

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

July 21, 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 Mark J. Edsall
Trustee William T. Fogarty
Trustee Barbara J. Gosda
Trustee Richard Gioia

Also present were: Police Chief Charles Williams, DPW Superintendent David Halvorsen, Interim Deputy Village Attorney Bruce Dunn, and Village Clerk Jeanne Mahoney.

PUBLIC HEARING AMENDMENT TO ONE-WAY STREET DESIGNATION OF DEER HILL ROAD EXTENSION was called to order at 7:30 PM by Mayor Gross.

Mary Donahue of Bayview Avenue asked if emergency vehicles will have access under the proposed amendment. Mayor Gross replied yes.

Douglas Land of 60 Deer Hill Road asked for clarification of the proposed change. Mayor Gross explained that the road is currently one way from Route 9W to Deer Hill Road. The proposed change would make the roadway one way from Route 9W to a point 50 feet from Route 9W and two-way from that point to Deer Hill Road.

Stephen Duggan of 3 Duggan Lane stated that he is in favor of this change. He asked if signage will be relocated to the new spot to which the Mayor replied yes.

Having no one further speak for or against said plan, Trustee Edsall made a motion to close the public hearing at 7:35 PM which was seconded by Trustee Gioia and carried by a vote of 5 ayes and 0 nays.

Trustee Edsall moved for the acceptance of the June 16, 2008 Regular Meeting Minutes as presented, on a motion seconded by Trustee Gosda and carried by a vote of 5 ayes and 0 nays.

Trustee Fogarty moved for the acceptance of the July 14, 2008 Special Meeting Minutes as presented, on a motion seconded by Trustee Edsall and carried by a vote of 5 ayes and 0 nays.

TREASURER'S REPORT

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

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

Village water, sewer, garbage & penalties	\$ 213,266.75
Town water & penalties	258,113.89

Which included 2 finals/adjustments for the Village and 3 for the Town.

The following claims were approved for payment:

General Fund claims in the amount of \$	184,543.92
Water Fund claims in the amount of	102,171.28
Sewer Fund claims in the amount of	3,822.40
Trust & Agency claims in the amount of	505.10

COMMITTEE REPORTS

Recycling – Trustee Gioia stated that he would like to launch a recycling program for electronics. DPW Superintendent Halvorsen will meet with members of the Town Board next month to discuss a possible joint venture.

In addition, Trustee Gioia has arranged a tour of a Hydro-Electric facility in the Town of Wappingers Falls later this week for Water Superintendent June and the Mayor. He is looking to use Hydro Electric to harness power from falling water at the Black Rock Plant. He expects that the Village would see a quick return on an investment.

Summer Playground-Trustee Gosda stated that the program is running well with approximately 100 children enrolled. Dylan Reitenbach was appointed Director after the resignation of William Hall. The children are using a pool at NYMA while the Town pool is being repaired. In addition, several special activities are planned including a reptile program sponsored by the Museum of Hudson Highlands.

Mayor Gross announced that the Town Board has agreed to retract the \$1.00 charge for Village campers to use the pool.

Police - Mayor Gross stated that he is in receipt of a directive for the police department; however it is not ready for public discussion at this time.

Streets – DPW Superintendent Halvorsen reported that paving of Second Street is scheduled for July 22nd. He hopes to make repairs to a section of Duncan Avenue between Duncan Lane and Stillman Avenue and a section of Deer Hill Road later this year.

Buildings & Grounds – Mayor Gross requested that the Water Superintendent and DPW Superintendent resume talks to erect a storage building at the Shore Road site.

Trees – Trustee Fogarty reported that the tree planted on behalf of the Santoro/Ryan family along Hudson Street is dying (again). In addition, there is a dead oak tree near Payson Road intersection. He recommends that future plantings take place in Autumn rather than Spring.

Phone Books – Trustee Gosda reported that “Yellow Books” were distributed throughout the Village on June 27th. She contacted the company regarding the manner of distribution (i.e. thrown onto driveways, etc.) and was told “every book was delivered to the door”. She encourages Village residents who are unhappy to go to the website and “opt out”. In addition, she would like to see this acted upon at the local level.

Barry Gruber of Bayview Terrace stated that he found the phone numbers for Yellow Book and Verizon to “opt out”, just make sure to get a confirmation number. Discussion followed.

