

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

September 17, 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
Trustee James P. Kane
Trustee Peter Russell
Trustee David Carnright

Absent Was: Deputy Mayor Mark J. Edsall (not feeling well)

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

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.

PUBLIC HEARING - INTRODUCTORY LOCAL LAW I-6 of 2012 entitled “A Local Law Amending the Village Code of the Village of Cornwall-on-Hudson, New York Adopting a Code of Ethics Pursuant to Article 18 of the General Municipal Law”.

Mayor Coyne announced that the public hearing has been postponed in order to provide the Village Board time to review the extensive research done by the Attorney for the Village.

PUBLIC COMMENT

Sue Tomko of 6 Jean Court requested information on how properties are reassessed. Her property assessment increased by \$45,000 this year and she has done nothing to the house since 2003. She was also reassessed in 2006. She asked if there is an “assessment plan”. After some discussion Mayor Coyne asked Ms. Tomko to reach out to him this week to discuss this matter further.

Ms. Tomko also asked if it is legal to have farm animals in the Village. Her neighbor had a sheep in their yard until this past weekend. She called police to find out what happened to the animal but has not received a response.

MINUTES

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

Mayor Coyne moved for the acceptance of the August 20, 2012 Regular Meeting Minutes as presented which was seconded by Trustee Carnright and carried by a vote of 3 Ayes, 0 Nays, 1 Abstain (Russell).

CORRESPONDENCE

Mayor Coyne is in receipt of the following correspondence:

- Letter from Orange County Volunteer Firemen's Association inviting the Village Board to participate in the September 22nd parade.
- Letter from Clara Picarro indicating that she is discontinuing Village garbage pick-up at 55 Academy Avenue.
- Letter from Orange County Department of Health regarding the "Campaign for Healthier Places".
- Letter from NYS Office of Real Property Services providing a Residential Assessment Ratio (RAR) of 67.12% for the Village's 2013 assessment year.
- Letter from Mary Frances Hall Sangervasio of 7 Holts Lane regarding parking on Holt's Lane.

Michael Sangervasio of 7 Holts Lane suggested that if the Board does not want to remove the no parking signs, perhaps parking passes could be issued to homeowners on Holts Lane.

Eric Baal of 5 Holts Lane stated that parking is a real problem on Holt's Lane. Patrons of the Rock Wall Pub (formerly Tom's Tavern) are creating a disturbance by, among other things, leaving car engines running for extended periods of time with the lights and radios on. In addition two cars are parking on the street directly across from his property making it difficult to safely pull out of his driveway.

Teri Popkave of 8 Holts Lane stated that the cars parked on the street are a hindrance especially in the winter months when the roadway gets plowed. She does not want the no parking signs removed and suggests the Board consider alternate side of the street parking.

Mayor Coyne will speak with Police Chief Dixon and DPW Superintendent Halvorsen regarding this issue.

TREASURER'S REPORT

Treasurer Mahoney reported that Nugent and Haessler have completed the financial audit statement and annual report for fiscal year ending February 29, 2012. It has been distributed to the Village Board for review. In addition, the \$250,000 Bond Anticipation Note for DPW Repairs closed on September 7th. Orange County Trust was the low bidder at 2.50%.

Ms. Mahoney also reported that she attended the NYCOM Fall Training School in Lake Placid last week.

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

Village water, sewer, garbage & penalties \$ 268,570.21
Town water & penalties 456,279.06
which included 3 final/adjustments for the Village and 3 for the Town.

Warrant #9 – Mayor Coyne made a motion to approve the September 2012- Warrant (#9) and authorize payments totaling \$387,436.85 which was seconded by Trustee Carnright and carried by a vote of 4 Ayes and 0 Nays.

Treasurer Mahoney reported receipt of \$3,851,001.82 (59.73%) in anticipated revenues and \$2,345,274.90 (36.38%) in anticipated expenditures through the end of July.

BOARD DEPARTMENT REPORTS

Building Department Trustee Carnright reported 9 building permits were issued, 10 certificates of compliance/occupancy were issued, 10 onsite inspections performed, 2 violation notices were issued, and 3 fire inspections were conducted. Inspector Maldonado worked 40 hours and Inspector Maggio worked 40 hours in August.

Fire Department – Trustee Russell reported 7 automatic alarms/CO calls, 1 motor vehicle accident, 5 medical calls, 1 mutual aid standby, 2 fire prevention details, 5 work details, 2 funeral services, 6 drills (5 in firehouse and 1 outside of firehouse) for a total of 29 events and 234 man hours.

