

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

November 21, 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
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, DPW Superintendent David Halvorsen, and Village Clerk Jeanne Mahoney.

PUBLIC COMMENT

Mr. & Mrs. Brian Sweeney of 339 Hudson Street requested permission to speak with the Board regarding a report recently completed by the Engineer for the Village addressing drainage issues. Mayor Coyne replied that this item will be addressed later in tonight's agenda.

MINUTES

Trustee Gosda moved to table acceptance of the September 19th Regular Meeting Minutes, the October 10th Special Meeting Minutes, and the October 17th Regular Meeting Minutes for additional review which was seconded by Deputy Mayor Edsall and carried by a vote of 5 Ayes and 0 Nays.

CORRESPONDENCE

Mayor Coyne is in receipt of the following correspondence:

- Letter from New York Military Academy regarding Veteran's Day.
- Letter from New York State Comptrollers Office regarding a delinquency in filing the 2010-2011 annual report.
- Letter from Town of New Windsor Supervisor Green denying our request for exemption of taxes on Village owned water properties.
- Letter from Peter Miller of Hudson Street regarding the Police Chief search.

- Letter from the Girl Scouts regarding an upcoming Civil Award ceremony.
- Letter from New York State Assembly regarding an upcoming forum on local state government.
- Letter from New York Conference of Mayors (NYCOM) regarding the property tax levy cap.

TREASURER’S REPORT

Treasurer Mahoney reported receipt of \$4,958,404.42 and 69.45% in anticipated revenues and \$3,415,898.02 and 47.84% in anticipated expenditures through the end of October.

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

Village water, sewer, garbage & penalties	\$ 284,887.17
Town water & penalties	448,011.67

which included 6 final/adjustments for the Village and 3 for the Town.

Warrant #11 - Deputy Mayor Edsall made a motion to approve the November 2011- Warrant (#11) and authorize payments totaling \$500,051.76 which was seconded by Trustee Kane and carried by a vote of 5 Ayes and 0 Nays.

REVENUE ANTICIPATION NOTE – GARBAGE FEES

Deputy Mayor Edsall offered the following resolution and moved its adoption.

REVENUE ANTICIPATION NOTE RESOLUTION DATED NOVEMBER 21, 2011.

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 \$100,000.00 REVENUE ANTICIPATION NOTES OF SAID VILLAGE IN ANTICIPATION OF THE REVENUES TO BE RECEIVED AS GARBAGE FEES 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, Orange County, New York, as follows:

Section 1. The power to authorize the sale and issuance of not to exceed \$100,000.00 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 garbage 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 carried by a vote of 5 Ayes and 0 Nays.

Trustee Argenio requested the Treasurer provide information regarding a potential borrowing in advance of a meeting or work session to provide adequate time to review financials.

Preliminary 2012-2013 Budget Mayor Coyne distributed copies of his draft preliminary 2012-2013 budget to the Board for review. After some discussion, Trustee Kane made a motion to start the December 12th work session at 6:00 PM to allow time for the Board to review the draft budget with department heads. In addition, the motion authorizes the Village Clerk to publish the change in meeting time. The motion was seconded by Deputy Mayor Edsall and carried by a vote of 5 Ayes and 0 Nays.

BOARD DEPARTMENT REPORTS

Building Department Mayor Coyne reported 6 building permits were issued, 5 certificates of compliance/occupancy were issued, 12 onsite inspections performed, 4 violation notices were issued, 2 property maintenance notices were issued, and 1 fire inspection was conducted. Inspector Maldonado worked 29 hours and Inspector Maggio worked 30 hours in October.

Mayor Coyne further reported that the Village Code book is now online. Board members expressed appreciation in getting that accomplished.

Fire Department Deputy Mayor Edsall reported 6 automatic alarms, 6 medical calls, 2 structure fires, 3 gas leaks, 5 motor vehicle accidents, 3 mutual aid at scene/3 mutual aid standby calls, 3 public service calls, 1 brush fire, 6 fire prevention calls, 4 work details, 7 drills, and 9 training events for a total of 60 events and 557.5 man hours.

