

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

April 18, 2011

The regular meeting of the Board of Trustees was called to order at 7:00 P.M., with the Pledge of Allegiance, at 325 Hudson St., Cornwall-on-Hudson, N.Y.

The following Board Members were in attendance:

Mayor Brendan G. J. Coyne
Trustee Mark J. Edsall
Trustee Barbara J. Gosda
Trustee James P. Kane
Trustee Andrew Argenio

Also present were: DPW Superintendent David Halvorsen, Police Chief Paul N. Weber, Attorney for the Village Joseph McKay, and Village Clerk Jeanne Mahoney.

Mayor Coyne informed the public that he is available by phone and email and is happy to meet with anyone anytime.

PUBLIC COMMENT

Charles R. Hahn of 7 Andrews Street stated that the April 8th letter submitted by Trustee Gosda to the Cornwall Local regarding former Trustee Vatter was “pathetic” and ‘what goes around comes around’. He hopes the new Village Board will work with Mayor Coyne and get our employees back in the DPW building.

MINUTES

Trustee Edsall requested that the March 28, 2011 minutes include the time in which the Board came out of Executive Session and closed the meeting without further action. He then made a motion to approve the March 28, 2011 Regular Meeting Minutes as amended, which was seconded by Trustee Kane and carried by a vote of 3 Ayes, 0 Nays, and 2 Abstain (Coyne, Argenio).

Trustee Edsall requested corrections in the April 4, 2011 minutes. Page #2, fifth paragraph first sentence should read “Trustee Edsall made a motion to approve the meeting policies, times, and dates”. In addition, “as well” should be removed from end of second sentence. On page #3, first sentence on paragraph #4 should read “Trustee Edsall stated that he is confident that with continuous monitoring...” Trustee Gosda then moved for the acceptance of the April 4, 2011 Reorganization Meeting Minutes as revised on a motion seconded by Trustee Edsall and carried by a vote of 5 Ayes and 0 Nays.

CORRESPONDENCE

Mayor Coyne is in receipt of a letter dated March 21, 2011 from the Orange County Water Authority.

Mayor Coyne is in receipt of an announcement for a seminar on Water Quality that was held on April 14, 2011.

Mayor Coyne is in receipt of a letter dated April 5, 2011 from Jeanne Edwards of Weeks Avenue requesting a tax collection extension.

Mayor Coyne is in receipt of a letter dated March 31, 2011 from Terry Rice, Esq. notifying him that the lawsuit filed by Anthony Missere against the Village (regarding zoning and conspiracy) has been dismissed.

Mayor Coyne is in receipt of a letter dated April 6, 2011 from Michael Donnelly, Esq. regarding the Article 78 filed by former Mayor Gross against the Village.

Mayor Coyne is in receipt of a letter dated April 7, 2011 from St. Lukes Cornwall Hospital regarding the annual "Presidents Breakfast" on May 6th.

Mayor Coyne is in receipt of a letter dated April 13, 2011 from John Harwick, Esq., of the Hacker Murphy law firm regarding the DPW building.

Mayor Coyne is in receipt of a letter dated March 1, 2011 from Anthony Solfaro, President of NYS Union of Police Associations regarding the collective bargaining agreement between the Village and the PBA.

Mayor Coyne is in receipt of a letter dated April 13, 2011 from Congresswoman Nan Hayworth regarding an "Elected Officials" breakfast on April 28th in Sugarloaf. He welcomes other Trustees to join him in attending.

Mayor Coyne is in receipt of a letter dated April 18, 2011 from Scott Valens regarding the Summer Youth Program.

Mayor Coyne is in receipt of a renewal application notice form dated April 12, 2011 from Village Pizza and Restaurant for a license to sell beer and wine at 194 Hudson Street.

Mayor Coyne is in receipt of a notice from Garrison Commander at West Point regarding a reception.

TREASURER'S REPORT

Mayor Coyne is in receipt of the treasurer's report through March. The report indicates receipt of 23.40% in anticipated revenues and 8.2% in anticipated expenditures to date. Further, the tax collector has received \$1,963,976.16 to date.

The April, 2011 warrant total is \$278,978.85.

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

Village water, sewer, garbage & penalties	\$ 53,104.01
Town water & penalties	391,819.53

Which included 3 final/adjustment for the Village and 1 for the Town.

BOARD COMMITTEE REPORTS

Mayor Coyne announced that department heads will now provide monthly reports to the Board at work sessions. The committee chairperson will present the final report at the business meeting.

Building Department Mayor Coyne reported that 5 building permits were issued, 14 certificates of compliance/occupancy were issued, 45 onsite inspections performed, and 4 property violations were issued. In addition he met with Town of Cornwall Supervisor Quigley and Building Inspector Vinson on April 8th to review some “issues” and asked that he be kept up to date on them.

