

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

September 16, 2013

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
Trustee David Carnright

Also present were: 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

Bill Garrison of Mountain Valley Guides stated that he has issues with the resolution passed by the Village Board on August 19th to restrict the number of kayaks and trailers at the waterfront. First, the resolution was not on the agenda for that evening, and second how the number of kayaks and trailers was determined. The resolution indicates that it is for safety and welfare; however, no one from the Village contacted Mountain Valley Guides regarding any safety or welfare concerns. If it was such a pressing matter, then he should have been made aware of what those safety and welfare issues were. In addition, he would like to know how long a temporary certificate of occupancy is good for. His business has taken “a lot of flak” over the years regarding their valid c/o at 2 Idlewild Avenue; however, his competitor continues to have a temporary c/o since March of 2010.

Mayor Coyne invited Mr. Garrison to meet with him.

MINUTES

Mayor Coyne made a motion to accept the August 19, 2013 Business Meeting Minutes as presented, which was seconded by Trustee Carnright. Trustee Kane requested that the minutes be amended to read “annual commercial permits” on page #9 under Riverfront Park – Annual Kayak Permits. The motion, as amended, was then put to a vote which resulted in 4 Ayes, 0 Nays, and 1 Abstain (Russell – who was on vacation for that meeting).

CORRESPONDENCE

Mayor Coyne is in receipt of the following correspondence:

- Letter from ToniAnn Formisano Eckwerth, Chairperson of CCHS 1983 Reunion Committee requesting permission to park 10-15 cars at Donahue Memorial Park until 8:00 p.m. on Friday, October 18th and launch sky lanterns in memory of nine classmates who have passed away.
After some discussion regarding several safety concerns that sky lanterns might cause, Mayor Coyne agreed to reach out to Ms. Eckwerth and ask that she consider another way to honor their memory.
- Letter from Dax Law Firm providing supplemental information for the West Point transmission line project.
- Letter from Orange County Office of Emergency Management announcing that the NYS Division of Homeland Security and Emergency Services is conducting a feasibility study on establishing “micro-grids” to provide electric power to essential public services after a natural or man-made disaster.
- Newsletter from The Bannerman Castle Trust, Inc. with events for the 2013 Fall Season.
- Letter from NYS Department of Public Services regarding the availability of a “lifeline” alert telephone service discount.
- Letter from PERMA regarding a recent meeting with the Village Clerk and Deputy Treasurer to discuss the reinstatement of a Village safety committee.

TREASURER’S REPORT

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

Village water, sewer, garbage & penalties	\$ 274,055.01
Town water & penalties	468,553.38

which included 5 final/adjustments for the Village and 7 for the Town.

Warrant #8 Revised – Mayor Coyne made a motion to approve revised warrant #8 for August and authorize payments totaling \$258,763.93 (approved for \$257,590.82 on 8/19/13, a difference of \$1173.11) which was seconded by Trustee Carnight and carried upon a vote of 5 Ayes and 0 Nays.

Warrant #9 – Deputy Mayor Edsall made a motion to approve the September 2013 Warrant (#9) and authorize payments totaling \$375,232.67, which was seconded by Trustee Russell and carried by a vote of 5 Ayes and 0 Nays.

Treasurer Mahoney reported receipt of \$3,655,124.45 (54.95%) in anticipated revenues and \$2,905,501.23 (43.68%) in anticipated expenditures through the end of August.

Treasurer Mahoney also reported that \$2,283,158.98 has been collected in Village taxes through August 31st.

Treasurer Mahoney reported that she is in receipt of \$25,000 from NYS DEC Hudson River Estuary Program for a 2007 grant entitled “Planning for Use and Access at Donahue Memorial Park”. This

money is reimbursement to the Village for costs associated with McLaren's engineering and design of a master plan for the development of Donahue Memorial Park back in 2010.

2014-15 Budget – Mayor Coyne reported that the budget preparation calendar for 2014-15 will be ready for distribution by September 30th. He would once again like to start the budget process early.

Clerk Mahoney reported that at the NYCOM conference she attended last week, it was announced that the property tax cap will decrease from 2% to 1.66% for 2014.

BOARD DEPARTMENT REPORTS

Building Department Trustee Carnright reported 11 building permits were issued, 3 certificates of compliance/occupancy were issued, 22 onsite inspections performed, 2 violations, 1 stop work order, and 1 fire inspection was conducted. Inspector Maggio worked 80 hours in August.

