

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

March 24, 2014

The regular meeting of the Board of Trustees was called to order at 6:30 P.M.,

The following Board Members were in attendance:

Mayor Brendan G. Coyne
Deputy Mayor Mark J. Edsall
Trustee David Carnright
Trustee Kenneth A. Schmidt (arrived at 6:45 pm)

Absent was: Trustee James P. Kane

Deputy Mayor Edsall made a motion to go into Executive Session at 6:31 P.M. in order to interview a prospective employee in the Village Police Department. The motion was seconded by Trustee Carnright and carried upon a vote of 3 Ayes and 0 Nays.

The Board came out of Executive Session at 6:53 PM on a motion by Mayor Coyne which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

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 David Carnright
Trustee Kenneth A. Schmidt

Absent was: Attorney for the Village Joseph McKay (standing obligation S. Blooming Grove)

Also present were: DPW Superintendent David Halvorsen, Water Superintendent Robert June, Storm King Fire Chief Robby Vought, Code Enforcement Officer Ben Maggio, 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.

MINUTES

Mayor Coyne made a motion to accept the February 24, 2014 Business Meeting Minutes as provided, which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

CORRESPONDENCE

Mayor Coyne is in receipt of the following correspondence:

- Letter from DB Mart notifying the Village Board of their intent to renew the liquor license at 374 Hudson Street.
- Letter from Orange County District Attorney promoting a “Community Prosecution Program”.
- Letter from William Grisoli who owns property at 3 Duggan Lane. He states that the residence will remain empty until late 2015 and requests that he continue to receive partial relief of garbage charges until that time.
- Letter from Susan Glendening stating that her tenant at 3 Riverbank Lane recently moved and the house is now empty. She requests that the Village Board grant partial relief of garbage charges.

Mayor Coyne tabled action on the two requests for relief of garbage charges this evening in order to “look into” these requests further.

- Letter from Peter Neuman of 9 Braden Place providing formal notice of a problem with the street infrastructure on Braden Place. Portions of the roadway are “lifting up” and in immediate need of repair.

DPW Superintendent Halvorsen has placed barrels and cones around the affected roadway to prevent traffic or pedestrians from traveling over it until repairs can be made.

TREASURER’S REPORT

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

Village water, sewer, garbage & penalties	\$ 220,015.77
Town water & penalties	182,497.09

which included 1 final/adjustments for the Village and 4 for the Town.

Warrant #3 – Trustee Carnright made a motion to approve the March 2014 Warrant (#3) and authorize payments totaling \$410,858.20, which was seconded by Deputy Mayor Edsall and carried by a vote of 5 Ayes and 0 Nays.

Treasurer Mahoney reported receipt of \$6,579,039.46 (98.91%) in anticipated revenues and \$6,417,544.35 (96.49%) in anticipated expenditures through the end of February.

Treasurer Mahoney further reported that a lease agreement with Dell was signed by Mayor Coyne and 12 computers were delivered/installed last week. In addition, the 2014 Village tax bills were mailed on February 28, 2014.

APPROVE TRANSFER TO PAY SEWER EMPLOYEE FROM GENERAL AND SEWER FUNDS

After some discussion, Mayor Coyne made a motion to transfer \$70,000 from the General Fund Contingency Line (A1990.4) to the Sewer Fund as follows: \$52,830 to Sanitary Sewer Salary Line (G8120.1), \$17,000 to Sewer Medical/Dental Insurance Line (G9060.8) and \$170.00 to Sewer MTA Tax Line (G1989.4) for fiscal year 2013-2014. This is approximately 85% of the salary and benefits for the employee who is being paid out of the Sewer Fund, although that employee performs work duties in both the Sewer and DPW departments. The motion was seconded by Trustee Kane and carried upon a vote of 5 Ayes and 0 Nays.

Mayor Coyne made a motion to pay 85% of the employee's salary and benefits out of the General Fund and 15% out of the Sewer Fund starting in fiscal year 2014-2015 and going forward unless amended by the Village Board. The motion was seconded by Deputy Mayor Edsall and carried upon a vote of 5 Ayes and 0 Nays.

SEWER RENTS

Clerk Mahoney reported that the sewer capital billing charge previously approved by the Village Board will be included in the June 15th bill.

BOARD DEPARTMENT REPORTS

Building Department Trustee Carnright reported 2 building permits were issued, 11 certificates of compliance/ were issued, 15 onsite inspections were performed, 1 stop work order was issued, and 3 fire inspections were conducted. Inspector Maggio worked 80 hours in February.

Code Enforcement Officer Maggio reported that the repairs at 211 Hudson Street (old antique shop) are almost done. In addition, the Riverbank Bistro will open soon at the former Riverbank Restaurant location.

