

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

January 17, 2009

The regular meeting of the Board of Trustees was called to order at 10:00 A.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, Storm King Engine Co. #2 Fire Chief Jeffrey Armitage and President Doug Vatter, Interim Deputy Village Attorney Mark Taylor, and Village Clerk Jeanne Mahoney.

Trustee Fogarty moved for the acceptance of the December 15, 2008 Regular Meeting Minutes and January 12, 2009 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 December and distributed to the Village Board for review.

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

Village water, sewer, garbage & penalties	\$ 254,675.36
Town water & penalties	164,788.76

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

The following claims were approved for payment:

General Fund claims in the amount of	\$ 194,319.29
Water Fund claims in the amount of	106,574.46
Sewer Fund claims in the amount of	6,435.60

COMMITTEE REPORTS

Trees & Beautification Committee – Trustee Fogarty referred to a letter from Kate Goodspeed of recommendations for tree plantings throughout the Village in 2009. Trustee Gosda has agreed to work with Ms. Goodspeed as part of the Hudson/Fulton celebration. Discussion followed.

Recycling Committee – Trustee Edsall made a motion to authorize recycling collection for the entire Village on months with a 5th Wednesday which was seconded by Trustee Gioia and carried by a vote of 5 ayes and 0 nays.

DEPARTMENT REPORTS

The Department of Public Works reported cold patching of potholes, snow and ice control from 3 storms, snow removal from parking areas and curb lines, road side pickup of Christmas trees, brush cutting and clean up from ice storm in the mountain area, routine winter maintenance and repairs to Village owned vehicles/equipment/buildings, and sewer line maintenance from Avenue A to Andrews St.

DPW Superintendent Halvorsen further reported that he attended a meeting regarding 2009 CHIPS funding. Unless President elect Obama's stimulus package comes through, the state expects a 40% decrease in funding.

The Fire Department reported 38 events, including 16 emergency medical service (EMS) calls, for a total of 378.5 volunteer man hours.

Fire Chief Armitage submitted his 2008 report which includes a total of 491 responses and a total of 12,407 volunteer man hours.

The Police Department reported 19 COVAC assists; 7 calls were covered for/assisted to Town Police; 12 responses to burglar alarms; 3 E-911 hangups; 3 domestic incidents; 4 crimes were committed; 5 non criminal activities were reported; 4 arrests were made; 6 vehicle lockouts, 6 accidents were investigated; 24 moving violations; and 43 vehicle and traffic stops with warning were issued. Total patrol miles = 3,205, not including mileage on Chief's vehicle.

Chief Williams reported that investigation of four (4) active open cases continues. In addition, the department covered New Year's Eve with no incidents.

Chief Williams provided a copy of a letter from Bea Toll of 102 Weeks Avenue thanking Police Officer Terwilliger for his quick response and "kind and efficient" assistance during her recent medical call.

The Building Inspector reported 42 site inspections, 2 fire inspections, 3 building permits, and 4 certificates of occupancy/certificates of compliance were issued.

The Code Enforcement Officer reported 1 property maintenance violation was issued.

The Water Department reported that daily production numbers are not available at this time and will be supplied later. The required monthly and quarterly samples were collected (a total of 64) and all passed New York State standards. It was also reported that 38 utility locations were made, 9 meters were repaired or replaced, village meter reading was completed, and 8 special readings were taken. In

addition to routine maintenance, water was shut off at 6 Abbott Lane, a curb valve was shut off and repaired at 12 Jaeger Drive, a curb box was shut off and repaired at Storm King Golf maintenance building, a no water complaint was investigated at 154 Willow Avenue (result: internal plumbing problem), a possible leak was investigated at 114 Mill St (result: negative for a leak), a possible electric feed and controls problem was investigated at Maple Road pump station (result: instrumentation and control company will further check later this week) and the department assisted the Department of Public Works with snow removal.

Black Rock – Trees near the Black Rock water feed line were cleared and the trail was re-graded.

Mayor Gross reported that there is an ongoing problem with water pressure to some homes on Deer Hill Road, and the department is working to find a solution.