Fire Department – Deputy Mayor Edsall reported 4 automatic alarms/CO calls, 7 medical calls, 1 auto/cycle accident, 1 mutual aid call-stand-by, 1 water rescue, 6 work details, 2 funerals/wakes, 1 FASNY convention, and 15 in house drills for a total of 38 events and 517 man hours.

In addition the department has been training on the recently purchased ladder Truck 413 (it will be put into service on Sunday, September 8th), purchased new thermal imaging camera and gas meter for the new truck, prepared to participate in Cornwall's 9/11 ceremony, and prepared to participate in annual Orange County Firemen's Parade to be held on Saturday, September 28th in Highland Falls (the new truck will be in the parade).

Police Department Trustee Russell reported 1 criminal mischief, 5 petty larceny, 1 felony arrest, 2 misdemeanor arrests, 2 traffic accidents, 31 traffic summons issued, 17 warnings issued, 6 parking summons issued, 3 fire response calls, 3 domestic incident calls, 10 alarm response calls, 6 noise complaints, 2 suspicious person calls, 1 suspicious activity call, 3 suspicious vehicle calls, 7 animal complaints, 3 disorderly juveniles, 8 assists to the Town of Cornwall Police Department, 7 EMS assist calls, 4 assists to other agencies, 4 welfare checks, and 2 citizen assists for a total of 327 total calls for service.

Trustee Russell further reported that Police Officer Nickel attended "Internet & Social Networking: Intelligence & Investigation" Training held at the Bergen County Police Academy, Mahwah, N.J., several police officers attended "Domestic Violence" Training, through a grant from the Orange County Police Chiefs Association, at the Orange County Police Academy, New Windsor, N.Y., and the department continued to participate in Orange County "STOP DWI" Enforcement program.

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, cleaning of storm drains, roadside mowing, drainage improvements on Maple Rd, covert replacement on Mountain Road at Stable Way, repairs made to storm drains, chip sealed Maple Rd and Shore Rd, sewer maintenance, and maintenance to Village owned vehicles.

On behalf of DPW Superintendent Halvorsen, Trustee Kane thanked Town of Cornwall Highway Superintendent Bob Conley and his crew for this assistance with the chip sealing.

Water Department – Trustee Carnright reported an average daily production of 1.179 million gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 87). A total of 79 utility mark-outs were done, 18 meters were repaired or replaced, 16 miscellaneous repairs were completed, and 5 final meter readings were done. In addition, a water service was repaired on Continental Road, fire hydrant maintenance continues, and the new meter reading equipment and software was received and installed.

Water Superintendent June will be attending the NYCOM conference in Lake Placid this October.

Demand Response Program – Mayor Coyne reported that he is waiting for the report from Central Hudson that will allow the Village to participate in this program.

OTHER BUSINESS

ST LUKE’S CORNWALL HOSPITAL: EMERGENCY DEPARTMENT HOURS

Mayor Coyne reported that he will be attending a meeting set up by Senator Larkin between local officials and St. Luke’s Cornwall Hospital administrators on September 17th at 2:00 pm in order to express his opposition to the proposed reduction in emergency room hours at the Cornwall campus. He feels this is another step toward closing the hospital.

Trustee Russell thought that hospitals are a “not for profit” institution. He is concerned that there will be no recourse if the Newburgh campus can’t handle the volume.

Trustee Kane stated that he is not in support of the reduction in ER hours and that Orange County Legislator Kevin Hines letter was “on point”.

Deputy Mayor Edsall stated the hospital has provided a tremendous benefit to our community and region.

FMLA POLICY – DISCUSSION

Mayor Coyne tabled this item for discussion in Executive Session with the Attorney for the Village later this evening.

TRAFFIC & PARKING FINES – DISCUSSION

Mayor Coyne stated that the Board has received a draft local law. He would like to discuss this item with the Attorney for the Village in Executive Session later this evening.

TRAFFIC & PARKING FINES – SET PUBLIC HEARING DATE/TIME

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

WHEREAS, the Village Board wishes to amend Chapters 122 and 155 of the Village Code of the Village of Cornwall-on-Hudson regarding applicable penalties for conviction of local vehicle and traffic regulations and Village Park rules and regulations;

WHEREAS, the Village Board wishes to set a time and place for a public hearing to consider the adoption of the proposed 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 local law amending Chapters 122 and 155 of the Village Code of the Village of Cornwall-on-Hudson regarding applicable penalties for conviction of local vehicle and traffic regulations and Village Park rules and regulations and to receive any comments concerning the potential adverse environmental impacts of the proposed legislation in accord with SEQRA, on October 21, 2013, 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 carried upon a vote 5 Ayes and 0 Nays.

