

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

July 18, 2011

The regular meeting of the Board of Trustees was called to order at 5:30 P.M., at 325 Hudson St., Cornwall-on-Hudson, N.Y.

The following Board Members were in attendance:

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

Deputy Mayor Edsall moved to adjourn the meeting into Executive Session to conduct interviews for Building Inspector which was seconded by Trustee Gosda and upon a vote of 5 Ayes and 0 Nays, the meeting was adjourned at 5:31 PM.

Deputy Mayor Edsall moved to adjourn out of Executive session at 6:50 PM on a motion seconded by Trustee Argenio and carried by a vote of 5 Ayes and 0 Nays.

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
Deputy Mayor Mark J. Edsall
Trustee Barbara J. Gosda
Trustee James P. Kane
Trustee Andrew Argenio

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

PUBLIC HEARING INTRODUCTORY LOCAL LAW I-1 of 2011, "Officers and Employees Local Law". Public Notice read by Clerk Mahoney, Affidavit of Posting and Publication having been furnished, and copies of the text having been given to each Board Member on June 20, 2011, the Public Hearing on Local Law on Officers and Employees was called to order at 7:01 PM by Mayor Coyne.

Attorney for the Village McKay gave an overview of the proposed law explaining it will do "2 things". First, it will bring the Village code into compliance with the New York Code of Rules and Regulations. Second, this law will clarify that the residency requirement of all Village Officers as listed in the proposed law, must reside within Orange County or adjoining county and reside within 30 miles of the Village of Cornwall-on-Hudson nearest boundary.

Andrew Maroney of 4 Barr Avenue stated that with regard to Public Officers, the new law should read “Code Enforcement Officer/Building Inspector”, not “Code Enforcement Officer **or** Building Inspector”.

Hearing no one further speak for or against said local law, Deputy Mayor Edsall made a motion to close the public hearing at 7:05 PM which was seconded by Trustee Gosda and carried by a vote of 5 Ayes and 0 Nays.

Attorney for the Village McKay explained the Civil Service different classification of the positions for Code Enforcement Officer and Building Inspector.

Deputy Mayor Edsall introduced the following resolution and moved for its adoption.

WHEREAS, an Introductory local law entitled "OFFICERS AND EMPLOYEES" was introduced before the Board of Trustees of the Village of Cornwall-on-Hudson on June 20, 2011, and upon notice duly published and posted, a hearing was held on July 18, 2011 before the Board of Trustees; and

WHEREAS, public discussion was heard at such hearing concerning the merits and environmental significance of said introductory local law;

NOW, THEREFORE, BE IT RESOLVED, that the adoption of the Introductory local law entitled “Officers and Employees” is hereby determined to be an unlisted action pursuant to the State Environmental Quality Review Act (“SEQRA”);

BE IT FURTHER RESOLVED, that the Introductory Local Law entitled "Officers and Employees" of the Village of Cornwall-on-Hudson be and hereby is adopted as Local Law #1 of 2011 of the Village of Cornwall-on-Hudson on July 18, 2011.

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

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

PUBLIC COMMENT

Barry Gruber of Bayview Terrace has a “quality of life” issue with regard to a bus horn sounding each morning to announce its arrival when picking up disabled persons at a neighboring property. He feels this is unnecessary and in violation of Vehicle and Traffic Law Title 3, Article 9 Subsection 375.

Brigid Flynn of 28 Andrews Street thanked the DPW Superintendent Halvorsen and DPW employees for the “wonderful job” they did repairing the barrier at the end of Andrews St. damaged by snow plows. In addition she thanked the entire Village Board for supporting the “Hike and Bike”. She has enjoyed taking part in this event and challenged them to an “8-minute walk”.

MINUTES

Deputy Mayor Edsall moved for the acceptance of the June 20, 2011 Regular Meeting Minutes as presented on a motion seconded by Trustee Gosda and carried by a vote of 5 Ayes and 0 Nays.

