

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

April 21, 2014

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

Also present were: DPW Superintendent David Halvorsen, Water Superintendent Robert June, Storm King 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

MS4 STORMWATER MANAGEMENT PLAN. Proof of Notice, Affidavit of Posting and Publication having been furnished, the Public Hearing on the MS4 Stormwater Management Plan was called to order at 7:01 PM on a motion by Mayor Coyne, seconded by Deputy Mayor Edsall, and carried by a vote of 5 Ayes and 0 Nays.

Trustee Kane asked DPW Superintendent Halvorsen for a timeline with regard to mapping of illicit discharge detection and elimination (IDDE) outfalls.

DPW Superintendent Halvorsen replied that he does not have a timeframe yet. He is working with the Village Engineer on detailed GPS mapping. The plan is an ongoing “exercise” with the Department of Environmental Conservation (DEC) to provide public outreach and training. The Village has updated our kiosk, provided information to our schools, and will once again have a booth at RiverFest.

Deputy Mayor Edsall reported that the DEC requires that we create a map of point discharges and identify illicit discharges into the collection system.

Mayor Coyne asked Andrew Fetherston, the Village Engineer, for recommendations moving forward. He suggested we continue to work with Orange County Soil and Water Conservation Committee, and provide employee training on MS4.

Hearing no one further speak for or against the MS4 Stormwater Management Plan, Mayor Coyne made a motion to close the public hearing at 7:08 pm which was seconded by Trustee Schmidt and carried by a vote of 5 Ayes and 0 Nays.

Deputy Mayor Edsall made a motion to accept the MS4 annual report as prepared by Maser Consulting for the period March 10, 2013 to March 9, 2014 and authorize the Mayor to sign and file the report with the Department of Environmental Conservation which was seconded by Trustee Kane and carried by a vote of 5 Ayes and 0 nays.

MINUTES

Mayor Coyne made a motion to accept the April 7, 2014 Reorganization Meeting Minutes as prepared, which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

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

CORRESPONDENCE

Mayor Coyne is in receipt of the following correspondence:

- Letter from Reuben Ryder requesting a cooperative effort in order to improve the safety of Highway Route 9W from Continental Road in the Town of Cornwall to Route 293 in the Town of Highlands.
- Letter from Tom DiCarrado, Geese Management Committee Chairman, encouraging the Village to manage the population of Canada geese by non-lethal methods.
- Letter from Mark Mulpeter of Central Hudson Energy Group, Inc. inviting Village officials to a meeting on April 29th in order to review and discuss their pre-storm preparations and guidelines for addressing potential flooding.

A moment of silence was observed for Andrew Maroney, a lifetime Village resident who passed away last week. Mr. Maroney served on many Boards over the years, including the Village Zoning Board, Village Bandstand Committee, Cornwall Historical Society, and served as a Village Election Inspector.

TREASURER'S REPORT

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

Village water, sewer, garbage & penalties	\$ 65,530.99
Town water & penalties	344,132.93

which included 3 final/adjustments for the Village and 1 for the Town.

Warrant #4 – Trustee Carnright made a motion to approve the April 2014 Warrant (#4) and authorize payments totaling \$343,270.58, which was seconded by Deputy Mayor Edsall and carried by a vote of 5 Ayes and 0 Nays.

Treasurer Mahoney reported receipt of \$2,090,052.39 (30.58%) in anticipated revenues and \$361,891.92 (5.29%) in anticipated expenditures through the end of March.

Mayor Coyne has signed the agreement with Nugent & Haeussler for an audit of the Village's financial statements through fiscal year ended February 28, 2014. The audit will be conducted during the week of May 26th.

Treasurer Mahoney reported that Village tax bills were collected through April 2nd without penalty. The total collected through March 31st is \$1,869,514.31. She further reported that the Business Automation Services (BAS) tax software program that was provided to the Village through a county grant last year is working out very well and is a "time saver".

BOARD DEPARTMENT REPORTS

Building Department Trustee Carnright reported 10 building permits were issued, 7 certificates of compliance/ were issued, 23 onsite inspections were performed, and 2 fire inspections were conducted. Inspector Maggio worked 80 hours in March.

Fire Department – Deputy Mayor Edsall reported 3 automatic alarm/CO calls, 1 electrical fire, 1 mutual aid-stand by, 13 medical calls, 1 public assistance call, 8 work details, 1 fire prevention event, 8 in-house drills, and 1 drill outside firehouse for a total of 37 events and 393.5 man hours.

Mr. Edsall further reported that new gear racks have been installed, an engine was sent to Monroe for stand-by duty on April 12th to cover for their inspection dinner, the Ladies Auxiliary soup/dessert fair was held on April 12th, the Annual Easter Pancake Breakfast was held on April 20th, an open house/recruiting event will take place at the fire house on April 26th, and a fund raiser will take place at Painters on April 28th. The department would like to acquire the police department's Tahoe when it is surplus.

