

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

October 15, 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
Deputy Mayor Mark J. Edsall
Trustee James P. Kane
Trustee Peter Russell – arrived at 7:03 p.m.
Trustee David Carnright

Also present were: DPW Superintendent David Halvorsen, Storm King Engine Co. #2 Fire Chief Robby Vought, 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 COMMENT

Michael Sangervasio of 7 Holts Lane stated that he met with Police Chief Dixon regarding the parking issue on Holts Lane. Although he understands the need to remove cars from Village roadways during a snow storm, he would like to know where he should park his cars when this happens.

MINUTES

Mayor Coyne made a motion to accept the September 17, 2012 Regular Meeting Minutes as presented which was seconded by Trustee Carnright and carried by a vote of 4 Ayes and 0 Nays.

Trustee Russell arrived.

Mayor Coyne made a motion to accept the May 21, 2012 Business Meeting Minutes as presented, which was seconded by Deputy Mayor Edsall and carried by a vote of 3 Ayes, 0 Nays, and 2 Abstain (Kane & Carnright).

CORRESPONDENCE

Mayor Coyne is in receipt of the following correspondence:

- Letters from Eric & Cherie Baal, Teri Popkave, and Leslie Mauchline regarding the ongoing parking issue on Holts Lane.
- Letter from NYS Office of Parks, Recreation and Historic Preservation regarding a recommendation to nominate the Union Chapel located on Shore Road to the NYS Register of Historic Places.
- Letter from Public Employer Risk Management Association, Inc. (PERMA) regarding a recent “loss control” evaluation.
- Letter from residents of Jean Court and Carol Terrace regarding a food truck parked on Jean Court.

TREASURER’S REPORT

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

Village water, sewer, garbage & penalties	\$ 123,416.88
Town water & penalties	678,904.26

which included 4 final/adjustments for the Village and 5 for the Town.

Warrant #10 – Trustee Carnright made a motion to approve the October 2012- Warrant (#10) and authorize payments totaling \$280,168.95, which was seconded by Deputy Mayor Edsall and carried by a vote of 5 Ayes and 0 Nays.

Treasurer Mahoney reported receipt of \$4,219,199.71 (65.44%) in anticipated revenues and \$2,729,155.21 (42.33%) in anticipated expenditures through the end of August. In addition, Ms. Mahoney reported receipt or \$15,000.00 in “parkland fees” from the Bull Run/Hamlet Grove Subdivision which recently received final approval from the Planning Board. This money has been deposited into a newly created account for this exclusive purpose.

ANNUAL SUPPLY BIDS

Treasurer Mahoney presented the annual supply bids to include #2 Fuel Oil & "Off-Road Diesel", Water Treatment Chemicals, Water Meters, and Sludge Removal Services. The bid opening is to be held November 9th beginning at 2:00 PM at the Village Hall.

Mayor Coyne made a motion to approve the bid documents and specifications, authorize bidding and the publication of the notice to bidders indicating that bids will be accepted until 2:00 PM for Water Treatment Chemicals, 2:15 PM for Water Meters, 2:30 PM for #2 Fuel Oil & "Off Road Diesel", and 2:45 PM Sludge Removal Services on November 9, 2012, which was seconded by Trustee Carnright, and upon a vote of 5 Ayes and 0 Nays, the motion was carried.

BOARD DEPARTMENT REPORTS

Building Department Trustee Carnright reported 8 building permits were issued, 7 certificates of compliance/occupancy were issued, 15 onsite inspections performed, 6 violation notices were issued,

and 4 fire inspections were conducted. Inspector Maldonado worked 40 hours and Inspector Maggio worked 40 hours in September.

Fire Department – Deputy Mayor Edsall reported 2 electrical fires, 3 automatic alarms/CO calls, 3 motor vehicle accidents, 5 medical calls, 1 wires down/electric emergency, 1 gas leak, 2 mutual aids to scene/1 in quarters, 1 lost persons search, 1 storm standby, 12 work details, 1 parade, 2 memorial services, and 11 drills outside of firehouse for a total of 38 events and 1230.5 man hours.