CORRESPONDENCE

Mayor Coyne is in receipt of the following correspondence:

- Letter from Assemblywoman Nancy Calhoun announcing that (matching) grant applications are being accepted by the Hudson River Valley Greenway. Trustee Argenio suggested the Board accept ideas from the public at the next work session. Trustee Gosda stated the application deadline is in August.
- Letter from Ray Yannone of Storm King Associates regarding code enforcement.

TREASURER’S REPORT

Village Treasurer Mahoney reported receipt of \$379,177.11 in anticipated revenues and \$1,631,050.08 in anticipated expenditures through the end of June. It recently was brought to her attention that the April report to the Board did not contain expenditures. It appears to be the result of a “glitch” with the software system and her office is working to resolve the issue. A revised report will be provided shortly.

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

Village water, sewer, garbage & penalties	\$ 279,671.37
Town water & penalties	335,947.14

Which included 6 final/adjustments for the Village and 11 for the Town.

She reported that auditors from Nugent & Haeussler are close to completing the revised 2009-2010 audit report. Final numbers from that fiscal year will be made available once final adjustments are posted. In addition, past due-second notices have been sent on unpaid Village tax bills. Out of a \$2,200,918 tax levy, unpaid taxes total \$90,321.24.

REVENUE ANTICIPATION NOTE – WATER RENTS

Treasurer Mahoney reported that a \$350,000 RAN matured on June 10th. The water fund did not have cash on hand to make any principal pay down. She requests the Board pass a resolution authorizing issuance of \$350,000 Revenue Anticipation Note against unpaid water rents. Later in this fiscal year, if the water fund cash balance improves, she will call the note in to make a principal payment. Discussion followed.

Deputy Mayor Edsall introduced the following resolution and moved for its adoption.

A RESOLUTION DELEGATING TO THE VILLAGE TREASURER OF THE VILLAGE OF CORNWALL-ON-HUDSON, ORANGE COUNTY, NEW YORK, POWER TO AUTHORIZE THE SALE AND ISSUANCE OF NOT TO EXCEED

\$350,000.00 REVENUE ANTICIPATION NOTES OF SAID VILLAGE IN ANTICIPATION OF THE REVENUES TO BE RECEIVED AS WATER RENTS BY SAID VILLAGE IN THE 2011-2012 FISCAL YEAR OF SAID VILLAGE.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF CORNWALL-ON-HUDSON IN THE COUNTY OF ORANGE, NEW YORK, AS FOLLOWS:

Section 1. The power to authorize the sale and issuance of not to exceed \$350,000.00 Revenue Anticipation Notes of the Village of Cornwall-on-Hudson, Orange County, New York, including renewals thereof, in anticipation of the receipt of revenues to be received by said Village as water rents during the 2011-2012 fiscal year of said Village, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents as may be determined by said Village Treasurer, pursuant to the provisions of the Local Finance Law.

Section 2. This resolution shall take effect immediately.

The adoption of the foregoing resolution was seconded by Trustee Kane and duly put to a vote on roll call, which resulted as follows:

AYES: [5]

NAYS: [0]

The resolution was declared adopted.

Treasurer Mahoney reported that her office has been leasing a copier for 2 years. This machine was not designed to run more than 5,000 copies per month. Since the Building Inspector and DPW offices were relocated to Village Hall, the monthly average is 8,000 copies. This has resulted in frequent break downs. She has requested a proposal from IKON to lease a larger machine and asks for Board approval to move forward.

Deputy Mayor Edsall made a motion to authorize Mayor Coyne to execute a new copier lease agreement with IKON which was seconded by Trustee Argenio and carried by a vote of 5 Ayes and 0 Nays.

Deputy Mayor Edsall made a motion authorizing a budget transfer of \$12,000.00 from A1132.1 (General Fund Treasurers Salary) to A1410.110 (General Fund Part Time Clerk Salary) which was seconded by Trustee Gosda and carried by a vote of 5 Ayes and 0 Nays.

Trustee Kane made a motion to appoint Brandon Hicks to the position of Part-Time Clerk, as a Village employee and no other capacity, at a salary not to exceed \$12,000 per year and not to exceed 20 hours a week which was seconded by Deputy Mayor Edsall and carried by a vote of 5 Ayes and 0 Nays.

