

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

April 16, 2007

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 Joseph J. Gross
Trustee Charles R. Hahn
Trustee Mark J. Edsall
Trustee William T. Fogarty
Trustee Peter J. Miller

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

PUBLIC HEARING STORM WATER MANAGEMENT PLAN Proof of Notice, Affidavit of Posting and Publication having been furnished, and copies of the text having been given to each Board Member on March 19, 2007, the Public Hearing on Storm Water Management Plan was called to order at 7:30PM by Mayor Gross.

Deputy Village Attorney Protter stated that the plan has been updated, and the required annual reports have been filed. The purpose of tonight's public hearing is to provide an opportunity for the public to have storm water related issues or concerns addressed.

Mayor Gross is in receipt of an Annual Report Summary for Year 4 from the Village Engineer.

Trustee Edsall explained that the purpose of this hearing is to obtain public input on decreasing the amount of pollutants being discharged out into the waters of the State. The Village is continuing to comply with the MS4 regulations which are municipal separate storm water sewer system regulations. These were promulgated by the Federal Government passed down to the Department of Environmental Conservation then down to the Towns and Villages for local responsibilities. The program involves management of construction sites and locating point discharges which we are in the process of doing. Deputy Village Attorney Protter added that markers have been placed by the Village on storm water drains.

Discussion followed regarding DEC and local municipality responsibilities for monitoring and enforcement.

Having no one further speak for or against said plan, Trustee Edsall made a motion to close the public hearing at 7:43 P.M. which was seconded by Trustee Miller and carried by a vote of 5 ayes and 0 nays.

Mayor Gross thanked the Village Water Department, DPW Department, and Fire Department for their tireless efforts during the nor'easter including getting notification out to the public about a precautionary

boil water restriction. Future improvements to the Mountainville wellfield heads will be a high priority. Bulk Spring pick-up will resume on Tuesday. The Village Trustees expressed their appreciation as well. Trustee Edsall added that he would like to see technological improvements made on the Village's website making it possible to send out future notifications by emails and text messages.

Trustee Hahn moved for the acceptance of the March 19, 2007 Regular Meeting, March 30, 2007 Special Meeting, and April 2, 2007 Reorganization Minutes as written, on a motion seconded by Trustee Edsall, the minutes were approved 5 ayes and 0 nays.

TREASURER'S REPORT

Mayor Gross stated that a treasurer's report has been prepared through March and distributed to the Village Board for review.

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

Village water, sewer, garbage & penalties	\$ 51,505.31
Town water & penalties	316,473.80

Which included finals/adjustments for 3 the Village and 4 for the Town.

The following claims were approved for payment:

General Fund claims in the amount of	\$ 277,280.43
Water Fund claims in the amount of	182,879.56
Sewer Fund claims in the amount of	8322.17
Trust & Agency claims in the amount of	581.94

COMMITTEE REPORTS

Summer Playground – Trustee Edsall reported that he and Trustee Miller are reviewing a petition to allow older children to attend and to expand the program into a recreational department activity. A report will be prepared and provided to the Village Board at a later date.

Fire Chief Armitage reported that the Cornwall-on-Hudson Elementary School is anticipating major repairs to the building during the summer months. He suggested that the Village Clerk contact the school administration office to determine if the program can be held there this year.

Fire Committee – Trustee Hahn reported that an incident at the SKEC #2 Firehouse this past December has been under investigation by the State Police. A formal report has not yet been received. Until such time that the report is received and reviewed, a public statement is not appropriate. He has relayed this to the editor of the Cornwall Local who has been pressuring the Committee for information.

DEPARTMENT REPORTS

The Police Department reported 3 COVAC assists; 16 calls were covered for/assisted to Town Police; 9 responses to burglar alarms; 10 E-911 hangups; 2 domestic incidents; 8 crimes were committed; 2

vehicle lockouts; 9 accidents were investigated; 21 moving violations; and 0 parking tickets were issued. Total patrol miles = 2,989 not including mileage on Chief's vehicle.

Chief Williams reported that Sergeant Christopher Park continues investigation on six (6) open cases. In addition, Police Officer's Terwilliger, Armstrong, Bailey, Cirigliano, Kelly, Nye, Richman and Willard attended an 8 hour Field Interview school.

Chief Williams further provided copies of a traffic study prepared for the Master Plan Committee in December. Traffic was monitored on Route 218 at Camp Olmstead, Hudson St. and Columbus Ave., Academy Ave. at Second St., and Shore Road at DPW Facility. Discussion followed regarding speeding traffic in the Village. A request was made to have a traffic study done on Duncan Avenue.