Fire Department Trustee Edsall reported that the department held their annual hose test. Unfortunately 800’ of hose failed the test, and must be replaced. A mutual aid drill was held at Storm King School on April 13th. The ladder and pump tests have been tentatively scheduled for May 12-14th. Members of the department assisted the DPW with removal of the Christmas lights. A mutual aid “FAST” team drill was held at Vails Gate Fire Department on April 16th. The exterior of the fire house needs to be painted, and some Central Hudson energy improvements are needed. They would like to thank Eugene Randazzo, of Randazzo Landscaping, for replacing landscape materials at the corner of Hudson and Clark at no cost to the Village for labor.

He further reported that Chief Armitage has provided a list of “goals” for this fiscal year. They include training: a hazardous materials (HAZWOPER) course, annual physical requirements compliance, a CPR/AED course, EEO/Sexual Harassment, at least 5 “Live Fire” sessions, a leadership course, and other courses at the State Fire Academy. They would like to lease/purchase a new Assistant Chief Vehicle. In recognition of noise concerns, the number of revolutions/cycles of the fire siren has been reduced, and the siren sound eliminated between 10:00 PM and 6:00 AM.

Police Department Trustee Edsall reported 2 felony crimes, 1 misdemeanor/violation, 4 arrests, 4 vehicle accidents, 33 violations issued, 12 warnings, 5 disabled vehicles and lockouts, 2 suspicious vehicles and/or persons, 3 animal complaints, 1 disorderly conduct, 5 responses to alarms, 2 assists to the Town of Cornwall Police Department, 7 EMS assist calls, and 7 assists to other agencies.

He further reported that Officers Lug and Moran attended the annual STOP DWI Conference. Officer Lahar arrested a robbery suspect wanted by the City of Newburgh Police.

He reminded the public to continue locking vehicles. Taking that extra step has dramatically decreased the larcenies in our neighborhood.

He acknowledged a gathering that occurred on April 12th at 9:00 AM. It was a ceremony to honor Part-Time Village Police Officer Robert D’Egidio, who died 20 years ago while in the line of duty. At least 50 people attended the ceremony. A moment of silence to honor his memory was observed.

Department of Public Works – Trustee Kane reported weekly yard waste collection, a change to single stream recycling, removal of snow equipment from Village vehicles, maintenance of all Village vehicles, repairs to lawns and roadways from winter plowing, and sweeping of Village roadways.

A meeting is scheduled for April 19th with David Wiebolht, the Village architect, in order to identify corrective work for the DPW building and determine an estimated cost.

He further reported that DPW Superintendent Halvorsen has prepared a 5 year resurfacing plan for Village roadways. Mr. Halvorsen will coordinate with Police Chief Weber on a traffic study and further refine the plan by identifying major and arterial roadways. This year's CHIP's money will be used on improvements to River Avenue.

Attorney for the Village McKay has received a verbal notification that the Village is in compliance with the NYS Department of Environmental Conservation with regard to our MS4 stormwater management statutes and model local law. Trustee Kane further reported that Orange County Water and Soil Department will loan us a display on illicit discharge and groundwater runoff as part of the educational outreach portion of the MS4 plan which will be presented at this year's Riverfest.

Trustee Kane further reported that DPW Superintendent Halvorsen has received updated proposals for 2011-2012 engineering services from three local firms. This will be discussed at the next work session.

He reported that the Village Hall is in need of repairs. DPW Superintendent Halvorsen has received two proposals to replace gutters, soffets, and to stop water that is leaking into the building. This will be tabled for further discussion at the next work session.

Trustee Edsall made a motion to authorize the five-year lease agreement with Ford Motor Credit for a 2011 Ford Escape for use by the Department of Public Works at annual cost of \$4,964.60 which was seconded by Trustee Kane and opened for discussion.

Trustee Edsall noted that there is no pre-payment penalty. Trustee Gosda stated that although this item was not budgeted, the cost to repair the existing vehicle is close to the first lease payment. The motion was then carried by a vote of 5 Ayes and 0 Nays.

Trustee Edsall reported that the Board voted unanimously to enter into an agreement with Nannini & Callahan for the Dudman Sewer Project at the March 28th meeting.

Mayor Coyne stated that he and DPW Superintendent Halvorsen met with James Rollins of Taylor Biomass on April 8th. Their proposal will be discussed at the next work session.

Trustee Argenio suggested that the five-year plan include reviewing utility repair/upgrade schedules. This past year, a recently paved road was torn up to replace gas lines. Going forward, we should make sure that type of work has been completed prior to paving.

Summer Playground Trustee Gosda reported she and Trustee Argenio have met with the County and the school district. The camp director position will be posted in the Cornwall Local, and all interested parties are encouraged to apply.