Trustee Argenio asked Mayor Coyne to provide all budget transfers since the new fiscal year.

BOARD DEPARTMENT REPORTS

Building Department Mayor Coyne reported that 12 building permits were issued, 5 certificates of compliance/occupancy were issued, 20 onsite inspections performed, 2 fire inspections performed, 1 violations, 1 stop work order, and 4 property notices were issued for a total of 28.5 hours in June.

Mayor Coyne also reported that interviews were conducted earlier this evening for the building inspector position. The Board will proceed as quickly as possible. They are seeking additional information from one candidate and may conduct additional interviews based on that information.

Mayor Coyne reported an ongoing problem with feral cats in some Village neighborhoods. He has been in touch with a representative from the Canine Sanctuary and hopes they will be able to work with us to resolve this issue.

Trustee Gosda asked the Mayor to explain his “goal” regarding these cats. He replied that after speaking with many organizations, apparently the best way to handle this problem is to capture the cats, spay or neuter, and release them. This method is a “good first step” with a problem that will eventually resolve itself. Discussion followed.

Fire Department Deputy Mayor Edsall reported 3 automatic alarms, 5 medical calls, 3 public service calls, 4 motor vehicle accidents, 1 structure fire, 5 work details, 8 drills, and 2 fire prevention events for a total of 31 events and 497 man hours.

Members of the department are currently lettering Rescue 417 and Engine 411 per NFPA regulations, working with Central Hudson on the light upgrades, and working on a recall with Pierce for Engine 411. In addition, they are involved in fire prevention programs with Five Points Mission our Summer Playground program, and RiverFest. The department has ordered the new lease Car #2, continued painting outside of building, replacing sheetrock, repairing an internal door, and correcting some electrical problems in the training room. The annual fair starts July 20th and runs until July 23rd, and they are working on plans for the 2012 Orange County Volunteer Firemen’s Association Parade and Convention. A new hazardous materials meter has been received, and training is ongoing.

Police Department Trustee Kane reported 0 felony crimes, 7 misdemeanor/violations, 8 vehicle accidents, 16 violations issued, 10 warnings, 3 disabled vehicles and lockouts, 4 misdemeanor arrests, 2 domestic incidents, 11 suspicious vehicles and/or persons, 15 animal complaints, 11 disorderly conducts, 9 responses to alarms, 5 assists to the Town of Cornwall Police Department, 5 EMS assist calls, and 4 assists to other agencies. Police coverage at RiverFest cost approximately \$2,100.

Deputy Mayor Edsall introduced the following resolution and moved for its adoption.

WHEREAS, the County of Orange has funds to be distributed to local law enforcement agencies for the purpose of conducting enforcement activities related to the STOP DWI, Buckle Up New York (BUNY), and STEP programs, and

WHEREAS, the Village of Cornwall on Hudson does wish to participate in said programs,

NOW, THEREFORE BE IT RESOLVED, the Village Board of the Village of Cornwall on Hudson approves the receipt of said funds on behalf of the Village of Cornwall on Hudson Police Department from the County of Orange and authorizes the Mayor Brendan G. Coyne, to execute all necessary contracts and documentation for the year 2011-2012 in regard to available funds.

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

Police Officer Peña requests that the Mayor and Village Board consider installing auto vehicle locators (AVL’s) in police vehicles.

Mayor Coyne reported that the interview process for a new police chief will take place at the August work session.

Discussion followed regarding drafting a local law to amend Village Code Section 155-48 entitled “Vehicles and Traffic” to restrict parking on the left side of Duncan Avenue (off Hudson Street) a greater distance than the current 20’. In addition, they discussed marking a double yellow line from the bottom of Duncan Avenue (off Hudson Street) a limited distance up the roadway. Consideration will also be given to restrict parking along the hill on Church Street.

