

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

October 21, 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
Trustee James P. Kane
Trustee Peter Russell
Trustee David Carnright

Absent was: Deputy Mayor Mark J. Edsall (away on personal business)

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 HEARING

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. Proof of Notice, Affidavit of Posting and Publication having been furnished, the Public Hearing on the 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 was called to order at 7:01 PM on a motion by Trustee Kane, seconded by Trustee Carnright, and carried by a vote of 4 Ayes and 0 Nays.

Hearing no one speak for or against the proposed local law, Trustee Kane made a motion to close the public hearing at 7:03 pm which was seconded by Trustee Carnright and carried by a vote of 4 Ayes and 0 Nays.

Trustee Kane stated that the amendment to this local law is long overdue and needed to be done. With the proposed revisions, this won't have to be addressed again for "quite some time".

Mayor Coyne reported that the current law was put in effect around 1975 and is "way out of sync" with other municipalities in terms of amounts charged in fines.

Trustee Russell stated that he would like to see a minor change made to page #2, paragraph E with regard to "Penal Law". After some discussion, Attorney for the Village McKay suggested the wording be changed from "under the Penal Law" to "as defined in the Penal Law".

Trustee Russell further stated that the Board has been trying to have some guidance over the waterfront. The violation for parking without a valid permit now “has teeth”.

Trustee Carnright stated that the amendment to the local law is long overdue.

Discussion followed regarding proposed revisions to and enforcement of parking and traffic summons.

RESOLUTION OF ADOPTION

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

WHEREAS, an Introductory local law entitled " A 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” was introduced before the Board of Trustees of the Village of Cornwall-on-Hudson on September 16, 2013 and upon notice duly published and posted, a hearing was held on October 21, 2013 before the Board of Trustees; and

WHEREAS, public discussion was heard at such hearing concerning the merits and environmental significance of said introductory local law;

NOW, THEREFORE, BE IT RESOLVED, that the adoption of the Introductory local law is hereby determined not to have a significant effect on the environment.

BE IT FURTHER RESOLVED, that the Introductory Local Law entitled "A 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 of the Village of Cornwall-on-Hudson” be and hereby is adopted as Local Law #3 of 2013 of the Village of Cornwall-on-Hudson on October 21, 2013.

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

PUBLIC COMMENT

Carol O’Keefe of 2 Payson Road asked for an update with regarding to the Ethics Board.

Mayor Coyne replied that the Village Clerk distributed the revised ethics policy and disclosure statements. Most have been signed and returned. He hopes to convene the Board next month; however, there are no pending matters.

MINUTES

Mayor Coyne made a motion to accept the September 16, 2013 Business Meeting Minutes as presented, which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays

CORRESPONDENCE

Mayor Coyne is in receipt of the following correspondence:

- Letter from Scenic Hudson, Inc. regarding Mayor Coyne’s request to hold a viewing of their 50th anniversary photo exhibit in the Village. Although they are unable to accommodate this request, Scenic Hudson has developed a short video recounting the “Storm King battle” and would like to discuss airing it here.
- Letter from Cornwall Historical Society seeking approval of their previous request to place a plaque on the Quaker Chapel.
- Letter from Cooperative Extension Orange County providing a list of programs offered by the Hudson Estuary Watershed Resiliency Project.
- Letter from Central Hudson Gas & Electric regarding banners on their utility poles.

TREASURER’S REPORT

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

Village water, sewer, garbage & penalties	\$ 144,304.38
Town water & penalties	593,691.06

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

Warrant #10 – Mayor Coyne made a motion to approve the October 2013 Warrant (#10) and authorize payments totaling \$98,591.65, which was seconded by Trustee Russell and carried by a vote of 4 Ayes and 0 Nays.

Treasurer Mahoney reported receipt of \$4,188,372.65 (62.97%) in anticipated revenues and \$3,671,329.04 (55.20%) in anticipated expenditures through the end of September.

Treasurer Mahoney also reported that \$2,289,460.34 has been collected in Village taxes through September 30th.

Treasurer Mahoney reported that she is in receipt of \$2,000 from an 2013-2014 Orange County Arts Grant for Bandstand Concerts.

BOARD DEPARTMENT REPORTS

Building Department Trustee Carnright reported 5 building permits were issued, 4 certificates of compliance/occupancy were issued, 23 onsite inspections performed, 2 violations issued, and 4 fire inspections were conducted. Inspector Maggio worked 80 hours in September.

