

THE VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

April 6, 2015

The Reorganizational Meeting of the Board of Trustees was called to order at 7:00 PM 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 P. Carnright
Trustee Kenneth A. Schmidt

Absent was: Trustee James P. Kane (Military Duty)

Also present were: Water Superintendent Robert June, DPW Superintendent David Halvorsen, and Village Clerk Jeanne Mahoney.

Mayor Coyne announced that Trustee Kane is back in the country but is still on “active duty”. It is anticipated that Mr. Kane will rejoin the Village Board sometime in May or June.

Mayor Coyne announced that there is a binder on the back table for anyone interested in looking at this evening’s agenda.

Brendan G. Coyne (Mayor), Mark J. Edsall and David P. Carnright (Trustees) were sworn in for two year terms after signing the Oath of Office book.

MAYORAL APPOINTMENT

Mayor Coyne appointed Mark J. Edsall as his Deputy Mayor.

MAYORAL APPOINTMENTS – SUBJECT TO BOARD APPROVAL

Deputy Mayor Edsall moved to accept the appointment of Jeanne Mahoney as Village Clerk for a two (2) year term ending April 3, 2017 which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

Deputy Mayor Edsall moved to accept the appointment of Jeanne Mahoney as Village Treasurer for a two (2) year term ending April 3, 2017 which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

PUBLIC OFFICERS – ONE YEAR APPOINTMENT

Trustee Carnright moved to accept the appointment of Paula Sebesta as Deputy Treasurer for a one (1) year term ending April 4, 2016 which was seconded by Trustee Schmidt and carried upon a vote of 4 Ayes and 0 Nays.

Trustee Carnright moved to accept the appointment of Mary Ellen Dennett as Deputy Village Clerk for a one (1) year term ending April 4, 2016 which was seconded by Trustee Schmidt and carried upon a vote of 4 Ayes and 0 Nays.

Deputy Mayor Edsall moved to accept the appointment of Ben Maggio as Code Enforcement Officer for a one (1) year term ending April 4, 2016 which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

Deputy Mayor Edsall moved to accept the appointment of Steve Dixon as Police Chief for a one (1) year term ending April 4, 2016, and to designate Chief Dixon as the Village's Claims Manager for the administration of General Municipal Law §207-c claims made pursuant to Article 20 of the Collective Bargaining Agreement between the Village and Police Benevolent Association, which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

POSITIONS OF EMPLOYMENT – ONE YEAR APPOINTMENT

Trustee Carnright moved to accept the appointment of Jeanne Mahoney as Tax Collector and Records Custodian for a one (1) year term ending April 4, 2016 which was seconded by Trustee Schmidt and carried upon a vote of 4 Ayes and 0 Nays.

Trustee Carnright moved to accept the appointment of Mary Ellen Dennett as Deputy Tax Collector for a one (1) year term ending April 4, 2016 which was seconded by Trustee Schmidt and carried upon a vote of 4 Ayes and 0 Nays.

Trustee Carnright moved to accept the appointment of Dave Halvorsen as Superintendent of Public Works for a one (1) year term ending April 4, 2016 which was seconded by Deputy Mayor Edsall and carried upon a vote of 4 Ayes and 0 Nays.

Trustee Carnright moved to accept the appointment of Bob June as Superintendent of Water for a one (1) year term ending April 4, 2016 which was seconded by Trustee Schmidt and carried upon a vote of 4 Ayes and 0 Nays.

Trustee Schmidt moved to accept the appointment of Colette Fulton as Village Historian for a one (1) year term ending April 4, 2016 which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

Trustee Carnright moved to accept the appointment of Jeff Small as Planning Board Chairman for a one (1) year term ending April 4, 2016 which was seconded by Trustee Schmidt and carried upon a vote of 4 Ayes and 0 Nays.

Deputy Mayor Edsall moved to accept the appointment of Mike Kelly as Zoning Board Chairman (interim) for a one (1) year term ending April 4, 2016 which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

Trustee Carnright moved to accept the appointment of Kurt Hahn as Disaster Control Officer for a one (1) year term ending April 4, 2016 which was seconded by Trustee Schmidt and carried upon a vote of 4 Ayes and 0 Nays.

BOARD APPOINTMENTS – ONE YEAR TERMS

Trustee Carnright moved to accept the appointment of Jeanne Mahoney as Vital Statistics Registrar for a one (1) year term ending April 4, 2016 which was seconded by Trustee Schmidt and carried upon a vote of 4 Ayes and 0 Nays.

