

**STONY POINT TOWN BOARD MEETING – October 8, 2024**

The Town Board of the Town of Stony Point convened in Regular Session on Tuesday, October 8, 2024, at 7:00pm at the Stony Point Senior and Community Center, 19 Clubhouse Lane, Stony Point, NY. Supervisor Monaghan called the meeting to order and led the group in the Pledge of Allegiance.

Town Clerk Megan Carey called the following roll:

PRESENT:	Mr. Paul Joachim	Councilman
	Mr. Todd Rose	Councilman
	Mr. James Monaghan	Supervisor
	Mr. Brian Nugent	Esquire
ABSENT:	Mr. Michael Puccio	Councilman
	Mr. Keith Williams	Councilman

**SUPERVISOR’S REPORT**

Supervisor Monaghan reported as follows:

- Commended the PAL for the wonderful job done with the Fall Festival
- Friday, October 25<sup>th</sup> will be Trunk or Treat from 7:30-9PM. The drive-in movie will be held that same night at 6pm.

**POLICE DEPARTMENT REPORT/BUSINESS**

Chief Becker read the following report:

Police Department Report for the Month of September 2024.

Number of calls for service:	917
Number of reported accidents:	24
Number of arrests:	25
(3) Felonies (20) Misdemeanors (1) Violations (1) Warrants	
Fuel Usage :	1283.5 gallons
Sum Total of all traffic enforcement action:	126
Number of Youth Officer sponsored events:	5
Number of commercial vehicle enforcement details:	0
Number of traffic/special enforcement details:	10
Number of training hours:	192 hrs
Total fees collected:	\$62.75
(Foil \$2.75, Prints \$20.00, and Reports \$40.00)	

Youth events: September: North Rockland Youth Police Academy 9/12, 17, 19 & 26<sup>th</sup>, PAL Meeting 9/24.

Upcoming Youth Events: Fall Festival 10/5, Trunk or Treat/Halloween Movie 10/25.

**Chief Becker’s Time Record**

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of all board members present with Councilman Puccio and Councilman Williams being absent to approve Chief Finn’s time record for the month of September 2024 as presented.

**Overtime and Sick Leave Reports**

A motion was made by Supervisor Monaghan, seconded by Councilman Rose and unanimously carried by a voice vote of those board members present with Councilman Puccio and Councilman Williams being absent to approve the overtime and sick leave reports as presented for the month of September 2024.

**Golf Course Report**

The following report was presented for September 2024:

- Green Fees \$ 325,886.00
- Merchandise \$ 13,464.35
- Range Fees \$ 19,102.00

- Club Rental \$ 1,000.00
- Total \$ 359,452.35

**PURCHASE ORDER REQUEST**

A motion was made by Councilman Joachim, seconded by Councilman Rose and unanimously carried by a voice vote of those board members present with Councilman Puccio and Councilman Williams being absent to approve the following purchase orders:

**Golf Course:**

PO#3735 Carriere Materials \$6,585.64

**AUDIT OF BILLS**

Megan Carey, Town Clerk, presented the following bills to the Town Board for audit and a motion was made by Councilman Joachim, seconded by Councilman Rose and unanimously carried by a voice vote of those board members present with Councilman Puccio and Councilman Williams being absent to approve the following purchase orders:

**GENERAL FUND -OCTOBER 8, 2024**

	<u>CLAIM#</u>	<u>FUND TOTAL</u>
<u>General</u>	1214-1285	\$135,968.25
<u>Highway</u>	418-450	\$176,773.64
Highway Cap Proj	1	\$12,351.60
Sewer	370-400	\$30,198.54
<u>Special District</u>		
Enterprise	374-398	\$18,639.86
Sewer Cap Proj	24-26	\$17,675.74
Solid Waste	29	\$3,339.68
Ambulance	38-39	\$42,023.97
Streetlight	10	\$20,705.62

**MINUTES**

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present to approve the minutes of September 24, 2024.

