

## VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

May 19, 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, 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**

INTRODUCTORY LOCAL LAW #11 OF 2014 - AMENDING CHAPTER 155 OF THE VILLAGE CODE OF THE VILLAGE OF CORNWALL-ON-HUDSON, ESTABLISHING A LOADING ZONE ALONG THE EASTBOUND SIDE OF HUDSON STREET. Proof of Notice, Affidavit of Posting and Publication having been furnished, the Public Hearing on Amending Chapter 155 of the Village Code of the Village of Cornwall-on-Hudson, establishing a loading zone along the eastbound side of Hudson Street was called to order at 7:01 PM on a motion by Mayor Coyne, seconded by Trustee Kane, and carried by a vote of 5 Ayes and 0 Nays.

Lee Murphy of 269 Hudson Street complimented the Village Board for making progress on grocery deliveries at Cumberland Farms. That is “working quite well”; however, there is a continuing problem with gas deliveries. Trucks have a difficult time making gas deliveries due to tight/limited space. Mr. Murphy suggests that deliveries be made at a time when there will be a minimum disturbance of traffic flow, such as between 9:30 AM – 11:00 AM. At the present time, trucks are making deliveries as late as 10:45 PM and 12:30 AM. In addition, Mr. Murphy reported that there is an ongoing problem with trucks collecting trash from the dumpster. The process by which the dumpsters are emptied produces a 90+ decibel sound. Just the other day the dumpster was emptied at 5:30 AM.

Salvatore Buttiglieri, proprietor of Painters Restaurant/Inn, stated that the noises made during these evening gas deliveries and trash collections disturb his overnight patrons. Traffic congestion around Cumberland Farms is been a problem since he came to Cornwall-on-Hudson back in 1985.

Hearing no one further speak for or against Introductory Local Law #11 of 2014, Deputy Mayor Edsall 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.

Mayor Coyne stated that he recently attended a meeting with 4 representatives of Cumberland Farms, Trustee Kane, Code Enforcement Officer Ben Maggio, and DPW Superintendent Halvorsen where they discussed the ongoing problems with deliveries. They were very cooperative. This evening the Village Board is trying to “solidify” the grocery delivery issue. They are continuing to work on finding a better way/time to make fuel deliveries. Trying to determine a timeframe to schedule the collection of refuse is more complicated but they have agreed to work together to find a solution.

Trustee Kane stated that scheduling fuel deliveries between “windows” of time may be required. He would like to schedule another meeting with Cumberland Lands to “hammer out” the details. Mr. Kane will do his best to get Cumberland Farms and their garbage carting service to schedule collections within a “window” of time as well.

Deputy Mayor Edsall thanked Mr. Murphy for providing a history of Cumberland Farms deliveries. This information has been very helpful to the Village Board.

Discussion followed regarding establishing time restrictions for the parking space in front of Cumberland Farms to be used as a loading zone.

#### RESOLUTION OF ADOPTION

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

**WHEREAS**, an Introductory local law entitled "A Local Law Amending Chapter 155 of the Village Code of the Village of Cornwall-on-Hudson, establishing a loading zone along the Eastbound side of Hudson Street" was introduced before the Board of Trustees of the Village of Cornwall-on-Hudson on April 21, 2014 and upon notice duly published and posted, a hearing was held on May 19, 2014 before the Board of Trustees; and

**WHEREAS**, Section 3 of the introductory local law has been amended to prohibit parking at the location specified as “Hudson Street, South Side, From 100 feet east of Avenue A to 190 feet west of Duncan Avenue” between the hours of 4:00 AM – 7:00 AM; 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, as amended, entitled "A Local Law Amending Chapter 155 of the Village Code of the Village of Cornwall-on-Hudson, establishing a loading zone along the Eastbound side of Hudson Street" of the Village of Cornwall-on-Hudson be and hereby is adopted as Local Law #1 of 2014 of the Village of Cornwall-on-Hudson on May 19, 2014.