LAPANI LANE DRAINAGE

Mayor Coyne reported that the Village Engineer conducted site visits with the Code Enforcement Officer and the Mayor. This item was tabled for discussion with the Attorney for the Village in Executive Session later this evening.

ROUTE 17: RECONFIGURATION OF EXIT 131 INTERCHANGE

Mayor Coyne is in receipt of a request from the Supervisor of the Town of Monroe to support the reconfiguration of Exit 131 off Route 17.

Deputy Mayor Edsall made a motion to support and endorse Exit 131 improvements/reconfiguration noting there are many other road and bridge projects that need to move forward as well. The motion was seconded by Trustee Carnright.

Deputy Mayor Edsall stated that approximately 30-35% of tax money that is collected for state highway improvements is actually going to fund these projects. The state is using the rest for other purposes. The Board needs to take a position that the state needs to properly fund capital improvement projects through the DOT for public safety. Further, in many cases federal funds coming in to the state are being used for maintenance rather than capital improvements. Rather than thinking long term, the state is “downgrading” the scope of some projects. For example, the Route 32/Moodna Creek bridge project was supposed to include the widening of the roadway in order to extend the cueing lane for left turns

onto Orrs Mills Rd. Now the state is “re-decking” the bridge but not widening it. Federal money should be used for upgrading our roads and bridges not “band-aiding” them.

Trustee Russell requested several local projects that have been neglected be added to the Village’s resolution of support.

The motion was then put to a vote which resulted in 5 Ayes and 0 Nays.

FEDERAL GRANT APPLICATION – DISASTER RECOVERY INFRASTRUCTURE PROJECTS

Mayor Coyne reported that the Village has made “the first cut” in the application review process. He is hopeful our application, which was “piggy-backed” with the Town of Cornwall’s application for Sewer Plant improvements, will continue to move forward. We now have the only projects in Orange County under consideration. Mr. Coyne will attend an informational meeting in Goshen later this week and will be speaking with Victor Cornelius who would like the opportunity to further this grant project on the Village’s behalf.

Deputy Mayor Edsall stated that “the real work starts now”. He will most likely be attending the meeting in Goshen as well.

After some discussion, Mayor Coyne agreed to seek a proposal/agreement from Mr. Victor Cornelius to represent the Village during the next phase. He will ask Trustee Kane to review the proposal/agreement before bringing it to the Board for action.

VILLAGE HALL INSTALLATION OF COUNTER GATE

Mayor Coyne reported that installation of a counter gate and buzzer in Village Hall is scheduled to begin next week.

Clerk Mahoney reported that previous audits performed by the Office of the State Comptroller cited that this security measure was needed to protect Village personnel and vital records.

ZONING BOARD APPOINTMENT

Mayor Coyne announced his appointment of Steve Fogarty, effective September 16, 2013, to fill the unexpired term of J. Blake Haase ending April 3, 2017.

RIVERFRONT WEDDING 7/3/2014

Deputy Mayor Edsall made a motion to approve the request to hold a wedding ceremony at the riverfront gazebo on Thursday, July 3, 2014 between 6-8 p.m. for a flat fee of \$250.00 and authorize a maximum number of 30 vehicles. As the event gets closer, any additional fees that may be incurred by the Village will also be required. The motion was seconded by Trustee Kane and carried upon a vote of 5 Ayes and 0 Nays.

RESOLUTION IN SUPPORT OF CHARACTER EDUCATION FOCUSING ON ANTI-BULLYING

Mayor Coyne made a motion to support 108th District Assemblyman John McDonald’s request to support character education that focuses on anti-bullying and declare October “Anti-Bullying Awareness

Month” in the Village of Cornwall-on-Hudson. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

FYI

BIKE AND HIKE

Mayor Coyne reported that the “Bike and Hike” started last Sunday. No police incidents were reported. He restated that the Village supports the Town of Highlands group that organizes this event.