He further reported that Annual Fire Prevention week was done at all Village schools (great job by Lt. Calamari and crew). Annual Halloween/Fire Prevention night was held on November 2nd (the department thanked Mayor Coyne for postponing events in interest of safety first). The new assistant fire chief vehicle has been delivered (will be in service by December). The department assisted the DPW with tree problems on October 29th and 30th to keep Village roads open for emergency vehicles. The sign in front of the fire house is 95% done (thanks to DPW). Preparation work for the parade and convention is ongoing, and for the Cornwall Lions Club race on November 13th. There was a structure fire at 23 Cherry Avenue (the department made a good stop – great job by SKE #2 volunteers).

Trustee Argenio reported that on November 16th, members of the fire department provided a tour to the Boy Scouts and he wanted to thank them for a job well done.

Police Department Trustee Kane reported 0 felony crimes, 5 larcenies, 2 criminal mischief, 8 vehicle accidents, 10 violations issued, 1 warning, 2 disabled vehicles and lockouts, 4 arrests, 4 domestic incidents, 6 suspicious vehicles and/or persons, 14 animal complaints, 6 disorderly conducts, 11 responses to alarms, 2 assists to the Town of Cornwall Police Department, 7 EMS assist calls, and 1 assist to other agencies.

Police Chief Search Mayor Coyne reported that he would like to discuss this item in Executive Session later this evening.

Department of Public Works

Trustee Gosda reported weekly yard waste collection, maintenance of Village vehicles, weekly mowing of Village owned properties, mitigation work performed at DPW complex to control repair costs, replaced restroom and re-installed insulation/sheetrock in small bay of sanitation garage to be used as a temporary break room and DPW Superintendent's office. Drainage improvements were made in area of Willis Avenue and Hudson St., restoration of 200' of 24" pipe on Wood Avenue (damaged from Hurricane Irene), and ongoing roadway repairs and cleanup (caused by Hurricane Irene). The street sweeper was out of service due to electrical issues (returned October 28th).

She further reported that the October 29th snow storm caused significant tree damage throughout the Village. The DPW crew has been working to clean main roadways and will continue to pick up brush along roadways over the next several weeks.

DPW Complex Trustee Gosda reported that Serv-Pro will clean buildings at the municipal services complex the week of November 14th and air quality testing will be done on same buildings the week of November 21st.

Sweeney Drainage – 339 Hudson Street Mayor Coyne reported that a draft engineering report has been received. This item was then tabled for discussion in Executive session later this evening.

Request for Qualifications – DPW Litigation Mayor Coyne reported that 3 interviews and 1 conference call took place earlier this evening with interested firms. Items discussed included potential cost vs. potential return and the short timeframe for initiating litigation. This item was then tabled for discussion in Executive Session later this evening.

Bandstand Paving Mayor Coyne reported that this project is tentatively scheduled to begin later this month.

DPW Renovation Project

Attorney for the Village McKay presented a resolution to the Village Board. In this resolution, the DEC is listed as an "involved agency" and is receiving mandatory notice that the Village is undertaking this project. They have an option within 30 days of receiving the Notice of Intent to take lead agency status in place of the Village Board. If so they will determine the significance of the action. In addition if any permits are required they will notify the Village.

RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CORNWALL-ON-HUDSON STATING ITS INTENTION TO BE THE LEAD AGENCY WITH RESPECT TO THE REVIEW OF THE DEPARTMENT OF PUBLIC WORKS BUILDING RENOVATION PROJECT PURSUANT TO THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT

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

WHEREAS, in or about 2004, the Village of Cornwall-on-Hudson commenced a course of action to construct a new Department of Public Works garage on the property located at 50 Shore Road; and

WHEREAS, the Cornwall-on-Hudson Local Development Corporation entered into a contract in or about August 2005, for the purpose of constructing the Department of Public Works garage; and

WHEREAS, the location upon which the DPW garage was constructed was formerly a landfill area that had been closed under guidelines promulgated by the New York State Department of Environmental Conservation (“NYSDEC”); and

WHEREAS, the Village completed the construction of the DPW garage in or about April 2006; and

