of § 176-2, and provided that a waiver is obtained from the State or County Department of Health.

§ 176-12 Construal.

Nothing contained in this article shall be construed to permit the installation or maintenance of disposal facilities which are or may become a nuisance. Upon completion of a sewage disposal system, an as-built drawing shall be prepared and submitted to the Town Engineer.

§ 176-13 Existing facilities.

The Town Engineer may at any time by inspection determine that existing sewage disposal facilities on a property are inadequate or do not function properly, or that there is not available an adequate supply of water for use in connection therewith. In such cases, the Town Engineer shall notify the owner of said premises, in writing, of such fact, and a copy of such notice shall be sent to the Town Clerk. Upon receipt of such notice, it shall be the duty of the owner, within 10 days, to make application to the Town Engineer for a permit for reconstruction or alteration to be completed within 30 days after receipt of said notice. Unless such

required reconstruction or alteration shall have been completed within the 30 days, it shall be unlawful and improper to use said premises for human occupancy until such required reconstruction or alterations shall have been completed, inspected and approved, as for new installations. The fee for reconstruction or alteration permits shall be the same as that for a new installations.

§ 176-14 Penalties for offenses.

- A. Any violation of this article either by the occupancy of a structure without a duly authorized certificate of approval or by the installation or use of a septic tank, seepage pit or discharge pipe, without compliance with the terms and provisions aforesaid or failure to comply with any notice, directive or order of the Town Engineer, or any other violation of any terms and provisions of this article is hereby declared to be a misdemeanor and shall render the owner of the land whereon the same was installed, the occupant of said land, the person so installing the same or any other person who performs work thereon in violation of this article punishable by imprisonment not exceeding 15 days and/or a fine not to exceed the sum of \$1,000.
- B. Each weeks' continued violation after notice thereof shall constitute a separate additional violation.

§ 176-15 Remedies.

In the event of any violation of this article, the Town Board shall have the right to maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction, the violation of this article, notwithstanding that this article provides for penalties and other punishment for such violation.

Article II Sewer Rents

§ 176-16 Legislative intent.

It is the legislative intent of the Town Board of the Town of Stony Point to establish and impose sewer use charges ("sewer rents") and/or benefit assessments to pay for the cost of operation and maintenance of the sewer system utilized by properties within each of the respective Town sewer districts.

§ 176-17 Definitions.

As used in this article, the following terms shall have the meanings indicated:

OPERATION AND MAINTENANCE

The activities required to assure the dependable and economical function of a Town sewer district's sewer system. The term "operation and maintenance" may include repair and replacement. In addition, where the amount of sewer rents and/or benefit assessments collected exceeds the amount necessary to pay the annual cost of operation and maintenance of the sewer system, then the excess may be spent to pay for debt service and/or capital improvements.

REPLACEMENT

Expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the sewage treatment facilities to maintain the capacity and performance for which such facilities were designed and constructed.

SEWAGE TREATMENT FACILITIES

Those capital improvements for the collection, transport, treatment and discharge of sewage which have been constructed for or whose use has been contracted for the benefit of properties within the Consolidated Sewer District No. 1.

SEWER RENTS

A scale of annual charges established and imposed by the Town Board for the use of sewage treatment

facilities.

UNITS OF USE

The quantity of usage of the sewage treatment facilities determined by the Town Board to be attributable to different classifications of property within the Consolidated Sewer District No. 1.

USER

Any owner of real property within the district who is depositing or is required to deposit sewage into the district's facilities.

§ 176-18 Sewer rents established and imposed.

- A. The Town Board is authorized to establish and impose sewer rents for the use of each respective Town sewer district's sewer system. No person or entity possessing, owning, occupying, leasing or using any property in a sewer district shall discharge any sewage, water or anything whatsoever into the sewer system of the district, unless the sewer rents attributable to that property have been paid. Violation of this provision shall constitute a violation of this chapter and shall be subject to the penalties and other remedies set forth in Article III of this chapter.
- B. Sewer rents shall be established, and may be amended from time to time, by resolution of the Town Board after a public hearing.
- C. The Town Board is authorized to charge sewer rents by placing the annual sewer rents charge, or any portion thereof, on the real property tax bill of each property receiving service in a sewer district. The Town Board may determine, by resolution adopted after a public hearing, the particular sewer district(s) for which sewer rents shall be charged on the real property tax bill of each property receiving service in that particular sewer district. If the Town Board subsequently determines that the total sewer rents collected or charged on the tax bills of the properties in a particular sewer district will not be sufficient to pay for the operation and maintenance costs for that year, the Board may charge additional sewer rents to each property receiving service in the sewer district in order to pay for such operation and maintenance costs. The amount of such additional sewer rents shall be determined by resolution of the Town Board after a public hearing.
- D. If the sewer rents charge is not placed on the real property tax bill, then sewer rents shall be billed quarterly, semiannually or other time period as determined by resolution of the Town Board.

§ 176-19 Basis of the charges.

The basis of the charges for sewer rents shall be the following schedule of units of use:

Schedule of Units of Use

	Number of Units
Single-family dwelling	1
Two-family dwelling	2
Dwelling with office/home occupation	2

Schedule of Units of Use

Number of Units

Commercial establishments— five or fewer occupants (occupant means owner, manager or employee)	1
For each additional 5 occupants or part thereof	1
Apartment unit	1
Restaurant:	
20 seats or less	3
21 seats to 75 seats	4

§ 176-20 Extraneous flows.

The cost of all flows not directly attributable to users shall be distributed among all users in the sewer district in the same manner that the costs of operation and maintenance are distributed among all users in the sewer district for their actual use. Any increased costs associated with the management of effluent and/or sludge and any treatment works caused by the discharge of toxic pollutants shall be paid for by those users discharging the toxic pollutants.

§ 176-21 Sewer rents; annual charges.

The annual charge for sewer rents for a user shall be the total annual operation and maintenance budget (O&M) divided by the total number of units of use (TU) multiplied by the numbers of units of use (UU) attributable to the user; i.e.:

$$\text{Annual Charge} = \frac{\text{O+M}}{\text{TU}}$$

§ 176-22 Review of sewer rent charges.

The Town shall review the sewer rent charges not less often than once every two years. The review shall consist of an analysis of the total cost of operation and maintenance of the sewage treatment facilities and the wastewater contribution of the users and user classes. Based on that review, the Town Board shall revise, if necessary, the sewer rent charges to accomplish the following:

- A. Generate sufficient revenue to pay the total operation and maintenance costs necessary to effect the proper operation and maintenance of the treatment facilities;
- B. Maintain the proportionate distribution of operation and maintenance costs among users and user classes

as attributable to actual use; and

- C. Determine the application of any excess revenue collected to either the reductions of the next year's charges or the establishment of the capital reserve fund to be used for contingencies, replacement or necessary improvement.

§ 176-23 Payment date.

- A. Sewer rents shall be payable and collected in equal quarterly payments in advance, on the first day of each and every January, April, July and October.
- B. Each user shall be notified annually, in conjunction with a regular bill, of the rate and that portion of the user charges which are attributable to wastewater treatment services.

§ 176-24 Payment of sewer rents; penalties for late payment.

Sewer rents may be paid at any time within 30 days from the date they become due without penalty. In the event that the sewer rents are not paid within 30 days, a penalty of 10% shall be added. An additional penalty of 10% shall be added to any sewer rents remaining unpaid 30 days after the date when the next quarterly payment is due. Such penalties shall constitute additional sewer rents.

§ 176-25 Penalties for offenses.

Any violation of this article is punishable pursuant to the provisions of Article §§ 176-71 and 176-72 of Article III, Use Regulations, of this chapter.

§ 176-26 Sewer rents to be a lien.

Sewer rents shall constitute a lien upon the real property to which they are attributable. The lien shall be prior and superior to every other lien or claim except the lien of an existing tax, assessment or other lawful charge imposed by or for the state or a political subdivision or district thereof.

§ 176-27 Collection of unpaid sewer rents.