**DEPARTMENTAL REPORTS**

Megan Carey, Town Clerk offered the following reports for the record:

**Architectural Review Board**

From: 9/01/2024 To: 9/30/2024  
 Applications Received 1  
 Applications Approved 1  
 Applications Pending 0

Fees Collected \$100.00

**Building & Zoning Department**

September 2024  
 Applications Received 46  
 Applications Returned/Withdrawn 0  
 Applications Denied 1  
 Building & Blasting Permits Issued 41  
 Applications Pending 4

Certificate of Occupancy	12
Certificate of Compliance	17
Fees Collected	\$17,920.00

**Planning Board**

From: 9/01/2024	To: 9/30/2024
Applications Received	0
Applications Approved	1
Applications Pending	
Amended Subdivision	0
General Category	0
Informal Discussion	1
Lot Line Change	1
Site Plan	4
Subdivision	1
Fees Collected	\$750.00

Submitted by the Planning Board Clerk

**Zoning Board of Appeals**

9/01/2024 to 9/30/2024	
Applications Received	1
Applications Returned/Withdrawn	0
Applications Denied	0
Applications Pending	5
Applications Approved	0
Fees Collected	\$300.00

**Town Clerk**

**September 2024**

Amount Paid To NYS Agriculture & Markets	
For Spay/Neuter Program	\$ 31.00
Amount Paid To NYS Health Dept. For Marriage Licenses	\$ 180.00
Amount Paid To NYS Dept. Of Environmental Conservation	\$ 1,506.98
Amount Paid To Supervisor	\$ 3,050.04
TOTAL AMOUNT REMITTED	\$ 4,768.02

**CORRESPONDENCE**

None

**PUBLIC INPUT**

George Potanovic, 597 Old Gate Hill Road, Pres. SPACE, spoke on the following:

- Thanked Chief Becker for the great job done on the incident that happened in Stony Point today.
- He would like to see some budget money spent for audio equipment for the Town Board meetings and would like to see the meetings being videotaped and aired on Cable TV.

(Supervisor Monaghan questioned the audience if they could hear clearly, with all in attendance stating "yes".)

- He also asked about the cameras that are on the light poles at 2 intersections.

Chief Becker along with Supervisor Monaghan explained that the cameras were put there by CHPE to monitor traffic flow.

**Open Public Hearing – Local Law – Override the Tax Cap**

**TOWN OF STONY POINT  
NOTICE OF PUBLIC HEARING  
PROPOSED LOCAL LAW AUTHORIZING  
A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN  
GENERAL MUNICIPAL LAW § 3-C**

PLEASE TAKE NOTICE that on the 8<sup>th</sup> day of October 2024, at 7:00 p.m., or as soon thereafter as the matter can be heard, a Public Hearing will be held before the Town Board of the Town of Stony Point, New York, at the Stony Point Community Center, located at 19 Clubhouse Lane, Stony Point, New York, to consider a Local Law to allow the Town of Stony Point to override the limit on the amount of real property taxes that may be levied by the Town of Stony Point and to permit adoption of a budget for the fiscal year commencing January 1, 2025 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

The full text of the proposed Local Law is on file in the Town Clerk’s Office, 74 East Main Street, Stony Point, New York, and may be obtained by any interested parties from 8:30 AM to 4:00 PM, Monday through Friday.

By Order of the Town Board dated September 24, 2024.

Megan Carey  
Town Clerk

At 7:13pm motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present with Councilman Puccio and Councilman Williams being absent to open the public hearing for the Local Law to Override the Tax Cap.

**No Public Input**

**Close Public Hearing-Local Law-Override the Tax Cap**

At 7:14pm motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present with Councilman Puccio and Councilman Williams being absent to close the public hearing for the Local Law to Override the Tax Cap.

