

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

May 16, 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. Coyne
Trustee Mark J. Edsall
Trustee Barbara J. Gosda
Trustee Andrew Argenio

Absent was: Trustee James P. Kane

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

PUBLIC COMMENT

Mayor Coyne reminded the audience that the timeframe for public comment is 15 minutes, 3 minutes per person. He also restated to the public that he is available by phone and email and is happy to meet with anyone anytime.

Jan Smith of 45 Clark Avenue provided the Board with copies of a letter she read aloud. She is concerned that this board “is not acting according to New York State Law” with regard to annual appointments, the appointment of the Village Clerk to serve as Village Treasurer, timely filing of the annual financial report, and availability of minutes on the Village’s website.

Emily Thomas of 221 Hudson Street read a statement regarding her concern about the “politicization” of the Police Department and why Paul Weber was not reappointed as Village Police Chief. She has collected small plastic bags from her lawn that are used to hold drugs. These types of bags along with empty beer bottles have also been collected on the school playground. The Village needs someone who “knows how to be tough and fair”. She asked that Mayor Coyne explain his decision because it appears to be “arbitrary, petty and politically motivated”.

MINUTES

Mayor Coyne stated that acceptance of the January 27, 2011 minutes will have to wait until next month since Trustee Kane is absent this evening.

Trustee Gosda made a motion to table acceptance of the April 18, 2011 minutes until next month since Trustee Kane is absent this evening which was seconded by Trustee Edsall and carried by a vote of 4 Ayes and 0 Nays.

CORRESPONDENCE

Mayor Coyne is in receipt of the following correspondence:

- Letter from Senator Larkin stating that there is no new discretionary funding available this year.
- Letter from the American Legion inviting the Village Board to the Memorial Day weekend, which includes a breakfast on Sunday and parade on Monday.
- Letter from Martin Auffredou, Esq. regarding his brother Stephen.
- Letter from Glen Kubista, Esq. regarding the liquor license application of “The Trestle” restaurant.
- Letter forwarded by the Town of Haverstraw, from several townships within Rockland County, regarding concerns that the PERB roster of “public interest arbiters” are not state employees and therefore will be asking for compensation, and not be thoroughly objective. We are being asked to support a resolution requesting a list of full-time hearing officers, who are state employees, replace the current independent list. Mayor Coyne tabled this item for discussion at a future work session.

TREASURER’S REPORT

Village Treasurer Mahoney reported receipt of \$782,663.78 in anticipated revenues and \$710,138.94 in anticipated expenditures through the end of April.

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

Village water, sewer, garbage & penalties	\$ 202,410.80
Town water & penalties	317,331.64

Which included 2 final/adjustments for the Village and 2 for the Town.

The May, 2011 warrant total is \$162,332.95.

Ms. Mahoney requested that the Village Board consider her request to enter into a “Remote Deposit Service Agreement” with Orange County Trust Co. which will help streamline collection of water rents. The agreement is currently being reviewed by the Attorney for the Village.

She further reported that auditors from the NYS Comptroller’s Office have completed their “on-site” collection of information. In addition, she has been in contact with their Albany office regarding problems with the 2009-2010 Annual Report (AUD). A request for 60 day extension to file the 2010-2011 Annual Report (AUD), until June 30, 2011, has been granted. Monthly bank statements/reconciliations were completed. She requests that the Board authorize an outside auditor to prepare a compilation of fiscal year 2009-10 and full audit of fiscal year 2010-11.

Mayor Coyne spoke with the auditors who provided him a brief summary of their findings. They are willing to meet with any of the Trustees to do the same either here or at their office.

MAYORAL APPOINTMENTS (ONE YEAR)

Mayor Coyne moved to appoint Jeanne Mahoney Tax Collector and Records Custodian which was seconded by Trustee Edsall and carried by a vote of 4 Ayes and 0 Nays.