Trustee Carnright moved to accept the appointment of Mary Ellen Dennett as Deputy Vital Statistic Registrar for a one (1) year term ending April 4, 2016 which was seconded by Trustee Schmidt and carried upon a vote of 4 Ayes and 0 Nays.

ATTORNEY FOR THE VILLAGE

Trustee Carnright made a motion to appoint the law firm of **Catania, Mahon, Milligram, & Rider PLLC as Attorney for the Village for fiscal year 2015/16** to serve the Village Board, Ethics Board, Planning Board, and Zoning Board of Appeals. The motion was seconded by Deputy Mayor Edsall and carried upon a vote of 4 Ayes and 0 Nays.

ENGINEER FOR THE VILLAGE

Deputy Mayor Edsall made a motion to **appoint Maser Consulting as Engineer for the Village for fiscal year 2015/16** to serve the Village Board, Planning Board, Zoning Board of Appeals, and for special projects. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

AUDITOR FOR THE VILLAGE

Trustee Schmidt made a motion to **appoint Nugent & Haeussler as Auditor for the Village for fiscal year 2015/16** pursuant to the proposal submitted. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

PLANNING/ZONING/ETHICS BOARD APPOINTMENTS

Mayor Coyne announced that Maryanne Rose-O'Dell will continue to serve on the Planning board as a “holdover” until a replacement is found. Lee Murphy’s term of office expires on April 6, 2015 and Mayor Coyne recommends that Mr. Murphy be a “holdover” into the new year.

The **Planning Board terms of office** are as follows:

Name	Term Expires	Took Office	Replaced
Maryanne Rose-Odell	April 7, 2014	June 16, 2008	Barbara Corwin
Lee Murphy	April 6, 2015	February 23, 2004	Matthew Smith
Jeffrey Small	April 4, 2016	October 16, 2006	Merle Mammato
Wynn Klosky	April 3, 2017	June 20, 2011	Andrew Argenio
Vishwa Chaudhry	April 2, 2018	July 16, 2012	James Patch

Deputy Mayor Edsall made a motion to appoint Matthew Bannan to the Zoning Board of Appeals for a 5 year term expiring on April 6, 2020, subject to his being sworn in within 30 days of this appointment, which was seconded by Trustee Schmidt and carried upon a vote of 4 Ayes and 0 Nays.

The **Zoning Board of Appeals terms of office** are as follows:

Name	Term Expires	Took Office	Replaced
Michael Kelly	April 1, 2019	January 24, 2005	Edwin Knapp
Matthew Bannon	April 6, 2020	April 1, 2013	Robert Quillin
Philip Adams	April 4, 2016	April 1, 2013	Tom Petersen
Steven Fogarty	April 3, 2017	April 1, 2012	J. Blake Haase
Kevin Finn	April 2, 2018	April 1, 2013	Andrew Maroney

Trustee Carnright made a motion to appoint Peter Miller to the Ethics Board for a 3 year term expiring on April 2, 2018, subject to his being sworn in within 30 days of this appointment, which was seconded by Trustee Schmidt and carried upon a vote of 4 Ayes and 0 Nays.

Trustee Carnright made a motion to appoint Kristin Doyle as an alternate to the Ethics Board for a 1 year term expiring on April 4, 2016, subject to her being sworn in within 30 days of this appointment, which was seconded by Trustee Schmidt and carried upon a vote of 4 Ayes and 0 Nays.

Trustee Carnright made a motion to appoint John Ross as an alternate to the Ethics Board for a 1 year term expiring on April 4, 2016, subject to his being sworn in within 30 days of this appointment, which was seconded by Trustee Schmidt and carried upon a vote of 4 Ayes and 0 Nays.

The **Ethics Board terms of office** are as follows:

Name	Term Expires	Took Office	Replaced
Peter Miller	April 2, 2018	November 19, 2012	Thomas Bailey
Anthony Cashara	April 3, 2017	April 1, 2013	Elisabeth Hellwege
Michael Ferraro	April 1, 2016	April 1, 2013	Kristin Doyle
Alternates:			
John Ross	April 4, 2016	April 1, 2013	
Kristin Doyle	April 4, 2016	April 1, 2013	

VILLAGE BOARD COMMITTEE APPOINTMENTS

Trustee Carnright made a motion to approve the following committee appointments, noting the first name listed is chairperson.

