

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

August 20, 2012

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 (arrived at 7:08 p.m.)
- Deputy Mayor Mark J. Edsall
- Trustee James P. Kane
- Trustee David Carnright

Absent Was: Trustee Peter Russell (taking daughter to college)

Also present were: DPW Superintendent David Halvorsen, Water Superintendent Robert June, Storm King Engine Co. #2 Fire Chief Robby Vought, Attorney for the Village Joseph McKay, and Village Clerk Jeanne Mahoney.

A moment of silence was observed for Cornwall Town Clerk Elaine Tilford Schmeer who passed away on August 19th.

Deputy Mayor Edsall stated that he has served as the Town’s Consulting Engineer since 1985 and Elaine was always a good friend and wonderful Town Clerk. He will miss working with her.

BOARD DEPARTMENT REPORTS

Building Department Trustee Kane reported 5 building permits were issued, 3 certificates of compliance/occupancy were issued, 18 onsite inspections performed, 4 violation notices were issued, and 2 fire inspections were conducted. Inspector Maldonado worked 40 hours and Inspector Maggio worked 40 hours in July.

TREASURER’S REPORT

Treasurer Mahoney reported that Nugent and Hauessler are nearing completion of the financial audit statement and annual report for fiscal year ending February 29, 2012.

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

Village water, sewer, garbage & penalties	\$ 104,553.86
Town water & penalties	639,452.53

which included 2 final/adjustments for the Village and 1 for the Town.

Warrant #8 – Trustee Kane made a motion to approve the August 2012- Warrant (#8) and authorize payments totaling \$205,670.76 which was seconded by Trustee Carnright and carried by a vote of 3 Ayes and 0 Nays.

Treasurer Mahoney reported receipt of \$3,294,716.30 (51.10%) in anticipated revenues and \$1,844,939.21 (28.62%) in anticipated expenditures through the end of July.

Fire Department – Deputy Mayor Edsall reported 1 vehicle fire, 1 brush fire, 4 automatic alarms/CO calls, 1 motor vehicle accident, 5 medical calls, 5 wires down/electrical emergencies, 1 mutual aid standby, 1 fire prevention detail, 9 work details, 1 parade, 3 drills (2 in firehouse and 1 outside of firehouse) for a total of 32 events and 1405 man hours.

He further reported that the department participated in County River Emergency Training Critique, the annual SKE2 Firemen’s Fair was held (great turn out – lost 2 days to weather), recent storms caused little to no problems, a committee has been meeting with several manufacturers and researching options for the tower ladder truck, hose testing was moved to August 8th, fire prevention sessions took place at the Village Camp and Camp Olmstead, and preparations continue for the County Parade and Convention taking place the week of September 16-22, 2012.

Mayor Coyne arrived.

ORANGE COUNTY VOLUNTEER FIREMEN’S PARADE/CONVENTION WEEK

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

The Board hereby grants the Storm King Fire Engine Company use of the Donahue Memorial Park for the period of September 16th thru September 22nd in connection with the 97th Annual OCVFA Convention to be held in the Village of Cornwall on Hudson. During that time period, Storm King shall to the maximum extent possible, keep the park available for use of the general public, where such use does not conflict with the Fire Companies events. In cooperation with the Fire Department, the Village Police shall be authorized to limit vehicular access to the Park as needed, and in connection with the scheduled events, the beverage limitations of Section 122-9 shall be waived. The Board further authorizes the other Village Departments to provide assistance to the Fire Company. The Village Board thanks the Fire Company for their service to the community and congratulates them as the host of this years OCVFA Convention and Parade.

The foregoing resolution was seconded by Mayor Coyne and carried upon a vote of 4 Ayes and 0 Nays.

Mayor Coyne announced that there is a binder on the back table for anyone interested in looking at resolutions and meeting-related documents that will be discussed this evening.

Mayor Coyne welcomed Trustee David Carnright to the Board and thanked Mr. Carnright for making himself available.

MINUTES

Mayor Coyne moved for the acceptance of the April 16, 2012 Business Meeting Minutes as presented which was seconded by Trustee Kane and carried by a vote of 3 Ayes, 0 Nays, and 1 Abstain (Carnright).

Mayor Coyne moved for the acceptance of the April 30, 2012 Special Meeting Minutes as presented which was seconded by Deputy Mayor Edsall and carried by a vote of 3 Ayes, 0 Nays, and 1 Abstain (Carnright).

Mayor Coyne moved to table acceptance of the May 21, 2012 Business Meeting Minutes which was seconded by Trustee Kane and carried by a vote of 4 Ayes and 0 Nays.

Mayor Coyne moved for the acceptance of the June 18, 2012 Regular Meeting Minutes as presented which was seconded by Trustee Kane and carried by a vote of 3 Ayes, 0 Nays, and 1 Abstain (Carnright).