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

**PUBLIC COMMENT**

Peter Neuman of 9 Braden Place stated that he would be recording his comments this evening. He is here to put the Village Board on notice that a problem with the roadway along Braden Place has gotten worse since he reported it in a letter dated March 12, 2014. Portions of the road are “caving in”, the swales along the side of the entire roadway are “a mess”, and driveways are being undermined by the water run-off. Although the DPW has put barrels around the damaged roadway, it is a dangerous situation. Kids are riding bikes and skateboards, and cars are going up and down the roadway. Mr. Neuman further stated that a plumber put a camera in the sanitary sewer line near his home and indicated that it is being endangered because of water volume. This problem needs to be fixed before someone gets hurt or incurs any costs. Mr. Neuman then stated that when the Village Board decided to “do away with” the View Preservation Law a couple of years ago, he and his neighbors were not happy with it; however they accepted the decision and follow the code. He has noticed that Mayor Coyne has had a car parked in his driveway for “many” months without a license plate on it. If residents must follow Village Code, so should the Village Board.

**MINUTES**

Mayor Coyne made a motion to accept the April 21, 2014 Business Meeting Minutes as written, 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 Richard Mayfield, Director of Orange County Office of Community Development informing the Village that in order to continue to receive Community Development Block Grant (CDBG) funding, we must be recertified every three years.

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

RESOLUTION AUTHORIZING THE VILLAGE OF CORNWALL-ON-HUDSON ENTER INTO AN AMENDMENT TO THE EXISTING COOPERATION AGREEMENT DATED JULY 8, 1993, AS AMENDED, WITH THE COUNTY OF ORANGE FOR THE PURPOSE OF UNDERTAKING COMMUNITY DEVELOPMENT AND HOME PROGRAMS FOR THE PROGRAM YEAR COMMENCING FEDERAL FISCAL YEARS 2015, 2016, 2017 (AND FOR SUCCESSIVE THREE YEAR QUALIFICATION PERIODS AS PROVIDED FOR IN THE AUTOMATIC RENEWAL PROVISION) PURSUANT TO THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED AND TITLE II OF THE NATIONAL AFFORDABLE HOUSING ACT OF 1990, AS AMENDED.

**WHEREAS**, the Secretary of the U.S. Department of Housing and Urban Development (“HUD”) authorized, under Title 1 of the Housing and Community Development Act of 1974, as amended and Title II of the national Affordable Housing Development and Affordable Housing Programs; and

**WHEREAS**, it is desirable and in the public interest that the Village of Cornwall-on-Hudson participate in aforesaid Community Development and HOME Programs for the program year commencing Federal Fiscal Years 2015 2016, 2017. (and successive three year qualification period); and

**WHEREAS**, Section 99-h of the General Municipal Law of the State of New York grants to any municipal corporation the power, either individually or jointly with one or more other municipal corporations, to apply for, accept and expend funds made available by the Federal government either directly or through the state, pursuant to the provisions of any Federal law which is not inconsistent with the statutes or constitution of this state, in order to administer, conduct or participate with the Federal government in programs relating to the general welfare of the inhabitants of such municipal corporation; and

**WHEREAS**, applications for grants to finance Community Development and Affordable Housing Programs under the Housing and Community Development Act of 1974, as amended and the National Affordable Housing Act of 1990, as amended and any “eligible Activities” thereunder are not inconsistent with the statutes or constitution of this state; and

**WHEREAS**, Village shall take all actions necessary to assure compliance with the County’s certification under Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and affirmatively furthering fair housing. The County and the Village shall also comply with Section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975. Furthermore, the County and the Village shall comply with all other applicable New York State and Federal laws and regulations.

In addition, CDBG funding of activities in, or in support of, Village of Cornwall-on-Hudson is prohibited if the Village does not affirmatively further fair housing within its own jurisdiction or the Village impedes County’s actions to comply with the County’s fair housing certification. The Village shall indemnify, defend and hold harmless the County from any non-compliance with affirmatively furthering fair housing by the Village that result in funding sanctions or other remedial actions by the United States Department of Housing and Urban Development and/or the federal government against the County.

**WHEREAS**, the Village of Cornwall-on-Hudson as a cooperating unit of local government has adopted and is enforcing:

- a) A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
- b) A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within jurisdictions.