Mayor Coyne moved to appoint Paula Sebesta Deputy Treasurer which was seconded by Trustee Edsall and carried by a vote of 4 Ayes and 0 Nays.

Mayor Coyne moved to appoint Mary Ellen Dennett Deputy Village Clerk which was seconded by Trustee Argenio and carried by a vote of 4 Ayes and 0 Nays.

Mayor Coyne moved to appoint Mary Ellen Dennett Deputy Tax Collector which was seconded by Trustee Gosda and carried by a vote of 4 Ayes and 0 Nays.

Mayor Coyne stated that the following two appointments are not that of public officers.

Mayor Coyne moved to appoint David Halvorsen Superintendent of Public Works which was seconded by Trustee Edsall and carried by a vote of 4 Ayes and 0 Nays.

Mayor Coyne moved to appoint Robert L. June Water Superintendent which was seconded by Trustee Edsall and carried by a vote of 4 Ayes and 0 Nays.

In reply to a question posed by Trustee Gosda, Mr. McKay, the Attorney for the Village explained that the Mayor has the authority to appoint employees and department heads under Village law. Last year the Board considered the question, who is a public officer and who is a department head. In order to resolve this question, a local law would be required to specifically indicate which of its department heads are considered public officers. For the time being, these are department head appointments and will be one year only.

Mayor Coyne moved to appoint Colette Fulton Village Historian which was seconded by Trustee Edsall and carried by a vote of 4 Ayes and 0 Nays.

Mayor Coyne moved to appoint Jeffrey Small Planning Board Chairman which was seconded by Trustee Gosda and carried by a vote of 4 Ayes and 0 Nays.

Mayor Coyne moved to appoint Peter Osinski Zoning Board Chairman which was seconded by Trustee Gosda and carried by a vote of 4 Ayes and 0 Nays.

Mayor Coyne moved to appoint Curt Hahn Disaster Control Officer which was seconded by Trustee Edsall and carried by a vote of 4 Ayes and 0 Nays.

BOARD APPOINTMENTS

Mayor Coyne moved to appoint Jeanne Mahoney, Vital Statistics Registrar which was seconded by Trustee Edsall and carried by a vote of 4 Ayes and 0 Nays.

Mayor Coyne moved to appoint Mary Ellen Dennett, Deputy Vital Statistics Registrar which was seconded by Trustee Argenio and carried by a vote of 4 Ayes and 0 Nays.

POLICE CHIEF – Mayor Coyne stated that on April 18, 2011 Board members received a letter from Paul Weber informing them that he had to retire from both the City of Newburgh Police Department and the Village of Cornwall-on-Hudson as Police Chief. He has decided not to rehire Mr. Weber as such. Since this is a personnel matter, and in his belief confidential, he has chosen not to speak publicly; however, he discussed his decision, at length, with the Trustees after last week’s work session. He invited Board members share their comments.

Trustee Argenio respectfully requests the Mayor reconsider his decision. Mr. Weber has continually worked outside his job description in an effective manner.

Trustee Edsall restated that he has known Mr. Weber for well over 20 years and respects his knowledge and professional experience. He also respects the procedure wherein the Mayor has the right to “open up the options” for the appointment. With those 2 facts in mind, he spoke with Mr. Weber who made it very clear on Tuesday afternoon that he is “not interested in the position”. We need to move on as the Mayor has indicated to look at our options.

Trustee Gosda stated that she has also spoken with Mr. Weber. He indicated to her that if the residents of the community wanted him to serve here, he certainly would be willing to do so. She supports his return to the position, because in her opinion, he has brought professionalism, experience and leadership to this department that is a great asset to the community. Our quality of life and public safety are closely linked, and she feels we cannot do any better than Paul Weber.

Mayor Coyne stated that he met briefly with Paul Weber on Tuesday. After the meeting it was clear to him that Mr. Weber is not interested in the position. He has received several resumes and a certified list of candidates from the County. The full board will consider candidates for this position. He thanked Paul Weber for his work on behalf of the Village.