The Water Department reported an average daily production of 1.204 million gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected. It was also reported that 38 utility locations were made, 12 meters were repaired or replaced, and 7 special readings were taken. In addition to routine building maintenance, the department assisted the DPW with snow removal. Water leaks were repaired at 267 Hudson St., 55 Duncan Ave., and 21 Maple St. The department provided assistance with water leak repairs at 59 Laurel Avenue, 14 First St., 12 Wood Ave and 15 Broadway. A curb box was repaired at 14 First St., and a new Pressure Reduction Valve (PRV) was installed on Duncan Avenue.

Water Superintendent June further reported that operators have received "hands on" training at Black Rock Treatment Plant. The main line was flushed. A new PH probe has been ordered and the CL2 analyzer has been repaired. A "start up" will occur once new probe is received.

The Code Enforcement Officer reported 5 certificates of occupancy and compliance were issued. In addition, 3 unregistered vehicles and 2 property maintenance violations were issued.

The Building Inspector reported 40 on site inspections, 3 fire inspections, 8 municipal searches, and 5 building permits were issued.

The Department of Public Works reported general maintenance, street of streets, repair of drainage along Church St., and cleaning of Village grass malls.

The Fire Department reported 36 responses, including 4 emergency medical service (EMS) calls, for a total of 612.5 volunteer man hours.

CORRESPONDENCE

Mayor Gross is in receipt of a letter from Edward Flynn, Commander of The American Legion Post 353 inviting the Mayor and Village Board to participate in the annual Memorial Day Parade and service on May 28th. The parade will begin at 10:00 AM and a memorial service will take place at the Veterans Monument immediately following.

Mayor Gross is in receipt of a letter from the Cornwall Presbyterian Church requesting use of Donahue Memorial Park on Sunday, June 10th for their annual church picnic.

Trustee Miller made a motion to authorize this annual request since no problems have ever been reported in the past, provided they bring their own tables and chairs, and costs incurred by the Village, if damage is done, be reimbursed which was seconded by Trustee Edsall and carried by a vote of 5 ayes and 0 nays.

Mayor Gross is in receipt of a letter from the Vantage Construction requesting a reduction in the water and garbage bill. The home on that property was demolished.

Trustee Edsall made a motion to authorize a 50% reduction in garbage charges, in accordance with current Village policy, until such time that a certificate of occupancy is issued.

Mayor Gross is in receipt of a letter from Senator Larkin's office announcing a legislative initiative grant in the amount of \$60,000 has been awarded to the Village of Cornwall-on-Hudson.

Mayor Gross is in receipt of a letter from Charles Tonneson a member of Storm King Engine Co. #2 regarding the December incidents. This letter has been forwarded to the editor of the Cornwall Local.

Mayor Gross is in receipt of a letter from Luetta Mirable of Idlewild Park Drive regarding damage caused to her home and property in past years from NYMA alumni day fireworks displays. Last year, Village fire trucks were stationed along Idlewild Park Drive to protect homes and property from fireworks debris. He will contact Supervisor Randazzo to discuss her concerns and to gain assurance that the Village will be reimbursed any costs incurred as a result of the display.

Mayor Gross is in receipt of a letter from Robert Gosda of Storm King Engine Co. #2 inviting the Board to a ceremony on May 5th unveiling two (2) historical plaques showing the fire departments history.

Mayor Gross is in receipt of a letter from Dr. Paul Reichmann of Grandview Avenue requesting relief from a 5% penalty charge for late payment of Village taxes. He states that he didn't receive the first bill.

After some discussion, Trustee Miller made a motion to deny the request in accordance with past Village policy which was seconded by Trustee Fogarty and carried by a vote of 5 ayes and 0 nays.

Mayor Gross is in receipt of a letter from Mary Romaine of Clark Avenue requesting relief from a 5% penalty charge for late payment of Village taxes. They also state that the first bill was not received.

Trustee Miller made a motion to deny the request in accordance with past Village policy which was seconded by Trustee Edsall and carried by a vote of 5 ayes and 0 nays.

Mayor Gross is in receipt of a letter from Marilyn Berson, Esq. the attorney for the PBA regarding the recently completed negotiations. Under the terms of the memorandum of agreement, Ms. Berson is reminding the Village Board of timetables set.

Mayor Gross is in receipt of a letter from Deputy Village Attorney Howard Protter of Jacobowitz & Gubits,LLP regarding the Winding Creek Development. Due to a possible conflict of interest, it is suggested that a different attorney be hired to represent the Village on this matter if changes to the agreement become necessary.

Mayor Gross is in receipt of a memorandum from Deputy Village Attorney Howard Protter regarding our authority to require the removal of objects within the Village street right-of-way.

Mayor Gross is in receipt of a letter from Susan Glendening regarding the Missere sidewalk and parking issue. This has been resolved.

Mayor Gross is in receipt of a memorandum which was sent to the Master Plan Committee by Deputy Village Attorney Howard Protter providing comments and suggestions. This was discussed at the public meeting held on Saturday April 14th.