The Town Board shall annually cause a statement to be prepared setting forth the amount of each lien for sewer rents in arrears, the real property affected thereby and the name of the person in whose name such real property is assessed. Such statement shall be presented to the board or body empowered to levy Town taxes, on or before a date to be specified by such board or body. Such board or body shall levy the amounts contained in such statement against the real property liable at the same time and in the same manner as Town taxes, and such amounts shall be set forth in a separate column in the annual tax rolls. The amounts so levied shall be collected and enforced in the same manner and at the same time as may be provided by law for the collection and enforcement of Town taxes.

§ 176-28 Inconsistent agreement.

This sewer rent article shall take precedence over any terms or conditions of agreements or contracts between the Town and users (including industrial users, special districts, other municipalities or federal agencies or installations) which are inconsistent with the requirements of federal regulations now pertaining.

**Article III
Use Regulations**

§ 176-29 Title.

This article shall be known as the Town of Stony Point "Sewer Local Law Regulating the Use of Public and Private Sewers in the Town of Stony Point, Rockland County, New York."

§ 176-30 Short title.

The short title of the article shall be known as the "Sewer Use Local Law."

§ 176-31 Purpose.

The purpose of this article is to protect the public health and environment and prevent nuisances by:

- A. Providing for maximum efficiency and effectiveness in the construction, operation and maintenance of the Town's sewer system.
- B. Regulating all connections to, discharges to and usage of the Town's sewer system.
- C. Requiring treatment, prior to introduction into the sewer system and other sewers tributary thereto of such wastes as may be harmful to the physical structure of the system or disruptive of the normal treatment process.
- D. Requiring connection to and use of the sewer system;
- E. Prohibiting the introduction into the sewer system and other sewers tributary thereto of such wastes whose flammable, poisonous or hazardous volume or inordinate rate of flow may be harmful or disruptive to the system, its operation and maintenance or its operation and maintenance personnel.
- F. Providing for the efficient and effective use of disposal systems not owned by the Town by regulating their construction, operation and maintenance.

§ 176-32 Definitions.

A. As used in this article:

- (1) Words in the masculine gender also include the feminine and neuter genders;
- (2) Words in the singular also include the plural; and
- (3) Words in the plural include the singular.

B. Unless the context specifically indicates otherwise, the meaning of the terms used in this article shall be as follows:

ASTM

The American Society for Testing and Materials.

BOD (biochemical oxygen demand)

The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20° C. (68° F.) expressed in parts per million (ppm) or milligrams per liter (mg/l).

BUILDING DRAIN

That part of the lowest horizontal piping of a building drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of any building and conveys such discharge to the building sewers beginning three feet outside of the outer face of the building wall.

BUILDING SEWER

That part of the horizontal piping of a drainage system which extends from the end of the building drain and which receives the discharge of the building drain and conveys it to a sewer. The materials used to connect the building sewer to the Town's sewer shall be deemed part of the building sewer.

COOLING WATER

The water discharge from any system of condensation, air conditioning, cooling or refrigeration and carrying no contamination other than abnormal heat.

DEPARTMENT OF HEALTH

The Rockland County Department of Health.

DISPOSAL SYSTEM

The entire system of sewers, treatment facilities and their appurtenances for collecting and treating sewage, industrial waste and other wastes.

DRAINAGE DISCHARGES

Stormwater surface runoff, groundwater, roof runoff and the like.

GARBAGE

Solid wastes from the domestic or commercial preparation, cooking and dispensing of food or from handling, storage and sale of produce.

INDUSTRIAL PROCESS WATERS OR PROCESS WATERS

The waters which are ordinarily a constituent part of and are polluted by industrial wastes.

INDUSTRIAL WASTES

Any liquid, gaseous, solid or other waste substance or a combination thereof resulting from any process of industry, manufacturing, trade or business or from the development or recovery of any natural resources.

INTERCEPTOR

A device designated and installed so as to separate and retain deleterious, hazardous or undesirable matter such as grease, oil or sand from wastes.

MUNICIPALITY

The Town of Stony Point, New York.

NATIONAL CATEGORICAL PRETREATMENT STANDARD

Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with § 307(B) and (C) of the Act (22 U.S.C. 1347), which applies to a specific category of industrial users. These standards apply at the end of the categorical process ("end of process").

NYSDEC

The New York State Department of Environmental Conservation.

OTHER WASTES

Garbage, refuse, decayed wood, sawdust, shavings, bark, sand, lime, cinders, ashes, offal, oil, tar, dye stuffs, acids, chemicals and all other discarded matter not sewage or industrial waste.

pH

The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

PERSON

Any individual, partnership, firm, company, association, society, corporation or group.

POLLUTED

The alteration of the biological, chemical, radiological or aesthetic integrity of water from the presence of sewage, industrial waste or other waste.

PRIVATE

When used as a modifier, shall mean those facilities not owned by the municipality or a public entity.

PROPERLY SHREDDDED GARBAGE

Garbage that has been processed and treated according to Town regulations and standards and been shredded to such degree that all particles will be carried freely under the flow conditions normally prevailing in Town sewers, with no particle greater than 1/2 inch in any dimension.

PUBLIC

Those facilities owned or operated by a sewage works corporation under the Transportation Corporation Law or by a governmental entity other than the municipality.

RECEIVING WATERS

A natural watercourse or any other body of surface or ground water into which treated or untreated sewage is discharged.

SANITARY SEWER

A sewer which carries sewage and to which storm-, surface and ground waters are not intentionally admitted.

SCAVENGER WASTES

The human fecal matter collected from privies, septic tanks, cesspools, recreational vehicles and chemical toilets.

SEWAGE

The water-carried human or animal wastes from residences, buildings, industrial establishments or other places, together with such groundwater infiltration and surface water as may be inadvertently present.

SEWER

A pipe or conduit for carrying water-carried wastes.

SEWAGE DISPOSAL SYSTEM

The entire system of sewers, treatment facilities and their appurtenances for collecting and treating sewage.

SEWER SYSTEM OR SEWER DISTRICT

The entire system of sewers and their appurtenances for collecting sewage, industrial waste and other wastes.

SLOPE

The grade or pitch of a line of pipe in reference to a horizontal plane. In a drainage context it shall express the fall on a fraction of an inch per foot length of pipe.

SLUG

Any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than five times the average twenty-four-hour concentration or flow during normal operation.

SPDES (STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM)

The system established pursuant to Article 17 of the Environmental Conservation Law for the issuance of permits authorizing discharges to the waters of New York State.

STANDARD METHODS FOR THE EXAMINATION OF WATER AND WASTEWATER

The procedures published by the American Public Health Association, procedures established by the Administrator, pursuant to § 304(G) of the Act and contained in 40 CFR Part 136, and amendments thereto (if 40 CFR Part 136 does not include a sampling or analytical technique for the pollutant in question, then procedures set forth in EPA publication, Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants, April 1977, and amendments thereto, shall be used); any other procedure approved by the Administrator; or any other procedure approved by the Superintendent, whichever is the most conservative.

STORM SEWER or STORM DRAIN

A sewer which is intended to carry only drainage discharges, not sewage, industrial wastes or other wastes.

SUSPENDED SOLIDS

The result obtained, using an approved laboratory procedure, to determine the dry weight of solids, in a sample, that either float on the surface of or are in suspension or are settleable and can be removed from the sample by filtration, expressed in milligrams per liter.

TOWN

The Town of Stony Point or the municipality. When used as a modifier "Town" or "municipality" shall mean those facilities and their appurtenances which are owned and/or operated by the Town.

TOXIC SUBSTANCE

Any substance, whether gaseous, liquid or solid, that when discharged to a public sewer in sufficient quantities may be hazardous to sewer maintenance personnel, tend to interfere with any biological sewage treatment process, or to constitute a hazard to recreation in the receiving waters, of the effluent from a sewage treatment plant or overflow point. Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the EPA under provisions of the Clean Water Act § 307(A) or other Acts.