WHEREAS, in or about February 2010, the Village Board was made aware that the previously constructed garage building did not meet the requirements of the New York State Building and Fire Code; and;

WHEREAS, the Village Board wishes to make such repairs, upgrades and improvements to the building as are required to obtain all necessary permits, approvals and authorizations, so that the building can be safely utilized by Village personnel and the public; and

WHEREAS, the Village Board has retained the services of David Wieboldt, R.A., his structural engineer, and Maser Consulting, to review the structure, perform soils and related testing, and to advise the Board as to the nature and extent of the repairs, upgrades and improvements that are required to bring the building into compliance; and

WHEREAS, David Wieboldt has issued bid documents for the purpose of receiving competitive bids for required structural repairs, upgrades and improvements, with specifications, to bring the building into code compliance; and

WHEREAS, on November 14, 2011, the Village Board authorized the solicitation of bids as proposed by David Wieboldt; and

WHEREAS, a short environmental assessment form (“EAF”) has been prepared with respect to the proposed action;

NOW, THEREFORE, BE IT HEREBY

RESOLVED, pursuant to, and in accordance with, the provisions of Section 617.6 of the regulations implementing the New York State Environmental Quality Review Act (“SEQRA”), the Village Board determines that the proposed DPW renovation project is an action subject to SEQRA; and it is further

RESOLVED, the Village Board preliminarily classifies the aforementioned proposed action as an unlisted action; and be it further

RESOLVED, that the Village Board hereby declares its intent to act as the SEQRA lead agency with respect to the consideration, review and determination of the significance of the aforementioned action; and be it further

RESOLVED, that the Village Board directs the Village Clerk/Treasurer to distribute a Notice of Intent to Act As Lead Agency, indicating the Village’s intention to coordinate review of the proposed project with Involved Agencies, along with copies of this resolution, the EAF and related project documents, to the New York State Department of Environmental Conservation as an Involved Agency,

to the Orange County Planning Department as an Interested Agency, and to such other identified Interested agencies, if any.

The foregoing resolution was seconded by Trustee Kane and upon a Roll Call Vote:

Mayor Coyne:	AYE	Trustee Argenio:	AYE
Trustee Gosda:	AYE	Trustee Kane:	AYE
Trustee Edsall:	AYE		

Vote: Resolution carried by a vote of 5 to 0.

Taylor Biomass

Attorney for the Village McKay presented a resolution to the Village Board. The resolution designates the Village Board as lead agency with respect to the municipal solid waste contract the Board would like to enter into. In addition it relies on the findings of the Final Environmental Impact Statement issued by the Town of Montgomery in November 2010. The resolution also authorizes Mayor Coyne to sign a short form Environmental Assessment Form (EAF) containing a negative declaration statement. The award of the bid will be contingent upon the Board entering into a contract with Taylor Biomass.

RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CORNWALL-ON-HUDSON DECLARING ITSELF LEAD AGENCY AND ISSUING A NEGATIVE DECLARATION PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT FOR THE AWARD OF A MUNICIPAL SOLID WASTE DISPOSAL AGREEMENT WITH TAYLOR BIOMASS ENERGY-MONTGOMERY, LLC.

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

WHEREAS, the Village provides municipal garbage collection services for its residences and offers the same to the businesses within the Village; and

WHEREAS, on September 12, 2011, the Village solicited competitive bids for a solid waste disposal-resource recovery facility within Orange County that would provide the means for an environmentally safe way to dispose of the waste collected by the Village and that would also provide it with a limitation on its future liability (the "Project"); and

WHEREAS, Taylor Biomass Energy – Montgomery, LLC was the only entity that submitted a bid and proposed contract in response to the Village's solicitation; and

WHEREAS, the Village Board hereby determines that it will act as the Lead Agency with respect to the review and approval of the project; and

WHEREAS, the Village's proposed action of entering into a contract for waste disposal services is an action subject to the New York State Environmental Review Act ("SEQRA"); and

WHEREAS, the Village Board hereby determines that the project is an unlisted action for purpose of SEQRA review; and