CORRESPONDENCE

Mayor Gross is in receipt of a letter from Assemblyperson Nancy Calhoun dated December 29, 2008 seeking a resolution of support regarding “compliance with and enforcement of the provisions of General Municipal Law Section 239-1, m and n and related laws and rules”. Mayor Gross suggested the Board table adoption of the resolution based upon a recent meeting with Assemblyperson Calhoun.

Mayor Gross is in receipt of a letter dated December 17, 2008 from Tim and Millicent Boucher of 25 Duncan Avenue providing options for the Board to consider relative to Maple Avenue traffic and the dead end “turn around”.

Mayor Gross is in receipt of a letter from Wynn Gold of the Riverfest committee requesting a meeting with the Board, as soon as possible, regarding plans for this year’s program.

Mayor Gross is in receipt of letters from Time Warner Cable regarding proposed changes in programming and increases in late payment fees.

Mayor Gross is in receipt of a letter from Orange County Planning Department regarding a proposed transportation and land use study.

Mayor Gross is in receipt of a letter dated December 31, 2008 from Anthony Missere regarding possible health concerns from placement of a portable toilet on River Avenue 4’ from his restaurant’s entrance.

Mayor Gross is in receipt of a letter from NYS Department of Public Service regarding a temporary operating authority granted to Time Warner Cable until June 18, 2009.

Mayor Gross is in receipt of a letter dated December 16, 2008 from Storm King Associates, LLC regarding concerns raised from a recent code enforcement inspection of their property.

OLD BUSINESS

WATERFRONT REVITALIZATION COMMITTEE REPORT

Mayor Gross stated that the committee continues to review and evaluate the Request for Qualifications (RFQ) received on a Hudson River Access Plan.

HUDSON-FULTON COMMITTEE REPORT

Trustee Gosda stated that the Explore 400 committee meets on the 2nd Thursday of each month at 7:00 PM. She has not received any updates from the state on her request for funding. On the afternoon of June 7th, a “Relay Flotilla” will pass the Donahue Memorial Park area and she hopes to coincide this event with plans being developed by this committee.

HYDRO-ELECTRIC FEASIBILITY PROPOSAL

Trustee Gioia stated that the revised proposal with Windsor Machinery has not yet been finalized because of concerns on wording regarding liability and indemnification. Discussion followed.

ETHIC BOARD APPOINTMENTS

Mayor Gross stated that interviews were held on January 12th with prospective candidates for the Ethics Board.

Trustee Gioia made a motion to appoint Anne Duignan (1 year term), Elizabeth Hellwege (2 year term), and Thomas Bailey (3 year term) which was seconded by Trustee Edsall and carried by a vote of 5 ayes and 0 nays.

REQUEST FOR QUALIFICATIONS – INFLOW & INFILTRATION STUDY

Mayor Gross stated that a letter has been sent to a resident of Mountain Road regarding infiltration into the sewer system.

NEW BUSINESS

PLANNING BOARD CHAIRPERSON APPOINTMENT

Trustee Gosda made a motion to appoint Jeffrey Small as Chairperson of the Village of Cornwall-on-Hudson Planning Board, effective immediately, which was seconded by Trustee Fogarty and carried by a vote of 5 ayes and 0 nays.

STORM KING ENGINE CO. #2 – 2009 LINE OFFICER APPOINTMENTS

Trustee Gosda made a motion to accept the following SKEC #2 appointments for 2009

- Chief – Jeff Armitage
- Assistant Chief – Chris O’Dell
- Captain – Tom Smith
- 1st Lieutenant – Robby Vought
- 2nd Lieutenant – Tom Lyons

The motion was seconded by Trustee Edsall and carried by a vote of 5 ayes and 0 nays.

ELECTION INSPECTOR APPOINTMENTS

The Clerk requested the following be appointed Election Inspectors for the upcoming March 18th election at a rate of \$75 per day:

Jeanne Maroney, as Chairperson, and Margaret Flint

And, as Alternate Inspectors:

Andrew Maroney, Margaret McGinnis,

In addition, Ray Torracca, as Voting Machine Inspector at a rate of \$150 per machine.