Water Department Trustee Argenio reported all monthly water samples passed N.Y.S. Standards. A total of 67 utility mark-outs were done, and all water meter reading was done for the month of April. A quote of \$24,038 for electrical work on the Maple Avenue building was received. All replacement parts have been ordered for necessary repair work at the Catskill Treatment Plant. A request to transfer a DPW employee to the Water Department will be addressed later in tonight's agenda.

He further reported that approximately 45% of treated water is not being billed. It is being lost somewhere in the system. On April 14th, Water Superintendent June met with Lee Burgess of the Orange County Health Department and a representative from ADS Water, a company that will perform a survey to recoup that water. He will supply information and maps and a proposal will be provided to the Board for approval.

The preliminary 2010 Water Quality Report has been supplied to the Orange County Health Department for approval as well as the printer for proofing and layout. Upon receipt of sample layout, the final brochure will be approved by the Water Superintendent for distribution in May.

OLD BUSINESS

RIVERFEST – 2011 AGREEMENT

Trustee Edsall made a motion to accept the agreement for Riverfest 2011, subject to final review by counsel which was seconded by Trustee Argenio and carried by a vote of 5 Ayes and 0 Nays.

INTERMUNICIPAL AGREEMENT WITH TOWN OF NEW WINDSOR – IT SERVICES

Upon the recommendation of Attorney for the Village McKay, this item was tabled for discussion in Executive Session later this evening.

APPOINTMENTS OF PUBLIC OFFICERS

Mayor Coyne stated his intention to reappoint Jeanne Mahoney as Village Clerk. Trustee Edsall made a motion to accept the appointment which was seconded by Trustee Kane and carried by a vote of 5 Ayes and 0 Nays.

PART-TIME CLERICAL POSITION

Trustee Kane made a motion to create a part-time clerical position in the Village Office which was seconded by Trustee Edsall.

Trustee Gosda stated that she is just finding out about this. She is unsure what the need is for this additional position and asked if more information is available.

Trustee Kane tabled his motion for executive session discussion later this evening.

NEW BUSINESS

RIVERFRONT PASSES

Trustee Argenio made a motion to approve issuing free Riverfront passes to Village residents who:

1. Are senior citizens (65 and above)
2. Are active or retired members of the United States armed services

Trustee Gosda seconded by the motion.

Mayor Coyne stated that refunds will be offered to those who have already purchased a sticker upon submission of documentation proving eligibility. The motion was then carried by a vote of 5 Ayes and 0 Nays.

TAX COLLECTION EXTENSION

Mayor Coyne is in receipt of a letter from Jeanne Edwards indicating that the last day for tax collection fell on a Saturday this year (April 2nd). The following Monday (April 4th), her daughter brought in the tax payment and was charged a late fee. She provided a copy of real property tax law which states in part, “if the date falls on a Saturday, Sunday or public holiday, the extension for collection of taxes shall be automatically in effect until the first business date following that date”.

After some discussion, Trustee Edsall made a motion authorizing the Village Clerk to act in accordance with this section of the real property tax law which was seconded by Trustee Argenio and carried by a vote of 5 Ayes and 0 Nays.

VILLAGE PIZZA – RENEWAL OF BEER AND WINE APPLICATION

Mayor Coyne is in receipt of the renewal application form to sell beer and wine at the Village Pizza and Restaurant located at 194 Hudson Street. The Board is not aware of any “negative history” and has no objection with re-issuance of the license.

OTHER BUSINESS

NYS COMPTROLLER INTERNAL CONTROL AUDIT

Mayor Coyne stated that he, along with Trustee Edsall and Clerk Mahoney, met with two auditors from NYS Comptroller’s Office on April 14th.

Clerk Mahoney reported that they will perform an “internal control audit”. They will be looking into all funds revenues and expenditures. They will also look into the Local Development Corporation (LDC) and DPW building issue. In addition, they will look at safety controls in place with regard to our computer network and server. Upon completion, a draft report of their findings will be provided and an exit interview scheduled to discuss any items we may disagree with. The final report will be filed shortly thereafter.

CONGRESSWOMAN NAN HAYWORTH

Mayor Coyne stated that he met with Stephanie Sweeton, a representative from Congresswoman Nan Hayworth’s office, on April 13th. The Congresswoman is ready to assist Village residents with any Federal matter or issue.

STORM KING THEATER

Mayor Coyne stated that he and Trustee Gosda met with Ray Yannone, owner of the former Storm King Theater building on April 13th.

Trustee Gosda reported that Mr. Yannone is interested in reopening the Storm King Theater. He has requested clarification on the “parking understanding” between the Village and Joanne Grant, the former owner which will require some research. He estimated 280 seating capacity and feels there is a tenant “out there”.

