

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

March 20, 2006

The regular meeting of the Board of Trustees was called to order at 7:30 P.M. with the Pledge of Allegiance, at 325 Hudson St., Cornwall-on-Hudson, N.Y.

The following Board Members were in attendance:

Mayor Edward C. Moulton, Jr.
Trustee Charles R. Hahn
Trustee Mark J. Edsall
Trustee Peter J. Miller
Trustee William T. Fogarty

Also present were: DPW Superintendent Robert Gilmore, Police Chief Charles Williams, SKEC #2 Fire Chief Jeffrey Armitage, Deputy Village Attorney Howard Protter, and Village Clerk Jeanne Mahoney.

Trustee Fogarty moved for the acceptance of the February 13, 2006 Regular Meeting Minutes as written, on a motion seconded by Trustee Miller, the minutes were approved 5 ayes and 0 nays.

TREASURER'S REPORT

Mayor Moulton stated that a partial treasurer's report has been prepared through February and distributed to the Village Board for review. The Treasurer and Deputy Treasurer are in the process of closing out the 2005-2006 fiscal year.

Trustee Miller made a motion to amend the current budget by creating a new general expense code of A3120.2 (Police Equipment) in the amount of \$30,594.20. This is money received on a Byrne grant obtained through Senator Larkin's office for the new police SUV and tactical equipment. The motion was seconded by Trustee Hahn and carried by a vote of 5 ayes and 0 nays.

The open utility balances report for the end of February read as follows:

Village water, sewer, garbage & penalties	\$ 147,565.50
Town water & penalties	138,351.23

Which included 6 finals/adjustments for the Village and 2 for the Town.

The following claims were approved for payment:

General Fund claims in the amount of \$	168,366.05
Water Fund claims in the amount of	108,082.55
Sewer Fund claims in the amount of	4,177.74
Trust & Agency claims in the amount of	1,185.53

Capital Water claims in the amount of 17,699.18

DEPARTMENT REPORTS

The Police Department reported 7 COVAC assists; 6 calls were covered for/assisted to Town Police; 5 responses to burglar alarms; 2 E-911 hangups; 2 domestic incidents; 13 crimes were committed; 2 vehicle lockouts; 2 accidents were investigated; and 17 moving violation tickets were issued. Total patrol miles = 3,145, not including mileage on Chief's vehicle.

Chief Williams reported that Sergeant Christopher Park continues investigation of three (3) open cases with six (6) cases marked as open/inactive.

Chief Williams also reported that the new police vehicle, funded through a grant obtained from Senator Larkin's office, has arrived. The remaining equipment is in process of being ordered and the vehicle could be ready by the end of March.

Chief Williams further reported that Sgt. Park and P.O. Terwilliger participated in a joint Active Shooter Exercise with other local police departments and the NYS Police. Additional joint training is planned throughout the year.

The Department of Public Works reported snow removal and sanding of roadways, and cold patching of potholes.

The Code Enforcement Officer reported 6 certificates of occupancy were issued.

The Building Inspector reported 38 on site inspections, 6 fire inspections, and 5 building permits were issued.

DPW Superintendent Gilmore reported that the department has started moving into the new DPW facility.

Mayor Moulton is in receipt of a letter from Assemblyperson Calhoun's office which indicates that the Village's allotment for this year's CHIP's program will be \$57,244.00.

The Water Department reported an average daily production of 1.146 million gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected. It was also reported that 49 utility locations were made, 19 meters were repaired or replaced, 8 special readings were taken, and a new meter was installed and put on line at the wells. A valve box was repaired on Willow Avenue, a sump pump was repaired on Riley Road, a water main break was repaired on Union Street, and main line pressure reduction vaults (PRV's) were serviced.

Water Superintendent June reported that the Black Rock reservoirs and plant were inspected, a relief valve and drain valve were repaired at Black Rock, and the new water line at the Shore Road DPW facility was flushed, pressure tested and sanitized.

Black Rock Water Superintendent June reported that the domestic water system for the plant has been moved. The tank for installation in the plant has been received. He is attempting to set up a meeting with

Waltech Construction to set up a time table for the installation and plant start up. The upper flat control tank will be installed as soon as repairs to the trails/roadway to its new location are completed. This progress has been reported to the Orange County Health Department.

The Fire Department reported 33 responses, including 15 emergency medical service (EMS) calls, for a total of 403 volunteer man hours.

CORRESPONDENCE

Mayor Moulton is in receipt of a letter from Mr. & Mrs. Matthew Vargo of 26 Willis Avenue regarding a neighbor's pick up truck w/plow on their front lawn. The truck is unsightly and they are requesting assistance from the Village Board in having it moved. The Mayor will respond to this request and inform Mr. & Mrs. Vargo that several years ago a proposed local law of this type was widely opposed by Village residents and was defeated.