Department of Public Works – Trustee Gosda reported weekly yard waste collection (there will be a \$50 fee increase), blacktop patching of Village streets, completion of sewer relocation on Grandview Avenue, installation of a welcome to the Village sign on Shore Road, debris removal at DPW Shore Road location with assistance from Taylor Recycling, repairs to Village Hall building started – additional repairs will be made next spring, weekly mowing of malls and Village properties, removal of a hazardous tree on Washington Street, trimming of trees along Hudson Street and River Ave, repairs to street sweeper completed – back in service, repairs made at bandstand – additional repairs need to be discussed. DPW cost for RiverFest was \$80 for removal of one ton of trash.

DPW Superintendent Halvorsen thanked Town of Cornwall Highway Superintendent Bob Conley and members of his department for sweeping Village roadways while our machine was being repaired. In addition the department has been able to maintain and repair Village vehicles thanks to Thomas Lyons and Christopher Donato.

Mr. Halvorsen met with Kevin Sumner of Orange County Soil and Water regarding fallen trees on Dock Hill Road.

Mr. Halvorsen reported that reclamation of River Avenue is expected to start late July. In addition, application of paving top coat on Second Street is scheduled.

Upon the recommendation of DPW Superintendent Halvorsen, Deputy Mayor Edsall made a motion to declare surplus the Jeep Liberty (car #6) VIN: 1J4GL48K92W265089 and authorize the Village Clerk to advertise for sale, which was seconded by Trustee Gosda and carried by a vote of 5 Ayes and 0 Nays.

DPW Facility – 50 Shore Road Trustee Kane spoke with Mr. Wieboldt and he will have design bid documents prepared in time for review and discussion at the next work session (August 8th). Discussion regarding the Hacker Murphy bill for legal services was tabled for discussion in executive session later this evening.

Mayor Coyne reported that Taylor Biomass has revised terms of their proposed contract. He asked Attorney for the Village McKay to review this revised contract for discussion at the August work session.

Bandstand Paver Project - Mayor Coyne reported that he followed up with the Department of State and the grant does specify a walkway at the bandstand property. A proposal was received from Speranza Landscaping. He asked Deputy Mayor Edsall to obtain a second proposal (Randazzo Landscaping) which has been distributed to Board members for review.

Trustee Argenio has reviewed both proposals and believes Speranza's proposal is cheaper. In addition, he offers a 5-year warranty and a lifetime warranty on the product.

Deputy Mayor Edsall also reviewed both proposals and is "confused as to" Trustee Argenio's statement that Speranza's is cheaper. Mr. Randazzo quoted this back in July of 2009 and confirmed it again in July, 2011. His proposal suggested that the Village buy the desired materials and he will do the work for free. Mr. Randazzo has a long history of doing work in the Village for free. Since the Village never bought the materials, how could he have installed them?

Trustee Argenio stated that the Speranza proposal includes more work and although it does not indicate so in writing, he will do the work for free. In addition, Mr. Randazzo had the opportunity to do this work in past years. We are now in "a time crunch" and Mr. Speranza can get this done "within a week".

Trustee Gosda stated that she has been involved with this project from "day one" as Chairwoman of the Village Square Improvement Committee. Back in 2007 Mr. Randazzo, a committee member, was going "to do the work". After the Village Board accepted the recommendations of the Committee, she continued to work with Mr. Randazzo. He indicated on several occasions that the work was going to be done. The work never got done, and is the reason we are now "at the 11th hour" of this grant. She took Mr. Randazzo's word in good faith. She "courted him in many ways" by working with his schedule and his willingness because over time he has been very generous to the Village. She thought his heart was "in the right place" and that the day would come he would do the work. She was "extremely disappointed" when scheduled days passed and nothing happened. She has called the Department of State and they indicated the grant had been "carried over" and the money "still available". She did not go back to Mr. Randazzo. Mr. Speranza has provided a "very credible offer" and is willing to pull his equipment in there next week to get the work done. It will be a great enhancement to the Central Business District.

