

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

October 20, 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 David Carnright

Absent was: Trustee James P. Kane – Military Duty  
Trustee Kenneth A. Schmidt – Vacation

Also present were: Water Superintendent Robert June, Storm King Engine Co. #2 Fire Chief Robby Vought, Attorneys for the Village Joseph McKay and John Furst, 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 tabled acceptance of the September 15, 2014 Business Meeting Minutes until the November meeting.

Mayor Coyne made a motion to accept the October 6, 2014 Special Meeting Minutes as presented, which was seconded by Trustee Carnright and carried upon a vote of 3 Ayes and 0 Nays.

**CORRESPONDENCE**

Mayor Coyne is in receipt of the following correspondence:

- Letters from NYS Department of Environmental Conservation seeking additional information in order to review the Engineering Assessment Reports for the Upper Reservoir and Arthur’s Pond Dams submitted by Maser Consulting.
- Letter from Wynn Gold requesting permission to hold the annual River-fest celebration on June 6, 2015.

Mayor Coyne made a motion to grant approval to hold the 18<sup>th</sup> annual River-fest celebration on Saturday June 6, 2014 which was seconded by Deputy Mayor Edsall and carried upon a vote of 3 Ayes and 0 Nays.

- Letter from NYS Department of Transportation regarding highway inventories. Mayor Coyne has forwarded this letter to DPW Superintendent Halvorsen for action.

**TREASURER’S REPORT**

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

Village water, sewer, garbage & penalties	\$ 172,720.44
Town water & penalties	551,379.71

which included 5 finals/adjustments for the Village and 0 for the Town.

Warrant #10 – Deputy Mayor Edsall made a motion to approve the October 2014 Warrant (#10) and authorize payments totaling \$392,331.82, which was seconded by Trustee Carnright and carried by a vote of 3 Ayes and 0 Nays.

The monthly revenue/expenditure report indicates receipt of \$4,472,735.79 (65.44%) in anticipated revenues and \$3,296,922.84 (48.24%) in anticipated expenditures through the end of September. In addition the total collected in Village taxes through September 30<sup>th</sup> is \$2,448,385.19.

Village Treasurer Mahoney reported that on September 25<sup>st</sup>, the Village received the final payment of \$30,172.01 from FEMA for costs associated with Hurricane Sandy. This payment covers the cost for debris and tree removal from roads and right-of-ways. FEMA had approved \$81,567.55 in Village expenditures, and paid a total of \$73,410.79 (90% - Effective Cost Share).

Ms. Mahoney also reported that Nugent & Hauessler has completed the Annual Update Document (AUD) for our fiscal year ending February 28, 2014 and it has been filed with the NYS Comptroller’s Office. The annual audit of the Village’s financial statements has also been completed and is currently under review.

**WATER DEPARTMENT EMPLOYEE – UNUSED ACCRUED LEAVE**

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

**BOARD DEPARTMENT REPORTS**

Building Department Trustee Carnright reported 15 building permits were issued, 7 certificates of compliance/occupancy were issued, 40 onsite inspections were performed, and 2 fire inspections were conducted. Inspector Maggio worked 80 hours in September.

Fire Department – Deputy Mayor Edsall reported 4 automatic alarm/CO calls, 7 medical calls, 26 work details, 2 memorial services, 1 9/11 ceremony, and 7 in-house drills for a total of 36 events and 367.5 man hours.

Deputy Mayor Edsall reported that the department participated in the 9/11 Ceremony, conducted an extrication drill with COVAC on cars donated by Quality Auto, participated in Christian Martinisi’s funeral, participated in Orange County Firemen’s Parade on September 27<sup>th</sup> (where SKE2 won 3<sup>rd</sup> place

in Class C and 3<sup>rd</sup> place best appearing tanker for Tanker 415 – SKE2 Ladies Auxillary won best overall), welcomed home Cornwall-on-Hudson WWII veteran Al Mazzocca of Curie Road from his Honor Flight trip on September 27<sup>th</sup>, and will host the “Corn Estate” haunted house on October 17, 18, 24, 25 and 31.

Mr. Edsall further reported the firefighter Joe Cruz was appointed as 2<sup>nd</sup> Lieutenant for remainder of 2014, fire prevention week began on October 4<sup>th</sup> where sessions were conducted at C-on-H Elementary and church pre-school, and the Clancy-Armitage Softball Tournament was held on October 10<sup>th</sup> & 11<sup>th</sup> at Black Rock.