**Adopt Resolution for the Local Law to Override the Tax Cap**

A motion was made by Supervisor Monaghan, seconded by Councilman Rose and unanimously carried by a voice vote of those board members present with Councilman Puccio and Councilman Williams being absent to adopt the following Resolution:

**RESOLUTION NO. 22 OF 2024 ADOPTING LOCAL LAW NO. 5 OF 2024  
LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS  
OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-C**

WHEREAS, the Town Board of the Town of Stony Point, New York (“Town Board”) from time to time reviews its laws, rules and regulations to be certain the same are consistent with all current lawful practices as well as best practices to protect the health, safety and welfare of Town residents; and

WHEREAS, the Town Board desires to adopt a Local Law Authorizing a Property Tax Levy in Excess of the Limit Established in General Municipal Law § 3-C; and

WHEREAS, such introductory Local Law was introduced before the Town Board on October 8, 2024; and

WHEREAS, upon notice duly published and posted, a Public Hearing was held on said Local Law on October 8, 2024 wherein public discussion was heard concerning the merits of said Local Law and all persons were afforded an opportunity to be heard and the Town Board declared the public hearing closed.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Board as follows:

Section 1. All “WHEREAS” paragraphs are incorporated herein by reference as though set forth in full.

Section 2. The Town Board hereby adopts Local Law No. 5 entitled, “Local Law Authorizing a Property Tax Levy in Excess of the Limit Established in General Municipal Law § 3-C” as attached hereto.

Section 3. The Town Clerk is hereby directed to enter said Local Law into the minutes of this meeting and in the Local Law book of the Town of Stony Point, and to give due notice of the adoption of said Local Law by filing the Local Law in the Office of the Secretary of State in the State of New York.

Section 4. This Resolution shall be effective immediately.

## LOCAL LAW NO. 5 OF 2024

### A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-C

BE IT ENACTED by the Town Board of the Town of Stony Point, Rockland County, New York (“Town Board”) as follows:

**Section 1. Legislative Intent.**

It is the intent of this Local Law to override the limit on the amount of real property taxes that may be levied by the Town of Stony Point (“Town”) and to allow the Town to adopt a budget for the fiscal year commencing January 1, 2025, that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

**Section 2. Authority.**

This Local Law is adopted pursuant to Municipal Home Rule 10 and subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the Town to adopt local laws and to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of the Town Board.

**Section 3. Local Law Authorizing a Tax Levy Limit Override.**

The Town Board is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2025, that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law § 3-c.

**Section 4. State Environmental Quality Review Act.**

Pursuant to 6 NYCRR 617.5 (26) and (33), this Local Law is classified as a Type II action which requires no further review under the State Environmental Quality Review Act.

**Section 5. Severability.**

If a court of competent jurisdiction determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this

Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 6. Code Preparation.**

The Town’s Code preparation contractor is authorized, without further action of the Town Board, to correct typographical errors, numbering and other related technical changes that do not affect or alter the substantive provisions of this local law.

**Section 7. Effective date.**

This Local Law shall be effective immediately upon filing with the Secretary of State.

**Approve Tax Certiorari Settlements**

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present with Councilman Puccio and Councilman Williams being absent to adopt the following resolutions approving Tax Certiorari Settlements:

**RESOLUTION 2024/23  
RESOLUTION AUTHORIZING SETTLEMENT**

WHEREAS, the Town of Stony Point, New York (“Town”) in the years 2023 and 2024 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 Commerce Bank, NA c/o TD Bank v. Board of Assessment Review et al. under Rockland County Supreme Court Index Nos.: 033386/2023 and 034301/2024 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 Commerce Bank, NA c/o TD Bank v. Board of Assessment Review 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.

**RESOLUTION 2024/24  
RESOLUTION AUTHORIZING SETTLEMENT**

WHEREAS, the Town of Stony Point, New York (“Town”) in the years 2022, 2023 and 2024 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 Consolidated Edison Co. of NY, Inc. v. Town of Stony Point et al. under Rockland County Supreme Court Index Nos.: 004268/22; 004893/23 and 005735/24 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 Consolidated Edison Co. of NY, Inc. 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.

