

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

March 30, 2007

The Special Meeting of the Board of Trustees was called to order at 6:00 P.M., 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

Absent was: Trustee Peter J. Miller  
Trustee William T. Fogarty

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

**NEW BUSINESS**

**MISSERE RESOLUTION**

Mayor Moulton stated that the Village Board has been provided a revised agreement with Anthony Missere of the Riverbank Restaurant. The revisions include a one year termination notification of agreement, no permanent improvements, and construction activities will be monitored.

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

WHEREAS, the Anthony Missere, owner of the Riverbank Restaurant has proposed a plan for outdoor seasonal dining along River Avenue which will result in the loss of two (2) parking spaces in exchange for the creation of a parking area on Village property; and

WHEREAS, the Village of Cornwall-on-Hudson agrees to the General Terms and Conditions as outlined on the License Agreement.

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

The foregoing resolution was seconded by Trustee Edsall.

**Upon a Vote as follows:**

Mayor Moulton	<u>Aye</u>	Trustee Miller	<u>Absent</u>
Trustee Hahn	<u>Aye</u>	Trustee Fogarty	<u>Absent</u>
Trustee Edsall	<u>Aye</u>		

*Vote: Resolution carried by a vote of 3 to 0.*

The Mayor declared the resolution adopted.

STANTEC PROPOSAL FOR WATER SYSTEM HYDRAULIC MODEL UPDATE – RESOLUTION

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

WHEREAS, Stantec Consulting Services, Inc. has proposed an agreement to provide a new hydraulic update for the Village of Cornwall-on-Hudson; and

WHEREAS, the Village of Cornwall-on-Hudson agrees to the General Terms and Conditions as outlined on the Agreement.

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

The foregoing resolution was seconded by Trustee Hahn.

**Upon a Vote as follows:**

Mayor Moulton	<u>Aye</u>	Trustee Miller	<u>Absent</u>
Trustee Hahn	<u>Aye</u>	Trustee Fogarty	<u>Absent</u>
Trustee Edsall	<u>Aye</u>		

*Vote: Resolution carried by a vote of 3 to 0.*

The Mayor declared the resolution adopted.

MANAGEMENT CONTRACTS

Trustee Edsall made a motion to table action on Management Contracts for further Village Board review which was seconded by Trustee Hahn and carried by a vote of 3 Ayes and 0 Nays.

CLIFFSIDE ENCROACHMENTS

Mayor Moulton stated that recommendations from the DPW Superintendent and legal advice from the Deputy Village Attorney are expected to be received in time for the April 16<sup>th</sup> meeting.

MAPLE AVENUE MIRROR REPLACEMENT

Discussion regarding replacement of the mirror at Maple Avenue/Hudson Street intersection took place.

RESOLUTION APPROVING MEMORANDUM OF AGREEMENT

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

**WHEREAS**, the Village of Cornwall-on-Hudson and the Village of Cornwall-on-Hudson Police Benevolent Association, Inc. are parties to a collective bargaining agreement; and

**WHEREAS**, the parties have engaged in successful negotiations to renew the agreement which expired on February 28, 2006; and

**WHEREAS**, the parties have now agreed upon certain terms and conditions for a successor collective bargaining agreement for the period of March 1, 2006 through February 28, 2010, and memorialize their understanding in writing in the attached Memorandum of Agreement pending the signing of a new collective bargaining agreement.

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the Memorandum of Agreement be approved and ratified; and
2. That the Village Attorney be, and hereby is, authorized to integrate the Memorandum of Agreement into a final Collective Bargaining Agreement for submission to the Board for ratification.

The foregoing resolution was seconded by Trustee Edsall.