WHEREAS, the Village Board has before it a completed draft Environmental Assessment Form ("EAF") in regard to the proposed action;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Mayor is hereby authorized to sign the completed EAF; and
2. That the Village Board, as the sole involved agency, after due consideration of all the facts and circumstances in this matter does hereby adopt the annexed Negative Declaration; and
3. The Village Board hereby awards the Municipal Solid Waste Disposal bid to Taylor Biomass Energy-Montgomery, LLC; and
4. That the bid awarded herein is subject to the execution of a contract between the Village and Taylor Biomass Energy-Montgomery, LLC; and
5. The Mayor is hereby authorized to execute a contract with Taylor Biomass Energy-Montgomery, LLC, in the form annexed hereto; and
6. Pursuant to General Municipal Law § 130-w, the validity of the contract and the procedures relating to its award may be contested only if:
 - (1) such action, suit or proceeding is commenced within sixty days after the date of publication of such official action; and
 - (2) such award procedure was not authorized pursuant to this section; or
 - (3) any of the provisions of this section which should be complied with at the date of the publication of such official action have not been substantially complied with; or
 - (4) a conflict of interest can be shown in the manner in which the contract was awarded.

The foregoing resolution was seconded by Trustee Argenio and upon a Roll Call Vote:

Mayor Coyne:	AYE	Trustee Argenio:	AYE
Trustee Gosda:	AYE	Trustee Kane:	AYE
Trustee Edsall:	AYE		

Vote: Resolution carried by a vote of 5 to 0.

Water Department – Trustee Argenio reported an average daily production of 1.327 million gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 53). A total of 59 utility mark-outs were done, 12 meters were repaired or replaced, 8 final meter readings were taken, water meter reading for October was completed, a water service was replaced at 324 Hudson Street, and 3 possible water leaks were investigated (Browns Lane, Willow Ave, and Town Hall) all were unfounded. A water main break was repaired November 6th on Maple St, and a water main break at 2 Mill St (private main) was discovered and secured on November 5th and repaired by owner on November 6th. The department repaired float controls at the pressure regulators on mountain, continued cutting overgrowth on all dams, continued grass cutting on all properties, removed snow from all locations, and completed tree removal on Pecks Rd.

He further reported that the Orange County Water Authority and County Planning have commissioned a study of the underground aquifer area around us. The water department will participate and supply data as requested. In addition the water department and ISO have completed a fire hydrant flow testing for a Public Protection Classification (PPC) survey. Testing has been completed and a report has been issued to the Salisbury Mills Fire Department. Testing has also been completed for Highland Fire District (Town) and Storm King Engine Co. (Village). ISO reports will be issued for the Town and Village at a later date.

Trustee Argenio commended the water department for the volume of work they accomplish each month.

Annual Supply Bids – Award Clerk Mahoney reported that a bid opening was held in the Village Office on November 10, 2011. The Board agreed to award to the lowest bidders.

Water Treatment Chemicals Deputy Mayor Edsall made a motion to award the bid for items #1a & 4 to Surpass Chemicals, items 1b, 2 & 3 to Main Pool & Chemical, and item #5 to Coyne Chemical, in the bid amounts received November 10, 2011, which was seconded by Trustee Gosda and carried by a vote of 5 ayes and 0 nays.

Water Meters Trustee Gosda made a motion to award to the sole bidder, Ti-Sales, in the bid amounts received November 10, 2011, which was seconded by Trustee Kane, and carried by a vote of 5 ayes and 0 nays.

Fuel Oil #2 and "Off-Road" Diesel Clerk Mahoney reported that 2 bids were received. Deputy Mayor Edsall made a motion to table award in order to obtain an explanation as to why the bids are so different. In addition the Board would like prospective bidders to agree to modify their bid proposal to include “provide necessary provisions within twelve (12) hours if an emergency delivery is needed”. The motion was seconded by Trustee Kane and carried by a vote of 5 ayes and 0 nays.

Alum Sludge Removal Services Clerk Mahoney reported that 3 bids were received. Deputy Mayor Edsall made a motion to award the bid to Residuals Management, d/b/a Earthcare, the low bidder as per the November 10, 2011 bid, which was seconded by Trustee Gosda and carried by a vote of 5 ayes and 0 nays.