Fire Department – Trustee Kane reported 4 automatic alarms/CO calls, 9 medical calls, 1 auto accident, 1 mutual aid call-stand-by/2 to scene, 1 9/11 ceremony, 1 county parade, 13 work details, and 15 in house drills/7 drills outside of firehouse for a total of 51 events and 777.5 man hours.

In addition the new truck was officially placed in service on September 6th, the department participated in Cornwall's September 11th ceremony, participated in the Annual Orange County Firemen's parade on September 28th in Highland Falls (new truck was in the parade), conducted forcible entry training on September 18th at New Windsor Fire Department, and hosted Battalion 4 meeting on September 24th. Currently the department has one firefighter enrolled in Firefighter 1 class at County Training Center, will host a haunted house fund raiser on October 25, 26, & 31, will also have the annual Halloween event, and is preparing for Fire Prevention Week (October 6-12).

Mayor Coyne stated that Building Inspector Maggio has inspected the "haunted house" and has requested a space diagram of the room, installation of additional smoke detectors and fire extinguishers, and use of fire retardant spray on the burlap curtains. Fire Chief Vought reported that the department is working with the Building Inspector and will comply with the requested corrections.

Police Department Trustee Russell reported 1 burglary, 2 criminal mischief, 2 petty larceny, 1 fraud, 1 felony arrest, 2 warrant arrests, 4 traffic accidents, 11 traffic summons issued, 18 warnings issued, 18 parking summons issued, 5 fire response calls, 5 domestic incident calls, 6 alarm response calls, 6 noise complaints, 2 suspicious person calls, 1 suspicious activity call, 2 suspicious vehicle calls, 11 animal complaints, 2 disorderly adults, 5 disorderly juveniles, 10 assists to the Town of Cornwall Police Department, 7 EMS assist calls, 5 welfare checks, and 1 citizen assist for a total of 328 total calls for service.

Trustee Russell further reported that Police Officer Proulx attended "Animal Cruelty Investigations" Training held at the Sullivan County Sheriffs' Office, Police Officers Antinori, Proulx, Armstrong, Frattarola, and Chief Dixon 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 is looking into obtaining Mobile Data Terminals "MDT's" for all its' marked patrol units through a federal grant (State Law Enforcement Terrorism Grant) received by the Orange County Sheriffs' Office.

Department of Public Works – Trustee Carnright 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, repairs made to storm drains, cross walk on Bayview Avenue removed (as per Village Board), supplied Town of Cornwall with information on sewer system, sewer maintenance, maintenance to Village owned vehicles, and repairs to air conditioning units at Village Hall.

Trustee Carnright further reported that DPW Superintendent Halvorsen will be attending NYCOM Public Works School in Lake Placid from October 20-23rd. In addition bulk pick up will take place the week of October 21st.

Mayor Coyne is in receipt of a "Highway Inventory Update" request from NYS Department of Transportation regarding "CHIPS" funding. He will give this to DPW Superintendent Halvorsen.

Water Department – Trustee Russell reported the average daily production numbers were not available for tonight's meeting. All bacteria samples passed N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 57). A total of 113 utility mark-outs were done, 7 meters were repaired or replaced, 24 miscellaneous repairs were completed, and 6 final meter readings were

done. In addition, a water service was repaired on Main Street, a water main break was repaired on Route 9W south and Chadeayne, a water main was repaired on Holts Lane, fire hydrant maintenance continues, and the department assisted with corrective actions for rain water runoff on roadways around the Upper Reservoir.

Water Superintendent June will be attending the NYCOM conference in Lake Placid from October 20-23rd, and will be on vacation from October 25th – November 4th.

RESOLUTIONS

REQUEST THAT ST. LUKE’S CORNWALL HOSPITAL WITHDRAW ITS REQUEST TO REDUCE CORNWALL ER HOURS

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

WHEREAS, since 1931 Cornwall has had a hospital that has served the towns of Blooming Grove, Highlands, New Windsor and Woodbury as well as the Town of Cornwall; and

WHEREAS, 10 years ago St. Luke’s Cornwall Hospital spent \$4.2 million to expand and upgrade the emergency department on the Cornwall campus; and

WHEREAS, the ambulance services in Blooming Grove, Cornwall, Highlands, New Windsor and Woodbury prefer to keep the Cornwall emergency room open; and

WHEREAS, many ambulances that are sent to St. Luke’s Cornwall Newburgh campus are diverted elsewhere; and

WHEREAS, the Village of Cornwall-on-Hudson supports maintaining a 24-hour emergency department service on the Cornwall campus of St. Luke’s Cornwall Hospital for the health and well-being of the residents of the towns of Blooming Grove, Cornwall, Highlands, New Windsor and Woodbury.