**WHEREAS**, participation by the County of Orange, as an urban county in the Community Development and HOME programs require that the Village of Cornwall-on-Hudson and the County of Orange cooperate in undertaking or assisting in undertaking, community renewal and lower income housing assistance activities. Specifically urban renewal and publicly assisted housing, pursuant to said Act specifically those activities authorized by statutes and pursuant to Articles 9 and 17 and the New York State Constitution; and

**WHEREAS**, the County and Village of Cornwall-on-Hudson will cooperate in developing Community Development and Affordable Housing Programs and applications for the Community Development Block Grant Entitlement Program and the HOME Investment Partnership (“HOME Program”) which will be designed primarily for the purpose of meeting the priority needs and objectives of the participating localities based upon an inventory of the community development and housing needs developed mutually by local and County officials;

**WHEREAS**, the Village of Cornwall-on-Hudson may not sell, trade, or otherwise transfer all or any portion of such funds to another such metropolitan city, urban county, unit of general local government or Indian tribe, or insular area that directly or indirectly receives CDBG funds in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under Title I of the [Housing and Community Development] Act [of 1974]. This requirement is contained in the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2014, Pub. L. 113-76.

**WHEREAS**, this Village Board deems it to be in the public interest for the Village of Cornwall-on-Hudson to enter into an Amendment to the existing Cooperation Agreement dated July 8, 1993, as amended, with the County of Orange for the aforesaid purpose;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor be and he hereby is authorized and directed to execute a Cooperation Agreement Amendment between the Village of Cornwall-on-Hudson and the County of Orange for the purpose of undertaking Community Development and HOME Programs pursuant to the Housing and Community Development Act of 1974, as amended and Title II of the National Affordable Housing Act of 1990, as amended, for the program year commencing Federal Fiscal Years 2015, 2016, 2017 (and successive three year qualification periods).

The foregoing resolution was seconded by Deputy Mayor Edsall and carried upon a vote of 5 Ayes and 0 Nays.

- Letter from U.S. Department of Transportation Secretary Foxx, outlining measures taken to mitigate crude oil shipments by rail. Discussion followed regarding the Board members safety concerns and the volatility of the oil.
- Letter from Jayne J. Violon requesting relief of garbage charges at 7 Grandview Avenue because the house is empty.

Deputy Mayor Edsall made a motion to grant a 50% reduction in garbage charges effective May 1<sup>st</sup> in accordance with existing Village policy, subject to verification by DPW Superintendent Halvorsen that the house is empty. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

- Letter from Bill and Ann Grisoli appealing the Village Board's decision to deny his request for relief of garbage charges at 3 Duggan Lane because there has been water consumption at the house. The letter indicates that the water consumption is the result of lawn maintenance and from allowing faucets to drip during winter months to avoid the lines from freezing.

Deputy Mayor Edsall called this a "unique situation" and one that must be monitored. He then made a motion to grant a 50% reduction in garbage charges for a period of 6 months. The Grisolis will need to request another 6-month extension on or before November 19, 2014. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

- Email from Jacqueline Grant of Hudson Highlands Nature Museum indicating that they have contracted with County Water for garbage and recycling collection at \$40.00 per month effective May 19, 2014 and will no longer require the services of the Village.

After some discussion, the Board tabled this item for further research. They will request documentation of the Museum's first bill with County Waste and proof of proper insurance since heavy equipment will be going on Village property.

- Letter from Peter and Aldona Gobuzas who own property located at 78 Duncan Avenue requesting relief of penalty charges because their Village tax payment dated March 15, 2014 was never received by the Village Tax Collector. It was apparently lost in the mail.

After some discussion, Deputy Mayor Edsall made a motion to deny the request in accordance with past Village policy which was seconded by Trustee Kane and carried upon a vote of 5 Ayes and 0 Nays.

## **TREASURER'S REPORT**

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

Village water, sewer, garbage & penalties	\$ 231,059.67
Town water & penalties	252,542.80

which included 6 final/adjustments for the Village and 0 for the Town.

Warrant #5 – Trustee Carnright made a motion to approve the May 2014 Warrant (#5) and authorize payments totaling \$282,025.24, which was seconded by Deputy Mayor Edsall and carried by a vote of 5 Ayes and 0 Nays.

Treasurer Mahoney reported receipt of \$2,359,117.85 (34.52%) in anticipated revenues and \$820,380.22 (12.00%) in anticipated expenditures through the end of April.

Treasurer Mahoney reported that the total collected in Village taxes through April 30<sup>th</sup> is \$2,332,995.88.