TREATMENT PLANT or SEWAGE TREATMENT PLANT

Any arrangement of devices, structures and facilities used to treat or pump sewage, industrial wastes and/or other wastes.

UNREASONABLE ADVERSE EFFECTS

Any unreasonable risk of harm.

USEPA

The United States Environmental Protection Agency.

WASTE

Any discarded substance.

WPCF

The Water Pollution Control Federation.

C. When used herein this article, "shall" is mandatory; "may" is permissive.

§ 176-33 Deposit of wastes on public or private property prohibited.

It shall be unlawful for any person to place, deposit or permit to be deposited in any insanitary manner upon public or private property within the Town or in any area under the jurisdiction of the Town any human or animal excrement, garbage or other objectionable waste.

§ 176-34 Discharge in storm sewers and outlets prohibited.

It shall be unlawful to discharge to any natural outlet or storm sewer under the jurisdiction of the Town any sanitary sewage, industrial wastes or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this article.

§ 176-35 Connection to sewers required.

The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the Town and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer are hereby required, at their expense, to install suitable toilet facilities therein and to connect such facilities directly to the proper public sewer, in accordance with the provisions of this article, within 90 days after date of official notice to do so.

§ 176-36 Types of discharge restricted.

No person shall discharge into the sewer system any waste, substance or waters other than such kinds or types of waters or water-carried wastes for the conveyance of which the particular public sewer is intended, designed or provided.

§ 176-37 Storm and related waters prohibited in sewers.

No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, cooling water, air-conditioning and refrigerating waste waters or untreated industrial process waters to any sanitary sewer.

§ 176-38 Regulation of stormwater drainage.

Stormwater and all other unpolluted drainage or uncontaminated process water in excessive quantities shall be discharged to storm sewers or to a natural outlet. Such waters shall be discharged only after approval of any local, county or state regulatory agency having jurisdiction.

§ 176-39 Prohibited discharges into sewers.

Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- A. Any liquid or vapor having a temperature higher than 150° F.
- B. Any water or waste which may contain more than 100 mg/l by weight of fat, oil, wax or grease or containing other substances which may solidify or become viscous at temperatures between 32° F. to 150° F.
- C. Any solids, liquids or gases which by reason of their nature or quantity are or may be sufficient, either alone or by interaction with other substances, to cause a fire or an explosion or be injurious, in any way, to the Town's sewage disposal system or to the operation of the system. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, carbides, hydrides and sulfides and any substance New York State or the EPA has determined to be a fire hazard or a hazard to sewage disposal systems.
- D. Any garbage, except properly shredded garbage. The installation and operation of garbage grinders shall be subject to the review and approval of the Town Board.
- E. Any ashes, cinders, stones, sand, mud, straw, shavings or sawdust, metal, sticks, coarse rubbish, glass, rags, tar, feathers, plastics, waste rubber, animal guts or tissues, entrails, blood, hair, hides, wood, paunch manure, or any other substance likely to damage, destroy or cause an obstruction to the flow in any sewer or which may interfere with the proper operation of the sewage works.
- F. Any waters, sewage or wastes having a pH lower than 6.0 or higher than 9.5, or having any other

corrosive or detrimental properties capable of causing damage or hazard to the sewage works or personnel.

- G. Any waters or wastes containing a toxic, poisonous or radioactive substance in sufficient quantity to injure or interfere with any sewage treatment process or to constitute a hazard to humans, animals or marine life or create any hazard in the receiving waters.
- H. Any noxious, malodorous or taste-producing gas, vapor or substance, such as phenols, capable of creating a public or private nuisance, or which may prove toxic to sewage treatment processes, or which may exceed acceptable limits for discharge to receiving waters.
- I. Materials which exert or cause:
 - (1) Unusual concentrations of inert suspended solids (such as, but not limited to, fuller's earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
 - (2) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - (3) Unusual BOD, suspended solids, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.
 - (4) Unusual volume of flow or concentration of wastes constituting slugs, as defined herein.
- J. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements stipulated in the SPDES permit.

§ 176-40 Pretreatment requirements.

- A. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated above and which may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Town may:
 - (1) Reject the wastes.
 - (2) Require pretreatment to an acceptable condition for discharge to the public sewers.
 - (3) Require control over the quantities and rates of discharge; and/or
 - (4) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges.
- B. If the Town permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Town and of any or all state regulatory agencies having jurisdiction, and no construction of such facilities shall be commenced until said approvals are obtained, in writing.
- C. All Town costs associated with the review and approval of pretreatment and/or equalization facilities, including all consulting engineering fees, shall be paid for by the owner of such facility.

§ 176-41 Determination of exclusion of wastes.

In determining whether any waste discharged or proposed to be discharged into any public sewer is to be excluded, consideration will be given to the quantity, time or times, rate and manner of discharge, dilution and character of the waste in question, the size of the sewer into which the waste is to be discharged, the

probable quantity of sewage or other wastes likely in said sewer, and other pertinent facts. Minute quantities of a waste which would be objectionable in larger quantity may be accepted if sufficiently diluted when and as discharged, or if the quantity discharged is small as compared with the flow in the receiving sewer; but any permission to discharge minute quantities of an otherwise excluded waste shall be revocable at any time by the Town.

§ 176-42 Pretreatment facilities.

- A. At all premises where wastes or substances specified to be excluded from public sewers by these regulations are present and liable to be discharged directly or indirectly into said sewers, suitable and sufficient piping layouts, oil, grease, sand and flammable waste traps or separators, screens, settling tanks, diluting devices, storage or regulating chambers, treatment, cooling or other equipment and devices shall be provided. These shall be maintained and properly operated by the owner of the premises or his agent at his expense to ensure that no waste or substance is discharged in violation of the requirements of these regulations.
- B. On premises where wastes or substances specified to be excluded from public sewers are present, the Town may require the owner to provide, operate and maintain, at his expense, a sampling well or wells, flow measuring devices, manholes or other appurtenances, all readily accessible, on the building sewer or drain from said premises near the point where said sewer or drain connects to the public sewer. By means of said sampling well or wells, flow measuring devices or other appurtenances, the Town, or any public officer having legal jurisdiction or authorized agents, may secure samples of or examine the wastes being discharged into the public sewer for the purpose of determining compliance or noncompliance with the requirements of these regulations.
- C. The Town shall have the right to enter and inspect any part of the premises served by public sewers upon which there may be reason to believe that violations of the requirements of these regulations have occurred or are likely to occur, for the purpose of ascertaining the facts as to such violation or suspended violation, or of, obtaining samples of wastes, or of inspecting flow measuring devices or treatment facilities provided to prevent prohibited discharges.
- D. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.

§ 176-43 Excluded wastes prohibited in storm sewers.

No wastewaters or substances which are excluded from sanitary sewers shall be discharged into any storm sewer.

§ 176-44 Standard of measurement.

All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this article shall be determined in accordance with Standard Methods for the Examination of Water and Sewage.

§ 176-45 Agreements concerning industrial wastes.

No statement contained in this article shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Town for treatment, subject to payment therefor by the industrial concern.

§ 176-46 Permit required.

A written permit shall be obtained from the Board before any connection, opening, uncovering, use, discharge, alteration or other disturbance of a Town sewer or its tributaries and appurtenances is made. The permit shall be displayed in a conspicuous place. Any work performed after issuance of a permit shall be in conformity with its terms and conditions and the provisions of this article.

§ 176-47 Permit application and application fee.

- A. The property owner shall apply for a permit on a form furnished by the Town Clerk and shall provide all information called for on the form.
- B. The permit application shall be accompanied by an application fee, established pursuant to a schedule adopted by resolution of the Town Board, and by plans, specifications or other information considered pertinent by the Town Board.
- C. All permit applications for service to establishments producing industrial wastes shall be subject to Board approval after a public hearing held upon 10 days' notice to the general public by publication in the Town's official newspaper.

§ 176-48 Disturbance of highways; additional permission required.