Mayor Moulton is in receipt of a letter from SKEC#2 Chief Armitage thanking Thomas Lyons of the DPW for his hard work in completing the work on the 2002 Tahoe.

Mayor Moulton is in receipt of a letter from Painters advising that they are applying for renewal of their liquor license.

Mayor Moulton is in receipt of a letter from Cornwall Commons, Inc., in response to our letter of February 13th affirming our intention to provide water service to their project. This letter indicates that expansion of the water district has been approved by the Town of Cornwall, including the lands annexed from Town of New Windsor.

PUBLIC COMMENT

Barry Gruber of Bayview Avenue stated that he was at last month's meeting regarding his frustration with the littering of phone books on his property. He would like to know what has been done to resolve the problem.

Chief Williams made several phone calls on Mr. Gruber's behalf. He provided consumer relations contact information to Mr. Gruber in order to make a complaint. In addition, Chief Williams investigated his claim that delivery of unsolicited telephone books is littering, and found no evidence to support that claim in either Village code or Penal law.

Joe Gross of Lafayette Street stated that he came to the Village Board several years ago to complain about vehicles parking on the Village sidewalk in front of Cumberland Farms. He requested a sign and enforcement to stop that parking which forces pedestrians, including school age children, onto the Village roadway. It is a hazard and he would like to see something done before someone is seriously injured. He further stated that the pedestrian signs at Village crosswalks put in last year were effective and he would like to see them put back this year.

Chief Williams stated that he has spoken with representatives from Cumberland Farms about putting in curb stops at the end of their property, before the Village sidewalk. He will revisit this matter with Cumberland Farms to see why this was not done. The pedestrian signs will be put back out as soon as possible.

Barbara Farabaugh of Cornwall Avenue asked if the Village had located another place to dump decaying leaves other than at the Dock Hill-Route 218 intersection.

Mayor Moulton replied we are negotiating with one property owner at this time.

OLD BUSINESS

BLACK ROCK FILTER PLANT STATUS/MODIFICATIONS

Mayor Moulton stated that this item was addressed earlier in tonight's agenda.

RIVER AVENUE IMPROVEMENTS 2006

Mayor Moulton stated that a plan is being put together for this project scheduled for this year.

JOINT SEWER PLANT DISCUSSION

Trustee Hahn stated that steps to reduce the problem of overflow have been working out well so far.

ORANGE COUNTY COMMUNITY DEVELOPMENT GRANT

Mayor Moulton stated that the plans, specifications and the cost estimate were forwarded to the county last month for review and approval. No response has been received.

STEEP SLOPES/VIEW PRESERVATION REVISIONS

Mayor Moulton stated that this item remains under review by the Master Plan Committee and Planning Board.

RIVERFRONT PARK SHELTER

DPW Superintendent Gilmore stated that the floors should be completed shortly, and electric is being brought into the location this week. He will contact the representatives to schedule installation of the structure so that it is completed by mid-year.

COMPREHENSIVE PLAN REVIEW COMMITTEE

Mayor Moulton stated that an interim status report has been received. The committee continues to meet and anticipate that their work will be completed sometime in June of 2006.

LOCAL DEVELOPMENT CORPORATION (LDC)

Mayor Moulton stated that this committee is nearing completion of its first project, the construction of the new DPW facility on Shore Road. The committee is now looking for new opportunities to improve the business climate in the Village.

INTRODUCTORY LOCAL LAW #I-6 LIMITED PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS

After some discussion, Trustee Miller introduced the following resolution and moved for its adoption.

WHEREAS, an Introductory local law entitled "LIMITED PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS" was introduced before the Board of Trustees of the Village of Cornwall-on-Hudson on December 19, 2005, and upon notice duly published and posted, a hearing was held on February 13, 2006 before the Board of Trustees; and

WHEREAS, public discussion was heard at such hearing concerning the merits and environmental significance of said introductory local law;

NOW, THEREFORE, BE IT RESOLVED, that the adoption of the Introductory local law entitled "Limited Property Tax Exemption for Volunteer Firefighters" is hereby determined not to have a significant effect on the environment.

BE IT FURTHER RESOLVED, that the Introductory Local Law entitled "Limited Property Tax Exemption for Volunteer Firefighters" of the Village of Cornwall-on-Hudson be and hereby is adopted as Local Law #1 of 2006 of the Village of Cornwall-on-Hudson on March 20, 2006.

The foregoing resolution was seconded by Trustee Fogarty, and upon a vote of 5 ayes and 0 nays, was adopted.

INTRODUCTORY LOCAL LAW I-1 OF 2006 – ESCROW DEPOSITS

After some discussion, Trustee Edsall introduced the following resolution and moved for its adoption.

