

## VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

February 19, 2008

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 Peter J. Miller  
Trustee William T. Fogarty

Also present were: DPW Superintendent David Halvorsen, Deputy Village Attorney Howard Protter, and Village Clerk Jeanne Mahoney.

PUBLIC HEARING INTRODUCTORY LOCAL LAW I-6 of 2007, "Ethics Law" Proof of Notice, Affidavit of Posting and Publication having been furnished, and copies of the text having been given to each Board Member on January 8, 2008, the Public Hearing on Ethics Law was called to order at 7:31 PM by Mayor Gross.

Trustee Fogarty asked Deputy Village Attorney Protter to clarify the Annual Statement of Financial Disclosure Form. It was determined that the form contained some column positioning errors and will be redone. In addition, Section 4 entitled Disclosure of Interest paragraph E was amended by removing the word "financial" and replacing it with "annual disclosure statement".

Margaret Menge, editor of the Cornwall Local requested that Deputy Village Attorney Protter summarize the provisions of the proposed local law for the audience.

Deputy Village Attorney Protter stated that the proposed local law replaces the existing Ethics law which dates back to 1970. It will apply to all elected, zoning board, planning board, all full time employees, and consultants of the Village of Cornwall-on-Hudson. A disclosure form will be required annually.

Dr. David Fitzgerald of Taft Place stated that the Village Board should postpone a decision tonight because of the changes discussed and agreed to this evening.

Deputy Village Attorney Protter stated that the proposed changes are not substantive and do not affect the law itself. The Village Board may vote on the proposed local law this evening if they so choose.

Having no one further speak for or against said proposed law, Trustee Edsall made a motion to close the public hearing at 7:45 PM which was seconded by Trustee Miller and carried by a vote of 5 Ayes and 0 Nays.

Trustee Fogarty moved for the acceptance of the January 22, 2008 Regular Meeting and February 6, 2008 Special Meeting Minutes as presented, on a motion seconded by Trustee Hahn, the minutes were approved 5 ayes and 0 nays.

## **TREASURER'S REPORT**

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

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

Village water, sewer, garbage & penalties	\$ 32,452.98
Town water & penalties	293,649.20

Which included 5 finals/adjustments for the Village and 1 for the Town.

The following claims were approved for payment:

General Fund claims in the amount of	\$ 343,264.26
Water Fund claims in the amount of	245,904.42
Sewer Fund claims in the amount of	4,667.96
Trust & Agency claims in the amount of	800.04

## **DEPARTMENT REPORTS**

The Building Inspector reported 64 site inspections, 3 fire inspections, 2 municipal searches, and 2 stop work orders were issued.

The Code Enforcement Officer reported 11 certificates of occupancy, 2 unregistered vehicles and 7 property maintenance violations were issued.

The Department of Public Works reported snow and ice removal, replacement of 120' of guide rail on Curie Road, brush cutting and tree trimming, cleaning of gutter lines in the mountain area, fabrication of a chip and leaf box, completion of NIMS certifications by DPW employees, cold patching of potholes, cleaning of drains and catch basins, repair and maintenance of equipment, inventory of manholes for lid modification and affixing storm drain markers to catch basins for MS4 compliance.

The Water Department reported an average daily production of 1.286 million gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected. It was also reported that 56 utility locations were made, 15 meters were repaired or replaced, and 5 special readings were taken. In addition to routine maintenance, a leak was repaired at 3-5 River Avenue, water mains were repaired on Duncan Avenue and the Black Rock feed line, curb boxes were repaired at 26 Quaker Ave, 8 Paula Ct and 8 Willow Ave, water was turned off at 412 Hudson St. (for sale), and the PRV at Aleck Meadow was repaired along with an old float relief PRV.

Water Superintendent June further reported that 4 water meters were sent out for testing. All meters tested accurate to within 3%.

The Police Department reported 8 COVAC assists; 7 calls were covered for/assisted to Town Police; 10 responses to burglar alarms; 12 E-911 hangups; 3 domestic incidents; 6 crimes were committed; 4 vehicle lockouts; 6 accidents were investigated; 18 moving violations; and 7 parking tickets were issued. Total patrol miles = 5,390 not including mileage on Chief's vehicle.