**Approve Budget Modifications**

A motion was made by Supervisor Monaghan, seconded by Councilman Rose and unanimously carried by a voice vote of those board members present with Councilman Puccio and Councilman Williams being absent to approve the following budget modifications:

Budget Modifications 10/8/2024 agenda			
A4089.1	FEMA	24,750.00	Raise Revenue/Expense lines re FEMA recovery
A7110.207	Parks Equipment FEMA	24,750.00	Raise Revenue/Expense lines re FEMA recovery
D4089.1	FEMA	138,000.00	Raise Revenue/Expense lines re FEMA recovery
D5110.201	Highway Equipment FEMA	138,000.00	Raise Revenue/Expense lines re FEMA recovery
A2680	Insurance Recoveries	29,426.00	Raise Revenue/Expense lines re insurance recovery
A7110.2	Parks Equipment	29,426.00	Raise Revenue/Expense lines re insurance recovery
E2680	Insurance Recoveries	54,435.00	Raise Revenue/Expense lines re insurance recovery
E7140.201	Golf Maintenance Equipment FEMA	54,435.00	Raise Revenue/Expense lines re insurance recovery

**Request to Surplus Property**

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present with Councilman Puccio and Councilman Williams being absent to surplus from the Police Department a 1991 Ford Minibus Vin# 1FDJE34M2HB18042.

**Request to Declare Weapon as Surplus**

A motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present with Councilman Puccio and Councilman Williams being absent to surplus from the Police Department a Glock Model 19, .9MM semi-automatic handgun, serial# CATA914 and presented to Christopher Schulok who retired on September 26, 2024.

**Approve Hire for Patriot Hills Golf Club Operations**

A motion was made by Supervisor Monaghan, seconded by Councilman Rose and unanimously carried by a voice vote of those board members present with Councilman Puccio and Councilman Williams being absent to approve the hire of Jacob Herrera for Carts/Range at Patriot Hills Golf Club Operations at a rate of pay of \$15.00 per hour.

**JCAP Grant Application Approval**

A motion was made by Supervisor Monaghan, seconded by Councilman Rose and unanimously carried by a voice vote of those board members present with Councilman Puccio and Councilman Williams being absent to approve the Resolution authorizing Justice Court to apply for a JCAP Grant:

**RESOLUTION 2024/25**

**RESOLUTION AUTHORIZING TOWN OF STONY POINT JUSTICE COURT TO APPLY FOR A JCAP GRANT IN THE 2024-2025 GRANT CYCLE**

**WHEREAS**, the New York State Legislature has established and funded a Program of assistance to Justice Courts throughout the State; and

**WHEREAS**, the Town of Stony Point (“Town”) has been notified that funds are available under this program; and

**WHEREAS**, the program provides funds for automation, equipment, supplies and training; and

**WHEREAS**, the Town Board of the Town of Stony Point (“Town Board”) has determined that the Town Justice Court is in need of improvements available under the Justice Court Assistance Program; and

**WHEREAS**, the Town Board desires to authorize application for a JCAP grant in the 2024-2025 grant cycle up to \$30,000.

**NOW, THEREFORE, BE IT RESOLVED** by the Town Board of the Town of Stony Point as follows:

- Section 1. All “**WHEREAS**” paragraphs are incorporated herein as if set forth in full herein.
- Section 2. The Board of the Town of Stony Point authorizes the Stony Point Town Court to apply for a JCAP grant in the 2024-2025 grant cycle up to \$30,000.
- Section 3. The Town Supervisor is authorized to enter and execute a grant agreement with the State of New York to receive such funds for Town Justice Court purposes.
- Section 4. The Town Supervisor and any officer, employee or consultant as directed by the Town Supervisor is hereby authorized to take any and all actions necessary to carry out the provisions of this Resolution.
- Section 5. The Town Supervisor shall submit any required forms in accordance with the JCAP Program requirements.
- Section 6. This Resolution shall be effective immediately.



**ADJOURN**

At 7:17pm a motion was made by Supervisor Monaghan, seconded by Councilman Joachim and unanimously carried by a voice vote of those board members present with Councilman Puccio and Councilman Williams being absent to close the October 8, 2024 Town Board Meeting. No further votes were taken.

Respectfully submitted.  
Megan Carey, Town Clerk