Fire Department – Deputy Mayor Edsall reported 4 automatic alarm/CO calls, 1 gas odor, 8 medical calls, 2 public assistance calls, 9 work details, 4 in house drills, and 1 drill outside firehouse for a total of 29 events and 263 man hours.

Mr. Edsall further reported that new gear racks were delivered and are waiting to be installed. In addition the department assisted the Department of Public Works.

Fire Chief Vought reported that training of Water and Building Department personnel on the new software has not yet been scheduled. The purchase of 3 iPad's will be required.

Police Department Trustee Kane reported 1 criminal trespass, 1 identity theft, 1 petty larceny, 1 misdemeanor arrest, 1 warrant arrest, 4 traffic accidents, 18 traffic summons issued, 14 warnings issued, 9 parking summons issued, 2 fire response calls, 3 domestic incident calls, 12 alarm response calls, 3

noise complaints, 3 suspicious person calls, 2 suspicious activity calls, 6 suspicious vehicle calls, 1 animal complaint, 11 assists to the Town of Cornwall Police Department, 7 EMS assist calls, 1 assist to other agencies, 1 welfare check, and 1 citizen assist for a total of 242 total calls for service.

Mr. Kane further reported that P.O. Terwilliger and P.O. Nye attended “Juvenile Crime: Investigation, Arrest and Prosecution” training held at the Orange County Police Academy.

APPOINTMENT OF PART-TIME POLICE OFFICER

Mayor Coyne made a motion to appoint Christopher Cassaro a Village of Cornwall-on-Hudson part-time police officer effectively immediately, as per the current union contract, and with a one year probationary period which was seconded by Deputy Mayor Edsall and carried upon a vote of 4 Ayes, 0 Nays, and 1 Abstain (Kane).

Department of Public Works – Trustee Carnright reported repairs to Village vehicles, cold patching of potholes, plowing and sanding of roads, snow maintenance of sidewalks, snow removal in parking and business areas, maintenance to sewers, Christmas tree pickup, and storm sewer maintenance.

DPW Superintendent Halvorsen stated that he has been looking into the cost of replacing the roadside mower and it will be a large expense. He recommends that the Village Board authorize him to join the National Joint Power Alliance, a national bid agency, in order to become eligible for federal contract bid pricing.

Mayor Coyne made a motion authorizing the Village of Cornwall-on-Hudson to join the National Joint Power Alliance, in the hopes of getting better bid pricing for a roadside mower, which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

DPW Superintendent Halvorsen reported a sewer line problem on Jean Court recently caused a sewer back up. A section of the sewer main which affects 8 homes “choked off” and collapsed. It needs to be repaired as soon as possible. He is monitoring the entire area daily.

Deputy Mayor Edsall made a motion to declare the sewer line repair an emergency. It is a public health issue and we must act quickly in order to avoid any property damage claims. The motion was seconded by Trustee Kane and carried upon a vote of 5 Ayes and 0 Nays.

Deputy Mayor Edsall made a motion authorizing DPW Superintendent Halvorsen to obtain as many quotes as possible (1,2, or 3) as soon as possible since the sewer line is in immediately need of repair which was seconded by Trustee Kane and carried upon a vote of 5 Ayes and 0 Nays.

INSTALLATION OF DOCKS

DPW Superintendent Halvorsen reported that all 6 pilings were lost due to the above normal ice buildup in the river this winter. He hopes to reinstall new pilings with assistance of the Cornwall Yacht Club in May. The docks will be installed soon after.

RESOLUTION TO HOLD A PUBLIC HEARING ON MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4)

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

WHEREAS, the Village Board wishes to set a time and place for a public hearing to consider the adoption of the Municipal Separate Storm Sewer Systems (MS4) audit.

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 it is further –

RESOLVED, that the Village Board hereby classifies the action as an unlisted action under SEQRA; and it is further –

RESOLVED, that a public hearing be held by the Village Board in order to receive comments and suggestions regarding the audit of the Municipal Separate Storm Sewer Systems (MS4), and to receive any comments concerning the potential adverse environmental impacts of the proposed legislation in accord with SEQRA, on April 21, 2014 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 said public notice of said hearing to be given as provided by law.

The foregoing resolution was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

2014 SANITATION TRUCK-PACKER BID

DPW Superintendent Halvorsen reported that a bid opening was held on March 20, 2014 and 2 bids were received. Mid-Hudson Mack bid \$151,915.50 and offered a \$2,500 trade in for the 1987 Mack garbage Truck. Navistar, Inc. (Arkel Motors) bid \$146,682.00 with no trade in offer for the 1987 Mack Truck. He recommends this be awarded to the low bidder.