DEPARTMENT REPORTS

The Police Department reported 15 COVAC assists; 6 calls were covered for/assisted to Town Police; 8 responses to burglar alarms; 6 E-911 hangups; 1 domestic incident; 10 crimes were committed; 21 non criminal activities were reported; 4 arrests were made; 6 vehicle lockouts; 11 accidents were investigated; 23 moving violations; 11 parking tickets; and 7 vehicle and traffic stops with warning were made. Total patrol miles = 3,001, not including mileage on Chief’s vehicle.

Chief Williams reported that Sergeant Christopher Park continues investigation of two (2) active open cases. In addition, the department covered Riverfest, Senior Prom photos, 6 events at Donahue Memorial Park and the St. Thomas 5K run.

Chief Williams stated that residents in the Homeland area have recently reported larcenies of unlocked vehicles. His department is actively pursuing suspects.

Chief Williams further reported that insurance money has been received to repair damages to 428 from an accident of May 20th. Trustee Edsall made a motion to increase A2680 (General Fund Revenue – Insurance Recovery) by the amount of \$2,612.56 and A3210.4 (General Fund Expenditure – Police) by the amount of \$2,612.56 which was seconded by Trustee Fogarty and carried by a vote of 5 ayes and 0 nays.

The Department of Public Works reported black top patching, installation of sidewalk on Second Street, installation of snow guards on roof of DPW building, replacement of street signs to comply with federal regulations, rebuilding of dumpsters for recycling at DPW facility, sweeping of streets, weekly yard waste collection, maintenance of Village equipment, and weekly mowing and trimming of Village owned properties and parks.

Trustee Gosda is pleased with the new sidewalks along Second St.

DPW Superintendent Halvorsen reported that he is in need of new equipment. The existing fleet is aging. The cost to purchase two new dump trucks, with plows, is approximately \$280,000.00. He has found a used two-wheel dump truck in Vermont with 35,000 miles. Discussion followed.

The Building Inspector reported 49 site inspections, 10 fire inspections, 5 building permits, and 5 municipal searches were issued.

The Code Enforcement Officer reported 10 certificates of occupancy/compliance, and 4 property maintenance violations were issued.

The Water Department reported an average daily production of 1.1 million gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 72). It was also reported that 59 utility locations were made, 12 meters were repaired or replaced, and 7 special readings were taken. In addition to routine maintenance, a leak on an old meter pit was repaired on Deer Hill Rd (Smidt estate), a meter pit was repaired on Stillwood Rd., a new service was installed at 610 Orrs Mills Rd., a new 8" tap was completed on Willow Avenue, and a meter leak was repaired at 6 Ferguson Road. It was further reported that flushing of fire hydrants in the Village has been completed, routine maintenance of water department properties continues, a flocculator and main drive was repaired at Catskill Plant, the main feed line from Riley Rd to the Catskill plant was flushed, and the Catskill treatment plant was taken off line for annual cleaning, inspection and maintenance including all tanks and settling basins.

Black Rock – Routine maintenance to a float relief PRV was completed and will now be a weekly routine maintenance item.

The Fire Department reported 68 responses, including 16 emergency medical service (EMS) calls, for a total of 646.5 volunteer man hours.

CORRESPONDENCE

Mayor Gross is in receipt of a letter dated July 21, 2008 from John Thomas of 5 Academy Avenue requesting use of the Village Hall Board Room on August 1st and 2nd for the Chestnut Brass Company, an acoustic brass quintet, to use for rehearsals.

After some Board discussion, Trustee Gosda made a motion to allow this requested use, subject to receipt of proper insurance paperwork, which was seconded by Trustee Gioia and carried by a vote of 5 ayes and 0 nays.

Mayor Gross is in receipt of a letter dated July 10th from Town of Cornwall Supervisor Kevin Quigley indicating that the pool issue has been resolved.

Mayor Gross is in receipt of a copy of a letter sent by Police Chief Williams to a dog owner on River Avenue regarding an earlier incident.

Mayor Gross is in receipt of a letter from Phillip Hopp of the Boulevard regarding unsafe/dead trees along the Boulevard. He stated that residents feel this is a potentially dangerous situation.

Mayor Gross is in receipt of a letter from Anne Duignan expressing her interest in being part of the Village's Ethics Committee.

Mayor Gross is in receipt of a letter from Greg Phillips inviting Village residents to a free concert at the gazebo on August 5th at 7:00 PM and in Montgomery on August 6th.

Mayor Gross is in receipt of a letter from Javaid Ayub, owner of property at 100 Shore Road, stating that the property has been vacant.