No permit granted by the Sewer Superintendent shall be construed to permit any interference or disturbance of any state or county or Town or village highway pavement, as the case may be in the municipality, or any excavation in any road, street or public place, unless the permit shall expressly so provide. No permit shall be granted for such interference or disturbance of said pavement or for the excavation for sewer purposes in any public street or public place unless the applicant shall have first obtained from the state or county or Town or village Highway Department, as the case may be, a permit therefor in accordance with the requirements of the Highway Department having jurisdiction. Any permit fee, bonding or other expense in connection with the issuance of a permit for opening any street or pavement shall be paid by the applicant. No permit shall be deemed to authorize anything not stated in the application therefor.

§ 176-49 Permit fees and classes.

A combined permit and inspection fee shall be paid to the Town before a permit is issued. Fees shall be established pursuant to a schedule adopted by resolution of the Board and may vary depending on whether the property served is residential, commercial or industrial and on whether the permit is for an original building sewer connection or some other purpose, such as connection to the Town's force main to the Rockland County treatment facility.

§ 176-50 Expenses; indemnification; contractor registration and insurance.

- A. All costs and expenses incidental to the installation and connection of the building sewer, including engineering and legal fees, shall be borne by the property owner.
- B. Property owners who install their own building sewer lateral connection shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by said installation.
- C. Any person working for fee (contractor) to make connections to the sewer system must register with the Town.
- D. All registered contractors must have on file with the Town an owner's and contractor's protective liability insurance policy, in the name of the Town of Stony Point in the following amounts: bodily injury \$500,000 each person and \$1,000,000 each accident; and property damage \$100,000.

§ 176-51 Separate building sewers.

The drainage and plumbing system of each building shall have a separate and independent connection with the sewer wherever possible. Where one building stands in the rear of another or is on an interior lot and no connection to a sewer is available nor can be made through an adjoining alley, court, yard or driveway, then the building sewer from the building on the front of the lot may be extended to the building on the rear of the lot. This may be considered as one building sewer for permit and inspection fee purposes, but for sewer service charge or rent purposes, the number of connections shall be based upon the number of units being serviced.

§ 176-52 Existing building sewers.

Existing building sewers may be used in conjunction with new buildings only when they are found, upon information and testing by the Board, wholly at the expense of the property owner, to meet all requirements of this article and any other laws, rules, regulations and specifications which apply.

§ 176-53 Maintenance and repair.

The repair, maintenance, connection, disconnection, hook up, cleaning of a building sewer or any other work is the responsibility of the property owner. In the event of the property owner's failure to repair, maintain, connect, disconnect, hook up or clean, the Town may undertake the necessary work and charge all expenses to the property owner. The Board shall establish by resolution fees for Town repair, maintenance, connection, disconnection, hook up, cleaning or other work on said sewers to be paid by the property owner.

§ 176-54 Disconnections.

- A. Before any building with a building sewer is demolished, the owner thereof shall conform with requirements established by the Board. The cutoff or plugging of the building sewer shall be done only with the permission and under the supervision of the Board.
- B. The Town, upon discovery of an illegal sewer connection or hook up, shall disconnect or unhook said sewer and charge all expenses, including costs, labor, engineering and legal fees, to the property owner.

§ 176-55 Future sewer facilities.

Improvements, enlargements and extensions by private organizations to the sewer system shall be subject to the approval of the Board with regard to design, construction and operation. Prior to the approval of the plans for improvements, enlargements and extensions, said private organizations shall deposit with the Town a sum sufficient to cover inspection costs. This sum shall be established pursuant to a schedule adopted by resolution of the Board, based on a percentage of the estimated costs of construction. Any unused balance of the deposits remaining after completion and acceptance of the construction shall be refunded.

§ 176-56 Construction inspection and approval.

The applicant for the connection of any building sewer to the sewer system shall notify the Board when the building sewer is ready for inspection and connection to the sewer. In no case shall any underground portions of the building sewer be covered or connection to the sewer made without the approval and/or supervision of the Board. Trenches refilled prior to inspection shall be reopened by the contractor or owner at no expense to the Town. The building sewer may be put into use only after satisfactory final inspection has been made and approval given by the Board or agents thereof.

§ 176-57 Specific construction requirements.

- A. Building sewers and water service branches or connections shall not be laid in the same trench and shall be separated by at least 10 feet. A minimum 18 inches of vertical separation shall be maintained between water and sewer facilities under all circumstances. Any building sewer installation in the vicinity of any water main or water service pipe shall conform with all requirements of the Department of Health. Whenever the construction of sewer facilities is taking place in close proximity to a water service branch or connection, the Board may cause the work to be performed by the Town and bill the property owner for all expense.
- B. The building sewer shall be laid at a depth sufficient to afford protection from frost and at a uniform grade of 1/4 inch per foot (or about 2%). Special permission may be given by the Board to use a lesser grade which in no case shall be less than 1/8 inch per foot (or about 1%).
- C. No building sewer shall be installed within three feet of and parallel to any bearing wall.
- D. Pipe diameters. No house sewer from the public sewer to the property lines shall be of a nominal diameter less than six inches. Inside the property line, the diameter of pipe shall be not less than four

inches if existing lines are used, and not less than six inches for new lines.

- E. Prohibited connections. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
- F. Pipe and joint specifications. The building sewer shall be constructed using one of the following pipe materials: cast iron, asbestos cement, ABS solid wall (acrylonitrile/butadiene/styrene) or PVC (polyvinyl chloride).
 - (1) Cast-iron pipe. All cast-iron pipe shall be extra-heavy wall conforming to ASTM Designation A-74, latest revision. Joints for cast-iron pipe and fittings with hubs and plain end spigots shall be made with positive double-seal compression-type gaskets, conforming to ASTM Designation C-564, latest revision. All hubless cast-iron pipe and fittings shall be joined with neoprene-rubber gaskets and screw-on stainless steel clamps. All parts of the clamping assembly shall bear the registered insignia indicating that these items comply with the Cast-Iron Soil Pipe Institute Standard 301, latest revision.
 - (2) Asbestos-cement pipe. All asbestos-cement pipe shall be Class 2400 or greater and shall conform to ASTM Designation C-428, latest revision. Joints for asbestos-cement pipe shall be rubber O-ring, conforming to ASTM Designation D-1869, latest revision.
 - (3) ABS solid-wall pipe. All ABS solid-wall pipe shall be made of a virgin rigid ABS plastic, conforming to ASTM Designation D-2751, latest revision. Pipe shall be Class SDR 23.5 (extra strength) or Class SDR 35. ABS solid-wall sewer pipe and fittings shall be furnished with solvent-cement joints, in which pipe solvent cements into a coupling socket to form the joint closure. Primer for solvent welding shall be a methyl ethyl ketone (MEK), and the cement shall be MEK containing a minimum of 20% by weight of dissolved ABS. Strict conformance with ASTM Designation F-902, latest revision, is required.
 - (4) PVC pipe. All PVC pipe and fittings shall conform to ASTM Designation D-3034, latest revision, and shall have an SDR classification of 35.
 - (5) Special backfilling requirements for Class SDR 35 pipe. All SDR 35 pipe shall be installed in accordance with the provisions of ASTM Designation D-2321, latest revision, underground installation of flexible thermoplastic sewer pipe. If requested by the Town, a compaction test may be required on each building sewer installed to ensure compliance with the requirements of ASTM Designation D-2321. The only exception will be when a contractor installs more than one building sewer in any one day. For those cases, one compaction test will be required on the first building sewer installed, with an additional compaction test required for each third building sewer installed thereafter. The compaction testing will be conducted by an independent laboratory previously approved by the Town. All compaction tests will be performed at the contractor's expense. In addition, the Town reserves the right to order additional compaction testing at random locations to further verify compliance with the compaction requirements.
 - (6) Pipe material and size transitions. When a connection of two differing pipe materials and/or sizes is required, the drainlayer shall provide the Town's agents with catalog cuts of the proposed device used to join said pipes. The device shall be either a specialized adaptor or a flexible coupling, manufactured specifically for the joining of differing pipes. No such device shall be installed prior to the drainlayer's receipt of written approval from the district.
 - (7) Depth of pipes. No asbestos-cement, PVC or ABS pipe shall be laid in a public highway or building driveway at a depth less than 48 inches. Pipes laid with less than 48 inches of cover shall be extra-heavy cast iron. All cast-iron pipes shall be covered to a depth of at least two feet, or one foot with Town approval, above the crown of the pipe with fine earth, entirely free from stones and rubbish and carefully compacted.