Mayor Coyne made a motion to award the bid for a 2014 Sanitation Truck/Packer – Rear Loader to Navistar, Inc., the low bidder, in the amount of \$146,682.00. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

BOND RESOLUTION – 2014 SANITATION TRUCK/PACKER – REAR LOADER

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

A RESOLUTION AUTHORIZING THE PURCHASE OF A SANITATION TRUCK FOR MAINTENANCE PURPOSES IN AND FOR THE VILLAGE OF CORNWALL-ON-HUDSON, ORANGE COUNTY, NEW YORK, AT A MAXIMUM ESTIMATED COST OF \$150,000 AND AUTHORIZING THE ISSUANCE OF \$150,000 SERIAL BONDS OF SAID VILLAGE TO PAY THE COST THEREOF.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York, as follows:

Section 1. The purchase of a sanitation truck for maintenance purposes in and for the Village of Cornwall-on-Hudson, Orange County, New York, is hereby authorized at a maximum estimated cost of \$150,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost shall be by the issuance of \$150,000 serial bonds of said Village hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will not exceed five years.

Section 4. The faith and credit of said Village of Cornwall-on-Hudson, Orange County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Village, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution takes effect immediately, and shall be published in summary form in the official newspaper of said Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

The foregoing resolution was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

Water Department – Trustee Schmidt reported an average daily production of 1.070 million gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 32). A total of 48 utility mark-outs were done, 19 miscellaneous repairs were completed, and 5 final meter readings were done. In addition, water main leaks were repaired at 218 Bayview Ave., 337 Hudson St., 8 Payson Rd., and 2 Briggs Rd. Water was shut off at 21 Avenue A and 272 Mountain Rd due to water leaks. Servicing of pressure reduction valves (PRV's) and float controls is ongoing, and the department assisted DPW with snow removal. The department also assisted with a water main break at NYMA.

Water Superintendent June requested the Board review and discuss the mutual aid agreement from New York Water/Wastewater Agency Response Network (NYWARN).

Mr. June reported that system wide the leak detection is complete and the Village has been reimbursed \$8,250.00 from the Orange County Water Authority.

Water Superintendent June will be attending the New York Rural Water Works Technical Conference from April 14-17. He will then be on vacation from April 26-30.

WATER DEPARTMENT PROMOTION

Upon the recommendation of Water Superintendent June, Mayor Coyne made a motion to promote Daniel Nye to Water Maintenance Worker at the salary provided in the current union contract and with a one year probationary period. The motion was seconded by Deputy Mayor Edsall and carried upon a vote of 5 Ayes and 0 Nays.

OTHER BUSINESS

REORGANIZATION MEETING – APRIL 7, 2014

Mayor Coyne announced that the annual reorganization meeting will take place at 7:00 PM on April 7, 2014.

KIRYAS JOEL'S MOUNTAINVILLE WELL – PUBLIC HEARING APRIL 29, 2014

Mayor Coyne reported that a public hearing on the proposed Kiryas Joel Mountainville well has been scheduled for Tuesday, April 29th. Mr. Coyne further reported that he will take part in a conference call along with Deputy Mayor Edsall, Andrew Fetherston of Maser Consulting, and Town Supervisor Randy Clark on March 25th to discuss the upcoming public hearing.

CORNELL LOCAL ROADS PROGRAM - SUMMER INTERN

Mayor Coyne reported that he and DPW Superintendent Halvorsen interviewed Andrei Shatalov for a summer intern position to evaluate and map Village roadways. This is a paid position and Mr. Shatalov will work from June 2nd – August 15th.

Deputy Mayor Edsall made a motion authorizing the Mayor to execute an agreement with the Cornell Local Roads Program for a Summer Intern, implementation of a “pavement management system”, and training on managing/updating the software once the internship is over for a total cost not to exceed \$5,500. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

STORM KING ENGINE FIREHOUSE – STRUCTURAL REVIEW

Deputy Mayor Edsall reported that he has discussed the need to revisit this item with Engineer for the Village Andrew Fetherston. Back in late 2012 – early 2013, the cost for an initial soil borings analysis of the existing conditions that might be contributing to the settlement problem in the corner of the firehouse was estimated to be \$10,800. The next step will be to see what money can be found in the budget to pay for the repairs and to work with the Engineer in order to determine the necessary initial steps for evaluation.

HAZARD MITIGATION GRANT PROGRAM

Mayor Coyne reported that the grant application for FEMA money has been submitted and he is waiting for their announcement and awarding of grant money. Mr. Coyne has learned that federal government money is available through HUD that might assist the Village is taking care of our dams.