In addition the department participated in Cornwall 9/11 ceremony, hosted O.C. Volunteer Firemen’s Parade and Convention events (great turnout by community and other fire companies), had state inspections of all apparatus (all passed with little or no corrections needed), scheduled fire prevention with Cornwall-on-Hudson Elementary School and Canterbury Presbyterian Church pre-school, received repaired compartment for engine M414, received accepted of ISO improvement plan (completion date is 1/9/13), narrow banded pagers were modified, is awaiting proposals from Pierce and KME for re-mounting engine 413 boom on new chassis, and presented Barbara Gosda with her late husband Bob’s helmet in appreciation of his many years of service.

Deputy Mayor Edsall stated that the Orange County Volunteer Firemen’s Convention was well organized and conducted in an “incredibly impressive manner”. Personally, and on behalf of the Village Board, he recognized Storm King Engine Co. #2 for a job “well done”.

In addition he stated that Robert (Bob) Gosda was a dedicated member of the fire department and it was a “wonderful gesture” to honor his memory by presenting his helmet to his wife, Barbara.

Mayor Coyne stated he is thankful to Storm King Engine Co. #2 for doing such an excellent job on the firemen’s convention and parade and “showing off” our Village.

Police Department Trustee Russell reported 1 criminal mischief, 2 petty larceny violations, 1 felony arrest, 6 traffic accidents, 5 traffic summons issued, 15 warnings issued, 1 parking summons, 3 fire response calls, 1 domestic incident, 5 alarm response calls, 10 noise complaints, 4 suspicious vehicle calls, 4 suspicious person(s) calls, 6 animal complaints, 10 assists to the Town of Cornwall Police Department, 6 EMS assist calls, and 2 assists to other agencies for a total of 254 total calls for service.

In addition Chief Dixon congratulated Storm King Engine Co. #2 for a job well done on the O.C. Volunteer Firemen’s Parade and Convention. He also thanked the Department of Public Works for it’s assistance in barricade placement/retrieval which helped make things run smoothly, and the Police Department for “coming together” and helping out with events during the week leading up to the parade.

Trustee Russell further reported that the Police Department recommends residents to make sure house/apartment numbers are clearly displayed to help assist emergency personnel response. In addition the department has numerous bicycles in their possession. Residents who have lost and/or had a bicycle stolen are encouraged to contact the police department. Bicycles not retrieved by their rightful owners will be subsequently given to a charitable organization.

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, work has started on 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, repairs

were made on Shore Road, sewer main maintenance, catch basin repairs on Hudson Street and Payson Road, and removal of lights and equipment from old police cars/installed in new vehicle #426.

He further reported that the Mountain Road job is expected to start on October 19th. In addition, DPW Superintendent Dave Halvorsen and Working Leader Chris Donato will attend a conference the week of October 22nd.

DPW LABORER POSITION

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

Water Department – Mayor Coyne reported an average daily production of 1.013 million gallons. The required monthly and quarterly samples were collected (a total of 53). One sanitary sample taken failed and all other samples passed N.Y.S. Standards. Follow-up samples were taken as prescribed in the NYS Sanitary code at the failed site along with four other locations (two upstream and two downstream of the failed site) for three consecutive days, and all samples passed NYS standards. A total of 66 utility mark-outs were done, 22 meters were repaired or replaced, 7 final meter readings were taken, and water meter reading was completed. Painting of fire hydrants is ongoing, water service and sampling hydrant was installed at Donahue Memorial Park, and repairs were made to valve boxes on Hudson Street. Weekly maintenance on flow controls to Black Rock plant was performed, water leak detection survey has been completed (5 leaks were repaired) and the final report is due next week, and buildings and grounds maintenance/cleanup is ongoing.

He further reported that the Water District Survey for NYS Office of Emergency Management (OEM) has been completed, Water Superintendent June attended a meeting with Orange County OEM, NYS OEM, and FEMA representatives on September 25th, the annual Orange County Health Department inspection has been completed, and semi-annual flushing of fire hydrants will start the week of October 22nd.

OTHER BUSINESS

ELECTION RESOLUTION

Mayor Coyne made a motion providing notice that public voting for the election of Mayor and two Trustees, for terms of two years, will be held from noon to 9 p.m. on March 19, 2013, which was seconded by Trustee Kane and carried by a vote of 5 Ayes and 0 Nays. The polling place will be announced shortly.