Trustee Edsall moved to accept these appointments which was seconded by Trustee Fogarty and carried by a vote of 5 Ayes and 0 Nays.

VILLAGE ELECTION – REGISTRATION DAY

Trustee Gosda made a motion to set the annual registration day for the Village of Cornwall-on-Hudson for on Saturday, March 7, 2009 from 12:00 PM to 5:00 PM in the Board Room of the Village Hall, 325 Hudson St. The motion was seconded by Trustee Edsall and carried by a vote of 5 ayes and 0 nays.

RESCHEDULE FEBRUARY 16, 2009 MEETING

Trustee Edsall made a motion to reschedule the February 16, 2009 regular meeting to February 23, 2009 at 7:30 PM, in observance of President's Day, which was seconded by Trustee Gosda and carried by a vote of 5 ayes and 0 nays.

Trustee Edsall made a motion to open the public hearing on the Draft Comprehensive Plan at 11:15 A.M. which was seconded by Trustee Gioia and carried by a vote of 5 ayes and 0 nays.

PUBLIC HEARING DRAFT COMPREHENSIVE PLAN - Proof of Notice, Affidavit of Posting and Publication having been furnished, and copies of the text having been given to each Board Member, the Public Hearing on a draft Comprehensive Plan was called to order at 11:16 PM by Mayor Gross.

Mayor Gross recognized the Comprehensive Plan Committee Members and their work in the preparation of the draft plan.

Trustee Gosda, a committee member, provided an overview of the draft comprehensive plan and the process the committee went through in its preparation.

PUBLIC COMMENTS

Jeff Armitage – (SKEC #2 Fire Chief) is opposed to the suggested elimination of fire sirens in the draft plan. He feels it is a vital part of the emergency notification system.

Jeff Small – (Comprehensive Plan member and Planning Board Chairperson) stated that there needs to be stricter zoning bulk requirements. In addition, lot size increases should be done incrementally.

Andrew Argenio – (Planning Board member) outlined many questions/concerns he has regarding the draft plan. Mayor Gross suggested he submit his comments to the Board in writing.

Doug Vatter – (SKEC #2 Fire President) stated two (2) methods of emergency notifications are required. The fire siren meets OSHA guidelines regarding noise levels.

Bruce Bryan – (SKEC #2 member) stated that the fire siren provides a second means to alert firefighters and residents.

Kirk McDonald – (Comprehensive Plan member) stated that the Village Board should reject the draft plan in its entirety. He outlined issues that are important to the community but not addressed in the plan (i.e. preservation of open space).

Tony Missere - (3 River Avenue) requested that when a new official zoning map is prepared, current usages of delineated properties should be clearly indicated.

Lee Murphy – (Comprehensive Plan committee chairperson) stated since the Orange County Planning Department has already reviewed the plan and recommended its approval, why hasn't the Village Board moved forward until now.

Dennis Wood – (SKEC #2 member) is in favor of keeping the fire siren.

Gary Haugland – (32 Mountain Road) stated that a master plan should provide a “vision statement” for the community. It needs a framework and plan for a viable future. The Board should consider development of a joint plan with the Town of Cornwall.

Andrew Maroney – (Master Plan committee and Riverfront Revitalization committee member) stated that the draft plan addresses the old O&W railroad property off Shore Road. He recommends that the Board hold off on that item for now.

Jane Petersen – (38 Duncan Avenue) submitted a petition calling for improvements to the intersection of Duncan Avenue and Hudson Street which is dangerous. She suggests the Village Board consider several options to rectify the problem. They are: installation of a small rotary, extension of sidewalks, and/or installation of a mirror for better sight distance.

Barbara Farabaugh – (Cornwall Avenue) stated that steep slopes and view sheds are important issues and need to be addressed quickly.

John Wenz – (40 Duncan Avenue) thanked the members of the Master Plan committee for their foresight on consolidation of services. He added that a new system for assessment of properties is needed.

Patricia Haggerty-Wenz – (40 Duncan Avenue) also thanked the Master Plan committee. She would like to see traffic concerns properly addressed.