CSX – EMERGENCY READINESS EXERCISE

Mayor Coyne reported that an “Emergency Readiness Exercise” has been scheduled for March 27th at West Point. He will attend along with Kurt Hahn, the Disaster Control Officer for the Village.

WEST POINT SAILING TEAM REGATTA – APRIL 26 & 27

Mayor Coyne is in receipt of a request from the West Point Sailing Team to use a “limited number” of parking spaces at Donahue Memorial Park for participating teams and spectators use on April 26th and 27th. They will be hosting their annual “Home Intercollegiate Sailing Regatta” at the Cornwall Yacht Club and may need more parking than the Yacht Club has available.

After some discussion, Mayor Coyne indicated that he will reach out to the Jeff Schaack of the Cornwall Yacht Club to discuss their needs in further detail. Police coverage will be offered in a cooperative effort by the Village.

DAMS – ENGINEERING ASSESSMENT

Mayor Coyne reported that he spoke with Andrew Fetherston of Maser Consulting, the Village Engineer, regarding an assessment of the Black Rock Dams. The assessment report is due at the Department of Environmental Conservation (DEC) by August 19, 2014.

UNION CONTRACT NEGOTIATIONS

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

PUBLIC WORKS EMPLOYEE

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

WATER DEPARTMENT EMPLOYEE

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

FYI

RESTAURANT WEEK – MARCH 10th -24th

Mayor Coyne reported that the local “Restaurant Week” took place from March 10th – March 24th.

LOVE GENTLY DINNER

Mayor Coyne reported that the Safe Homes of Orange County annual “Love Gently Dinner” will be held at Painters Tavern on March 25th. He and Clerk Mahoney will be volunteer “celebrity waiters” that evening.

EAGLE SCOUT CEREMONY – TYLER KOLFRAT

Mayor Coyne announced that an Eagle Scout Ceremony to honor Tyler Kolfrat will take place on March 29th. Mr. Kolfrat helped to beautify the front of Village Hall as his Eagle Scout project last summer.

LITTLE LEAGUE OPENING CEREMONY

Mayor Coyne announced that opening day for Cornwall Little League is April 12th.

USMA COMMUNITY RELATIONS MEETING

Mayor Coyne announced that a “USMA Community Relations” meeting has been scheduled for April 15th.

GET YOUR GUTS IN GEAR – CYCLE EVENT

Mayor Coyne announced that the “Get Your Guts In Gear” cycle event will take place on June 7th and 8th. Although the event will go through areas of the Village, it will not conflict with Riverfest.

BOARD ACTIVITIES/COMMENTS

Trustee Kane thanked Village residents for instilling their confidence in him by voting him in for a third term. Mr. Kane looks forward another 2 years of getting work done on behalf of the Village.

Trustee Schmidt also thanked Village residents for their support and voting him in for a full term as Village Trustee. He looks forward to working with the Village Board.

Trustee Carnright congratulated Trustees Kane and Schmidt on their elections to the Village Board. It is a “pleasure” working with a Board that gets along well, and Mr. Carnright is looking forward to its continued progress.

Deputy Mayor Edsall congratulated Trustees Kane and Schmidt and is looking forward to working together.

Mayor Coyne thanked Trustees Kane and Schmidt for “stepping up” and serving the Village. He is looking forward to getting the business of the Village accomplished through good team work.

Mr. Coyne also reported that The Cornwall Hospital Emergency Room is “safe for the time being”. He thanked members of the Cornwall Volunteer Ambulance Corp (COVAC), residents of Cornwall, Cornwall-on-Hudson, and neighboring communities, and Assemblyman James Skoufis for their efforts in keeping the emergency room open 24 hours.

Having concluded the business set before them, Mayor Coyne made a motion to adjourn the meeting into Executive Session at 8:20 PM with DPW Superintendent Halvorsen, and Water Superintendent June in order to discuss: union negotiations, a disciplinary matter involving a DPW employee, and a personnel matter in the Water Department. The motion was seconded by Trustee Schmidt and carried upon a vote of 5 Ayes and 0 Nays.

The Board came out of executive session at 9:20 PM on a motion by Mayor Coyne which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

DEPARTMENT OF PUBLIC WORKS – JOB OPENINGS

Deputy Mayor Edsall made a motion authorizing DPW Superintendent Halvorsen to post job openings for a Laborer, Equipment Operator, and a Senior Equipment Officer in the Department of Public Works. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

Having concluded the business set before them, Deputy Mayor Edsall made a motion to adjourn the meeting at 9:21 P.M. which was seconded by Trustee Kane and carried upon a vote of 5 Ayes and 0 Nays.