Treasurer Mahoney further reported that she has been working with Deputy Village Clerk Mary Ellen Dennett, DPW Superintendent David Halvorsen, Code Enforcement Officer Ben Maggio, and Planning/Zoning Secretary Arlene Roberts on establishing and calculating property unit values for a sewer capital improvement rent that will be assessed on the June 15<sup>th</sup> billing. Deputy Mayor Edsall has agreed to meet with Ms. Mahoney to provide guidance on several issues.

## **BOARD DEPARTMENT REPORTS**

Building Department Trustee Schmidt reported 6 building permits were issued, 5 certificates of compliance/occupancy were issued, 2 violations were issued, 30 onsite inspections were performed, and 1 fire inspection was conducted. Inspector Maggio worked 80 hours in April.

Fire Department – Deputy Mayor Edsall reported 5 automatic alarm/CO calls, 1 transformer fire, 1 brush fire, 3 mutual aid-stand by, 2 mutual aid-to scene, 14 medical calls, 1 hazardous condition call, 8 work details, 1 open house, 9 in-house drills, and 7 drills outside firehouse for a total of 52 events and 980.5 man hours.

Mr. Edsall further reported that the Annual Easter Breakfast and “Burning Down the House” fund raisers events were held, 2 sets of turn out gear and 4 new helmets have been ordered and will replace

older gear, an open house for NYS recruiting weekend was held and will possibly gain 2 members, and a fund raiser is scheduled at the Newburgh Brewery on June 1<sup>st</sup>. In addition, the department is preparing for the Memorial Day parade, and held live burn exercise/training on May 1th at the Orange County Training Center.

Police Department Trustee Kane reported 3 petty larceny, 1 fraud, 1 misdemeanor arrest, 2 warrant arrests, 16 traffic summons issued, 31 warnings issued, 16 parking summons issued, 9 fire response calls, 5 alarm response calls, 4 noise complaints, 2 suspicious person calls, 1 suspicious activity call, 2 suspicious vehicle calls, 3 animal complaints, 1 disorderly adult, 6 assists to the Town of Cornwall Police Department, 11 EMS assist calls, 1 assist to other agencies, 2 welfare checks, and 2 citizen assists for a total of 305 total calls for service.

Mr. Kane further reported that the department continues to participate in the Orange County “STOP DWI” enforcement, has submitted a 2014-2015 grant request in the amount of \$2,800.00 through the “Governors Traffic Safety Committee (GTSC) for traffic enforcement funding and 1 traffic radar unit, is working with the Department of Public Works to obtain a new life ring preserver at the Riverfront, and assisted with traffic at the area of Dock Hill Road and Shore Road during the annual CCHS Junior Prom picture taking event at Donahue Memorial Park on May 9<sup>th</sup>. In addition, Police Officers Terwilliger, Pena, Hofmann & Nye attended the Mid-Hudson Region “STOP DWI” Conference at Anthony’s Pier 9 in New Windsor.

Upon the recommendation of Police Chief Dixon, Trustee Kane made a motion appointing Richard Peters as a part-time/per diem School Crossing Guard at the established salary which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

Department of Public Works – Trustee Carnright reported repairs to Village vehicles, sweeping of Village streets, sewer maintenance, started repairs to front-end loader, completed bulk clean-up, brush cutting, storm sewer maintenance, building maintenance, replaced failing storm drain on Homeland Ave and repaired catch basins, replaced sewer main on dead end on Jean Court, and tree stump removal.

Trustee Carnright further reported that boat docks were put in place on May 8<sup>th</sup>. DPW Superintendent Halvorsen thanked members of the Cornwall Yacht Club for their assistance.

DPW Superintendent Halvorsen reported that he has had difficulty finding a life preserver with a safety rope and storage case. He hopes to have one in place by Memorial Day weekend. In addition Mr. Halvorsen will attend the Cornell Summer Intern Program Conference on May 27<sup>th</sup> in order to familiarize himself with the software program that will be used to map Village roadways during the upcoming 10 week internship.