In accordance with existing Village policy, Trustee Edsall made a motion to authorize a 50% reduction in garbage charges for Mr. Ayub at 100 Shore Road until it is determined that the house is being inhabited 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 dated from Sandy Welch of 23 Andrews Street regarding the growth of trees at the bottom of Andrews Street that has become a “green wall” blocking the river view. She states that since there is a law to protect views, it should be adhered to.

Mayor Gross is in receipt of a copy of a letter sent by Mr. & Mrs. Hager of 5 Wood Avenue to the Planning Board regarding the Burns and Whalen project.

Mayor Gross has sent comments regarding the Cornwall Commons Project to the Town of Cornwall Board Members.

Mayor Gross is in receipt of a letter of resignation from the Village Planning Board by John Farr citing the significant amount of travel his new position requires. He thanks the Village for allowing him to serve on the board for the last 12 years.

Trustee Gioia made a motion to accept the resignation with regret, thanking him for his dedicated years of service to this community, which was seconded by Trustee Fogarty and carried by a vote of 5 ayes and 0 nays.

PUBLIC COMMENT

Joe Halvorsen of Payson Road stated that most homes generate more recycling than garbage. The Village made a mistake by reducing the number of recycling pickups instead of reducing garbage collection. He further stated that he is not in favor of police consolidation. He likes our department and the service they provide.

Mary Donahue of Bayview Avenue asked if the Village has a leash law.

Deputy Interim Attorney Dunn replied that dogs cannot be “at large” in the Village. Chief Williams added that dogs must be under control at all times, and that there is a leash law at the park.

Joe Suto of 10 Washington Street stated that the Leo Fanning monument at the corner of Hudson Street and Idlewild Avenue is a gem; however, the Michael Donahue memorial at the park is in dire need of care and maintenance.

Steven Duggan stated that two (2) signs on Mountain Road at Storm King School are obstructed by tree growth and need pruning.

Deke Hazirjian of 5 Grandview Avenue stated that last month he asked each Board member for their “vision” toward future commercial development in the Village. He received conflicting responses. The Village needs to be a self sufficient community, and he asked where the Board is with the draft Master Plan review process.

Mayor Gross stated that the Board must use the Village Code Book as our guide. The draft master plan will be addressed when other matters on the agenda are resolved.

Trustee Gioia agrees that the Board first needs to address unfinished business in order to give the draft Master Plan the “necessary attention”. He agrees with Mr. Hazirjian that there is a need for the right type of businesses in the Village and to keep current vital businesses.

John Wenz of 40 Duncan Avenue stated that Village residents are facing difficult times, (i.e. skyrocketing taxes). The Board needs to look ahead toward sustainability issues and work with the community toward a common goal.

Discussion followed and then the issue of Police Consolidation was introduced.

Chief Williams stated that his annual expense budget for this year is \$87,500 which includes \$27,000 to replace a ten (10) year old vehicle. Earlier the Board discussed the staggering costs to replace aging DPW vehicles. Will the Board now consider consolidated of the Department of Public Works?

Mayor Gross stated that two (2) months ago he polled the Board regarding consolidation of services. Police consolidation was the only department discussed.

Trustee Edsall replied that when he was asked for an opinion two months ago he spoke about all departments, not just police. He stated that he would need proof that police consolidation would result in a major savings before he would consider it. He further stated at that time the consolidation of DPW would result in a loss of services and raised the issue of equipment sharing instead.

OLD BUSINESS

WATERFRONT REVITALIZATION COMMITTEE REPORT

Trustee Edsall made a motion to authorize the preparation of grant contract application forms to the NYS Department of State Parks and Recreation for launch/pierhead facilities, and authorize the Mayor to sign the application, subject to legal review, which was seconded by Trustee Gioia and carried by a vote of 5 ayes and 0 nays.

Chairman Wenz reported that Vassar College expects the new docks in early August.

He further reported that he was given unofficial numbers regarding the number of day passes that have been sold at Donahue Memorial Park since a weekend attendant was hired. During June and July he was told that \$215.00 was collected, and the attendant’s salary has cost the Village \$900.00. He feels this is a waste of taxpayer’s money.

Mayor Gross responded that the attendant was hired on a trial basis, and upon the request of residents.

Chief Williams added that vehicles without passes must now leave.