Mayor Coyne moved for the acceptance of the July 16, 2012 Regular Meeting Minutes as presented which was seconded by Deputy Mayor Edsall and carried by a vote of 3 Ayes, 0 Nays, and 1 Abstain (Carnright).

CORRESPONDENCE

Mayor Coyne is in receipt of the following correspondence:

- Letter from Nancy Sutherland regarding kayak trailer parking at Donahue Memorial Park. This has been referred to Police Chief Dixon.
- Letter from Samantha Olley and Michael Kusmann requesting permission to park a food truck in the Village. Trustee Kane stated that the Board discussed this at last week's work session and agreed that Donahue Memorial Park should be a "passive" park with no food vendors allowed. Ms. Olley was also seeking permission to park on property owned by SKAT. After some discussion regarding peddling/soliciting regulations in the Village Code, this item was tabled for Executive Session later this evening.
- Letter from Kris Seiz of Storm King Adventure Tours (SKAT) regarding kayak trailer parking at Donahue Memorial Park. She believes there should be designated boat trailer parking spaces near the port-a-potty for the kayak businesses. There are 8 spaces against the railroad tracks for "pleasure crafts". The lots should also be striped to make parking more efficient. Trustee Kane suggested that this be referred to Police Chief Dixon and DPW Superintendent Halvorsen.

BUDGET TRANSFERS

Deputy Mayor Edsall made a motion to authorize a budget transfer of \$14,180.00 from General Fund Money Market (A202) to General Fund Street Maintenance Expense (A5110.4). This money was paid to the Village by Central Hudson to pay for repairs to Second Street after gas lines were installed in 2010-2011. The motion was seconded by Mayor Coyne and carried upon a vote of 4 Ayes and 0 Nays.

Trustee Kane made a motion to authorize a budget transfer of \$11,152.00 from General Fund Insurance Recovery (A2680) to General Fund Police Expense (A3120.4). This money was paid to the Village by

Trident Insurance in April 2012 for police department vehicle and equipment losses due to Hurricane Irene. The motion was seconded by Mayor Coyne and carried upon a vote of 4 Ayes and 0 Nays.

Police Department Trustee Carnright reported 2 criminal mischief, 6 petty larceny violations, 4 arrests, 5 traffic accidents, 26 traffic tickets issued, 21 warnings issued, 3 parking tickets, 6 fire response calls, 1 domestic incident, 9 alarm response calls, 4 noise complaints, 1 suspicious vehicle call, 2 suspicious person(s) call, 6 animal complaints, 10 assists to the Town of Cornwall Police Department, 7 EMS assist calls, and 3 assists to other agencies for a total of 274 total calls for service.

Mayor Coyne made a motion to authorize purchase of a used 2007 Ford Crown Victoria, VIN: 2FAFP71W67X137317 in an amount not to exceed \$10,000.00 which was seconded by Deputy Mayor Edsall and carried upon a vote of 4 Ayes and 0 Nays.

Deputy Mayor Edsall reported that in an ongoing effort to reduce the number of cars in the fleet, 3 police vehicles have/will be taken out of service.

Deputy Mayor Edsall made a motion approving the receipt of \$1,000.00 on behalf of the Village of Cornwall on Hudson Police Department from the County of Orange for STOP DWI equipment and authorizes the Mayor, Brendan G. Coyne, to execute all necessary contracts and documentation for the year 2012 in regard to these funds. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

Mayor Coyne is in receipt of a letter from the Fiore family of Cherry Avenue regarding traffic concerns at the intersection of Cherry Avenue and Hudson Street. They request a parking space on Hudson Street nearest the intersection be removed in order to allow drivers a better sight distance. This matter will be referred to Police Chief Dixon and DPW Superintendent Halvorsen.

Department of Public Works – Trustee Kane reported weekly mowing and trimming of Village properties, weekly yard waste collection, blacktop patching of roads, sweeping of streets, meetings with David Wieboldt, Architect for the Village, to finalize plans for Phase #2 of the DPW Building, roadside mowing, assistance to Town of Cornwall with July 4th set-up, paving of River Avenue and Second Street, guiderail on River Avenue re-set to road height, Orange County DPW painted double yellow lines on River Avenue and Dock Hill Road, and fabrication of hardware for boat docks.

He further reported that the boat docks were place in the river on August 3rd. DPW Superintendent Halvorsen thanked Cornwall Yacht Club for helping with the pilings.

Mayor Coyne announced that the annual Community Yard Sale and Fall Bulk Clean Up days have been moved from October 20th and 22nd to October 13th and 15th.

DPW INTERIOR ALTERATIONS – AWARD OF BID

Mayor Coyne reported that a bid opening was held on August 13, 2012 for “Interior Alterations” at the DPW facility on Shore Road. The bid form included a base bid for the interior alterations and alternate #1 for installation of snow guards, gutters, and leaders.