Deputy Mayor Edsall made a motion to grant approval for a benefit/fund raiser for the Martinisi family to be held at Storm King Engine Co. #2 firehouse on Saturday December 13<sup>th</sup> from 7-11 pm, subject to the fire department providing a Certificate of Insurance listing the Village of Cornwall-on-Hudson as additionally insured, which was seconded by Trustee Carnright and carried upon a vote of 3 Ayes and 0 Nays. Anthony Martinisi is a former member of Storm King Engine Co #2. His son Christian died tragically at home last month.

Police Department Trustee Carnright reported 1 criminal mischief, 1 identity theft, 3 petty larceny, 1 trespass, 2 harassment, 1 misdemeanor arrest, 1 violation arrest, 1 warrant arrest, 6 traffic accidents, 27 traffic summons issued, 45 warnings issued, 19 parking summons issued, 4 fire response calls, 4 domestic incidents, 12 alarm response calls, 2 noise complaints, 4 suspicious person calls, 3 suspicious activity calls, 6 suspicious vehicle calls, 8 animal complaints, 2 disorderly adults, 2 disorderly juveniles, 9 assists to the Town of Cornwall Police Department, 7 EMS assist calls, 4 assists to other agency, and 6 welfare checks for a total of 384 total calls for service.

Trustee Carnright reported that the department purchased two (2) new “taser” units in September.

The Cornwall-on-Hudson Police Department is advising motorists that school is open and to drive carefully. Be aware of school buses “stopping” suddenly/periodically, children crossing the street and increased vehicular/pedestrian traffic on the roadway.

Department of Public Works – Deputy Mayor Edsall reported weekly mowing and trimming of Village properties, weekly yard waste collection, oil and chip of roadways in Homeland, Weeks Estate area and Braden Place, repairs to village vehicles, prepping plows for winter snow removal, and repairing/cleaning of catch basins.

DPW Superintendent Halvorsen will be attending the NYCOM Public Works School from October 20<sup>th</sup> through 22<sup>nd</sup>.

Deputy Mayor Edsall reported that the annual “Fall Bulk Clean Up” is scheduled for the week of October 20<sup>th</sup>.

Water Department – Trustee Carnright reported an average daily production of 925,000 gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 58). A total of 117 utility mark-outs were done, 18 meters were replaced, miscellaneous repairs were completed, and 6 final meter readings were done. The department repaired a curb box at 1 Sheldon Drive, performed hydrant maintenance and painting, continued property maintenance, and repaired the pressure regulator on Mountain Road.

Mr. Carnright further reported that Water Superintendent anticipates that the Code Red notification system will be in place by the end of October.

#### 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 6th 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 on November 6, 2014 for Water Treatment Chemicals, which was seconded by Deputy Mayor Edsall and carried upon a vote of 3 Ayes and 0 Nays.

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 2:15 PM on November 6, 2014 for Water Meters, which was seconded by Trustee Carnright and carried upon a vote of 3 Ayes and 0 Nays.

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 2:30 PM on November 6, 2014 for #2 Fuel Oil & "Off Road Diesel", which was seconded by Trustee Carnright and carried upon a vote of 3 Ayes and 0 Nays.

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 2:45 PM on November 6, 2014 Sludge Removal Services, which was seconded by Trustee Carnright, and carried upon a vote of 3 Ayes and 0 Nays.

#### WATER DEPARTMENT – CHANGE IN JOB TITLE

Upon the recommendation of Water Superintendent June, Mayor Coyne made a motion to change the job title for Shawn Arnott from Water Maintenance Worker to Water Plant Assistant, with no change in pay rate, which was seconded by Deputy Mayor Edsall and carried upon a vote of 3 Ayes and 0 Nays.

#### WATER DEPARTMENT APPOINTMENTS

Upon the recommendation of Water Superintendent June, Mayor Coyne made a motion to appoint Andrew Sanders and Cody Ogden as Laborers in the Village of Cornwall-on-Hudson Water Department, effective immediately, at a salary as per the current CSEA contract and subject to a one-year probation period, which was seconded by Deputy Mayor Edsall and carried upon a vote of 3 Ayes and 0 Nays.

Upon the recommendation of Water Superintendent June, Mayor Coyne made a motion to appoint Thomas Rabey as Water Maintenance Worker in the Village of Cornwall-on-Hudson Water Department, effective immediately, at a salary as per the current CSEA contract and subject to a one-year probation period, which was seconded by Trustee Carnright and carried upon a vote of 3 Ayes and 0 Nays.