Chief Williams reported that Sergeant Christopher Park continues investigation of three (3) active open cases and seven (7) cases open but inactive. In addition, NIMS ICS Training was conducted for the Police Department and Department of Public Works.

Mayor Gross is in receipt of a copy of a letter sent by Chief Williams to the proprietor of Step by Step Dance Studio on Hudson Street regarding his concern for pedestrian safety going to and exiting from the studio.

The Fire Department reported 34 responses, including 10 emergency medical service (EMS) calls, for a total of 272 volunteer man hours.

## **CORRESPONDENCE**

Mayor Gross is in receipt of a letter sent from Cornwall Girl Scout Troop 56 requesting permission to hold a car wash at the Village Hall parking lot on May 3<sup>rd</sup>.

Trustee Miller made a motion to approve the request provided that the event has proper adult supervision which was seconded by Trustee Edsall and carried by a vote of 5 ayes and 0 nays.

Mayor Gross is in receipt of a copy of a letter sent from Deputy Village Attorney Protter to the Village Zoning Board recusing himself from representing the Village on the application of Storm King Theater.

Mayor Gross is in receipt of a letter dated January 28, 2008 from Susan Ostrander declining to accept payment for her time served on the Board of Assessment Review. She stated she volunteered to serve.

Mayor Gross is in receipt of a letter sent to the Village Clerk from Painters stating intention to renew their liquor license.

Mayor Gross is in receipt of a copy of a letter sent by DPW Superintendent Halvorsen to Donna Chatfield of Lafayette Street regarding her complaint of an ongoing problem involving water draining from road onto her driveway.

Mayor Gross is in receipt of a letter from Ray Yannone dated January 21, 2008 concerning "misrepresentations" made by Mr. Missere to the Village Boards resulting in "site plan approvals, zoning variances, and a licensing agreement".

Mayor Gross is in receipt of a letter from Edward Moulton dated February 2, 2008 providing his recollections about issues relating to the use, zoning and parking in the Village Square area.

Mayor Gross is in receipt of a letter, with attachments, from Storm King Associates dated February 13, 2008 providing additional information regarding his ongoing concerns relative to Mr. Missere.

Mayor Gross is in receipt of a letter dated January 17, 2008 from Mary Aspin, Planning Board Chairperson seeking clarification of the Village of Cornwall-on-Hudson Zoning Code §172-9 Central Business & Shopping District relating to the 250' clause.

Mayor Gross is in receipt of a reply to Ms. Aspins letter from Deputy Village Attorney Protter dated February 8, 2008.

Mayor Gross is in receipt of a letter from Deputy Village Attorney Protter dated February 8, 2008 regarding the transfer of the municipal lot to the Village by Mrs. Grant in 1985.

Mayor Gross is in receipt of Resolution No. 9 of 2008 by the Orange County Legislature pertaining to exemption of water production land from county taxation which was approved on February 7, 2008.

Mayor Gross is in receipt of a letter dated January 28, 2008 from Assemblyperson Calhoun regarding Governor Spitzer's consolidated Highway Improvement Program.

Mayor Gross is in receipt of a letter and map from William Krattinger of N.Y.S. Parks Department regarding a proposed "Sunday School". The Mayor will ask for clarification from Mr. Krattinger as to the location of the property in the proposal.

Mayor Gross is in receipt of a letter from the NYS Department of Public Service in reply to the Village Board's concern regarding the Verizon Fiber Hub located at the Corner of Spruce Street and River Avenue. They have determined that Verizon will raise the location of the fiber hub on the existing pole by March 9, 2008.

Mayor Gross is in receipt of a Certificate of Final State Equalization Rate for the 2008 Village of Cornwall-on-Hudson Assessment Roll from the NYS Board of Real Property Services. The rate is 46.50%.

Mayor Gross is in receipt of a letter dated March 12, 2008 from Time Warner Cable regarding proposed changes to cable program lineups.