BOARD DEPARTMENT REPORTS

Building Department Mayor Coyne reported that 7 building permits were issued, 6 certificates of compliance/occupancy were issued, 25 onsite inspections performed, 7 fire inspections performed, 4 violations and 5 property notices were issued. He thanked Gary Vinson and Arlene Roberts for doing a great job. He hopes to have someone “on board” from the Village in “short order”. Upon the recommendation of Trustee Gosda, he will request that Mr. Vinson include the number of hours worked on his monthly report.

Fire Department Trustee Edsall reported 1 automatic alarm, 3 medical calls, 3 structure fires, 1 gas leak, 2 motor vehicle accidents, 1 mutual aid-stand-by, 7 work details, 5 drills, 8 training sessions for a total of 33 events and 601.5 man hours.

He and Mayor Coyne met with the Fire Chief last Saturday to discuss the ongoing settlement/structural issue at the building and apparatus bay that needs to be addressed. They also discussed energy savings efforts in cooperation with Central Hudson to replace fixtures and observed the new turnout gear equipment racks installed by the fire company.

Members of the department attended a CCHS Table top drill on May 10th, a “FAST” team drill on May 15th, and a public safety seminar at the NYS Fire Academy from April 25th – May 2nd. Future training includes sexual harassment, OSHA refresher course, elevator training (C-on-H Elementary School) and seat belt. A new door opener for truck bay 413 was installed, radios have been updated per 911 center requirements, and a valve was repaired on E-412. The department is currently re-lettering R417 and E-411 per NFPA standards, painting the building exterior, making minor repairs to T-413, and re-lining of truck bays.

The department purchased 8 sets of new brush fire gear, a new dual head radio for car #1, and new hose to replace hose that failed in annual testing. The ladder/tower truck was tested – only minor problems found, the ground ladder passed, and pumps E-411, 412, and TA 415 also passed. Upcoming events include fire prevention program, Village camp, Five Point Mission (two 6-week programs) and annual fair/fire demonstration. The department was on stand-by for the annual NYMA fireworks held on May 14th, will attend the annual Memorial Day Parade, and take part in the annual clean up on Shore Rd/Route 218/Route 9W.

Trustee Edsall also reported on “Fill the Boot” which is a common method used by firefighter organizations to collect money for equipment or operations. The department hopes to collect enough money this year for a new thermal imaging camera.

Department of Public Works – Trustee Gosda reported that an engineer was at the DPW facility this week and a keyless gate at the DPW facility was repaired. Thomas Vesley returned to work on May 16th. She along with Trustee Argenio and DPW Superintendent met with Village residents from the Homeland area on May 11th in regard to the Hamlet Grove Subdivision. DPW Superintendent Halvorsen and Arlene Roberts attended Code Enforcement training. He and Mayor Coyne met with Taylor Biomass. He along with Mayor Coyne and Trustee Kane met with David Wiebolt to discuss moving forward with plans for the DPW garage on Shore Road. He met with Mayor Coyne to discuss the FEMA grant for Donahue Memorial Park. They hope to meet with SEMO to discuss plans to restore the park.

DPW Superintendent requests that the Village hire an engineering firm. The three firms that replied to the RFP, Stantec, Maser Engineering and KC Engineering, are qualified to perform services on our behalf. Stantec has previous experience with our MS4 plan, the wells, filter plant and dams. He would welcome working with any of them. Mayor Coyne reported that these firms will be interviewed at the June work session.

In addition she reported on the following tasks, weekly yard waste collection, maintenance of Village vehicles, black top patching of roadways, sweeping of Village streets, completion of spring bulk collection, maintenance of all Village vehicles, weekly mowing of Village properties, and repairs to guide rail at Donahue Park.

DPW Superintendent Halvorsen requests the Village Board appoint one of the three applicants he interviewed to the vacant laborer position to start work immediately.