BE IT RESOLVED that an introductory Local Law entitled "Escrow Fee Procedure Amendments" be and it hereby is introduced before the Board of Trustees of the Village of Cornwall-on-Hudson in the County of Orange and State of New York, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law be laid upon the desk of each member of the Board, and

BE IT FURTHER RESOLVED that the Board hold a public hearing on said proposed local law at the Village Hall, 325 Hudson Street, in the Village of Cornwall-on-Hudson, New York at 7:30 o'clock PM on April 17, 2006, and

BE IT FURTHER RESOLVED that the Clerk publish or cause to be published a public notice in the official newspaper of the Village of Cornwall-on-Hudson of said public hearing at least five (5) days prior thereto.

The foregoing resolution was seconded by Trustee Miller, and upon a vote of 5 ayes, 0 nays was

adopted.

The Mayor declared this resolution adopted.

FEE SCHEDULE - REVISIONS

Trustee Edsall read proposed revisions to the 2006 Fee Schedule and moved for acceptance of the schedule as amended. This motion was seconded by Trustee Hahn and carried by a vote of 5 ayes and 0 nays.

WATERFRONT REVITALIZATION COMMITTEE

Mayor Moulton made a motion to appoint Kathleen Ferraro to the Waterfront Revitalization Committee which was seconded by Trustee Edsall and upon a vote of 5 ayes and 0 Nays the motion was carried. The first meeting has been scheduled for March 22nd at 7:00 PM.

RIVERFEST

Trustee Miller stated that Riverfest 2006 will be held on June 3rd. The next Riverfest planning meeting is scheduled for March 29th at 7:30 PM. Anyone interested in Riverfest planning is encouraged to attend.

NEW BUSINESS

DESIGNATION OF VILLAGE AS WATER TRAIL SITE COMMUNITY

Trustee Miller introduced the following resolution and moved for its adoption.

WHEREAS, the Village of Cornwall-on-Hudson is a Greenway Community and with our Donohue Memorial Riverfront Park is ideally suited to participate in the Greenway Water Trail program, thereby becoming eligible for grant moneys not otherwise available.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village-of-Cornwall on Hudson does hereby authorize the Mayor to request designation as a Greenway Water Trail site.

The foregoing resolution was seconded by Trustee Fogarty and upon a vote of 5 ayes and 0 nays, was adopted.

AGREEMENT FOR PAVEMENT MARKING ON NON-COUNTY ROADS – 2006 SEASON

Trustee Edsall introduced the following resolution and moved for its adoption.

WHEREAS, the Village of Cornwall-on-Hudson wishes to enter into an agreement with the Orange County Department of Public Works for pavement markings on non-county roads for the 2006 season; and

WHEREAS, the Village of Cornwall-on-Hudson further certifies that they have read and understood the Agreement for Pavement Markings on Non-County Road for the 2006 season as provided by the Orange County Department of Public Works.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village-of-Cornwall on Hudson does hereby authorize the Mayor to sign the agreement.

The foregoing resolution was seconded by Trustee Fogarty and carried by a vote of 5 Ayes and 0 Nays.

GARBAGE EXEMPTION FOR DISABLED SENIORS

Trustee Fogarty introduced the following resolution and moved for its adoption.

RESOLVED, by the Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York, that Senior Citizens of the Village of Cornwall-on-Hudson who receive a “LTD Disability Exemption” on their real estate tax bills shall be entitled to receive a reduction in garbage fees equal to the tax exemption percentage.

AND BE IT FURTHER RESOLVED that this reduction shall remain in effect until superseded by further resolution of this Board.

The foregoing resolution was seconded by Trustee Edsall and upon a vote of 5 ayes and 0 nays, was adopted.

RECOGNITION OF PBA AS BARGAINING AGENT/AUTHORIZATION OF DUES DEDUCTION FOR PART TIMERS

Trustee Fogarty introduced the following resolution and moved for its adoption.

WHEREAS, the part-time police officers having applied for recognition of a bargaining unit; and

WHEREAS by a letter dated November 28, 2005, from Monte Klein, Director, Public Employment Practices and Representation, advised that the majority of the part-time employees are in favor of representation by the Cornwall on Hudson PBA, Inc.

WHEREAS, voluntary recognition of the bargaining unit is determined to be in the overall public interest.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board:

1. Voluntarily recognizes a bargaining unit consisting of the Part Time Police Officers effective November 28, 2005.
2. Authorizes dues deduction in accordance with law.
3. Authorizes the initiation of negotiations for a collective bargaining agreement.

The foregoing resolution was seconded by Trustee Hahn and upon a vote of 5 ayes and 0 nays, was adopted.