- (8) Excavations, pipelaying, backfill specifications. The size, slope, alignment, material of construction of a building sewer and the methods to be used in excavating and placing the pipe, jointing, testing and backfilling the trench shall conform to the requirements of the Building and Plumbing Codes and all applicable rules and regulations. In the absence of code provisions, or in amplifications thereof, the materials and procedures set forth in appropriate specifications of the American Society for Testing and Materials and Water Pollution Control Federation Manual of Practice No. 9 shall apply. All excavations for building sewer installations shall be guarded with barricades and light so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town Board.
- (9) Connection to public sanitary sewer. The connection of the building sewer into the public sanitary sewer shall be made at the Y-branch, if such branch is available at a suitable location. If the public sanitary sewer is 12 inches in diameter or less and no properly located Y-branch is available, the owner shall, at his expense, install a Y-branch in the public sanitary sewer at the location specified by the Town. Where the public sanitary sewer is greater than 12 inches in diameter and no properly located Y-branch is available, a neat hole may be cut into the public sanitary sewer to receive the building sewer, with entry in the downstream direction at an angle of about 45°. A forty-five-degree elbow may be used to make such connection, with the spigot end cut so as not to extend past the inner surface of the public sanitary sewer. The invert of the building sewer at the high point of connection shall be at the same elevation as or higher than the invert of the public sanitary sewer. A smooth, neat, watertight joint shall be made. When a cut-in into a public sanitary sewer is necessary, the saddle shall be of the same material as the existing main or lateral. For example, when cutting into a cast-iron sanitary sewer, the appropriate cast-iron saddle shall be used. Similarly, when cutting into an ABS or PVC sewer line, a matching saddle shall be used. The only exception to this rule occurs when cutting into an existing asbestos-cement sanitary sewer. In this case, a cast-iron saddle may be used to make the building sewer connection. However, concrete encasement of the connection assembly is required in such an instance. Special fittings may be used for the connection only after approval by the Board. No connections shall be made to manholes unless specifically approved, in writing, by the Town. Where the public sewer is located at an unusual depth, the connection to the public sewer shall be made as required by the Town. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged into the building sewer. The cost thereof shall be borne by the owner. The term "approved means" signifies that the owner has submitted plans for lifting the sewage to the Board and has received written approval of such system. Cleanouts shall be installed on all building sewers so that the maximum distance between cleanouts is 75 feet. If the building sewer is less than 75 feet in length, no cleanout will be required. In those cases where the length of the building sewer is between 75 feet and 150 feet, the cleanout shall be installed at the midpoint of the sewer line. In addition, cleanouts will be required at all bends that equal or exceed 23°. Cleanouts shall be constructed using Campbell frame and cover No. 1735, or approved equal. Cleanout frames shall be set in a concrete base, 36 inches by three inches by eight inches thick.

§ 176-58 Connection to Town-owned force main.

Any person wishing to connect to any force main shall make any application to the Town and provide all information required by the Town Engineer and/or Sewer Department. All connections to the force main shall be installed per the specifications and drawings accompanied with the application and provisions contained herein with all Town engineering review fees and costs for installation paid for by the applicant.

§ 176-59 Enforcement by Town Board.

The Town Board or its representatives including the Building Inspector and Sewer Superintendent shall be responsible for enforcing the provisions of this article and such rules, regulations, specifications and requirements as are promulgated pursuant to this article.

§ 176-60 Inspections.

- A. The Board, USEPA, NYSDEC, New York State Department of Health and Rockland County Health Department representatives, bearing proper identification, shall be permitted to enter, at reasonable times, upon all properties served by the Town's sewer system, or property served by a private sewage disposal system pursuant to this article, or other property over, under, on or through which the Town has an easement for the purpose of inspection, observation, measurement, sampling, inspecting and copying discharge records, testing, maintenance, construction, and, in general, for enforcement of the provisions of this article. All said parties shall have the right to set up such devices as are necessary to conduct sampling or metering operations.
- B. Where a party in possession of property has security measures in force, he shall make arrangements with his security personnel so that, upon presentation of proper identification, personnel from the Town, USEPA, NYSDEC, New York State Department of Health and Rockland County Health Department will be permitted to enter without delay.

§ 176-61 Discovery of violation.

- A. Where a violation of the provisions of this article is found, the Board shall notify the alleged offender by personal service or by certified mail, return receipt requested, of the nature of the violation, prescribe a period of time not to exceed 30 days within which the specified violation must be corrected and provide for an opportunity to be heard within the prescribed period.
- B. If the violation is not corrected within the period specified in said notice, the Board may take action pursuant to the provisions of §§ 176-71 and 176-72 of of this article.
- C. Upon a failure or refusal to make the correction, and in addition to any other remedies or penalties provided for in this article, the Board shall have the right to disconnect any improper connection from the sewer at the end of the time limit specified in this section, and the offender shall be liable to the Town for the expense of making such disconnection.

§ 176-62 Summary abatement.

- A. Notwithstanding any inconsistent provisions of this article, whenever the Board finds, after investigation, that any user is causing, engaging in, or maintaining a condition or activity which, in his judgment, presents an imminent danger to the public health, safety or welfare or to the environment or is likely to result in irreversible or irreparable damage to the sewage disposal system or the environment and it therefore appears to be prejudicial to the public interest to delay action until notice and an opportunity for a hearing can be provided, the Board may, without prior hearing, order such user by notice, in writing, wherever practicable, or in such other form as practices are intended to be prescribed, to discontinue, abate or alleviate such condition or activity, and thereupon such person shall immediately discontinue, abate or alleviate such condition or activity; or where the giving of notice is impracticable, or in the event of a user's failure to comply voluntarily with an emergency order, the Board may take all appropriate action to abate the violating condition. As promptly as possible thereafter, not to exceed 15 days, the Board shall provide the user an opportunity to be heard, in accordance with the provisions of this article.
- B. The Board, acting upon the belief that an emergency exists, shall be indemnified against any personal liability that may arise in the performance of the Board's duties to protect the public health, safety or welfare or preserve the sewage disposal system.

§ 176-63 Modification, revocation or suspension.

- A. The Board may modify, revoke or suspend a permit or approval granted under this article when the modification, revocation or suspension is required by or consistent with a decision issued in an action instituted pursuant to §§ 176-71 and 176-72.

- B. The Board may modify, revoke or suspend, without notice or opportunity to be heard, a permit or approval granted under this article when to do so is necessary to protect the Town's disposal system, the public health or the environment from unreasonable adverse effects, provided that a hearing upon prior notice is held within three days after the modification, revocation or suspension.

§ 176-64 Changes in standards of professional organizations.

No changes made in the standards of professional or industrial organizations referred to in this article, such as the American Society of Testing Materials and the Water Pollution Control Federation, shall be effective under this article unless and until the changes are adopted by the Board. This clause shall exclude Standard Methods for the Examination of Water and Wastewater.

§ 176-65 Report of obstructions.

Persons must report to the Building Inspector or Sewer Superintendent, in writing, the full description, within 12 hours of the finding of them of all obstructions in house drains, or the presence thereof, if found, of any substance prohibited by this article.

§ 176-66 Prohibited substances; presumptions.

The finding of the presence of substances prohibited by this article in the house drains of any house shall be prima facie evidence of an offense committed against this article by both the owner and occupant of the premises.

§ 176-67 Reports to Sewer Superintendent.

Persons must report to the Sewer Superintendent, in writing, within 24 hours after the completion of any work by them, every connection or disconnection made between any building to the sewer system aforesaid or between any house connection and said sewer system.

§ 176-68 Failure to comply.