Mayor Coyne stated the Village suffered a tragic loss of two Water Department employees in a short period of time this year and he thanked Water Superintendent June for doing an excellent job in finding the “right mix of people” to help the department move forward.

#### REMOTE CONTROL CUTTING MOWER

Water Superintendent June will participate in the demonstration of a remote control cutting mower tomorrow. This type of mower can be used to cut steep slopes up to a 50 degree incline. He would like to use this type of mower in the future to cut brush along our dams. Although the mower is expensive, it will save on man hours and will provide a safety aspect since an employee can control the mower without having to be physically on it. He will make a recommendation to the Village Board at the November Business meeting.

#### RESOLUTIONS

##### TAYLOR ROAD WELLFIELDS – LEAD AGENCY DESIGNATION

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

**WHEREAS**, the Village Board of the Village of Cornwall-on-Hudson has identified a need to expand the available capacity of its public water supply to meet both the current and future needs of its residents; and

**WHEREAS**, the Village currently maintains public water wells within the Town of Cornwall, commonly known as the Taylor Road Wellfield; and

**WHEREAS**, the Village Board wishes to meet its resident current and future public water needs by expanding the yield from its Taylor Road Wellfield;

**NOW, THEREFORE**, it is hereby

**RESOLVED** pursuant to, and in accordance with, the provisions of Section 617.6 of the regulations implementing the New York State Environmental Quality Review Act (“SEQRA”), the Village Board determines that the proposed action is an action subject to SEQRA; and it is further

**RESOLVED**, that the Village Board hereby states its intention to be the Lead Agency with respect to the consideration, review and determination of the significance of the aforementioned action pursuant to SEQRA; and it is further

**RESOLVED**, that pursuant to SEQRA regulation Part 617, the Village Board hereby preliminarily classifies the aforementioned proposed action as an unlisted action; and it is further

**RESOLVED**, that the Village Board hereby authorizes the Mayor to execute Part 1 of the Environmental Assessment Form (“EAF”); and it is further

**RESOLVED**, that the Village Clerk is hereby authorized and directed to circulate a Notice of Intention to become Lead Agency to all Involved and Interested Agencies.

The foregoing resolution was seconded by Trustee Carnright and carried upon a vote of 3 Ayes and 0 Nays.

ELECTION RESOLUTION

Mayor Coyne made a motion providing notice that public voting for the election of Mayor and two Trustees, for terms of two years, will be held from noon to 9 p.m. on March 18, 2015, which was seconded by Trustee Carnright and carried by a vote of 3 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 2016 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 Carnright, and upon a vote of 3 Ayes and 0 Nays, the Mayor declared the resolution adopted on October 20, 2014.

**OTHER BUSINESS**

**ASSOCIATION OF TOWNS, VILLAGES & CITIES – OCTOBER MEETING**

Mayor Coyne reported that the Village of Cornwall-on-Hudson will host the October Business Meeting of the Association of Towns, Villages, and Cities at Storm King School on October 28, 2014 at 6:00 PM. Scenic Hudson will be the presenters that evening.

**HALLOWEEN HOUSE: STORM KING ENGINE**

Mayor Coyne reported that this item was addressed earlier in tonight’s agenda.

**HALLOWEEN CURFEW**

Mayor Coyne reported that issuance of a *local emergency order* on Halloween is under consideration.

**CORNWALL YACHT CLUB**

Deputy Mayor Edsall reported that he met with Cornwall Yacht Club representatives on October 9<sup>th</sup> in order to review the details of their plan to move storage items from the historic building to their current storage building which will be expanded. This plan will require a zoning variance as it is an existing non-conforming use. Mr. Edsall thanked the Yacht Club members for their cooperation on this issue.

**PILGRIM PIPELINE: SURVEY**

Mayor Coyne reported that he spoke with Joan Turner, a representative of Pilgrim Pipeline, earlier today. They are seeking permission to survey Village of Cornwall-on-Hudson Water Department property located on Palamino Road as part of a proposal to construct a gas pipeline that will run parallel to the NYS Thruway. Discussion followed.