Buildings & Grounds	Carnright, Schmidt
Public Safety (Police & Fire)	Edsall, Schmidt
Insurance & Public Utilities	Carnright, Kane
Personnel & Labor Relations	Edsall, Kane
Public Works	Carnright, Edsall
Sanitation & Recycling	Kane, Schmidt
Recreation & Summer Youth	Carnright, Schmidt
Grants & Economic Development	Edsall, Kane

The Audit Committee (including reviewing vouchers) and Water Committee consists of the Mayor and Board of Trustees

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

WORKPLACE VIOLENCE PREVENTION COMMITTEE

Trustee Carnright made a motion to approve the following appointments to the Workplace Violence Prevention Committee

Mark Edsall	Village Board Liaison
Jeanne Mahoney	Village Clerk
Robert June	Water Superintendent
David Halvorsen	Public Works Superintendent
Tom Rabey	Water Department Employee Representative
Thomas Lyons	DPW Employee Representative
Steven Dixon	Police Chief

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

MEETINGS OF THE VILLAGE BOARD OF TRUSTEES

Schedule: Deputy Mayor Edsall made a motion to **hold the work session** of the Board of Trustees **on the second (2nd) Monday of each month at 7:00 PM** (except October when it will be on the 1st Monday). **The Business meeting** of the Village Board of Trustees will be **held on the third (3rd) Monday of each month at 7:00 PM** (except January, February, and March when the board will meet on the fourth Monday). **The Reorganizational meeting** will be **held on the first Monday of April at 7:00 PM**. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

Agenda: The mayor will prepare draft agendas and distribute them to trustees five days before work sessions and business meetings. He will receive input from trustees and finalize

agendas and distribute them to trustees the Friday before the meetings; agendas will be posted on the Village website the Friday before meetings.

Public Comment: The Village Board will provide a 15-minute, public comment period at the beginning and end of business meetings. After providing their names and addresses, speakers may address the Village Board Chair once on Village matters for three minutes. During work sessions, the Board may invite persons to provide input on matters it is considering.

AUDIT AND PAYMENT OF CLAIMS

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

BE IT RESOLVED, that

1. The Board of Trustees hereby adopts the following policy for purchases and payments of claims:
 - a. The Treasurer and/or Deputy Treasurer are pre-authorized to make payment in advance of audit of claims for the following recurring charges: public utility services, postage, freight and express charges, health and dental insurance, principal and interest on bond anticipation notes, monthly lease agreements, and petty cash reimbursements.
 - b. All vouchers and claims with a value of less than \$250 are pre-authorized for payment by the Treasurer and/or Deputy Treasurer subject to the condition that a proper voucher be signed by the appropriate department head. Such voucher/claim is subject to review by the Mayor, Trustees, or Treasurer at any time before or after payment.
 - c. All vouchers and claims with a value of \$250 or more, but less than \$1,000 shall require review and approval by two members of the Audit Committee (as designated by the Board of Trustees). All vouchers and claims with a value of \$1,000 or greater require review and approval by three members of the Audit Committee (as designated by the Board of Trustees).
2. In accordance with the Village's Procurement Policy, all purchases of less than \$1,000 are within the discretion of the appropriate department head; however, the department head shall be responsible to verify that the purchase is necessary and that it is consistent with the budget adopted by the Board of Trustees. All purchases for \$1,000 or more must be made with the approval of the Village Board, and in accordance with the Village's adopted Procurement Policy as set forth herein.

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

DESIGNATING DEPOSITORIES

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

WHEREAS, pursuant to Village Law §4-412(3)(2), the Village Board must designate banks or trust companies in which the Treasurer, Deputy Treasurer, Clerk, Deputy Clerk, and Receiver of Taxes may deposit funds received by them.

NOW, THEREFORE, BE IT RESOLVED THAT: The Village Board designates that Orange County Trust and J.P. Morgan Chase are the official depositories of the Village.

The foregoing resolution was seconded by Trustee Schmidt and upon a vote of 4 Ayes and 0 Nays, the motion was carried.

SIGNATURE CARDS

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

BE IT RESOLVED THAT,

1. The Treasurer and Deputy Treasurer are hereby authorized from time to time, for and on behalf of the Village, to make and sign checks, and agreements relating to any of the accounts maintained by the Village with the bank;
2. The Treasurer and Deputy Treasurer of the Village be and hereby are authorized and directed to certify to banks the names of the present officers of the Village authorized to sign for it, and the offices respectively held by them.
3. The Treasurer and Deputy Treasurer are authorized and directed to certify to the banks that this resolution has been duly adopted, is in full force and effect, and is in accordance with the provisions of the laws of the Village.

The foregoing resolution was seconded by Deputy Mayor Edsall, and upon a vote of 4 Ayes and 0 Nays, the motion was carried.