Upon the recommendation of David Wieboldt, Architect for the Village, Deputy Mayor Edsall made a motion to award the bid and alternate #1 to Verticon, Ltd. in the base amount of \$218,400.00 and

\$8,000.00 for alternate #1. The motion was seconded by Mayor Coyne and carried upon a vote of 4 Ayes and 0 Nays.

Water Department – Mayor Coyne reported an average daily production of 1.143 million gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 68). A total of 49 utility mark-outs were done, 23 meters were repaired or replaced, 5 final meter readings were taken, and water meter reading was completed. Water leaks were repaired on Peter Scot Drive, Canterbury Avenue, and Walnut Street. In addition to ongoing routine building and grounds maintenance/cleanup, weekly maintenance was performed on flow controls to Black Rock Plant, water leak detection is ongoing, and brush cutting off the dams continued.

He further reported that the Stantec report on the Village’s chemical tank inspection and Spill Prevention Report has been received along with an updated Emergency Action Plan. Both will be forwarded to the NYS DEC. Northeast Water Technology started a leak detection survey of our water system on August 9th in the Town of Cornwall. Some surveying will take place at night due to traffic and noise in some areas. Water Superintendent June requests discussion on ongoing problems with the Maple Street water main.

In addition, a demonstration of “Code Red”- an emergency notification system took place on June 21st. Upon the recommendation of Water Superintendent June, Deputy Mayor Edsall made a motion to schedule a special meeting on September 10th at 5:30 pm for the Town and Village Boards to discuss a joint purchase of this system. The motion was seconded by Mayor Coyne and carried upon a vote of 4 Ayes and 0 Nays.

Mayor Coyne made a motion authorizing Water Superintendent June to post and advertise for a Water Treatment Plant Operator which was seconded by Deputy Mayor Edsall and carried upon a vote of 4 Ayes and 0 Nays.

OTHER BUSINESS

REVISED ETHICS LAW

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

WHEREAS, the Village Board wishes to adopt a revised Code of Ethics to replace the existing code, now enacted as Chapter 12 of the Village Code;

WHEREAS, the Village Board wishes to set a time and place for a public hearing to consider the adoption of the proposed Code of Ethics local law;

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 Code of Ethics local law and to receive any comments concerning the potential adverse environmental impacts of the proposed legislation in accord with SEQRA, on September 17, 2012, 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 Trustee Kane and carried upon a vote of 4 Ayes and 0 Nays.

This item was then tabled for discussion in Executive Session later this evening.

SEWER RATES

This item was tabled for discussion in Executive Session later this evening.

ZONING MAP

Trustee Kane reported that a map was signed by former Mayor Gross on October 12, 2007 and submitted to the Orange County Department of Planning for filing as the "Official Zoning Map" for the Village of Cornwall-on-Hudson. In accordance with Article 7 of Village Law, sub-section 7-724 the Mayor was not authorized to do so without prior Village Board approval.

Trustee Kane made a motion to withdraw the signed zoning map dated October 12, 2007 from the Orange County Department of Planning which was seconded by Deputy Mayor Edsall and carried upon a vote of 4 Ayes and 0 Nays.

PUBLIC COMMENT

DPW Superintendent Halvorsen reported that several residents have contacted him asking that certain parking spaces along Hudson Street be eliminated because of difficulty seeing oncoming traffic when pulling out of side streets. He is concerned that if parking spaces get eliminated it may hurt businesses in the Village. Village Code requires businesses provide sufficient parking for patrons.

Having concluded the business set before them, Deputy Mayor Edsall moved to adjourn the meeting into Executive Session at 7:55 PM in order to discuss pending DPW litigation, the draft revised ethics law, sewer rates, payment request by Trustee Argenio, a police department scheduling/contractual issue, a building department personnel issue, PBA/CSEA negotiations, Auffredou litigation, a survey/deed restriction issue regarding Nature Museum and Cornwall Yacht Club lease, potential liability issues concerning the docks, Hamlet Grove Developers Agreement negotiations, and potential issues regarding a peddling/soliciting application. The motion was seconded by Trustee Kane and carried upon a vote of 4 Ayes and 0 Nays.

The meeting was reconvened at 10:39 PM on a motion by Trustee Carnright seconded by Trustee Kane and carried upon a vote of 4 Ayes and 0 Nays.

MEMORANDUM OF AGREEMENT

Deputy Mayor Edsall made a motion authorizing Mayor Coyne to sign a Memorandum of Agreement for a pilot program placing full timers on permanent schedules ending December 31, 2012 which was seconded by Trustee Kane and carried upon a vote of 4 Ayes and 0 Nays.

Having no further business set before them the meeting was adjourned at 10:40 pm on a motion by Deputy Mayor Edsall seconded by Trustee Kane and carried upon a vote of 4 Ayes and 0 Nays.