In addition Fire Chief Vought requests approval to purchase two new sets of firefighter turnout gear from Hi-Tech Fire & Safety Inc. for \$4,591.98. This is the same make and provider used last year.

Police Department Trustee Kane reported 3 criminal mischief, 2 petty larceny, 1 fraud, 1 felony arrest, 2 misdemeanor arrests, 1 violation arrest, 1 warrant arrest, 2 traffic accidents, 10 traffic summons issued, 27 warnings issued, 15 parking summons issued, 3 fire response calls, 1 domestic incident call, 7 alarm response calls, 1 noise complaint, 1 suspicious person call, 1 suspicious activity call, 2 suspicious vehicle calls, 8 animal complaints, 1 disorderly adult, 1 disorderly juvenile, 6 assists to the Town of Cornwall Police Department, 12 EMS assist calls, 1 assist to other agencies, 2 welfare checks, and 3 citizen assists for a total of 280 total calls for service.

Mr. Kane further reported that the department began participating in Orange County "STOP DWP" enforcement in March, started the installation of hardware for vehicle computers, and submitted a 2014-

2016 grant request for six bulletproof vests through the Department of Justice Vest Partnership Program in the amount of \$1950.00.

Department of Public Works – Trustee Carnright reported repairs to Village vehicles, cold patching of potholes, repairs to street sweeper, sewer maintenance, brush cutting, storm sewer maintenance, building maintenance, and preparing equipment for summer months.

Trustee Carnright further reported that yard waste collection resumed on April 7th and spring bulk pick up will begin on April 28th.

DPW Superintendent Halvorsen reported that Central Hudson is replacing the gas main and gas service lines along Homeland Ave, Jean Ct, Paula Ct, and Barr Avenue. Discussion followed.

Water Department – Trustee Schmidt reported an average daily production of 837,000 gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 25). A total of 64 utility mark-outs were done, 33 miscellaneous repairs were completed, 1 meter was replaced, 3 final meter readings were done, a leak was repaired at well head on south well, and system pressure reduction valves (PRV's) were serviced. In addition, servicing of PRV's and float controls on mountain system is ongoing, and the department started property spring clean-up and repairs.

Deputy Mayor Edsall made a motion authorizing Maser Consulting to prepare an engineering assessment of the Upper Reservoir Dam and Arthur's Pond Dam in accordance with their proposal dated April 16, 2014. and authorizing the Mayor to execute the agreement which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

Mayor Coyne made a motion authorizing the Mayor to execute the mutual aid agreement with New York Water/Wastewater Agency Response Network (NYWARN) subject to legal review which was seconded by Deputy Mayor Edsall and carried upon a vote of 5 Ayes and 0 Nays.

OTHER BUSINESS

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 from 3:00-6:00 PM and from 7:00 PM until completion at the Cornwall Central High School. He expects a fair number of neighboring municipalities to attend and encouraged residents to attend as well. Representatives from Black Rock Fish & Game Club, Storm King Art Center, Moodna Creek Watershed Committee, Cornwall Baptist Church, Assemblyman Skoufis' office, and Senator Larkin's office are expected to make statements.

Mayor Coyne further reported that Maser Consulting prepared a report calling attention to some of the problems they foresee in the creation of three potential wells.

Deputy Mayor Edsall stated that engineer's report does a good job identifying numerous deficiencies relative to Kiryas Joel's application for a water taking permit.

Trustee Kane stated that the engineer's report is quite technical and the summary points out the numerous inadequacies of the testing performed.

Attorney for the Village McKay stated that a response from the hearing officer might be expected in 6-8 weeks based on the submissions made at the hearing.

Deputy Mayor Edsall made a motion authorizing Mayor Coyne to speak on behalf of the Village of Cornwall-on-Hudson at the Kiryas Joel Mountainville well public hearing on April 29, 2014 which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

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.

RESOLUTIONS

CUMBERLAND FARMS – CREATION OF A LOADING ZONE DISCUSSION

Trustee Kane stated that approximately 30 residents have signed a petition protesting the early morning deliveries at Cumberland Farms. They are annoyed by loud beeping coming from the trucks backing up to make their deliveries. Mr. Kane recently attended a meeting with the regional director and manager of Cumberland Farms, along with Building Inspector Maggio and Mayor Coyne. It was determined that the best way to alleviate this problem would be to create a limited loading zone in front of the property for store deliveries. Fuel deliveries will be scheduled for later in the evening. The collection of refuse from the dumpster is more complicated but they have agreed to work together to find a solution.

Mayor Coyne thanked Mr. Maggio for setting up the meeting and the Cumberland Farms representatives who were very cooperative.

Deputy Mayor Edsall stated there is also a safety issue. The delivery trucks have to back up across traffic lanes and sidewalks to get into the parking lot.

CUMBERLAND FARMS CREATION OF A LOADING ZONE – SET PUBLIC HEARING DATE/TIME

Trustee Kane introduced the following resolution and moved for its adoption.