Trustee Argenio thanked DPW Superintendent Halvorsen for meeting with Homeland residents. He was very knowledgeable and helpful to the residents.

Police Department Trustee Edsall reported 2 felony crimes, 5 misdemeanor/violations, 3 vehicle accidents, 13 violations issued, 23 warnings, 4 disabled vehicles and lockouts, 6 arrests, 1 domestic incident, 3 suspicious vehicles and/or persons, 6 animal complaints, 6 disorderly conducts, 8 responses to alarms, 4 assists to the Town of Cornwall Police Department, 2 EMS assist calls, and 2 assists to other agencies.

He further reported that the Junior Prom was held on May 13th, no issues/problems noted. The Memorial Day parade kicks off at 10:00 AM and Hudson Street will be shut down for a couple of hours. In addition, police agencies statewide will be conducting “seat belt enforcement” details beginning May 22nd through June 5th.

The Board is in receipt of a letter from Police Officer Patricia Willard dated April 30, 2011 announcing her retirement from the Village Police Department. Trustee Edsall made a motion to accept the retirement announcement with thanks for her years of service to this community and regret which was seconded by Trustee Gosda and carried by a vote of 4 Ayes and 0 Nays.

Mayor Coyne introduced the following resolution and moved for its adoption.

RESOLVED, The Village of Cornwall-on-Hudson does hereby approve the agreement to pay retired Sgt. Christopher Park \$11,957.44 for accrued leave amounts, and issue a Village of Cornwall-on-Hudson Police Department Retirement Identification Card.

Trustee Edsall seconded the motion and asked that it be subject to inclusion of any documentation required (i.e. releases) as prepared by counsel. The motion, as amended, was then carried by a vote of 4 Ayes and 0 Nays.

Summer Playground Trustee Gosda reported there were two strong candidates for the director position this year. She made a motion to appoint Scott Valens as Director of Summer Playground, at the same rate of pay as last year, which was seconded by Trustee Edsall and carried by a vote of 4 Ayes and 0 Nays.

Water Department Trustee Argenio reported average daily production of 1.657 million gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 42). A total of 59 utility mark-outs were done, 16 meters were repaired or replaced, and all water meter reading was done. Water mains were repaired on Maple Street, Maple Street and Canterbury Avenue, and Continental Road.

Catskill Treatment Plant: Trustee Argenio reported that all bearings have been ordered and should be delivered in 4-6 weeks. Romar Contracting, the contractor of record for the water treatment plants, is working on fabricating drive shafts and flanges to be completed at approximately the same timeframe (fabrication, installation, testing, and testing of oil cooler).

Maple Street Renovations: Trustee Argenio reported that we are awaiting a proposal for floor replacement.

Water Superintendent June met with Lee Burgess of the Orange County Health Department and Michael Bonomo from ADS Water, a company that will perform a survey to recoup that water. He has provided mapping of our water system indicating valves, fire hydrants, PRVs, streams, swamps and bodies of water. ADS will provide a detailed plan and proposal as soon as possible.

The 2010 Water Quality Report is on time for printing and mailing at the end of May.

Mayor Coyne reported that Water Superintendent June received a call from Major Coverdale of NYMA. A meeting was set up for Tuesday, May 17th to discuss its outstanding water bills.

OLD BUSINESS

BANNERMAN CASTLE KAYAK RACE

Trustee Argenio reported that Kris Seiz, of Storm King Adventure Tours, has organized the “Bannerman Castle Kayak Race” on July 23, 2011 to help raise money for Bannerman Castle. He feels that the Board should support this event in any way possible. He stated that Ms. Seiz spoke with a representative of Mountain Valley Guides who is “okay with it”.

COMPTROLLER INTERNAL CONTROL AUDIT UPDATE

Mayor Coyne stated this item was addressed earlier in tonight’s agenda.