PUBLIC COMMENT

Melissa Vellone of Bayview Avenue wanted to respond to public comment made earlier this evening. She has known Trustee Gosda her entire life. She has been nothing but “ethical, kind, courteous” to everyone she speaks with. There has been a change on the Board and many are hoping it is for the better. To personally accuse someone who has done “nothing but attempt to be respectful and courteous” is not only ridiculous, but should merit a response from her peers.

BOARD MEMBER ACTIVITIES/COMMENTS

Trustee Gosda has been looking into information supplied by Trustee Edsall on “MEGA” which is the Municipal Electric Gas Alliance. Other municipalities, including the County of Orange, get utilities through a bid process. There is no cost to participate. The designated supplier of gas and electric in the Central Hudson area is Hess Energy. There is an opportunity for us to save money on our utilities.

Trustee Edsall added that one of the advantages in attending municipal conferences is the opportunity to meet with representatives of organizations such as “MEGA”. These seminars provide a chance to share and learn invaluable information with other people.

He would like to re-activate the Workplace Violence Prevention meetings to get employees together and make some progress. In addition, he is looking forward to meeting with the Police Chief regarding the “Sorin” Project” (Serving Our Residents in Need).

Trustee Argenio has been speaking with residents who are interested in forming a Neighborhood Watch around the C-on-H Elementary School and central Village area. This watch group will report any “unsavory activity” to the police. Mayor Coyne will contact School Superintendent Timothy Rehm and move on from there.

He is also arranging a date for Park Cleanup. There are several small parks throughout the Village, and this type of volunteer work helps to bring members of the community together and make a positive effect on the parks.

Trustee Kane would like to get the Comprehensive (Master) Plan “back on track”. He and Trustee Edsall met with Planning Board Chair Jeffrey Small and Attorney for the Village McKay several months ago regarding necessary zoning law amendments. He would like to move that forward along with developing a long term budget for the passage of the plan or a revised version of the plan.

Mayor Coyne has spoken with Simon Gruber regarding the “10% Challenge”. This project encourages people and businesses to reduce energy consumption by 10%. He has been invited to hear further discussion on this item at the April 25th meeting of the Walden Village Board and hopes to attend.

ANNOUNCEMENTS

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Spring Cleanup - Monday, May 2, 2011

NYMA ½ Marathon – Saturday, April 23, 2011. Route 218 will be closed from 9:30 PM to noon. They thank Senator Larkin for his assistance in getting the roadway closed. The event is to memorialize NYMA graduates who have died since 9/11.

Having concluded the business set before them, Trustee Kane moved to adjourn into Executive Session in order to discuss several legal matters including PERB, DPW Recovery, Gross vs. Village, and the Missere lawsuit. In addition, to discuss the employment of several individuals in the Village. The motion was seconded by Trustee Gosda and upon a vote of 5 Ayes and 0 Nays the meeting was adjourned at 7:58 PM.

On a motion made by Trustee Kane, seconded by Trustee Edsall and carried by a vote of 5 Ayes and 0 Nays, the meeting was reconvened at 10:17 PM.

APPOINTMENT OF TREASURER

Mayor Coyne stated his intention to appoint Jeanne Mahoney as Village Treasurer and made a motion to the Board for acceptance of the appointment which was seconded by Trustee Edsall.

Trustee Gosda stated that she would like every open position advertised in the local newspapers so interested parties, especially Village residents, may apply to provide a “level playing field”.

Trustee Argenio expressed his reservations that this position has not been publicly advertised and looked at all candidates to determine what is the best value or person for the Village. He would like the record to be clear that it is not a personal issue, but rather a procedural issue.

Trustee Edsall noted that this is a Public Officer position; it is an appointment of the Mayor; it is also a statutory appointment. The Mayor has flexibility procedurally to determine who he believes is the most “appropriate person” for the position. Having worked with Ms. Mahoney for over 12 years, he has confidence in her ability to step up as she just did to help the Board get through a “difficult year”.

Trustee Kane stated that he has complete confidence in Ms. Mahoney’s ability to handle the position of Treasurer based upon the work done over this past year. He believes she can handle the work in an efficient manner. He supports the Mayoral appointment.

Mayor Coyne amended his appointment and acceptance motion to include a \$6,000 salary stipend for Ms. Mahoney to cover the additional responsibilities for this part-time position. The motion, as amended was seconded by Trustee Edsall and carried by a vote of 3 Ayes and 2 Nays (Gosda, Argenio).

PART TIME CLERICAL POSITION

Trustee Edsall made a motion to create a part-time clerical position and advertise the position to residents indicating that interviews will be conducted by Mayor Coyne and the Clerk-Treasurer which was seconded by Trustee Argenio 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 at 10:25 PM which was seconded by Trustee Gosda and carried by a vote of 5 Ayes and 0 Nays.