It shall be a violation for any person to fail to comply with any of the provisions of this article, including any order, rule, regulation, specification or requirement issued pursuant to or in furtherance of this code.

§ 176-69 Prohibited practices.

- A. No person shall impede, obstruct, hinder or otherwise interfere with the Board in the performance of its duties under this article.
- B. No person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the Town's disposal system.
- C. No person shall make false, misleading or incomplete statements in any application for a permit or other approval or in any records required to be kept under this article.
- D. No person shall cause any connection to be made between a piping system carrying potable water and a piping system carrying, at any time, anything other than potable water.

§ 176-70 Continuing violations.

Each day a violation continues shall constitute a separate violation.

§ 176-71 Penalties for offenses.

- A. Any person convicted of violating any provision of this article shall be subject to a fine not exceeding \$1,000 for each violation. Each day a violation continues shall be a separate and distinct violation.
- B. The Town Board or Town Engineer may issue an appearance ticket to any person suspected, upon probable cause, of violating this article. The notice shall specify:

- (1) The court in which the person charged must appear;
- (2) The date and time of the appearance;
- (3) The provisions of this article believed to have been violated;
- (4) That the person charged may be represented by counsel; and
- (5) That failure to appear may cause a warrant to be issued for his arrest.

§ 176-72 Civil penalties.

- A. In lieu of, or in addition to, any other penalty available under law, any person found, by a preponderance of the evidence, to have violated any provision of this article shall be subject to a civil penalty of \$1,000 for each violation. Each day a violation continues shall be a separate and distinct violation.
- B. Civil proceedings under this section may be commenced by the Town, at the request of the Supervisor or the Town Board, in a court of competent jurisdiction.
- C. Civil proceedings may also be brought to:
 - (1) Secure injunctive relief;
 - (2) Recover any expenses, including, without limitation, labor, materials, engineering and legal expenses, incurred by the Town to remedy violations or enforce the provisions of this article; and
 - (3) Achieve such other remedies as may be available under law or equity to correct or remedy a violation or protect the interests of the Town or its residents.

§ 176-73 Judicial review.

Any persons aggrieved by any decision or determination made by the Board pursuant to this article may bring a proceeding to review such determination in the manner provided by Article 78 of the Civil Practice Law and Rules.

§ 176-74 Application.

No statement in this article shall be construed to interfere with any additional requirements that may be imposed by any federal, state or local health authority having jurisdiction.

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**Police Department
Town of Stony Point
79 Route 210
Stony Point, New York 10980
845-786-2422
845-786-3120 fax**

Memorandum

To: Supervisor James Monaghan and Members of the Town Board

From: Chief Greg Becker

Re: Request to Declare Weapon as Surplus

Date: 6/11/2024

It is respectfully requested that the following weapon be declared surplus property at the June 11, 2024, Town Board meeting.

Glock Model 19, .9MM semi-automatic handgun, serial # CATA888

As has been the past practice between the Town and the Stony Point P.B.A., a retiring member's duty weapon is presented to him upon retirement by the PBA. The PBA. then reimburses the Town for the full cost of a new weapon, which is purchased and added to the department inventory. This weapon was presented to Chief Edward Finn who retired on May 29, 2024.

Should you have any questions please feel free to contact me.

Cc: Town Clerk
File

#2

Approve Police Chief Retirement Payout

#3

Our File #100-1421

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ROCKLAND

-----X

In the Matter of the Application of:

STONY RIDGE LLC/STONY POINT POST
OFFICE PROPERTY LLC,

Petitioner,

-against-

THE ASSESSOR, THE BOARD OF ASSESSORS
AND THE BOARD OF ASSESSMENT REVIEW OF
THE TOWN STONY POINT OF AND THE TOWN
OF STONY POINT

Respondents.

-----X

STIPULATION OF DISCONTINUANCE

<u>Tax Year</u>	<u>Index #</u>
2018/19	034004/2018
2019/20	033557/2019
2020/21	032774/2020
2021/22	033874/2021
2022/23	032974/2022
2023/24	033278/2023
2024/25	
Property Desc:	15.02-4-46./10
	15.02-4-46./11
	15.02-4-46./12
	15.02-4-46./13
	15.02-4-46./14
	15.02-4-46./15
	15.02-4-46./16
	15.02-4-46./2
	15.02-4-46./5
	15.02-4-46./6
	15.02-4-46./7
	15.02-4-46./8

IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for the respective parties hereto, that the above entitled tax certiorari proceeding be, and the same hereby is discontinued, without costs to either party as against the other.

IT IS FURTHER STIPULATED AND AGREED, that the above is effective only as to the tax years indicated and shall be of no force and effect in any other proceeding whatsoever.

DATED: June 3, 2024

TOWN OF STONY POINT

CRONIN & CRONIN LAW FIRM, PLLC



BY: ALAK SHAH, ESQ.
Attorney for Respondent
Feerick Nugent MacCartney, PLLC
96 South Broadway
S. Nyack, New York 10960

BY: SEAN M. CRONIN, ESQ.
Attorney for Petitioner
100 E. Old Country Road, Suite 2
Mineola, New York 11501

Our File #100-1421

At a Special Term of the Supreme Court, State of New York, County of Rockland, held at New York on the day of 2024.

P R E S E N T

Hon. Christie L. D'Alessio
Justice

-----X
In the Matter of the Application of:

CONSENT JUDGMENT

<u>STONY RIDGE LLC</u>	<u>Index #</u>	<u>Tax Year</u>
Petitioner,	032774/2020	2020/21
-against-	033874/2021	2021/22
	032974/2022	2022/23
THE ASSESSOR, THE BOARD OF ASSESSORS AND	033278/2023	2023/24
THE BOARD OF ASSESSMENT REVIEW OF THE TOWN		2024/25
OF STONY POINT AND THE TOWN OF STONY POINT		
Respondents,		

For Review of a Tax Assessment Under Article 7 of the Real Property Tax Law.
-----X

Proceedings having been brought by STONY RIDGE LLC, the Petitioner herein, to review the assessments by the Respondents located in the Town of Stony Point, designated as Section 15.02, Block 4, Lot(s)11.1 on the tax maps and assessment rolls of the Town of Stony Point and owned by the Petitioner herein for the taxable status dates of March 1, 2020 (Tax Year: 2020/21), March 1, 2021 (Tax Year: 2021/22), March 1, 2022 (Tax Year: 2022/23), March 1, 2023 (Tax Year: 2023/24) and March 1, 2024 (Tax Year: 2024/25) and

The issues of these proceedings having duly come before an IAS Part of the Court and the Petitioner, having appeared by SEAN M. CRONIN, ESQ., of CRONIN & CRONIN LAW FIRM, PLLC, and the Respondents, Town of Stony Point, by their attorney, ALAK SHAGH, ESQ. of FEERICK NUGENT MacCARTNEY PLLC, and the parties having agreed to a settlement of these proceedings;

NOW, upon the consent of the parties indicated by the signatures of the attorneys for each of the respective parties indicated hereon and due deliberation having been had thereon, it is

ORDERED, that the assessments on the property designated as Section 15.02, Block 4, Lot(s)11.1 on the tax maps and for the taxable status dates March 1, 2020 (Tax Year: 2020/21), March 1, 2021 (Tax Year: 2021/22), March 1, 2022 (Tax Year: 2022/23), March 1, 2023 (Tax Year: 2023/24) and March 1, 2024 (Tax Year: 2024/25) shall be amended and reduced to read as follows:

Desc. 15.02-4-11.1:

<u>Taxable Status Date (Tax Yr.)</u>	<u>Original Assessed Valuation</u>	<u>Amount of Reduction</u>	<u>Total Final Assessed Valuation</u>
March 1, 2020 (2020/21)	\$100,000	\$55,000	\$45,000
March 1, 2021 (2021/22)	\$100,000	\$40,000	\$60,000
March 1, 2022 (2022/23)	\$100,000	\$40,000	\$60,000
March 1, 2023 (2023/24)	\$100,000	\$40,000	\$60,000
March 1, 2024 (2024/25)	\$100,000	\$40,000	\$60,000

