

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

August 11, 2008

The Special Meeting of the Board of Trustees was called to order at 7:00 P.M., 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 was: Water Superintendent Robert June, DPW Superintendent David Halvorsen, SKEC #2 Fire Chief Jeffrey Armitage, Interim Deputy Village Attorney's Mark Taylor and Jeffrey Sculley, and Village Clerk Jeanne Mahoney

MAPLE AVENUE PROPERTY SALE

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, has caused an Environmental Assessment Form (the "EAF") to be prepared for the proposed sale of fee title to surplus Village property known as 21 Maple Avenue, Cornwall-on-Hudson, New York and listed on the tax map for the Village as Section 107 Block 2 Lot 8 (the "Action"); and

WHEREAS, the Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York is authorized to undertake such action; and

WHEREAS, the Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York has determined that the Action is an unlisted action under Part 617 of the General Regulations adopted pursuant to Article 8 of the Environmental Conservation Law, and accordingly does not require a coordinated review; and

WHEREAS, the Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York has determined that the Action is not located in an agricultural district; and

WHEREAS, the Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York using all due diligence has identified no other involved agencies and, accordingly, the Board of Trustees is the sole involved agency for the Action; and

WHEREAS, the Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York has heretofore reviewed the EAF, and analyzed and considered any relevant areas of environmental concern and the probable environmental impacts of the Action to determine if the Action may have any significant adverse environmental effects.

NOW THEREFORE, BE IT RESOLVED:

1. The Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York identifies this action as one that is subject to an environmental review in accordance with the procedures outlined in the State Environmental Quality Review Act (SEQRA), Article 8 of the Environmental Conservation Law of New York State, Part 617 of the General Regulations adopted pursuant thereto ("Part 617")
2. The Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York does determine that the Action is an unlisted action under Part 617 and does not require a coordinated review.
3. The Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York does further determine that said action will not have an adverse environmental impact and, accordingly, does issue a negative declaration.
4. The Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York authorizes the Mayor to execute and file the Environmental Assessment Form attached hereto and a Negative Declaration in accordance with the applicable provisions of law.

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

Discussion regarding bid documents and placing a restrictive covenant on the deed followed.

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

WHEREAS, the Village of Cornwall-on-Hudson owns a certain parcel of real property located on Maple Avenue within the Village, and consists of approximately 10,000 square feet of land improved with a building, being located on Section 107 Block 2 Lot 8 on the Village of Cornwall-on-Hudson Tax Map (the "Maple Avenue Parcel"); and

WHEREAS, the Maple Avenue Parcel is longer needed for public purposes and is not subject to any deed restrictions or any other covenants, nor is the sale of the Maple Avenue Parcel subject to the approval or release of any other party; and

WHEREAS, the Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York, caused an Environmental Assessment Form ("EAF") to be prepared for the proposed sale of the Maple Avenue Parcel in accordance with the requirements of the regulations promulgated by the New York State Department of Environmental Conservation under the New York State Environmental Quality Review Act ("SEQR"); and

WHEREAS, the Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York, determined that said action will not have an adverse effect on the environment and accordingly issued a negative declaration in compliance with SEQRA; and

WHEREAS, the Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York desires that the Mayor enter into negotiations with possible purchasers of the Maple Avenue Parcel.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED, that the Maple Avenue Parcel is not required for any use or purpose of the Village of Cornwall-on-Hudson; and

BE IT FURTHER RESOLVED, that the Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York, authorizes the Mayor of the Village of Cornwall-on-Hudson, Orange County, New York, to solicit proposals from qualified potential purchasers of the Maple Avenue Parcel, in the name of and on behalf of the Board of Trustees, by notice to all Maple Avenue property owners, and abutting property owners on Duncan Avenue and Clark Avenue.

BE IT FURTHER RESOLVED, that such sale shall be for the property in its “as is” condition, without obligation by the Village to undertake repairs or improvements; and

BE IT FURTHER RESOLVED, that the Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York, directs the Mayor of the Village of Cornwall-on-Hudson, Orange County, New York, to consult with the Board of Trustees regarding any offers proffered for the sale of the Maple Avenue Parcel, and obtain the Board’s authorization prior to accepting any such offer; and

BE IT FURTHER RESOLVED, that the Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York, authorizes the Mayor, the Attorney for the Village and the Village Clerk, to prepare, execute, submit and deliver, in the name of and on behalf of the Board of Trustees, all such deeds, certificates, documents and papers as may be necessary to effectuate and carry out the intent of the foregoing Resolution, provided that the Board of Trustees has authorized the acceptance of an offer to purchase the Maple Avenue Parcel; and

BE IT FURTHER RESOLVED, by the Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York, that the aforesaid Resolution take effect immediately.

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

DUMP TRUCK LEASE

DPW Superintendent Halvorsen presented the Board with a draft municipal lease/buy of a 2008 International Dump Truck 7400 4X2 with Dump Body and Plow from New York State Bid in the principal amount of \$104,294.07 along with \$10,437.68 interest over 5 years. The annual payment will be \$22,946.35 and due in September.

Trustee Edsall made a motion to authorize the Mayor to execute the final municipal lease/buy documents, subject to legal review, at a cost not to exceed \$114,731.75 which was seconded by Trustee Fogarty and carried by a vote of 5 ayes and 0 nays.

Trustee Edsall thanked DPW Superintendent Halvorsen for all the time and effort he put into finding this vehicle and arranging a payment schedule out of his annual operating budget. It is a “good methodology”.

Having concluded the business set before them, Trustee Edsall moved to adjourn at 8:05 PM which was seconded by Trustee Edsall and upon a vote of 5 Ayes and 0 Nays, the meeting was adjourned.