Dan Degroat – (57 River Avenue) challenged whether the proposed plan is constitutional. He stated that the existing view preservation laws should be redacted. People who want trees cut should be responsible for the cost and liability. The plan should be subject to approvals by the Village Board now and in the future.

Jonathan Chase – (Taft Place) hopes that the Village Board recognizes the impact of a master plan and possible implications. If this is a “bedroom community”, it no longer needs to support a commercial area.

Mary Donahue - (42 Bayview Avenue) stated that the Master Plan committee had a vision which has become “mislaidd”. Traffic rules should be put in place, especially in the Village Square area. The Village Board needs to move the plan along so that necessary zoning laws changes can be preserved.

Matt Levinson – (13 Duncan Avenue) challenges the Village Board to stand up for the residents safety concerns and do something to improve the Duncan Avenue/Hudson Street intersection.

Tara Hoffmann – (44 Spruce Street) stated that the plan proposes increases of minimum lot size in the Suburban Residential (SR) district from 15,000 to 19,000. She hopes that the Village Board is respectful of individual neighborhoods on this item. In addition, the plan needs to look toward alternative energy resources for the future.

Walter Burger – (17 Vinebrook Avenue) doesn’t see a need for changes proposed in draft plan regarding noise issues.

Elena Degroat – (57 River Avenue) agrees that the Duncan Avenue intersection and crosswalk are dangerous. She suggests that an engineer can correct the problem. In addition, property assessments are not uniform and she would like to see them brought into balance. Village parks need to be preserved. Further, safety should be a consideration when addressing steep slopes/view preservation including property mapping of drainage.

COMPREHENSIVE COMMITTEE COMMENTS

Lee Murphy (chairperson) supports the plan and does not want it to be thrown out. County planners recommended plan approval back in the fall of 2007. The draft plan was given to the Board back in August of 2007. It took 18 months just to get a public hearing. From what he is hearing from the public today, noise is the major issue of discussion. The focus during the development of a draft master plan was zoning.

Harriet Sandmeier stated that the committee members didn’t always agree and there were some “heated” discussions during the process. There are several items in the draft plan she strongly disagrees with.

Kris Seiz stated that the draft plan offers a vision of preservation and protection for the Village. There were a lot of misrepresentations presented this morning, but it is ultimately up to the Village Board to adopt any of these proposals.

VILLAGE BOARD COMMENTS

Trustee Gosda restated her commitment to this community and interest in putting proper zoning in place to maintain our “quality of life”. She thanked everyone for coming today and sharing their concerns.

Trustee Edsall thanked the committee and public for coming out today. The draft plan is a guide/vision but is not enforceable. The Village Board will have to take individual recommendations and turn them into “usable” laws. Residents will have opportunities for input each time during this process through public hearings. Regarding the fire siren, he feels it is an important safety issue for the Fire Department so they can perform their worthwhile function.

Trustee Fogarty commended the committee for all their hard work. Now it is the Village Boards turn facing the hard work ahead. When he hears the fire siren, he is comforted to know that help is on the way.

Trustee Gioia thanked everyone for coming out today. It is an indicator about how strongly residents feel about the future of the Village. Consolidation discussions don’t necessarily take into consideration the “identity” we have here. The commitment of SKEC #2 volunteer members is amazing. The noise issue was a major topic of discussion today, and he feels the fire department has already been working toward a compromise. The Duncan Avenue/Hudson Street intersection is a state road and any improvement requires involvement and approval from the State Department of Transportation. The draft plan is a “reference document”, and the language must be precise in moving forward.

Deputy Interim Village Attorney Taylor stated his role in this process is to advise the Board of its options during review of the draft plan in order to meet requirements of NYS law and environmental review process.

Mayor Gross thanked everyone for coming out today. He also thanked the committee for all the work they’ve done, and hopefully will continue to do.

Trustee Edsall made a motion to close the public hearing, and accept written public comments until February 3, 2009, which was seconded by Trustee Fogarty and carried by a vote of 5 ayes and 0 nays.

Having concluded the business set before them, Trustee Edsall moved to adjourn the meeting, which was seconded by Trustee Gosda and upon a vote of 5 Ayes and 0 Nays, the meeting was adjourned at 12:45 PM.