OTHER BUSINESS

AUDIOVISUAL PRODUCTIONS

Attorney for the Village McKay provided copies of a proposed local law regarding audiovisual productions to the Board. Following discussion on the intent of the proposed law, Deputy Mayor Edsall made a motion to table this item for discussion at the next work session which was seconded by Trustee Kane and carried by a vote of 5 ayes and 0 Nays. Mr. McKay requested Board members provide “precise wording” of any requested revisions for inclusion by the work session.

BOARD OF ASSESSMENT REVIEW

Mayor Coyne stated that grievance applications were sent to Orange County Real Property Tax Services and Director John McCarey has agreed to “help us out”. After some discussion regarding elimination of the Village as an assessing unit, Attorney for the Village McKay was asked to prepare necessary documents to start the process.

COMPUTER/INTERNET USAGE POLICY

Attorney for the Village McKay reviewed the draft policy provided by Trustee Gosda. He would like the Board to discuss what they would like to see in the policy and provide that information to him for

inclusion. Trustee Kane made a motion to table this item for discussion at the next work session which was seconded by Deputy Mayor Edsall and carried by a vote of 5 ayes and 0 nays.

2% TAX LEVY CAP

Mayor Coyne stated that he has been in touch with some municipalities. He intends to keep the levy under 2%; however, the Board should give itself flexibility to adopt a budget in case there are problems. A proposed local law to override the tax levy limit established in General Municipal Law §3-c has been prepared by the Attorney for the Village and provided to the Board for consideration. Mayor Coyne read from an article on the NYCOM website which stated in part "...a cap without specific exclusions such as costs associated with health care, pensions, extraordinary capital expenditures, reductions in state aid and relief from state mandates will result in destructive local budget deficits, decimated municipal work forces, and a dangerous reduction in essential services provided by local governments".

Trustee Gosda would like to know more about the proposed budget before voting on a resolution. The goal should be to stay under 2%. We must provide essential services to the Village.

Trustee Argenio stated that the proposed local law is good only for this year. He asked the Mayor if the 2% cap is to be exceeded, will he commit this evening to another cap number. Mayor Coyne replied that it is too early to commit to any cap limit.

Deputy Mayor Edsall stated that the proposed local law gives the Village legal authority and is also a protective measure to keep us from violating the tax cap law. The Board is not required to exercise the option if the law is adopted.

Trustee Kane stated that the Board can't ignore upcoming expenses both anticipated and not anticipated. If the Board decides to move forward on recovering costs from DPW construction, potential law firms were interviewed earlier this evening, we will incur litigation costs. In addition there are costs associated with DPW repairs, Hurricane Irene damage (while we wait for FEMA and insurance reimbursement), and CSEA/PBA negotiations.

Attorney for the Village McKay reminded the Board that tonight's resolution only authorizes a public hearing.

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

RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CORNWALL-ON-HUDSON SETTING A TIME AND PLACE FOR A PUBLIC HEARING ON A PROPOSED LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c

WHEREAS, the Village Board is mindful that prudent fiscal decisions are one of the mainstays of good government, the Village Board is also mindful that certain essential services must be provided to the residents of the Village of Cornwall-on-Hudson. The Village Board desires to have the flexibility to adopt a budget for the fiscal year commencing 2012 that exceeds the real property "tax levy limit" as defined by General Municipal Law § 3-c if necessary to provide essential services.

WHEREAS, the Village Board wishes to set a time and place for a public hearing to consider overriding the tax levy limit established in General Municipal Law §3-c;

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that the Village Board hereby determines that it will be the lead agency with respect to the review of the proposed local law (the “project”) in accord with New York State Environmental Quality Review Act (“SEQRA”) and part 617 of the regulations implementing SEQRA, since there are no other agencies that have the authority to approve the project; and let it be further

RESOLVED, that the Village Board hereby classifies the action as an unlisted action under SEQRA; and let it be further

RESOLVED, that a public hearing be held by the Village Board in order to receive comments and suggestions regarding the proposed local law to override of the tax levy limit established in General Municipal Law §3-c, and to receive any comments concerning the potential adverse environmental impacts of the proposed legislation in accord with SEQRA, on December 19, 2011, at 7:01 p.m. at the Village Hall located at 325 Hudson Street, Cornwall-on-Hudson, New York; and it is further

RESOLVED, that the Village Clerk is hereby authorized and directed to cause public notice of said hearing to be given as provided by law.