NOW, THEREFORE, BE IT RESOLVED that the Village of Cornwall-on-Hudson requests St. Luke’s Cornwall Hospital, a non-profit entity, withdraw its request to the New York State Department of Health to reduce the hours of operation of its Emergency Department at the Cornwall campus to 12 hours a day.

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

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 7th 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 7, 2013, which was seconded by Trustee Carnright, and upon a vote of 4 Ayes and 0 Nays, the motion was carried.

ELECTION RESOLUTION

Mayor Coyne made a motion providing notice that public voting for the election of two Trustees, for terms of two years, will be held from noon to 9 p.m. on March 18, 2014, which was seconded by Trustee Russell and carried by a vote of 4 Ayes and 0 Nays.

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 2015 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 Kane, and upon a vote of 4 Ayes and 0 Nays, the Mayor declared the resolution adopted on October 21, 2013.

BUDGET TRANSFER

Mayor Coyne made a motion authorizing a budget transfer of \$1,500 from General Fund Contingency (A1990.4) to General Fund Consultant (A1620.41) for a “down payment” of fees as per the agreement with Victor Cornelius to represent the Village during the next application phase of the Disaster Recovery Infrastructure grant project. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

CORNWALL YACHT CLUB LEASE

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

OTHER BUSINESS

HAZARD MITIGATION GRANT

Mayor Coyne reported that Victor Cornelius is working on the Hazard Mitigation Grant. The application deadline is October 31, 2013.

ORANGE COUNTY COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

Mayor Coyne announced that he has been appointed to the Orange County Community Development Advisory Committee. He is grateful for this appointment from the Association of Towns, Villages, and Cities.

HALLOWEEN CURFEW

Mayor Coyne reported that issuance of a *local emergency order* on Halloween is under consideration. After some discussion he will consider moving the time from 8:00 pm to 9:00 pm in order to accommodate the Fire Department’s “haunted house”.

KAYAK/BOAT STORAGE AT RIVERFRONT

Mayor Coyne is in receipt of information about kayak racks from a resident. Irvington, a municipality in Westchester County, recently installed racks and has begun renting space for kayak storage. Mayor Coyne would like the Board to consider doing the same here as a source of income for the Village. After some discussion, Trustee Kane offered to visit that municipality and gather as much information as possible.

FYI

STUDENT FILM

Mayor Coyne reported that a New York University student filmed in the Village on October 7th and 8th.

HUDSON RIVER SNAPSHOT DAY

Mayor Coyne reported that 4th graders from Willow Avenue School visited the riverfront on October 10th to study the river and what's in the river.

YOUNG STAN FILM

Mayor Coyne reported that the short film entitled "Young Stan" that filmed in parts of the Village this past spring was recently released.

VILLAGE YARD SALE

Mayor Coyne reported that the Village wide yard sale took place on Saturday, October 19th.

VIDEO ALONG ROUTE 218

Mayor Coyne reported that filming of a video along Route 218 has been scheduled for October 22nd and will not involve any Village property.

BOARD ACTIVITIES/COMMENTS

Trustee Carnright wished everyone a Happy Halloween.

Trustee Russell stated that the fall bulk clean up started today and he thanked the Department of Public Works for getting so much collected on the first day. In addition he participated in a fund raiser for the Cornwall Lacrosse team and they were able to make good money. Another fund raiser run to benefit the Lacrosse team is scheduled for the Sunday before Thanksgiving in the Town of Cornwall.

Trustee Kane also thanked the DPW for a great job with the fall bulk pick up. In addition the Village Yard sale was a success and he thanked Barbara Gosda for "taking the lead" and Police Officer Jill Nye for assisting with traffic. He thanked the Storm King Engine Ladies Auxiliary for their outstanding "Soup Fest". Mr. Kane also participated in the "Cancer Awareness Run" which was heavily attended and a nice fund raiser.

Mayor Coyne reported that he is looking into grant possibilities through the Hudson River Improvement Fund, Healthy Orange, and NYS Arts Commission.

Having concluded the business set before them, Trustee Carnright made a motion to adjourn the meeting into Executive Session at 8:00 PM with Attorney for the Village McKay in order to get legal advice with respect to the Cornwall Yacht Club lease, CSEA & PBA negotiations, and concerns regarding the format of the traffic and parking summons with respect to the adopted local law. The motion was seconded by Trustee Russell and carried upon a vote of 4 Ayes and 0 Nays.