Mayor Gross stated that he sent another letter to Senator Hillary Clinton advising her of the Village's concerns regarding the Kiryas Joel wells that adjoin Village Wells in Mountainville.

## **PUBLIC COMMENT**

Barbara Farabaugh of Cornwall Avenue stated that she feels the View Preservation Law is unfair and should be repealed.

After some discussion by Board members, it was agreed that it is time to "take another look" at the law.

Rick Gioia of Hudson Street suggested that the Village Board expand the recycling program to include items such as plastic grocery bags.

DPW Superintendent Halvorsen stated that the Village follows the guidelines established by Orange County Department of Environmental Facilities. Currently the Village picks up every item that the county collection sites will accept.

Discussion followed.

Joe Suto of Washington Street stated that the issue of police consolidation should be brought before Village residents through a referendum at the Village Election.

Clerk Mahoney explained that his suggestion could not be accomplished using a Village voting machine. He could start a petition and seek signatures and/or input from residents to present to the Village Board at a future meeting.

## **OLD BUSINESS**

### **WATERFRONT REVITALIZATION COMMITTEE REPORT**

Committee member Andrew Maroney stated that a \$25,000 planning grant has been received through the NYC Estuary program. The committee is looking to hire a consultant to assist with any proposed waterfront development including the coal dock property (9.4 acres).

Mayor Gross added that he is in the process of filing paperwork to FEMA to request an extension on the funding to build a moffia block wall at Donahue Memorial Park. In addition he changed the lead contact person on this funding to himself. There will no be ground breaking this year.

### **DONAHUE MEMORIAL PARK – GROUP USE DISCUSSION**

Discussion took place on a proposed Group Use Policy drafted by Deputy Village Attorney Protter, Mayor Gross, and Clerk Mahoney. The matter was then tabled until next month's meeting.

### **HUDSON-FULTON COMMITTEE REPORT**

Deputy Village Attorney stated that one meeting took place and committees were formed. The event is schedule to take place from July 4, 2009 through October.

### **INTRODUCTORY LOCAL LAW I-6 OF 2007 – ETHICS LAW**

Based upon comments received this evening, Trustee Edsall made a motion to table adoption on the proposed local law until next month's meeting which was seconded by Trustee Fogarty and carried by a vote of 5 ayes and 0 nays.

### **KIRYAS JOEL FEDERAL BUDGET REQUEST FOR PIPELINE**

Mayor Gross stated that he has nothing new to report on this item.

### **MAPLE AVENUE PROPERTY**

Mayor Gross stated that there is no new information to report on this item at this time.

#### DONAHUE MEMORIAL PARK – FEMA SEAWALL GRANT

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

#### DOCK HILL EXTENSION

Mayor Gross stated that the Village Board has discussed and is in support of the closure of Dock Hill Extension to vehicular traffic. Deputy Village Attorney Protter stated that a survey of Pagenstacher Park should be done first to determine ownership rights and easements.

#### VILLAGE SQUARE IMPROVEMENTS COMMITTEE REPORT

Chairperson Gosda reported that she received three (3) quotes to survey the Village Square area. Trustee Edsall offered to provide guidance while the quotes are under review.

#### NEW BUSINESS

##### TRAILER MOUNTED VACUUM LEAF COLLECTOR

Clerk Mahoney stated that a bid opening was held on February 15, 2008 and two (2) bids were received. The apparent low bid was \$17,787.00 from Old Dominion Brush. The other bid was \$20,750.00 from Stephenson Equipment, Inc. These bids have been reviewed by the Deputy Village Attorney and are in acceptable form. The collector will be paid for using current budget funds.

Trustee Miller made a motion to accept the bid from O.D.B. in the amount of \$17,787.00, which was seconded by Trustee Hahn and carried by a vote of 5 ayes and 0 nays.

Having concluded the business set before them, Trustee Hahn moved to adjourn the meeting into Executive Session to discuss a personnel matter with the DPW Superintendent, and legal matters relative to Ginsburg Developments request for water, which was seconded by Trustee Fogarty and upon a vote of 5 Ayes and 0 Nays, the meeting was adjourned at 9:20 PM.