DPW Superintendent Halvorsen further reported that he will be attending the Cornell Summer Intern Program from May 27<sup>th</sup> to May 29<sup>th</sup> where he will meet the intern that will be working with us and get familiarized with the software program that we will receive at the end of this program. The intern will measure and categorize Village roads and prioritize any repairs needed. Mr. Halvorsen will then leave June 1<sup>st</sup> to attend the Annual Cornell Highway School.

Mayor Coyne made a motion appointing Richard Ipsen to a 10 week Summer Internship with the Village of Cornwall-on-Hudson in accordance with the Cornell Roads Program guidelines starting May

27, 2014 and ending August 15, 2014 at \$12.00 per hour and not to exceed 35 hours per week. The motion was seconded by Deputy Mayor Edsall and carried upon a vote of 5 Ayes and 0 Nays.

Water Department – Trustee Schmidt reported an average daily production of 832,000 gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 57). A total of 64 utility mark-outs were done, 32 miscellaneous repairs were completed, 9 final meter readings were done, system pressure reduction valves (PRV’s) were serviced, and water main flushing within the Town of Cornwall and Mountain system was completed. Hydrant/water main flushing within the Village is ongoing. In addition, servicing of PRV’s and float controls on mountain system is ongoing, and the department continues spring clean-up of properties and repairs.

## **RESOLUTIONS**

### **SUMMER PLAYGROUND – APPOINTMENT OF DIRECTOR & ASSISTANT DIRECTOR**

Mayor Coyne made a motion to appoint Jennifer Pryne to the position of Summer Playground Director at a salary of \$3,000 which was seconded by Trustee Carnright. Mayor Coyne added that Ms.Pryne did a great job last year and has some good ideas for this year’s program. The motion was then put to a vote which resulted in 5 Ayes and 0 Nays.

Mayor Coyne made a motion to appoint Kathleen Hand to the position of Assistant Director at a salary of \$1,800 which was seconded by Trustee Carnright. Mayor Coyne added that Ms. Hand is also a teacher, did a great job last year as well, and he looks forward to working with her again. The motion was then put to a vote which resulted in 5 Ayes and 0 Nays.

### **SUMMER PLAYGROUND PROGRAM FEES**

Mayor Coyne reported that the Summer Playground Program will run from July 7<sup>th</sup> – August 15<sup>th</sup> between the hours of 9:00 AM – 1:00 PM. The program will be available to children attending 1<sup>st</sup> – 7<sup>th</sup> grade this Fall. The cost for any potential field trips will be in addition to the program fee.

Mayor Coyne made a motion to set the fee for Village residents attending the 2014 Summer Playground Program at \$125.00 per child which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

Mayor Coyne made a motion to set the fee for non-Village residents attending the 2014 Summer Playground Program at \$225.00 per child (the same as last year), which was seconded by Deputy Mayor Edsall and carried upon a vote of 5 Ayes and 0 Nays.

Mayor Coyne made a motion to establish a Kindergarten aspect to the Summer Playground Program consisting of two, 3-week sessions of 2 hours a day at a cost of \$100.00 per child per session, which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

### **INTER-MUNICIPAL AGREEMENT – RADIO COMMUNICATIONS**

Deputy Mayor Edsall made a motion authorizing Mayor Coyne to sign an inter-municipal agreement with Orange County for 1 APX 7000 Digital Portable Dual band operation 7/800 MHz and VHF radios

subject to legal review of the agreement which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

#### NBC/UNIVERSAL COMMERCIAL FILM SHOOT – MAY 23, 2014

Mayor Coyne reported that an NBC/Universal film crew has requested permission to film a commercial in the Village to promote a new program involving a character bicycling sometime in the late afternoon on May 23<sup>rd</sup>.

After some discussion, Mayor Coyne made a motion authorizing the issuance of a special event permit to NBC/Universal on May 23, 2014 in order to film a commercial in the Village subject to their submittal of a certificate of liability insurance listed the Village of Cornwall-on-Hudson as additionally insured and payment of a \$1,000.00 permit fee. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

#### HUDSON RIVER ARTFEST – JUNE 8, 2014

Mayor Coyne reported that he is part of a committee that is organizing an inaugural “Hudson River ArtFest” to be held from 12:00 pm – 4:00 pm at Donahue Memorial Park on Sunday, June 8<sup>th</sup>. Cars will be permitted to drop off passengers at the park and then park at the Village Hall where a bus will be available to transport visitors back to the park.