REVENUE ANTICIPATION NOTE – WATER RENTS

Trustee Miller introduced the following resolution and moved for its adoption.

REVENUE ANTICIPATION NOTE RESOLUTION OF THE VILLAGE OF CORNWALL-ON-

HUDSON, ADOPTED MARCH 20, 2006, AUTHORIZING THE ISSUANCE OF \$288,000.00 REVENUE ANTICIPATION NOTES IN ANTICIPATION OF THE RECEIPT OF WATER RENTS DUE IN THE FISCAL YEAR ENDING FEBRUARY 28, 2007.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF CORNWALL-ON-HUDSON IN THE COUNTY OF ORANGE NEW YORK, AS FOLLOWS:

Section 1. Revenue Anticipation Notes (herein called "Notes") of the Village of Cornwall-on Hudson (hereinafter called "Village"), in the County of Orange, New York, in the aggregate principal amount of \$288,000.00, and any notes in renewal thereof, are hereby authorized to be issued pursuant to the provisions of Section 25.00 and 39.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law").

Section 2. a) Notes in the principal amount of \$288,000.00 shall be issued in anticipation of the Water Rents which are expected to be received by the Village, in the fiscal year ending February 28, 2007.

b) The total amount of such Water Rents estimated to be received in the 2006-2007 fiscal year is estimated to be \$2,450,000.00.

c) The total amount of such Water Rents which has been received or collected as of the date of adoption of this resolution is approximately \$0.

d) The amount of any outstanding revenue anticipation notes heretofore issued in anticipation of such Water Rents during or on account of the fiscal year 2006-2007 is \$0.

e) The total amount of Water Rents actually collected or received in the Village's 2005-2006 fiscal year was \$2,473,425.17.

Section 3. The following additional matters are hereby determined and declared:

a) The Notes are not issued in renewal of other notes.

b) The Notes shall mature within the period of one year from the date of their issuance.

c) The annual budget of the Village for the 2006-2007 fiscal year was adopted on January 23, 2006.

d) The Notes are issued in anticipation of the collection of revenues other than real estate taxes or assessments.

Section 4. The Notes hereby authorized shall contain the recital of validity prescribed by Sec. 52.00 of the Law and shall be general obligations of the Village, and the faith and credit of the Village are hereby pledged to the punctual payment of the principal of and interest on the Notes and unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the Village and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 5. Subject to the provisions of this resolution and of the Law, and pursuant to Section 50.00 and Sections 56.00 to 61.00 of the Law, inclusive, the power to sell and issue the Notes authorized pursuant hereto, or any renewals thereof, and to determine the terms, form and contents, including the manner of execution, of such Notes, and to execute arbitrate certifications relative thereto, is hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The Notes shall be executed in the name of the Village by the manual signature of the Village Treasurer or the Village Clerk, and shall have the corporate seal of the Village impressed or imprinted thereon which corporate seal may be attested by the manual signature of the Village Clerk.

Section 7. This resolution shall take effect immediately.

The adoption of the foregoing resolution was seconded by Trustee Fogarty and upon a vote of 5 Ayes and 0 Nays, the resolution was declared adopted.

Trustee Fogarty stated that the Village is on a reduction schedule, not to exceed 5 years, on principal payments against Revenue Anticipation Notes.

VILLAGE ELECTION – MARCH 21, 2006

Mayor Moulton stated that tomorrow, March 21st, is Village Election Day between the hours of 12:00 PM to 9:00 PM. Voting will take place in the Village Hall Board Room.

REORGANIZATIONAL MEETING – APRIL 3, 2006

Mayor Moulton stated that the annual reorganizational meeting will be held on Monday, April 3rd at 7:00 PM.

VILLAGE CLEAN UP DAY – APRIL 17, 2006

Mayor Moulton announced that the bi-annual clean up day has been scheduled for April 17th. Additional information will be published in the Cornwall Local.

NIMS

Chief Williams stated that in order to be eligible for funding through Homeland Security in 2007, Village employees in Police, DPW, Water, and Fire must receive basic level training in First Responder by September 30, 2006. The Chief has been appointed to lead the Village in this effort.

ORANGE COUNTY WATER AUTHORITY

Trustee Edsall stated that digital data is available to municipalities from the Orange County Water Authority upon the authorization and signing of a licensing agreement. He then made a motion to authorize the Mayor to sign the data release licensing agreement, upon review of the agreement by the Deputy Village Attorney, which was seconded by Trustee Miller and carried by a vote of 5 ayes and 0 nays.

Having concluded the business set before them, Trustee Edsall moved to adjourn the meeting into Executive Session to discuss personnel matters with the DPW Superintendent and the Village Clerk which was seconded by Trustee Miller and upon a vote of 5 Ayes and 0 Nays, the meeting was adjourned at 8:19 PM.