ENERGY EFFICIENT LIGHTING – CENTRAL HUDSON FREE ENERGY AUDIT

On behalf of Trustee Kane, Mayor Coyne reported that Central Hudson has performed a free-audit by checking all Village facilities to see how we can save money by way of lighting.

MICHAEL J. FOX 5K/10K RUN/WALK – OCTOBER 2, 2011

Michael Kelly of 27 Grandview Avenue is the coordinator of this event. He reported that this event is for the Michael J. Fox Foundation. It will be held on Sunday, October 2nd, and they have applied to the Department of Transportation to close Route 218 from 6:00 AM to 1:00 PM. This year he has included an alternate route in the event inclement weather closes Route 218. This route will go up the Boulevard and will require permission from the Town of Cornwall as well. Parking will be provided at Camp Olmsted.

Trustee Edsall made a motion to approve the activity for October 2nd, acknowledge the need to schedule/coordinate with the Village Police Department, authorize both the primary route and alternate route, and authorize Mayor Coyne to write a letter to the Department of Transportation indicating our approval. The motion was seconded by Trustee Gosda and carried by a vote of 4 Ayes and 0 Nays.

MUNICIPAL ELECTRIC GAS ALLIANCE

Trustee Gosda reported that she has been looking into Municipal Electric Gas Alliance (MEGA) which consists of 170 school districts and municipalities throughout New York State that have formed this alliance to provide cheaper electricity and gas. Unfortunately she is finding more reasons not to become part of MEGA rather than to be part of it. She has received our usage from Central Hudson, and is looking into other options that may be available to us.

ROUTE 218 – PROPOSAL TO OPEN ROUTE 218 TO PEDESTRIANS AND CYCLISTS

Trustee Argenio introduced the following motion and moved for its adoption.

BE IT RESOLVED, the Village of Cornwall-on-Hudson Trustees does hereby support the Town of Highlands application to the New York State Department of Transportation to create walking/biking Sundays, also known as “Storm King Hike and Bike”, on Sundays this summer between the hours of 11:00 PM to 3:00 PM on 8 consecutive Sundays from June 19th to August 7th on Route 218, Cornwall-on-Hudson to West Point. This motion was seconded by Trustee Gosda and carried by a vote of 4 Ayes and 0 Nays.

SHORE ROAD ENTRANCE TO VILLAGE

Mayor Coyne reported the entrance into the Village along Shore Road “could use some help”. He would like to have a sign installed at the Village line that was designed by Trustee Gosda’s husband. He hopes that will help make it look a little more attractive.

TRESTLE RESTAURANT: LIQUOR LICENSE AND OUTDOOR DINING

Trustee Edsall made a motion that acknowledges this application has already been considered by the Board and no issues were found. The original application contained an incorrect telephone number and that should not hold up the application processing. The motion was seconded by Trustee Argenio and carried by a vote of 4 Ayes and 0 Nays.

WEBSITE ENHANCEMENT

Mayor Coyne reported that he is working on enhancing the Village website. He would like to introduce more photos and other items that residents will find useful.

Trustee Argenio suggested the Village code and meeting videos be added to the website.

WORKPLACE VIOLENCE PREVENTION COMMITTEE

Trustee Edsall reported that the committee will continue its work from last year. A meeting has been scheduled for June 9th at 2:00 PM.

ZONING LAW AMENDMENTS

Trustee Edsall reported that if the legal budget permits, he would like to meet with Trustee Kane and Mr. McKay next month to produce a draft scope of work on zoning amendments given the “non-completion” of the Comprehensive Plan. This will allow him to report back to the Board with an answer on if we can move forward and, if so, how much can be included in this round.

Trustee Argenio reported that this was discussed by the Planning Board and the Attorney for the Planning Board. This is something that would be covered under State Environmental Quality Review Act (SEQRA) because of the “largeness” of the action. In addition, he suggested that members of the Planning Board also participate in the upcoming training for the Zoning Board.