Mayor Coyne made a motion granting permission for a Hudson River “ArtFest” event to be held on June 8<sup>th</sup> from 12:00 pm – 4:00 pm at Donahue Memorial Park which was seconded by Deputy Mayor Edsall and carried upon a vote of 5 Ayes and 0 Nays.

#### ALLOCATION OF FUNDS FOR RIVERFEST AND ARTFEST

Mayor Coyne made a motion authorizing the Village to allocate \$250.00 from A7550.4 - General Fund Cultural & Patriotic Expense Line to Cornwall-on-Hudson Riverfest, Inc. for this year’s Riverfest event taking place on Saturday, June 7<sup>th</sup> which was seconded by Trustee Kane and carried upon a vote of 5 Ayes and 0 Nays.

Mayor Coyne made a motion authorizing the Village to allocate \$250.00 from A7550.4 - General Fund Cultural & Patriotic Expense Line to Hudson River ArtFest for the inaugural ArtFest event taking place on Sunday, June 8<sup>th</sup> which was seconded by Trustee Schmidt and carried upon a vote of 5 Ayes and 0 Nays.

#### SPORTSPLEX – CELEBRATE SUMMER EVENT

Mayor Coyne is in receipt of a request from Sportsplex to hold a morning of health and fitness event at Donahue Memorial Park on Saturday, June 21<sup>st</sup> between the hours of 8:00 AM – 11:00 AM. Approximately 50-75 guests will participate in the event. They would like to invite local food vendors to offer their food and beverages as well.

After some discussion, Mayor Coyne made a motion approving the issuance of a special event permit for a “Celebrate Summer” health and fitness **one time only** event on Saturday, June 21<sup>st</sup> between the hours of 8:00 AM – 11:00 AM at Donahue Memorial Park subject to their submittal of a certificate of liability insurance listing the Village of Cornwall-on-Hudson as additionally insured and payment of a

\$100.00 permit fee. Food vendors will not be permitted at this event. The motion was seconded by Trustee Kane and carried upon a vote of 5 Ayes and 0 Nays.

## **OTHER BUSINESS**

### **SEWER CHARGES**

Mayor Coyne reported that the Village Board has been working on this item for a long time to help us deal with the major renovations/repairs to the Town Sewer Plant. We hope to have these charges ready in time for the June 15<sup>th</sup> billing.

### **PATTERN FOR PROGRESS – INFRASTRUCTURE CONFERENCE**

Mayor Coyne reported that he and Deputy Mayor Edsall attended an infrastructure conference sponsored by Pattern for Progress on May 19<sup>th</sup>. The discussion was focused on the need to rebuild infrastructure, including highways and bridges, in this country.

Deputy Mayor Edsall stated he is upset with the repeated calls for increases in the “gas tax”. The problem isn’t that not enough revenue is being collected in taxes, it’s in using the money for the intended purpose. According to a tax collection audit conducted by the State Comptrollers Officer only 22 cents on a dollar actually goes toward road improvements. The rest is “lost”. In addition, the tax levy cap does not provide an exemption for capital improvements. Mr. Edsall has spoken out against this issue repeatedly. There is no way you can have a levy cap of this sort, and then dropping it more, and expect municipalities to deal with anything. A topic of discussion at today’s conference dealt with the need for an exemption from the property tax cap for capital improvements.

### **KIRYAS JOEL’S MOUNTAINVILLE WELL**

Mayor Coyne reported that a public hearing on the proposed Kiryas Joel Mountainville Well was held in an afternoon and an evening session on April 29<sup>th</sup>. It was well handled and approximately 80 people spoke. The money it has cost the Village for legal advice and representation and engineering review was “well spent”. The Village intends to expand our water district to the western part of Cornwall and we are “watching our water” carefully.

### **GLENDENING PROPERTY**

Mayor Coyne reported that Jacobowitz & Gubits, LLP, the firm representing Ms. Glendening, has made a request to re-zone the rear portion of her property from CR-1 (Conservation Residential District) to SR (Suburban Residential District) so that the entire property is located within one zoning district, or to amend the Village of Cornwall-on-Hudson table of use regulations for CR-1 District to include a use classification of library, museum, and art gallery as a permitted use upon site plan review and approval. They have asked that the Village Board refer this request to the Planning Board for review and recommendations.