ORDERED AND DIRECTED that the Treasurer of the County of Rockland, State of New York, be and hereby is directed and authorized to audit, allow, and pay to CRONIN & CRONIN LAW FIRM, PLLC, as attorneys for the Petitioner, STONY RIDGE LLC, the amounts, if any, of County taxes paid by the Petitioner as taxes against the said erroneous assessments in excess of what the taxes should have been if the said assessments had been determined by this Order, without interest thereon, if payment is made within sixty (60) days of service of a certified copy of this Order upon the Treasurer of the County of Rockland. If payment is not made within sixty (60) days after the service of a certified copy of this Order upon the Treasurer of the County of Rockland, then statutory interest will be paid on the amount of any

refund made, from the date of payment of the taxes as provided by Section 726 of the Real Property Tax Law, and upon the service of a certified copy of an Order upon the Treasurer of the County of Rockland, and it is further

ORDERED AND DIRECTED that the Receiver of Taxes of the Town of Stony Point be and hereby is directed and authorized to audit, allow, and pay to CRONIN & CRONIN LAW FIRM, PLLC, as attorneys for the Petitioner, STONY RIDGE LLC, the amounts, if any, of Town and ad valorem special districts taxes paid by the Petitioner as taxes against the said erroneous assessments in excess of what the taxes should have been if the said assessments had been determined by this Order, without interest thereon, if payment is made within sixty (60) days of service of a certified copy of this Order upon the Receiver of Taxes of the Town of Stony Point. If payment is not made within sixty (60) days after the service of a certified copy of this Order upon the Receiver of Taxes of the Town of Stony Point, then statutory interest will be paid on the amount of any refund, from the date of payment of taxes as provided by Section 726 of the Real Property Tax Law, and upon the service of a certified copy of an Order upon the Receiver of Taxes of the Town of Stony Point, and it is further

ORDERED AND DIRECTED that the Trustees of the Haverstraw-Stony Point School District, unless sooner paid, at the next budget or other appropriate meeting following the entry of this Order, shall audit, allow and pay to CRONIN & CRONIN LAW FIRM, PLLC, as attorneys for the Petitioner, STONY RIDGE LLC, that part of the taxes representing the School taxes which is in excess of what such taxes would have been if the assessment complained of had been herein audited and determined by this Order, without interest thereon, if payment is made within sixty (60) days of service of a certified copy of this Order upon the Trustees of the Haverstraw-Stony Point School District. If payment is not made within sixty (60) days after the service of a certified copy of this Order upon the Trustees of the Haverstraw-Stony Point School District, then statutory interest will be paid on the amount of any refund made, from the date of payment of the taxes as provided by Section 726 of

the Real Property Tax Law, and upon the service of a certified copy of an Order upon the Trustees of the Haverstraw-Stony Point School District, and it is further

ORDERED AND DIRECTED that the terms of RPTL §727, as well as the exceptions contained therein, shall apply to this settlement, and it is further

ORDERED AND DIRECTED that upon compliance with the terms of this Order, the above captioned proceedings be, and the same hereby are discontinued without costs to either party as against the other.

Date:

E N T E R:

J.S.C.

Entry of the foregoing Order is hereby consented to:

CRONIN & CRONIN LAW FIRM, PLLC
Attorneys for Petitioner



BY: SEAN M. CRONIN, ESQ.
100 E. Old Country Road
Suite 2
Mineola, New York 11501

TOWN OF STONY POINT

BY: ALAK SHAH, ESQ.
Attorney for Respondents
Feerick Nugent MacCartney PLLC
96 South Broadway
S. Nyack, New York 10960

RESOLUTION

A meeting of the Town Board of the Town of Stony Point was convened on **June ____**, 2024, at 7:00 p.m.

The following resolution was duly
offered and seconded to wit:

RESOLUTION 2024/_____

RESOLUTION AUTHORIZATING SETTLEMENT

WHEREAS, the Town of Stony Point, New York (“Town”) in the years 2018, 2019, 2020, 2021, 2022 and 2023 made assessments of real property by the Town Assessor; and

WHEREAS, litigation was commenced by property owners seeking a review of such assessments; and

WHEREAS, the Town Board is empowered and authorized to review any proposed settlement of tax certiorari matters and reject or approve such settlements as recommended by professionals employed by the Town; and

WHEREAS, Special Counsel Feerick Nugent MacCartney PLLC, for the Town has approved the settlement of this matter as recommended by the Town Assessor and all professionals employed by the Town recommend that it is in the best interest for the Town to resolve the litigation entitled Stony Ridge LLC & Stony Point Post Office Property LLC v. The Assessor et al. under Rockland County Supreme Court Index Nos.: 0340046/18; 033557/19; 032774/20; 033874/21; 032974/22 and 033278/23 pursuant to the terms and conditions set forth in the settlement documents annexed hereto as Exhibit “A”.

Section 1. The above “WHEREAS” clauses are incorporated herein as if set forth in full.

Section 2. Special Counsel for the Town is hereby authorized to execute a Consent Judgment to resolve Stony Ridge LLC & Stony Point Post Office Property et al. v. The Assessor et al. upon the terms and conditions set forth in the settlement documents annexed as Exhibit “A” because such a settlement of the Litigation is in the best interest of the Town.

Section 3. This Resolution shall be effective immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Supervisor Monaghan	[]	[]	[]	[]
Councilperson Puccio	[]	[]	[]	[]
Councilperson Joachim	[]	[]	[]	[]
Councilperson Rose	[]	[]	[]	[]
Councilperson Williams	[]	[]	[]	[]

The Resolution was thereupon duly adopted.

Holli Finn

#4

From: Megan Carey
Sent: Tuesday, April 30, 2024 10:37 AM
To: Holli Finn
Subject: FW: Cornell Seminar 2024
Attachments: March April 2024.pdf

Megan Carey, Town Clerk
Town of Stony Point
74 East Main Street
Stony Point, NY 10980
(845)786-2716 x107
(845)786-2783 fax

From: William Beckmann <WBeckmann@townofstonypoint.org>
Sent: Tuesday, April 30, 2024 10:35 AM
To: Supervisor <supervisor@townofstonypoint.org>; Paul Joachim <pjoachim@TownOfStonyPoint.org>; Keith Williams <KWilliams@TownOfStonyPoint.org>; Todd Rose <TRose@TownOfStonyPoint.org>; Mike Puccio <MPuccio@townofstonypoint.org>
Cc: Megan Carey <MCarey@townofstonypoint.org>; Matt Lemoine <MLemoine@townofstonypoint.org>
Subject: Cornell Seminar 2024

The New York State Assessors Association is having its annual seminar in Cornell NY from July 14th through July 19th. I am requesting permission for both Matthew LeMoine and myself to attend. I have been attending this seminar for many years and have found it very beneficial. The estimated cost is \$780.00 in Tuition costs for the both of us and \$139.00 per night for each of us for the hotel cost. The total estimated projected cost is \$2,300 plus mileage , our per diem, and any incidentals. The courses they have schedule for this year are outstanding and will be very useful in the day-to-day operations of the Stony Point Assessor's Office. I have attached the latest issue of the New York State Assessor's Association Cornell Information brochure outlining the seminar. If you have any questions, please call.

William R. Beckmann, MAI,CRE,FRICS,IAO
Assessor
Town of Stony Point
74 E. Main Street
Stony Point, NY 10980
Office 845-786-2716 ext. 117
Fax 845-786-3820
Wbeckmann@townofstonypoint.org
www.townofstonypoint.org

**AGREEMENT AS TO THE TERMS AND CONDITIONS
OF EMPLOYMENT BETWEEN**

#5

**THE TOWN OF STONY POINT
AND
GREGORY BECKER**

EFFECTIVE 05-30-2024 THROUGH 12-31-2026

This agreement as to the terms and conditions of employment is made this ___ day of June 2024, between the **TOWN OF STONY POINT**, hereinafter referred to as the "TOWN", and **GREGORY BECKER**, Chief of Police of the Town of Stony Point, hereinafter referred to as "**BECKER**",

WHEREAS; BECKER holds the rank of CHIEF in the Town of Stony Point Police Department, and

WHEREAS, The TOWN is desirous of the services of BECKER and BECKER is desirous of acting as CHIEF in the Town of Stony Point Police Department.