Trustee Russell reported that he participated in Sunday’s Bike and Hike and was told that gate volunteers are still needed. He suggested that an informational pamphlet be distributed to participants encouraging them to support local businesses in the Town and Village.

VILLAGE/TOWN SOFTBALL GAME

Mayor Coyne reported that the Village/Town softball game has been postponed.

STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)

Mayor Coyne reported that he will be attending a conference in Middletown on September 24th regarding new SEQRA regulations. Deputy Mayor Edsall and Trustee Russell will also attend.

CORNWALL RUN – 10/13/2013

Deputy Mayor Edsall made a motion approving the “Cornwall Run for Cancer Awareness in Memory of Pat Harding” which will take place in the Town of Cornwall and Village of Cornwall-on-Hudson on Sunday, October 13th which was seconded by Trustee Russell and carried upon a vote of 5 Ayes and 0 Nays.

CORNWALL PRESBYTERIAN CHURCH – APPLE TIME FAIR

Mayor Coyne announced that the annual “Apple Time Fair” will take place on Saturday, October 19th.

VILLAGE YARD SALE

Mayor Coyne announced that the annual “Village Yard Sale” will take place on Saturday, October 19th between 9:00 AM and 4:00 PM.

VILLAGE BULK CLEAN UP

Mayor Coyne announced that the Village Bulk Clean Up will take place the week of October 21st.

REQUEST FOR REDUCTION OF COMMERCIAL GARBAGE CHARGES

Deputy Mayor Edsall stated that the Board has received a request for reduction in commercial garbage charges at 3-5 River Avenue (Riverbank Restaurant). The restaurant closed as of May 14, 2013.

Currently there is a policy that allows a 50% reduction in garbage charges for Village residents who will be away for more than a 60 day period; however there is no policy in place for commercial businesses. After some discussion, the DPW Superintendent will be asked to confirm when garbage pickup stopped at 3-5 River Avenue and/or if the upstairs apartment is occupied.

Deputy Mayor Edsall made a motion to issue a prorated credit of garbage charges based upon the building's occupancy, and require that the business owner re-apply for this reduction after 6 months. The motion was seconded by Trustee Kane and carried upon a vote of 5 Ayes and 0 Nays.

BOARD ACTIVITIES/COMMENTS

Trustee Kane attended the 9/11 "Patriot's Day" ceremony at the traffic circle. It was well attended and a nice recognition of a solemn occasion. He thanked Storm King Engine Co. #2 and Cornwall EMS for their participation.

Trustee Russell attended the Cornwall "Fall Festival" yesterday. It was a very nice event. He also attended the Hike and Bike which is scheduled for Sunday's through November. Mr. Russell also attended the Patriot's Day ceremony and stated that 9/11 is now an educational event as well to help our younger residents understand the events that took place on that day.

Deputy Mayor Edsall stated that he was unable to attend the 9/11 ceremony because he was at a meeting in a neighboring municipality. The meeting chairman asked Mr. Edsall to speak about the events of 9/11 and the loss of Ken Kumpel on that day.

Mayor Coyne thanked the Cornwall Historical Society for its continued observation of the events on 9/11. He was glad to see the large turnout. The first responders were mentioned, wreaths were placed at the circle, and he had the opportunity to speak. Mr. Coyne also attended his first "ribbon cutting" event on Friday at the Kneading Time spa opening on Academy Avenue. He wished them well.

Having concluded the business set before them, Deputy Mayor Edsall made a motion to adjourn the meeting into Executive Session at 8:15 PM with Attorney for the Village McKay in order to get legal advice with respect to a Family Medical Leave Act (FLMA) policy, traffic and parking fines, Lapani Lane, and a DPW personnel issue. The motion was seconded by Trustee Russell and carried upon a vote of 5 Ayes and 0 Nays.

The meeting was reconvened at 10:10 p.m.

VACATION TIME REIMBURSEMENT

On a motion by Deputy Mayor Edsall and seconded by Mayor Coyne, the Board authorized the transfer of \$5307.68 from General Fund Expense Contingency (A1990.4) to General Fund DPW Superintendent Salary (A5010.1) and to accept an agreement with DPW Superintendent David Halvorsen to have him turn in six (6) weeks of vacation time in exchange for four (4) weeks' pay. Passed by a vote of 5-0.

On a motion by Deputy Mayor Edsall and seconded by Trustee Kane, the Board adjourned the meeting at 10:15 pm. Passed 5-0.