VILLAGE SQUARE IMPROVEMENTS COMMITTEE REPORT

Trustee Edsall provided his comments on the recommendations that were presented to the Board last month. He likes the suggestions regarding the municipal lot; however, recommendations regarding intersection configurations are premature. The Department of Transportation must have appropriate officials review the intersections since it is ultimately their decision to make. The Village can only indicate that these are intersections “of concern”. He stated that parking is something that should be addressed during Master Plan review. An arborist should look at the spruce tree at the bandstand to determine the proper pruning/trimming needed. Painting of pedestrian crosswalks is also out of the Village’s jurisdiction, and we can only request the State DOT consider alternatives. He likes the sign proposal. He would suggest a budget dollar figure or dedication program for benches and wastebaskets.

Lengthy discussion followed.

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

WHEREAS, the Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York during the special Board of Trustees meeting convened on July 14, 2008 received the written recommendations of the Village Square Committee, a true and accurate copy of which is annexed hereto as an exhibit; and

WHEREAS, the recommendations were the result of combined and substantial efforts of said Committee members, Trustee Barbara Gosda, Trustee Rick Gioia, MaryAnn Rose, Susan Gagliardo, Robert Kirshner and Anthony Missere; and

WHEREAS, the recommendations of the said Committee were set forth under several headings entitled “Safety Intersection”, “Municipal Lot”, “Parking”, “Bandstand Area”, “Pedestrian Safety and Traffic Calming”, “Sign Usage” and “Benches and Wastebaskets”; and

WHEREAS, during the Board of Trustees meeting convened on July 14, 2008, several members of said Committee, including Trustee Barbara Gosda, Trustee Richard Gioia and Susan Gagliardo, provided an oral summary of the recommendation; and

WHEREAS, the members of the public present at the July 14, 2008 special meeting were afforded the opportunity to, and several did, comment on the recommendations.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Cornwall-on-Hudson hereby expresses its gratitude to the members of the Village Square Committee, Trustee Barbara Gosda, Trustee Rick Gioia, MaryAnn Rose, Susan Gagliardo, Robert Kirshner and Anthony Missere for their service to the Village of Cornwall-on-Hudson; and

BE IT FURTHER RESOLVED, having duly considered the recommendations of the Village Square Committee, the Board of Trustees of the Village of Cornwall-on-Hudson hereby adopts the recommendations except for tree pruning and except for intersection design as policy objectives supporting public safety and shall duly consider each recommendation in accordance with all applicable legal requirements.

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

Trustee Fogarty made a motion to authorize purchase of a double sided sign for public parking at the municipal lot from Leif Syvertsen Signs at a cost not to exceed \$860.00 which was seconded by Trustee Edsall and carried by a vote of 5 ayes and 0 nays.

HUDSON-FULTON COMMITTEE REPORT

Mayor Gross stated that there is nothing new to report on this item.

INTRODUCTORY LOCAL LAW I-6 OF 2007 – ETHICS LAW

Trustee Edsall made a motion to table this item until next month to provide the Board sufficient time to review drafted changes which was seconded by Trustee Fogarty and carried by a vote of 5 ayes and 0 nays.

INTRODUCTORY LOCAL LAW I#1 OF 2008 – ONE WAY STREET DESIGNATION OF DEER HILL ROAD EXTENSION

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

WHEREAS, the Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York adopted a resolution on June 16, 2008 ordering a public hearing to be held on July 21, 2008 at 7:30 o'clock p.m., prevailing time, to hear all interested parties on proposed Local Law #11 of the Year 2008 entitled "A Local Law Amending Chapter 155 entitled 'Vehicles and Traffic' of the Code of the Village of Cornwall-on-Hudson: Amendment to One-Way Street Designation of Deer Hill Road Extension"; and

WHEREAS, a notice of Public Hearing was duly advertised on July 4, 2008 in The Cornwall Local and posted on the Village Clerk's sign board on July 11, 2008; and

WHEREAS, the Public Hearing was duly held on July 21, 2008 at 7:30 o'clock p.m., at the Board Room of the Village Office, located at 325 Hudson Street, Cornwall-on-Hudson, New York and all parties in attendance were permitted to speak on behalf or in opposition of the proposed Local Law or any part thereof; and

WHEREAS, the adoption of said Local Law amending the designation of the Deer Hill extension as a one-way street constitutes a legislative action pertaining to routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment, and accordingly is a Type II Action under the State Environmental Quality Review Act; and

WHEREAS, the Board of Trustees of the Village of Cornwall-on-Hudson, after due deliberation finds it in the best interest of the Village to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Cornwall-on-Hudson hereby adopts said Local Law #1 of 2008 entitled "A Local Law Amending Chapter 155 entitled 'Vehicles and Traffic' of the Code of the Village of Cornwall-on-Hudson: Amendment to One-Way Street Designation of Deer Hill Road Extension".