NOW, THEREFORE, it is mutually agreed as follows:

1. The TOWN and the BECKER enter into this continued employment agreement for a term commencing on May 30, 2024 through December 31, 2026.
2. For the term of this Agreement, the BECKER agrees to accept the same percentage increases in his salary as that which is received by the Stony Point PBA collective bargaining agreement for the period from January 1, 2024 through December 31, 2026. Becker's salary as of May 30, 2024 shall be \$252,948.80.
3. The BECKER shall be entitled to unlimited, fully paid, Sick Leave in the event of illness, injury or other physical disability. However, nothing herein shall prohibit the Town from commencing a separation of service proceeding under NYS Civil Service Law, Section 71, 72 or 73 after the requisite statutory time periods have elapsed. The Town may request medical evidence and verification at Town cost of any injury or disability, by the Police Surgeon or by a physician designated by the appointing authority.
4. While BECKER's normal work hours will be Monday through Friday 8:00 AM to 4:00 PM it is recognized that due to the unique nature of the job, BECKER is on call 24 hours a day. As such, any time off, other than regulary scheduled days off, will be considered as personal time. BECKER agrees to make every attempt to attend all of the regular Town Board Meetings without any additional compensation.
5. BECKER'S regular work schedule shall be two hundred and sixty (260) days per year. BECKER'S work schedule exceeds the regular work schedule of the uniform members of the Department, who work two hundred and forty three (243) days per year. As compensation to BECKER for working the 260- day chart, BECKER will receive fourteen and one-half (14.5) extra chart days/pass days ("pass days") at the beginning of each year. These pass days shall constitute additional compensation at BECKER'S regular daily rate of pay and shall be considered part of the BECKER'S regular salary. BECKER may elect to accrue these pass days or sell them back annually at 100% of the rate then in effect. BECKER may sell the accrued pass days back during the year of his retirement at 100% of the rate then in effect.
6. BECKER shall have the ability to sellback unused vacation, holiday or personal leave on an annual basis at the rate then in effect on the same terms and conditions as members of the Stony Point PBA may sell back such acccrued time under the provisions of the Stony Point PBA Collective Bargaining Agreement in effect at the time of such sellback. The parties acknowledge that BECKER has accrued two-hundred and thirty-

eight (238) sick days as of the time of his appointment to Chief. BECKER shall not accrue any additional sick days after the commencement date of this Agreement. BECKER may sell back up to a maximum of twenty (20) days of his accrued sick leave each year at the rate then in effect. BECKER may, at his option, request such payment to be paid toward his New York State Deferred Compensation Plan. BEKER shall also have the ability to sell back any unused balances of vacation, holiday, personal leave, compensatory time and sick leave at the election of BECKER during the year of retirement on the same terms and conditions as members of the Stony Point PBA may sell back such accrued time as set forth in the Stony Point PBA Collective Bargaining Agreement in effect at the time of such sellback.

7. BECKER will continue to receive longevity as outlined in the Stony Point PBA collective bargaining agreement on December 1st, of each year except in the year of his retirement which will be paid in the month he retires and is not subject to pro-rata distribution.

8. BECKER agrees to waive the “call-in” and “stand-by” and “overtime” pay provisions as provided by the Stony Point PBA contract.

9. The TOWN shall continue to provide at its own expense for the benefit of BECKER and his dependents New York State Health Insurance, which insurance shall continue in effect after the retirement, including disability retirement from BECKER’S position as Chief of the Town of Stony Point Police Department.

10. In addition, the TOWN shall continue to provide dental insurance and an eye glass coverage plan for BECKER and his dependents as is presently in effect during the term of his employment with the Stony Point Police Department and said coverage shall continue after his retirement including a disability retirement.

11. The TOWN further agrees that it will during the term of this agreement provide BECKER with an unmarked, police equipped vehicle for his unrestricted use in New York State and any State contiguous with New York. The Town of Stony Point shall maintain said vehicle, in good appearance and in good working order.

12. The Town agrees to pay the annual professional dues for BECKER’S membership in the following organizations.

The Police Chiefs Association of Rockland County
The Mid Hudson Police Chiefs Association.
The New York State Association of Chief’s of Police.

13. In addition to the benefits provided to BECKER hereunder, the TOWN covenants and agrees to continue to provide BECKER with the same rights and benefits he has enjoyed pursuant to the contract presently in effect between the TOWN and the Stony Point Policemen's Benevolent Association, unless the same are contrary to the specific intent of this agreement. Except as otherwise specified herein, should any conflict arise between this agreement and the Stony Point Policemen's Benevolent contract the terms of this agreement shall be controlling.

14. It is further agreed by and between the parties that upon the negotiations and adoption of any contract between the TOWN and the Stony Point Policemen's Benevolent Association BECKER shall be entitled to and subject to all of the terms, conditions, rights, and fringe benefits provided thereunder unless the same are contrary to the specific intent of this agreement. It is specifically agreed by and between the parties that in no event shall the conditions of employment, working conditions, and fringe benefits received by BECKER during the term of this agreement be less than those contained in any contract or agreement between the TOWN and the Stony Point Policemen's Benevolent Association.

15. This agreement may be re-negotiated during its term only upon the written consent of both parties hereto.

16. The terms of this agreement shall remain in effect until the next subsequent agreement is executed.

It is further understood by the parties to this agreement that the terms and conditions of employment set forth herein are agreed upon because of the unique relationship over an extensive period of time between the employer and the employee. Nothing in this agreement shall be construed as a precedent or as a "past practice" so as to automatically inure, without further negotiation, to the benefit of a successor in office to the employee. Such successor, if any, shall be required to negotiate the terms and conditions of his or her employment independently of this document and without reliance thereon.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

JAMES MONAGHAN, SUPERVISOR
Town of Stony Point

GREGORY BECKER, CHIEF OF POLICE
Stony Point Police Department

ATTESTED to this _____, day of June, 2024

MEGAN CAREY, TOWN CLERK
Town of Stony Point

#6

Stony Point Recreation

19 Clubhouse Lane Stony Point NY 10980

(845) 947-5261

June 5, 2024

Members of the Town Board,

I am requesting approval to hire Jeanne Gaines as the backup driver for the senior bus at **\$20.35** per hour. The bus runs Mondays, Wednesdays and Thursdays from 9am to 1:30pm.

Respectfully Submitted,

Karenanne Nigro
Recreation Facilities Supervisor



Ron Gerhold Jr., PGA

19 Clubhouse Ln, Stony Point, NY 10980

PHONE: (845) 947-7085

FAX: (845) 947-7296

E-mail: rgerhold@patriohillsgolfclub.com

Mr. Supervisor and Members of the Town Board,

I am requesting for apporval that the following people be employed at the Patriot Hills Golf Club.

These individuals will work in operations, not maintenance.

<u>Carts / Range</u>	<u>2023</u>	<u>2024</u>
Kevin Cahill	\$14.20	\$15.00
Mason Hill	n/a	\$15.00
Jack Gulack	n/a	\$15.00

Sincerely,

Ron Gerhold Jr.

Director of Golf

Stony Point Recreation

#8

19 Clubhouse Lane Stony Point NY 10980

(845) 947-5261

June 5, 2024

Members of the Town Board,

I am requesting approval to hire the following 6 people to be employed at the Town Pool as lifeguards from 6/29/24 through 9/2/24 as lifeguards.

Returning Lifeguards \$17.68 per hour:

Raleigh Johnson
Jordan Riello

New Lifeguards \$17.00 per hour:

Matthew Cefola
Evan Gabari
Brian Niminski
Luca Pastina

Respectfully Submitted,

Karenanne Nigro
Recreation Facilities Supervisor