Police Department Trustee Kane reported 1 criminal mischief, 9 petty larceny violations, 2 misdemeanor arrests, 4 traffic accidents, 18 traffic summons issued, 11 warnings issued, 3 parking summons, 4 fire response calls, 1 domestic incident, 8 alarm response calls, 2 suspicious vehicle calls, 3 suspicious person(s) calls, 4 animal complaints, 7 assists to the Town of Cornwall Police Department, 9 EMS assist calls, and 3 assists to other agencies for a total of 254 total calls for service.

In addition Police Officer Pena attended a two-day “Interview & Interrogation” seminar and Police Officer Moran attended a one-day F.B.I. “LEOKI” (Law Enforcement Officers Killed in Action) seminar.

Trustee Kane further reported that the Police Department recently purchased a 2007 Ford Crown Victoria Police Interceptor. On behalf of Chief Dixon he thanked DPW Superintendent Halvorsen and his staff for assisting with installation of the vehicle emergency equipment. In addition he thanked Cornwall Town Supervisor Quigley, the Town Board, and Town Police Chief Hazard for donating a “Setina” police vehicle center partition. Both helped the Village tremendously with cost savings for equipment and installation.

Mayor Coyne made a motion to declare the following police vehicles surplus: 1998 Ford Crown Victoria, VIN: 2FAFP71W8WX166770 and 2001 Chevy Impala, VIN: 2G1WF55K919367415 and authorize the Village Clerk to advertise these vehicles for sale which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays. The proceeds will be used toward purchase of new bullet proof vests for Village police officers.

Department of Public Works – Mayor Coyne reported weekly mowing and trimming of Village properties, weekly yard waste collection, blacktop patching of roads, sweeping of streets, the contract awarded and signed for Phase 2 of DPW Building renovations, roadside mowing, tree removal on Hudson Street, Dock Hill Road, and Maple Road, assisted Fire Department with preparations for county parade, touch up work done on River Avenue, boat docks were installed on August 3rd, line striping of parking spots, Village Hall and parking lots including Fire House parking lot and Donahue Memorial Park.

He further reported that the Mountain Road job is on hold waiting for the box culvert to arrive. The work will be planned for days when school is not in session.

RESOLUTION – CREATION OF ADDITIONAL MECHANIC POSITION

Mayor Coyne tabled this item for discussion in Executive Session later this evening.

RESOLUTION – DECLARE ZERO-TURN MOWER UNSERVICEABLE/SURPLUS

Mayor Coyne made a motion to declare the Zero-Turn Mower surplus which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays. This mower was damaged in the flooding caused by Hurricane Irene and is not repairable.

Water Department – Trustee Carnright reported an average daily production of 1.037 million gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 71). A total of 38 utility mark-outs were done, 40 meters were repaired or replaced, 3 final meter readings were taken, and water meter reading was completed. Water leaks were repaired on Mailler Ave and Secor St., Maple St. and Canterbury Ave., 19 Maple St, and on the service line to St. Thomas Cemetery. Fire hydrants were replaced at Orrs Mill Rd and Old Pleasant Hill Rd, and 125 Russell Street. Water services/taps were installed at lots 7 & 9 Holloran Rd and 606 Orrs Mill Road. 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 the leak detection survey of the Town is to be completed September 7th.

He further reported that the Water District Survey for NYS Office of Emergency Management has been completed.

BUDGET TRANSFER

Mayor Coyne made a motion to authorize a budget transfer of \$90,000.00 from Water Fund Contingency (F1990.4) to Water Fund Source of Supply Expense (A8320.4) to cover a majority of the cost for new membranes for the Black Rock Treatment Plant. The balance of the invoice, \$17,000.00, will come from regular operating expenses within the Water Fund Source of Supply Expense line (F8320.4). The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

RESOLUTION – CREATION OF NEW JOB TITLE IN WATER DEPARTMENT

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

WHEREAS, the Village of Cornwall-on-Hudson wishes to establish a new job title of “Chief Water Treatment Plant Operator” in the Water Department;

NOW, THEREFORE BE IT RESOLVED that the Board of Trustees of the Village of Cornwall-on-Hudson does hereby authorize this action, and directs the Mayor to file the necessary paperwork with the Orange County Department of Personnel and CSEA. And also directs the Water Superintendent to post the newly created job title.

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

OTHER BUSINESS

PROACTIVE SERVER MAINTENANCE PLAN

Mayor Coyne made a motion to authorize the Mayor to implement a “Proactive Server Maintenance Plan” to be performed by the Town of New Windsor I.T. department subject to written clarification that the monthly fee will not exceed \$30.00 for labor and costs. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

RESOLUTION – TRANSFER FUNDS TO PAY FORMER VILLAGE TRUSTEE A SALARY FOR ONE YEAR

Trustee Carnright made a motion to table this item for discussion in Executive Session later this evening which was seconded by Trustee Kane and carried upon a vote of 4 Ayes and 0 Nays.