Trustee Kane read a letter from Mr. Randazzo, dated July 15, 2011, into the record. The letter indicates in part that he provided an estimate for paving materials in 2009. His offer to do the work for free still stands. Mr. Randazzo was disappointed to read in Trustee Gosda's letter to the editor of Cornwall Local that his offer had "fizzled" and responds "is the furthest from the truth". His commitment to help the Village is as "strong as ever". It was the business of the Village that "fizzled over the past few years". He outlined a few of the recent projects and donations provided to the Village and Storm King Engine Co.

Mayor Coyne asked if Mr. Randazzo's 2009 proposal was brought before the Board and acted on. Trustee Argenio replied it was not. He asked how Mr. Randazzo could have proceeded with the work if it was never authorized by the Village Board.

Mayor Coyne asked about the requirement to obtain a minimum of 2 quotes on this type of project. Deputy Mayor Edsall replied that our procurement policy references more than one quotation for projects under the bidding limit. He further stated "hence the reason why it is appropriate and necessary that we receive at least 2 quotes".

Clerk Mahoney reminded the Board that they must procure the materials by July 31st. Getting "caught up" in discussions over who will install it is "wasting time".

Deputy Mayor Edsall stated that we are, in his opinion, a "wonderful position" of being able to buy the materials and then have two people "fight over doing it for free".

Trustee Argenio proposed that the Board go with the “slightly cheaper” quote that includes a “lifetime warranty” and is “De-Icing and salt resistant”.

Trustee Gosda stated that Mr. Randazzo has “had his chance”. Now “all of the sudden” because she put a comment in the paper and someone else in the Village is offering to do the work, he has “resurrected himself”. She finds that “very interesting”. It is “very annoying” to her.

Trustee Kane reminded Trustees Gosda and Argenio that Mr. Randazzo’s proposal provided the 2nd quote required under our own procurement policy.

Deputy Mayor Edsall asked how Mr. Randazzo could have installed the materials since the Village never bought them. In his opinion, it is disingenuous to criticize the man when it was our responsibility to get the materials on site.

Deputy Mayor Edsall then made a motion authorizing DPW Superintendent Halvorsen to purchase materials necessary for the job within the July 31st and spend no more than the amount of paver grant money that is available. The motion was seconded by Trustee Kane.

Trustee Gosda stated that she spoke to DPW Superintendent Halvorsen with Trustee Argenio present. He was not interested in being involved with this project. She finds it “interesting” that we are going to buy materials for someone who “does it every day”, for someone who knows “exactly what he needs for this job”, by our Department of Public Works who said they “couldn’t do this job”.

Mayor Coyne then called the motion which resulted in 3 Ayes (Coyne, Edsall, Kane) and 2 Nays (Gosda, Argenio).

Bandstand Renovation Project – Clerk Mahoney reported that in 2004 Assemblyperson Nancy Calhoun announced out \$5,000 in grant money was available to the Village which could be used for cost overruns from the 2002 Bandstand Renovations. Another grant obtained by the Village at the same time was able to cover those costs. Upon the recommendation of Colette Fulton, an extension was granted and the project was amended to repair the bandstand floor. Sometime later, another extension was granted and the project was amended by Trustee Gosda to purchase a lawn mower which was rejected by the state. Since the bandstand floor is in serious need of replacement, we have requested another extension and to revise the initiative back to that purpose. A new flagpole is also needed.

She and Mayor Coyne spoke with the Department of State by conference call and were told that one final extension will be permitted and we will have to purchase all materials by July 31, 2012.

Mayor Coyne is in receipt of a note from Mary Anne O’Dell of Assemblywoman Calhoun’s office indicating that a revised narrative will be required.

Deputy Mayor Edsall visited the site and wants the Board to also seriously consider replacing the decking this fall. In addition, the railings need emergency repairs.

Deputy Mayor Edsall made a motion to authorize DPW Superintendent to obtain final quotations for all the materials which was seconded by Trustee Argenio and carried by a vote of 5 Ayes and 0 Nays.

Dock Hill Road – Trustee Kane reported that DPW Superintendent Halvorsen is in receipt of one quote for placement of fill and grading the area along Dock Hill Road where a tree recently fell. Mr. Halvorsen will try to obtain 2 more quotes.