Mayor Gross is in receipt of a letter from Deputy Village Attorney Howard Protter regarding the lease agreement with the Cornwall Yacht Club and the request of the Cornwall Historical Society to reclaim the Taft Seaman's Chapel. This request will continue to be reviewed and discussed by the Village Board.

OLD BUSINESS

BLACK ROCK FILTER PLANT STATUS/MODIFICATIONS

Mayor Gross stated that this item was discussed earlier in tonight's agenda.

JOINT SEWER PLANT DISCUSSION

Trustee Hahn stated that he has nothing new to report. He has contacted the Federal Government and received a case number for possible grants.

ORANGE COUNTY COMMUNITY DEVELOPMENT GRANT – ADA BATHROOMS SKEC #2

Village Clerk Mahoney stated that the Village Engineer has met with the contractor and Orange County Community Development representative to inspect the project. Some "punch list" items remain.

STEEP SLOPES/VIEW PRESERVATION REVISIONS

Trustee Edsall stated that this item remains tabled until the Master Plan Committee submits their draft recommendations to the Board for review.

COMPREHENSIVE/MASTER PLAN REVIEW COMMITTEE

Mayor Gross read a letter dated April 16, 2007 from Chairman Murphy responding to Deputy Village Attorney Protters memorandum. This letter along with Mr. Protters memorandum and public comment from the April 14th hearing will all be taken under advisement by the Village Board during their review.

LOCAL DEVELOPMENT CORPORATION (LDC)

Mayor Gross stated there is nothing new to report on this item. Chairperson Hazirjian is unable to attend tonight's meeting due to his wife's recent surgery. All wish her a speedy recovery.

WATERFRONT REVITALIZATION COMMITTEE

Mayor Gross announced that the Village has received a legislative grant from Senator Larkin's office in the amount of \$60,000.00 toward planning future improvements to the boat launching docks at Cornwall Landing.

Chairperson Wenz provided the Board an overview of the background discussions leading to the preparation of the grant application. Discussion followed regarding the existing launch ramp and a possible seasonal floating dock.

ENCROACHMENTS

Mayor Gross stated that this item is under review by the DPW Superintendent and Deputy Village Attorney.

INTRODUCTORY LOCAL LAW – HAND BILL AND UNSOLICITED PRINTED MATERIALS

Discussion regarding the merits and drawbacks of this introductory local law took place. The consensus of the Board is this law will be difficult to enforce and will become a burden to the operation of the Village Hall staff.

NEW BUSINESS

DONAHUE MEMORIAL PARK – GROUP USE DISCUSSION

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

SEASONAL PORTABLE TOILET – DONAHUE MEMORIAL PARK

Mayor Gross stated that the Village Board has discussed providing a handicap accessible seasonal toilet at Donahue Memorial Park. It will tentatively be located on the field near Cornwall Yacht Club property.

DOCK HILL ROAD SHOULDER IMPROVEMENT

Mayor Gross stated that the Department of Public Works has made improvements to the road shoulder of Dock Hill Road to provide a pedestrian foot path.

REVIEW OF GARBAGE PICKUP CONSOLIDATION/RESTRUCTURING

Mayor Gross stated that this item is currently under review by the DPW Superintendent.

BANK OF AMERICA SIGNATURE CARD RESOLUTION

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

WHEREAS, the Village of Cornwall-on-Hudson hereby authorizes the Mayor, Trustees, Treasurer and Assistant Treasurer to establish accounts from time to time for the Organization at Bank of America, N.A. as well as to operate and close such accounts, and designates these persons to operate such account including closing the account; and

WHEREAS, the persons whose signature, name and title appear in the “AGREEMENT, TAX INFORMATION CERTIFICATION and AUTHORIZATION” section of the Deposit Account Documentation Signature Card and Incumbency Certificate are authorized signers who are authorized to establish accounts and to designate persons to operate each such account and to execute contracts and agreement with the Bank and that their signatures are genuine.

WHEREAS, the persons who signed in the Designated Account Signers section of the Signature Card are authorized to operate any accounts opened with the deposit account documentation unless otherwise noted on the Signature Card, and that their signatures are genuine.

THEREFORE, the foregoing is a complete, true and correct copy of the banking resolutions adopted by the Board of Trustees of the Village of Cornwall-on-Hudson, and that the resolutions are still in full force and effect and have not been amended or revoked and do not exceed the objects or powers of the Village of Cornwall-on-Hudson.

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

Having concluded the business set before them, Trustee Miller moved to adjourn the meeting into Executive Session to discuss a personnel matter with the DPW Superintendent Gilmore which was seconded by Trustee Fogarty and upon a vote of 5 Ayes and 0 Nays, the meeting was adjourned at 9:35 PM.