CODE RED EMERGENCY NOTIFICATION SYSTEM - UPDATE

Mayor Coyne reported that a joint meeting of the Town and Village Boards took place on September 10th for a demonstration of the emergency notification system “Code Red”. The system will benefit both Town and Village residents and the costs will be shared between the Town and Village.

Trustee Kane thanked Water Superintendent June for putting the demonstration together. It was an outstanding presentation and all our questions were answered. “Code Red” is an excellent program that will keep our residents apprised of “what’s going on” especially in emergency situations.

PUBLIC COMMENT

Michael Sangervasio of 7 Holts Lane stated that a petition was brought to the Board last year to have the “no parking” signs removed from both sides of the street. To date nothing has been done and he would like to know why.

Mary Francis Hall Sangervasio of 7 Holts Lane stated that if the Village does not want to remove the no parking signs then the curbs will have to be moved. She is unable to move cars from the street onto her yard because of the curb height.

Sue Tomko of 6 Jean Court stated “kudos” to Village and Town officials on pursuing an emergency notification system for residents.

Teri Popkave of 8 Holts Lane stated that she has no problem with people parking on the road as long as they do so responsibly; however, she does have a problem in winter with the snow. If cars are parked on both sides of the road you can’t get through.

Trustee Russell replied that cars must be off the road during a snow emergency. Trustee Carnright added that if there is more than 2 1/2 inches of snow, cars have to be moved off the street.

BOARD ACTIVITIES/COMMENTS

Trustee Kane wished Storm King Engine Co. #2 good luck with the upcoming Orange County Volunteer Firemen’s Association parade and related events this week. He also thanked our Department of Public Works for their assistance.

Mayor Coyne stated that he is looking forward to this week’s activities and parade on Saturday.

In addition he announced a “Cornwall 5K & 10K” Road Race (formerly known as the Laurelcrest Race) on Sunday, October 14th to raise breast cancer awareness.

Having concluded the business set before them, Mayor Coyne moved to adjourn the meeting into Executive Session at 7:50 PM in order to discuss sewer rates, the draft revised ethics law, payment request by Trustee Argenio, creation of an additional mechanic position in the DPW, Cornwall Yacht Club lease discussion with counsel, DPW litigation discussion with counsel, and the Nature Museum lease discussion with counsel. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

The meeting was reconvened at 8:32 PM on a motion by Mayor Coyne seconded by Trustee Kane and carried upon a vote of 4 Ayes and 0 Nays.

RESOLUTION – CREATION OF ADDITIONAL MECHANIC POSITION

Mayor Coyne made a motion authorizing the creation of an additional mechanic position in the Department of Public Works. In addition authorizing the Mayor to file necessary paperwork with the Orange County Department of Personnel and CSEA, and hereby directs the DPW Superintendent to post the newly created job title. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CORNWALL-ON-HUDSON AUTHORIZING EXECUTION OF SETTLEMENT DOCUMENTS REGARDING LEGAL PROCEEDING BROUGHT BY ANDREW ARGENIO

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

WHEREAS, Andrew Argenio filed a proceeding against Mayor Brendan Coyne and Village of Cornwall-on-Hudson, by filing a Notice of Petition and Petition on or about August 27, 2012; and

WHEREAS, Andrew Argenio's proceeding asserts that the Village of Cornwall-on-Hudson (hereinafter the "Village") is obligated to pay him for his service on the Village Planning Board and service on the Village Board; and

WHEREAS, the Village denies that Petitioner is entitled to payment of his Planning Board salary because Petitioner provided the Village with a written waiver of his salary entitlement for that service; and

WHEREAS, the Village asserts that Petitioner is not entitled to payment of his Village Board salary because Petitioner never ought payment of the same during his first full year in office, and because the Village believes Petitioner demonstrated that he had waived his salary for his service on the Village Board; and

WHEREAS, the Village Board of the Village of Cornwall-on-Hudson believes that the settlement of this matter at an early stage of the proceedings, in exchange for a general release from Andrew Argenio, is in the best interests of the residents of the Village of Cornwall-on-Hudson; and

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that the Mayor or his designee is hereby authorized and directed to execute any and all documents necessary for the settlement of this matter, subject to approval as to form and content by the Attorney for the Village.

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

Having no further business set before them the meeting was adjourned back into Executive Session at 8:35 pm on a motion by Mayor Coyne seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

Trustee Carnright made a motion to come out of executive session at 9:30 P.M. which was seconded by Mayor Coyne and carried upon a vote of 4 Ayes and 0 Nays.

Having no further business set before them the meeting was adjourned at 9:31 pm on a motion by Trustee Kane seconded by Trustee Russell and carried upon a vote of 4 Ayes and 0 Nays.