**Upon Roll Call Vote:**

Mayor Moulton	<u>Aye</u>	Trustee Hahn	<u>Aye</u>
Trustee Fogarty	<u>Absent</u>	Trustee Edsall	<u>Aye</u>
Trustee Miller	<u>Absent</u>		

*Vote: Resolution carried by a vote of 3 to 0.*

**SURPLUS POLICE VEHICLE**

Upon the recommendation of Police Chief Williams, Trustee Edsall made a motion to declare the 1999 Ford Crown Victoria (#423), VIN#: 2FAFP71WXXX199898 surplus upon receipt of the recently ordered new vehicle which was seconded by Trustee Hahn and carried by a vote of 3 Ayes and 0 Nays.

Mayor Moulton called for a brief recess at 6:35 P.M. until the arrival of Trustee Fogarty.

Trustee Fogarty arrived at 6:40 PM and the meeting was reconvened.

**RESOLUTION AUTHORIZING EDWARD C. MOULTON TO CONTINUE DENTAL COVERAGE**

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

**WHEREAS**, Edward C. Moulton, Jr. will be leaving the office of Mayor of the Village of Cornwall-on-Hudson on April 2, 2007; and

**WHEREAS**, Edward C. Moulton, Jr. wishes continue his dental coverage under COBRA.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village-of-Cornwall on Hudson does hereby authorize Edward C. Moulton, Jr. to continue his dental coverage through the Village of Cornwall-on-Hudson under COBRA at a cost to him of \$45.08 per month.

The foregoing resolution was seconded by Trustee Hahn.

**Upon a Vote as follows:**

Mayor Moulton	<u>Abstain</u>	Trustee Miller	<u>Absent</u>
Trustee Hahn	<u>Aye</u>	Trustee Fogarty	<u>Aye</u>
Trustee Edsall	<u>Aye</u>		

*Vote: Resolution carried by a vote of 3 to 0 (1 Abstention).*

The Mayor declared the resolution adopted.

**STORM KING ENGINE CO. #2 OFFICERS**

Mayor Moulton is in receipt of a letter from Fire Chief Armitage listing a change in officers for 2007. Effective March 21, 2007, the Fire Chief is Jeff Armitage, Assistant Chief is Kurt Hahn, Captain is Tom Smith. The 1<sup>st</sup> Lieutenant and 2<sup>nd</sup> Lieutenant positions are vacant pending a special election to be announced at a later date.

Trustee Edsall made a motion to approve the appointments stated above which was seconded by Trustee Fogarty and upon a vote of 3 ayes, 0 nays and 1 abstention (Hahn) the motion was carried.

**INTERNAL REVENUE SERVICE**

Village Clerk Mahoney advised the Village Board about a notice she received from the Internal Revenue Service charging the Village of Cornwall-on-Hudson \$2303.35 in penalties, interest, and late fees for the late filing of the last quarter of 2005 Form 941. Hearing no objection from the Board, she will process a voucher and payment to the IRS. She will then file an appeal for a full refund.

**ARTHUR TERWILLIGER – RETIREMENT SYSTEM**

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

WHEREAS, the previous Assistant Treasurer had erroneously enrolled Police Officer Arthur Terwilliger into NYS Retirement System (375i) by failing to submit the application paperwork in a timely manner to enroll him into the (384d) program.

NOW THEREFORE BE IT RESOLVED, that application be made to New York State for special legislation to authorize the enrollment of Police Officer Arthur Terwilliger to NYS Retirement System (384d) as of May 15, 2000, the date of his hire.

The foregoing resolution was seconded by Trustee Fogarty and carried by a vote of 4 Ayes and 0 Nays.

Having concluded the business set before them, Trustee Fogarty moved to adjourn the meeting at 6:43 P.M. which was seconded by Trustee Edsall and upon a vote of 4 Ayes and 0 Nays, the meeting was adjourned.

Village Clerk Mahoney thanked Mayor Moulton for his years of dedicated service to the Village of Cornwall-on-Hudson. She stated that she truly enjoyed working with him and will miss him dearly. Deputy Village Attorney followed crediting the Mayor for giving him his start in municipal law. The Trustees followed each sharing stories and fond memories with him.