Deputy Mayor Edsall made a motion authorizing Attorney for the Village McKay to prepare, and the mayor to execute, an authorization for Pilgrim Pipeline to conduct a land survey only, under the control and observation of our personnel, of Village owned property located on Palamino Road. This survey will include the location of water mains and easements. No physical disturbance of the property will be permitted. The motion was seconded by Trustee Carnright and carried upon a vote of 3 Ayes and 0 Nays.

## **FYI**

### **BULLYING AWARENESS MONTH & DOMESTIC VIOLENCE AWARENESS MONTH**

Mayor Coyne announced that October is “Bullying Awareness” month as well as “Domestic Violence Awareness” month.

### **RIVER VIEW RUN FOR PARKINSON’S RESEARCH**

Mayor Coyne announced that the “River View Run” for Parkinson’s research took place on October 5<sup>th</sup> and the event went well.

### **CLANCY/ARMITAGE SOFTBALL TOURNAMENT**

Mayor Coyne announced that the “Clancy/Armitage” softball tournament took place on October 11<sup>th</sup> and 12<sup>th</sup> at Black Rock. The event was well attended and raised a lot of money for that charity.

### **HUDSON RIVER SNAPSHOT DAY**

Mayor Coyne announced that the “Hudson River Snapshot Day” scheduled for October 21st was cancelled due to inclement weather.

### **APPLETIME FAIR**

Mayor Coyne announced that the “Appletime Fair” took place on October 18<sup>th</sup> and went very well.

### **DEDICATION OF VETERANS MEMORIAL AT TOWN HALL**

Mayor Coyne announced that the dedication of a veteran’s memorial took place at the Cornwall Town Hall on October 18<sup>th</sup>. He applauded members of the American Legion for constructing a beautiful memorial in honor of 3 Civil War veterans and 1 WWII veteran who had various ties to the Cornwall community.

### **VILLAGE-WIDE YARD SALE**

Mayor Coyne announced that a “Village-Wide Yard Sale” took place on October 18<sup>th</sup> and many residents participated.

### **HISTORICAL AND CULTURAL PERSPECTIVE OF KIRYAS JOEL**

Mayor Coyne announced that a historical and cultural perspective of Kiryas Joel will be presented on November 6<sup>th</sup> at 7:00 PM in Munger Cottage.

### **CORNWALL LIONS FALL HARVEST RACE**

Mayor Coyne announced that the Cornwall Lions “Fall Harvest” race take place on November 9<sup>th</sup>.



**PUBLIC COMMENT**

Iris Kirkland, working on behalf of Cornwall-on-Hudson.com, requested an update on the gazebo at Donahue Memorial Park.

Mayor Coyne offered to meet with Ms. Kirkland sometime this week to discuss this item in more detail; however, he reported that this matter is currently “in the hands” of the Office of Community Development and the Village Engineer.

**BOARD ACTIVITIES/COMMENTS**

Deputy Mayor Edsall reported that he was unable to attend the veteran’s memorial dedication. It is a beautiful monument and it is important to recognize those who sought to protect our liberties.

Mayor Coyne reported that the city of Port Jervis is considering a sewer usage fee, similar to the sewer capital improvement charge the Village Board established earlier this year. In addition, the Pilgrim Pipeline proposal is a matter of concern, and it is important to voice our opinion when it comes time for them to seek approval.

Having concluded the business set before them, Deputy Mayor Edsall made a motion to adjourn the meeting into Executive Session at 8:05 PM with Attorneys for the Village McKay and Furst, Village Clerk Mahoney, and Water Superintendent June, in order to discuss a particular Water Department employee, union contract negotiations, unemployment benefits of a particular employee, seek legal advice on the review of escrow fees for a particular applicant and a proposed museum lease, and receive an update on the Sweeney litigation and the Kennedy lawsuit. The motion was seconded by Trustee Carnright and carried upon a vote of 3 Ayes and 0 Nays.

The meeting was reconvened at 8:18 PM on a motion by Deputy Mayor Edsall which was seconded by Trustee Carnright and carried upon a vote of 3 Ayes and 0 Nays.

**EDGAR HEMBREE – ACCRUED BENEFITS/TIME REIMBURSEMENT**

Deputy Mayor Edsall made a motion to authorize payment in the amount of \$5,477.01 to the Hembree family for unused accrued benefits/time which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

Having no further business set before them, Mayor Coyne made a motion to adjourn the meeting back into Executive Session at 8:19 PM which was seconded by Trustee Carnright and carried upon a vote of 3 Ayes and 0 Nays.