Summer Playground Trustee Gosda reported the program is moving along nicely. There are 122 children in the program. The first trip, to the Hall of Honor – Purple Heart, took place on Friday and went smoothly. The next trip will be on July 29th to the Bear Mountain Zoo.

Trustee Gosda made a motion to promote Kathleen Visconti to Summer Playground Medical Director at the rate of \$11 per hour which was seconded by Trustee Kane and carried by a vote of 5 Ayes and 0 Nays.

Water Department Trustee Argenio reported average daily production of 1.401 million gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 43). A total of 56 utility mark-outs were done, 21 meters were repaired or replaced, 10 final meter readings were taken, and water meter reading was completed. Water service leaks were repaired at 240 Main Street, 286 Main Street, and 225 Main Street. A water service was replaced at 34 Clinton Street, and a water leak was repaired in the parking lot of Highland Engine Co. In addition, the department completed moving all controls for South Well above ground/flood plain, began cutting over growth on all dams, and grass cutting at all properties is ongoing.

He further reported that bearings for the Catskill Treatment Plant have been ordered with delivery expected in mid-July, the department is working to identify pressure zones in order to prepare a detailed plan and proposal for non-revenue water recovery, New York Leak Detection is checking possible leak areas, Mayor Coyne toured both the Catskill Treatment Plant and Black Rock Treatment Plant, a tour of the Catskill Treatment Plant was given to a science class from Cornwall High School, and all leased vehicles have been delivered and are now in service.

Upon the recommendation of Water Superintendent June, Trustee Argenio made a motion to declare surplus the following vehicles and authorize the Village Clerk to advertise for sale: 1998 Chevy Utility Truck, with plow, VIN: 1GBHK34FXWZ241716 with 90,118 miles, 1996 Chevy Pickup Truck, with plow, VIN: 1GCHK34F3TE248988 with 99,432 miles, and 2002 Chevy Tahoe, VIN: 1GNEK13Z12J308606 with 116,916 miles. The motion was seconded by Trustee Gosda and carried by a vote of 5 Ayes and 0 Nays.

OTHER BUSINESS

BANNERMAN ISLAND KAYAK RACE

Mayor Coyne reported that the race has been postponed until the fall and will take place in New Windsor.

STORM KING HIKE AND BIKE

Trustee Argenio asked the Attorney for the Village if the Mayor had authority to remove signs he placed on utility poles advertising the Hike and Bike events. Mayor Coyne responded that he had nothing to do with the removal of signs. He understands that when Mayor Gross was in office, he directed DPW Superintendent Halvorsen to remove all signs posted on utility poles.

Trustee Argenio then reported that approximately 350 people have attended the event. A grand opening is scheduled for this Sunday and will be followed by weekly themed events.

Mayor Coyne enjoyed taking part in the event yesterday. It is a “beautiful place” and he thanked Trustees Argenio and Gosda for their involvement.

Trustee Gosda asked that the Hike and Bike be posted on the Village website.

2% PROPERTY TAX CAP

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

WHEREAS, the burden of property taxation on the residents of Cornwall-on-Hudson is too high; and

WHEREAS, the government of Cornwall-on-Hudson values its fixed income seniors; and

WHEREAS, the burden of increased property taxes is disproportionately burdensome for fixed income seniors; and

WHEREAS, the burden of property taxes is continually hurting families during this economic downturn; and

WHEREAS, the government of Cornwall-on-Hudson values its families and has a responsibility to be accountable to its citizenry.

BE IT RESOLVED, that the government of Cornwall-on-Hudson will in no way raise the property tax burden more than 2% on its citizens.

The foregoing resolution was seconded by Trustee Gosda and opened for discussion.

Mayor Coyne stated he wished the Board and Attorney for the Village had seen the resolution before tonight’s meeting. This should be first brought up in a work session or at the very least to be brought to entire Board’s attention. He reminded Trustee Argenio there is a new state law mandating a 2% tax cap.