ORANGE COUNTY PROPERTY TAX EXEMPTION RESOLUTION

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

WHEREAS, the Village of Cornwall-on-Hudson is the owner of real property in the Town of Cornwall and Town of New Windsor, County of Orange, identified on the tax map as follows:

	SECTION	BLOCK	LOT
Cornwall	32	1	17

	4	2	56
	29	1	50
	29	1	54
	31	1	15
	32	1	8.1
New Windsor	65	1	20

AND, WHEREAS, the above real property is devoted solely to public use and part of the Village owned water system as the sites for water wells, plant treatment, chlorinator and water shed; and

WHEREAS, the Real Property Tax Law, Section 406(3) provides the authority for each taxing district in which municipally owned property used in such manner is located, to grant a whole exemption from real property taxes levied by that taxing district; and

WHEREAS, such exemption for the Village of Cornwall-on-Hudson water supply site real property would provide a direct and immediate benefit for the taxpayers and water users of the Village of Cornwall-on-Hudson which would enhance real property ownership, encourage industrial and commercial development and exemplify a spirit of intermunicipal cooperation between the County of Orange and this Village.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Cornwall-on-Hudson on behalf of the Village of Cornwall-on-Hudson, its taxpayers, water system users and citizens hereby petition the County of Orange, Town of Cornwall, and Town of New Windsor to grant a whole exemption from State, County, and Town real property taxes commencing for calendar year 2014 for the parcels of real property identified above in the Town of Cornwall and Town of New Windsor.

	SECTION	BLOCK	LOT
Cornwall	32	1	17
	4	2	56
	29	1	50
	29	1	54
	31	1	15
	32	1	8.1
New Windsor	65	1	20

AND IT IS FURTHER RESOLVED, that the Mayor and Village Attorney are authorized to attend such meeting of the Orange County Legislature and Committees thereof as may be appropriate to aid and assist in the deliberations in this petition by that body.

The foregoing resolution was seconded by Trustee Deputy Mayor Edsall, and upon a vote of 5 Ayes and 0 Nays, the Mayor declared the resolution adopted on October 15, 2012.

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 November 19, 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 5 Ayes and 0 Nays.

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

HALLOWEEN CURFEW

Mayor Coyne reported that issuance of a *local emergency order* on Halloween is under consideration.

HOLTS LANE PARKING

Mayor Coyne reported that he issued a letter/survey to residents on Holts Lane today seeking their feedback about parking on Holts Lane.

PUBLIC COMMENT

Michael Sangervasio of 7 Holts Lane reminded the Board that a petition to have the “no parking” signs removed from both sides of the street was presented last year. Recent letters submitted by neighbors suggest that only his family is parking on Holts Lane and that is not true. He requests that each residence on Holts Lane be issued two street parking passes.

Having concluded the business set before them, Mayor Coyne moved to adjourn the meeting into Executive Session with Attorney for the Village McKay at 7:32 PM in order to discuss a former police officer’s worker’s compensation proposed settlement, DPW litigation, a proposed transitional duty

policy from PERMA, comments received regarding the draft revised ethics law, sewer rates, the Nature Museum lease, a residence that has had some flooding problems, a Zoning Board of Appeals appointment, special event permits, concerns regarding animals in Village, a request from the Planning Board attorney for a comment regarding the View Preservation Law, a code compliance issue regarding a food truck in the Village, and a DPW personnel issue/potential appointment. The motion was seconded by Deputy Mayor Edsall and carried upon a vote of 5 Ayes and 0 Nays.

The meeting was reconvened at 7:38 PM on a motion by Trustee Carnright seconded by Trustee Russell and carried upon a vote of 5 Ayes and 0 Nays.

DPW LABORER POSITION/APPOINTMENT

Upon the recommendation of DPW Superintendent Halvorsen, Mayor Coyne made a motion to appoint Andrew Stathes to the vacant Laborer position in the Department of Public Works at the salary in the current union contract. The appointment is subject to a one year probation, a background and license check, and physical examination. The motion was seconded by Deputy Mayor Edsall and carried upon a vote of 5 Ayes and 0 Nays.

Having no further business set before them the meeting was adjourned back into Executive Session at 7:40 pm on a motion by Deputy Mayor Edsall seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.