WHEREAS, the Village Board wishes to amend Chapter 155-53 of the Village Code of the Village of Cornwall-on-Hudson to prohibit the standing or parking of vehicles in front of 263 Hudson

Street, except for the express purpose of loading or unloading of merchandise and goods;

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 Chapter 155-53 of the Village Code of the Village of Cornwall-on-Hudson to prohibit the standing or parking of vehicles in front of 263 Hudson Street, except for the express purpose of loading or unloading of merchandise and goods; and to receive any comments concerning the potential adverse environmental impacts of the proposed legislation in accord with SEQRA, on May 19, 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 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.

HAZARD MITIGATION PLAN

Deputy Mayor Edsall introduced the following resolution and moved for its adoption.

WHEREAS, the Village of Cornwall-on-Hudson, with the assistance from Turner Miller Group New York, has gathered information and prepared the Town of Cornwall/Village of Cornwall-on-Hudson Joint Hazard Mitigation Plan; and

WHEREAS, the Town of Cornwall/Village of Cornwall-on-Hudson Joint Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Village of Cornwall-on-Hudson is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, representatives of the Village of Cornwall-on-Hudson have reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW, THEREFORE BE IT RESOLVED by the Village Board that the Village of Cornwall-on-Hudson adopts the Town of Cornwall/Village of Cornwall-on-Hudson Joint Hazard Mitigation Plan as this jurisdiction’s Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

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

Deputy Mayor Edsall thanked all the Village department heads for their assistance in providing the Village's input into this plan.

FYI

ETHICS BOARD MEETINGS

Mayor Coyne reported that the newly formed Ethics Board met on April 16, 2014 and again on April 21, 2014. The Board is making progress and has formed a subcommittee to review the adjudicatory rules. In addition they are trying to determine whether the parties who are required to file annual disclosure statements have done so.

CANNON FIRE & HELICOPTER OPERATIONS

Mayor Coyne reported that West Point cannon fire and helicopter operations were conducted the week of April 15-20th.

ARBOR DAY PLANTING

Mayor Coyne announced that this Friday, April 25th is Arbor Day and the Cornwall Garden Club has offered to plant a tree at Donahue Memorial Park at 4:00 PM. He thanked the Garden Club for the generous donation.

CORNWALL UNITED METHODIST CHURCH SERVICE

Mayor Coyne announced that the Cornwall United Methodist Church will hold a service at Donahue Memorial Park on May 3rd from 3:00-6:00 PM.

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.

WEST POINT DUATHLON

Mayor Coyne announced that West Point will hold a duathlon on June 7th.

RIVERFEST

Mayor Coyne announced that Riverfest will be held on June 7th.

ARTFEST

Mayor Coyne announced that an "Artfest" will take place at Donahue Memorial Park on June 8th. He is part of a committee that is having regular meetings and making progress in organizing this event.

CORNWALL RUN

Mayor Coyne made a motion granting permission to the Cornwall Run Committee to hold the annual “Cornwall Run for Cancer Awareness in Memory of Pat Harding” on October 12, 2014 which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays. The event will take place in the Town of Cornwall and Village of Cornwall-on-Hudson.

BOARD ACTIVITIES/COMMENTS

Trustee Kane stated that he first got to know Andrew “Andy” Maroney when he ran for Trustee and through the American Legion. He was always a gentleman and Mr. Kane enjoyed their sometimes “spirited” conversations. Mr. Maroney was a World War II vet, a pillar of the community who volunteered a lot of his time to the Village, and will be certainly missed. He offered condolences to the family.

Mr. Kane also reported that he attended the Easter Pancake Breakfast at Storm King Engine Co. and loved it.

Trustee Carnright stated that Andy and his wife Jeanne were Grand Marshalls of the July 4th celebration a few years back in honor of their contributions to the Village and the community. Andy will certainly be missed.

Deputy Mayor Edsall stated that Andy was a “terrific fellow” who contributed a lot to the Village and to our country. He also had a lot of knowledge of history and the Village and was enjoyable to speak with.

Mayor Coyne offered his condolences with his wife and family. Mr. Coyne came to know Andy when he had the pleasure of interviewing him about being chosen Grand Marshall.

Having concluded the business set before them, Mayor Coyne made a motion to adjourn the meeting into Executive Session at 8:07 PM with DPW Superintendent Halvorsen, and Water Superintendent June in order to discuss: union contract negotiations, a disciplinary matter involving a DPW employee, a personnel matter in the Water Department, and contractual issues involving Village properties. The motion was seconded by Deputy Mayor Edsall and carried upon a vote of 5 Ayes and 0 Nays.

The Board came out of executive session at 10:35 PM on a motion by Mayor Coyne which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

Having no further business set before them, Deputy Mayor Edsall made a motion to adjourn the meeting at 10:36 P.M. which was seconded by Trustee Kane and carried upon a vote of 5 Ayes and 0 Nays.