Trustee Argenio replied there is a loophole that will allow municipalities to “get around it” if 60% of a Board votes. He feels we should “let our citizenry know” we will not raise taxes more than 2%.

Trustee Gosda stated that if “government had done its job over the years”, we wouldn’t be in this position. If the Board commits itself to this 2%, it is a commitment to the residents.

Attorney for the Village McKay stated that the union contracts are subject to compulsory interest arbitration. No matter what offer the Village makes for salaries, it can be overridden by an outside third party that this Board has no control over.

Deputy Mayor Edsall said that in state law there are procedures in place with regard to adopting budgets and timeframes. The Board would like to keep tax increases at 2%; however, we have no control over insurance and outcome of contract negotiations. The “political stunt” of adopting a resolution now

doesn't change the state law and doesn't change our obligation for a budget at budget time. This resolution "isn't worth the paper it is written on when the state law says you have to adopt a budget". As Trustee Argenio pointed out previously, Mr. Edsall finds it difficult to vote on something that he has "no numerical values for".

Trustee Kane stated he would like the opportunity to look at the legislation first and suggested the motion be tabled until next month.

Deputy Mayor Edsall would also like the opportunity to review the legislation in detail. If this Board is going to move the budget process from November/December to July, he best read the legislation.

Trustee Argenio would like to start the budget process now to get things done and not "last minute" as with the current budget when the public hearing took place on the same date the budget was passed.

Mayor Coyne stated that a 60% is a "tall order" for any municipality especially when the Village has obligations, some yet unknown, to fulfill. He certainly does not want to raise taxes, but does want to keep our services intact. He requested a motion to table this resolution until August.

Trustee Argenio stated that the motion was seconded and it should be voted on. He is fine with people knowing "who is going to raise the taxes and who is not".

Trustee Gosda wants the residents to know that we are serious about living within our means and can get a sense of whether or not they can continue to live here.

Deputy Mayor Edsall wants the record to reflect without all the information (i.e. knowledge of the law, knowledge of the costs that we will be facing – projections from the state or insurance companies, and completion of negotiations with two of our unions) it would be irresponsible to vote for any commitment in either direction.

Mayor Coyne called the motion which resulted in 2 Ayes (Gosda, Argenio), 0 Nays, and 3 Abstain (Coyne, Edsall, Kane).

LEGAL BILL - MAY & LITIGATION BUDGET LINE

Trustee Gosda stated she asked for a copy of the May legal bill which totals \$6,858.46. It is over the \$5,000 monthly projection. In the contract with the Tarshis law firm, it is noted that litigation fees are \$185.00 per hour. She asked if these fees are being discounted because it appears items being charged to the litigation budget line are being billed at \$175 per hour. In addition the bill reflects a tax matter that is being billed at \$200 per hour. She requested clarification from the Attorney for the Village.

Mr. McKay explained that the tax certiorari matter is Supreme Court litigation and billed at \$200 per hour. He has been able to adjourn the court conference scheduled for last Friday, saving the Village \$1,000, and settle this matter on terms which the Board had previously approved. A stipulation is being circulated and will be submitted to the judge. He will look into the litigation hourly fee being billed.

Trustee Gosda reported that she went back to the March and April bills looking for an explanation where the \$8,900 discrepancy came from in the litigation expense line.

Treasurer Mahoney stated she spoke to this matter in her report earlier this evening. Due to a glitch in the software program, expenditures were not posted to the April monthly report. The software company has been contacted and the matter will be resolved as soon as possible.

With regard to the litigation budget line, Mayor Coyne referenced the January 27, 2011 minutes which read in part “Trustee Vatter asked if the Mayor was splitting the retainer fee plus general transactions (i.e. grievance, etc.). Mayor Gross responded yes, and that historically we have run above the \$65,000 budgeted. The extra \$30,000 should cover the additional litigation/personnel issues that are not generally covered in a retainer fee”.

Deputy Mayor Edsall read the paragraph above in the referenced January 27th minutes. “Trustees Edsall asked about a new line item (A1420.410) for Litigation. Mayor Gross responded that it is a “general item”.