BE IT FURTHER RESOLVED that the Village Clerk is hereby directed to enter this resolution and said Local Law in the minutes of this meeting and the Local Law Book of the Village of Cornwall-on-Hudson and to give due notice of the adoption of said Local Law to the Secretary of State and to the public.

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

ORANGE COUNTY PLANNING GRANT – REVISED RESOLUTION

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

WHEREAS, the Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York adopted a resolution on June 16, 2008 ordering a public hearing to be held on July 21, 2008 at 7:30 o'clock p.m., prevailing time, to hear all interested parties on proposed Local Law #11 of the Year 2008 entitled "A Local Law Amending Chapter 155 entitled 'Vehicles and Traffic' of the Code of the Village of Cornwall-on-Hudson: Amendment to One-Way Street Designation of Deer Hill Road Extension"; and

WHEREAS, a notice of Public Hearing was duly advertised on July 4, 2008 in The Cornwall Local and posted on the Village Clerk's sign board on July 11, 2008; and

WHEREAS, the Public Hearing was duly held on July 21, 2008 at 7:30 o'clock p.m., at the Board Room of the Village Office, located at 325 Hudson Street, Cornwall-on-Hudson, New York and all parties in attendance were permitted to speak on behalf or in opposition of the proposed Local Law or any part thereof; and

WHEREAS, the adoption of said Local Law amending the designation of the Deer Hill extension as a one-way street constitutes a legislative action pertaining to routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment, and accordingly is a Type II Action under the State Environmental Quality Review Act; and

WHEREAS, the Board of Trustees of the Village of Cornwall-on-Hudson, after due deliberation finds it in the best interest of the Village to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Cornwall-on-Hudson hereby adopts said Local Law #1 of 2008 entitled "A Local Law Amending Chapter 155 entitled 'Vehicles and Traffic' of the Code of the Village of Cornwall-on-Hudson: Amendment to One-Way Street Designation of Deer Hill Road Extension".

BE IT FURTHER RESOLVED that the Village Clerk is hereby directed to enter this resolution and said Local Law in the minutes of this meeting and the Local Law Book of the Village of Cornwall-on-Hudson and to give due notice of the adoption of said Local Law to the Secretary of State and to the public.

The foregoing motion was seconded by Trustee Gosda and carried by a vote of 5 Ayes, 0 Nays.

WATER DEPARTMENT STORAGE BUILDING

Mayor Gross stated that a storage building at the DPW site will be funded through sale of the Maple Avenue property.

ORANGE COUNTY LAW RECORDS MANAGEMENT SYSTEM

Chief Williams stated that he received an email from the district sales manager stating that the software company has agreed to the recommended changes discussed at last month's meeting. Interim Deputy Village Attorney Sculley will be asked to address this item along with the proposed changes on the Orange County Municipal Agreement.

NEW BUSINESS

DREW'S ON THE SQUARE – SIDEWALK DINING SERVICE APPLICATION

Trustee Edsall made a motion to authorize the Interim Village Attorney's to prepare a license agreement for the Mayor to sign for outside dining. This is subject to a five foot (5') clear pedestrian path and a length not to exceed the fifty feet (50') requested along with restrictions used in recent license agreements regarding months and hours of operation. In addition subject to the review of the indemnification agreement by the Interim Village Attorney's. The motion was seconded by Trustee Gosda and carried by a vote of 5 ayes and 0 nays.

NUGENT & HAEUSSLER – ANNUAL AUDIT AGREEMENT

After some discussion, the Board decided to obtain other quotes before entering into an agreement this year for our annual audit.

TOWN OF CORNWALL – ANNUAL SEWER O&M BILL

Mayor Gross stated that the annual sewer operation and maintenance bill is \$60,000 more than last year and more than what was budgeted.

Having concluded the business set before them, Trustee Fogarty moved to adjourn the meeting into Executive Session to discuss a personnel matter in the Department of Public Works and Police Department, and the sale of Maple Avenue property which was seconded by Trustee Edsall and upon a vote of 5 Ayes and 0 Nays, the meeting was adjourned at 11:00 PM.