Mayor Coyne made a motion to authorize Kevin Dowd, Attorney for the Zoning Board to provide training to Zoning and Planning Board members at a cost not to exceed \$500.00 which was seconded by Trustee Edsall and carried by a vote of 4 Ayes and 0 Nays.

PUBLIC COMMENT

Carol O'Keefe of 2 Payson Road asked if the Town of Cornwall has been advised of the proposed closure of Route 218 on Sundays this summer. In addition a crew was at the corner of Hudson Street and Payson Road today to check on the storm drain. She would like to know what was determined.

Melissa Vellone of Bayview Avenue provided the Board with a copy of a public announcement in the Cornwall Local, the newspaper of record for the Village. It incorrectly states the April 18, 2011 meeting start time as 7:30 PM not 7:00 PM. She wanted to know if this falls under the Freedom of Information Law and, if so, how does that affect the discrepancy between the announcement of the public meeting and the adjournment time.

Jan Smith of 45 Clark Avenue wanted to finish reading her letter into the record. In accordance with the Open Meeting Law, "minutes of the meetings of all public bodies shall be available to the public... within 2 weeks of the date of the meeting". She states that these minutes are not made available, and those that have been approved have not been put on the website. She is also concerned about the status of the legal bills. She requested current status of the Village Ethics Board, which hasn't met in some time now, and asked that they be provided independent legal support.

BOARD MEMBER ACTIVITIES/COMMENTS

Mayor Coyne and Trustee Edsall attended the NYMA State of the Academy address on May 14th. They are pleased with the progress being made and wish them well.

Mayor Coyne attended the Food Bank of the Hudson Valley reception held on May 12th where Village resident Barry Gruber was honored for his volunteer work.

Mayor Coyne and Trustee Argenio attended a meeting with Assemblywoman Nan Hayworth.

Trustee Argenio would like to put elimination of the parking law restrictions on a future agenda. It is hurting local businesses and he feels less restrictions would help.

In addition, he announced that along with Trustee Gosda he will hold a "Dialog with the Village" on Saturday June 11th at the Village Hall Board Room at 11:00 AM.

Trustee Gosda announced she will attend the Planning Board meeting on May 17th. The Hamlet Grove subdivision application is on the agenda.

ANNOUNCEMENTS

Memorial Day Parade - Monday, May 30, 2011.

Cornwall Central School Budget Vote – Tuesday, May 17, 2011.

Annual Riverfest Celebration – June 4, 2011

Having concluded the business set before them, Trustee Edsall moved to adjourn the meeting into Executive Session at 8:10 PM in order to discuss an employment issue in the DPW which was seconded by Trustee Gosda and carried upon a vote of 4 Ayes and 0 Nays.

On a motion made by Trustee Edsall, seconded by Trustee Gosda and carried by a vote of 4 Ayes and 0 Nays, the meeting was reconvened at 8:25 PM.

APPOINTMENT OF DPW LABORER

Mayor Coyne made a motion to appoint Jonathan Lewis as DPW Laborer effective immediately and subject to a one year probationary period at the current CSEA pay rate which was seconded by Trustee Edsall and carried by a vote of 4 Ayes and 0 Nays.

REQUEST FOR RELIEF OF WATER CHARGES

Trustee Argenio recused himself from the discussion because it involves his neighbor and left the meeting room.

Mayor Coyne is in receipt of a letter from Ray Fulton of 214 Hudson Street requesting the Board waive \$263.42 in penalty charges and accept a settlement payment of \$1,500.00 for overdue water/sewer/garbage charges.

After some discussion, Trustee Edsall made a motion to table this request until the next work session to determine the discrepancy in the amount due which was seconded by Trustee Gosda and carried by a vote of 3 Ayes and 0 Nays.

Having concluded the business set before them, Trustee Edsall moved to adjourn the meeting at 8:35 PM which was seconded by Trustee Gosda and carried by a vote of 3 Ayes and 0 Nays.