Trustee Gosda said that in budget discussions, the \$30,000 budgeted in the general fund for litigation expenses was to be used for DPW litigation.

Deputy Mayor Edsall replied that it may have been discussed at one time, but it was not part of the adopted January 27, 2011 minutes.

ELEMENTARY SCHOOL PROPERTY CONCERNS

Mayor Coyne met with School Superintendent Timothy Rehm, and Police Office Peña has met with School Building and Grounds Superintendent Walter Moran. They moved very quickly and have placed signs up regarding a dusk curfew. The school will also consider pressing charges against violators.

PUBLIC COMMENT

Maureen Terwilliger of Idlewild Park Drive stated that it is her understanding that our total general budget this year is \$3,000,000. She asked Trustees Argenio and Gosda what 2% of that amount comes out to since they just put a “cowboy” resolution board the Board tonight. A member of the audience answered \$60,000. She is really upset that this Board would even entertain a resolution that would hold us to a \$60,000 increase. In the event emergency repairs or replacement to a HVAC unit, as an example, is needed do these Trustees not want the Village to have the opportunity to have a 60% vote on approving services that may exceed the 2%? In her opinion it is fiscally irresponsible to even consider a 2% tax cap resolution and she hopes this is the last time it is heard.

Carol O’Keefe of 2 Payson Road stated that she has been out walking with children and they pick the hike and bike signs up off the ground and throw them away. They must not be fastened to utility poles as securely as they should. Blame should not be placed solely on the DPW workers.

BOARD MEMBER ACTIVITIES/COMMENTS

Trustee Gosda stated that last week a school bus was parked at Donahue Memorial Park while a group from Westchester enjoyed a kayak tour from Mountain Valley Guides. Bus parking is not permitted at the park and she cautioned Mountain Valley Guides that this goes beyond their permit. In addition, she

has learned that a kayak operator has been hosting “wine and cheese sunset” tours. She is concerned with this alcohol consumption.

Deputy Mayor Edsall agrees with Trustee Gosda in that kayak operators are permitted use of the riverfront portion of the Village with guidelines that must be adhered to. If not, their permit may not be renewed. Without Board authorization, bus parking and alcohol consumption at the riverfront is unacceptable. In addition, he has witnessed trailers with kayaks parking down near the bandstand which is in violation of what was represented to the Village for Mountain Valley Guides lack of site plan approval.

He then stated he has heard many compliments this month about our Village staff helping residents. He thanked all Village staff for the work they do.

Trustee Argenio would like the Board to start budget discussions 6 months out and asked it be put on the August work session agenda. In addition, a “Dialog with the Village”/work session has been scheduled for Saturday, August 6th and he wanted to make it clear there is no agenda, no time limits for public comment.

After some discussion, Trustee Argenio made a motion to schedule this as a Special Meeting on Saturday, August 6th from 10 AM – 12 PM which was seconded by Deputy Mayor Edsall and carried by a vote of 5 Ayes and 0 Nays.

He then stated that there are a large number of tires at the Shore Road facility and he is concerned that water collecting in those tires may cause breeding of mosquitos. There should be a maximum number of tires allowed to be stored.

Trustee Kane stated that he along with Mayor Coyne met with the Commodore and Vice Commodore of the Cornwall Yacht Club. They presented the historic preservation concerns regarding the chapel brought to the Board by the Historical Society. Another meeting has been scheduled for the beginning of August.

Warrant #7: Deputy Mayor Edsall made a motion to approve the July 2011- Warrant (#7) and authorize payments totaling \$220,268.31 which has been reviewed by the Village Board this evening. Trustee Kane seconded the motion and it was carried by a vote of 5 Ayes and 0 Nays.

Having concluded the business set before them, Trustee Kane moved to adjourn the meeting into Executive Session at 9:25 PM in order to discuss a legal matter in regard to the DPW building with Hacker Murphy which was seconded by Deputy Mayor Edsall and carried upon a vote of 5 Ayes and 0 Nays. Mayor Coyne indicated that the board would not transact any business upon conclusion of the executive session.