Deputy Mayor Edsall stated that when there is a particular proposal as to how amend our law, an initial version of that document, when available, gets referred to the Planning Board for its review and comment in accordance with state statute. In his opinion, it is premature to send it over when there is a “concept” of changing the code but not a specific code revision written. The Village Board has raised

concerns not only with a proposed zone line change or bulk table revision to allow those uses in an adjacent zone, but also with consequential secondary uses on the property such as large gatherings and traffic caused by them. Any amendment to the zoning law should deal with how to control that type of use, and therefore something the Village Board should address. It is more of a legislative issue than just a referral to the Planning Board.

Attorney for the Village McKay stated that this is a two-step process. Once the Village Board is satisfied that a proposed amendment is in a “reviewable format”, then under our code it is a mandatory referral to the Planning Board for its review and comment. He suggests that the applicant be required to post an escrow and enter into an escrow agreement to cover any costs that may be incurred by the Village associated with the review of this matter. Discussion followed.

Mayor Coyne agreed to draft a letter to Ms. Glendening.

#### LARVICIDING OF CATCH BASINS

Mayor Coyne announced that the Orange County Health Department has contracted with Alleymor, Inc. d/b/a Pestmaster Services to provide larvicide application to municipality owned catch basins. This work will take place from May 27<sup>th</sup> through October of 2014.

#### CONSOLIDATED FUNDING APPLICATION

Mayor Coyne stated that he applied for funding in 2013 and will try again this year. The grant application is due by 4:00 PM on June 16<sup>th</sup>. These grants used to be known as “member item” grants.

#### GAZEBO HANDICAPPED ACCESSIBILITY

Mayor Coyne reported that the Village received a \$20,000 grant from the Orange County Office of Community Development to provide handicap access to the gazebo located at Donahue Memorial Park. He expects work to start on this project soon.

#### 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.

#### ARBOR DAY PLANTING – APRIL 25, 2014

Mayor Coyne announced that the Cornwall Garden Club planted a willow tree at Donahue Memorial Park on Arbor Day. He thanked them for the generous donation.

#### **FYI**

#### BLACK ROCK CONSORTIUM – 25<sup>TH</sup> ANNIVERSARY

Mayor Coyne recently attended a 25<sup>th</sup> anniversary celebration for the Black Rock Consortium in New York City. He offered congratulations for the fine work the consortium does.

#### MELISSA FUND SUN RUN

Mayor Coyne reported that the “Sun Run” event, to raise cancer awareness in memory of Melissa Bambino, took place on May 17<sup>th</sup>.

#### GET YOUR GUTS IN GEAR – CYCLE EVENT

Mayor Coyne announced that the “Get Your Guts In Gear” cycle event will take place on June 7<sup>th</sup> and 8<sup>th</sup>. 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 7<sup>th</sup>.

#### BANDSTAND CONCERTS - 2014

Mayor Coyne announced that the 2014 bandstand concert schedule is now available. The first concert is scheduled for June 10th.

#### **BOARD ACTIVITIES/COMMENTS**

Trustee Kane reported that the American Legion 353 will be placing flags at the graves of local veterans this Saturday, May 24<sup>th</sup>, will hold their annual Memorial Day breakfast on Sunday, and the Memorial Day parade will take place at 10:00 AM on Monday.

Trustee Schmidt stated that he is looking forward to the upcoming events in the Village. It should be an exciting Spring.

Mayor Coyne attended a ribbon cutting ceremony at the Riverbank Bistro and wishes them well. In addition, he is part of the Orange County Community Block Development Program Committee and recently attended a meeting. Mr. Coyne reminded residents that the Cornwall School budget vote will take place tomorrow, May 20<sup>th</sup> at the Cornwall Middle School.

Mr. Coyne announced that local resident and community leader Abby Mayer recently passed away and offered his condolences to the family.

Having concluded the business set before them, Mayor Coyne made a motion to adjourn the meeting into Executive Session at 9:12 PM with DPW Superintendent Halvorsen, and Water Superintendent June in order to discuss: union contract negotiations, a disciplinary matter involving a DPW employee, contractual issues involving Village properties, and litigation status of pending arbitration with the PBA. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.