The foregoing resolution was seconded by Deputy Mayor Edsall and upon Roll Call Vote:

Mayor Coyne:	AYE	Trustee Argenio:	AYE
Trustee Gosda:	AYE	Trustee Kane:	AYE
Trustee Edsall:	AYE		

Vote: Resolution carried by a vote of 5 to 0.

Trustee Argenio and Trustee Gosda each stated they are not in favor of the law.

TREE LIGHTING

Mayor Coyne announced that the annual tree lighting will take place on Sunday, December 4th at 5:30 PM.

PUBLIC COMMENT

Jim Taylor President and CEO of Taylor Biomass Energy thanked the Village Board for their support and bid award to Taylor Biomass. The project is still on track and is gaining momentum every day.

Jan Smith of 45 Clark Avenue stated that she visited with a NYSDEC representative today. She wanted information regarding the closing of our landfill and the DPW building. Ms. Smith stated that it appears that the Village never requested DEC permits/approvals back in 2005. She intends to follow up with DEC to make sure we contact them with regard to the proposed DPW Structural Repairs. If the Mayor does not, she will file a formal complaint.

Melissa Vellone of Bayview Avenue read from May, 2005 minutes regarding concerns raised about soil testing at the DPW site. She then referred to a May 31, 2005 letter from Dufresne Henry which addressed the issue of the previous dump site and its chemical composition. Ms. Vellone then referenced to the June, 2005 meeting minutes in which Trustee Edsall said it appears that there is no

indication of toxic materials on the property that would prevent the Village from developing the site. She stated that the Village residents need “honest information from our government” that is not misleading especially regarding the DPW project.

BOARD MEMBER ACTIVITIES/COMMENTS

Trustee Gosda stated that the Lions Club used signs rather than road markings for their recent Run/Walk event. It was very considerate of them and she would like it to become Village policy for future events.

Trustee Argenio stated that he has reviewed the engineering report regarding the Sweeney property. He looks forward to reviewing this with legal counsel so we can get “their problem solved”. In addition Mr. Argenio would like the Cornwall Yacht Club matter on the agenda for next work session. He will review the report on DPW variances that Trustee Gosda received today after submitting a FOIL request. The last Hike and Bike was recently held for this year. It was a great success and an estimated 10,000 people came to the Village and he looks forward to having it again in the spring.

Mayor Coyne reported that that an Ecumenical Thanksgiving Service will take place tomorrow evening at St. Thomas of Canterbury Church.

Having concluded the business set before them, Deputy Mayor Edsall moved to adjourn the meeting into Executive Session at 8:40 PM in order to discuss police chief employment issue, DPW building litigation issue, 339 Hudson St (Sweeney property), and the Taylor Biomass contract. The motion was seconded by Trustee Gosda and carried upon a vote of 5 Ayes and 0 Nays. Mayor Coyne indicated that the board may take action upon conclusion of the executive session and invited Mr. & Mrs. Sweeney to stay.

The meeting reconvened at 9:45 P.M. on a motion by Trustee Kane which was seconded by Trustee Gosda and carried by a vote of 5 Ayes and 0 Nays.

POLICE CHIEF APPOINTMENT

Deputy Mayor Edsall made a motion to withdraw the employment contract offered to Richard Bunyan which was seconded by Trustee Kane and carried by a vote of 5 Ayes and 0 Nays.

DPW LITIGATION

Trustee Kane made a motion to hire Cuddy & Feder, LLP to pursue possible litigation regarding the Department of Public Works facility, at an amount not to exceed \$5,000, which was seconded by Trustee Gosda and carried by a vote of 5 Ayes and 0 Nays.

Having concluded the business set before them, Deputy Mayor Edsall moved to adjourn the meeting 9:47 PM which was seconded by Trustee Kane and carried by a vote of 5 Ayes and 0 Nays.