PROCUREMENT POLICY

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

WHEREAS, General Municipal Law (GML) 104-b requires every village to adopt internal policies and procedures governing all procurement of goods and services not subject to the bidding requirements of GML 103 or any other law;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Cornwall-on-Hudson does hereby adopts the following procurement policies and procedures:

Guideline 1.

Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML 103. "Purchaser" is defined as a village officer, board member, department head, or individual assigned by a department head or the Village Board to have purchasing authority.

Guideline 2.

All purchases of: (a) supplies, materials or equipment that will exceed \$20,000; and (b) public works and/or service contracts over \$35,000 (inclusive of labor and materials) shall be formally bid pursuant to GML 103.

Guideline 3.

Purchase of goods of a single item shall follow the following:

Estimated Amount of Purchase	Method
\$0 to \$250	Pre-authorized, at discretion of purchaser
\$251 to \$999	Pre-authorized, two verbal quotations
\$1,000 to \$4,999	Two written quotations
\$5,000 to 19,999	Three written quotations

Purchase of labor and materials and/or public works contracts shall follow the following:

Estimated Amount of Public Works Contract	Method
\$0 to \$999	Pre-authorized, at discretion of purchaser
\$1,000 to \$9,999	Two written quotations
\$10,000 to \$34,999	Three written quotations

By “written”, this policy shall be understood to mean a written communication provided to the Village of Cornwall-on-Hudson with the name of the vendor or contractor thereon, furnished by hand delivery, mail or other carrier, fax or email.

Any written request for proposals (RFP) shall describe the desired goods, quantity and the particulars of delivery. The Purchaser shall compile a list of all vendors for the quotes that have been received by using the form provided by the village. All information gathered in complying with the procedures of this policy shall be preserved and attached to the voucher that is submitted for processing of payment to the successful vendor.

In the event that an examination results in charges that will fall under a procurement threshold requiring a form of documentation other than initially anticipated, management will determine if the work can proceed without fulfilling the standard requirements of the applicable threshold.

Guideline 4.

The lowest responsible proposal/quote shall be awarded unless the Purchaser prepares a written justification providing reasons why it is in the best interest of the village and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented.

Guideline 5.

A good-faith effort shall be made to obtain the required number of proposals/quotes. If the Purchaser is unable to obtain the required number of proposals/quotes, the Purchaser shall

document the attempt made. In no event shall the inability to obtain the proposals/quotes be a bar to the procurement.

Guideline 6.

Except when directed by the Village Board, no solicitation of proposals/quotes shall be required under the following circumstances:

- (a) Acquisition of professional services;
- (b) Emergencies;

All purchases made under the emergency exception must meet the following criteria:

- (1) Need arises from an accident or unforeseen occurrence or condition;
- (2) Need affects public buildings/property or life, health and safety;
- (3) Immediate action is needed and cannot await competitive bidding or competitive offering.
- (c) Sole-source situations;
- (d) Goods purchased from agencies for the blind or severely handicapped;
- (e) Goods purchased from correctional facilities;
- (f) Goods purchased from another governmental agency;
- (g) Goods purchased at auction;
- (h) Contracts that have been let by the United States or any agency thereof, any state or any other political subdivision or district there, pursuant to NYS Comptrollers Guidelines and General Municipal Law Section 103.

Guideline 7.

This policy shall be reviewed annually by the Village Board at its re-organizational meeting or as soon thereafter as is reasonably practicable.

The foregoing resolution was seconded by Trustee Schmidt, and upon a vote of 4 Ayes and 0 Nays, the motion was carried.

MILEAGE ALLOWANCE

Trustee Schmidt introduced the following resolution and moved for its adoption:

WHEREAS that Board of Trustees of the Village of Cornwall-on-Hudson has determined to pay a fixed rate for mileage as reimbursement to officers and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village:

NOW THEREFORE BE IT RESOLVED:

- 1. The Board of Trustees shall approve reimbursement to such officers and employees at the same rate as authorized by the Internal Revenue Service which is currently \$0.57.5 per mile.
- 2. This resolution shall take effective immediately.

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

ATTENDANCE OF SCHOOLS

Trustee Carnright offered the following resolution and moved for its adoption:

WHEREAS the following activities will occur during the official year:

- a) Annual Meeting conducted by the New York State Conference of Mayors and Other Municipal Officials for municipal officials;
 - b) Training School for Fiscal Officers and Municipal Clerks conducted by the New York State Conference of Mayors;
 - c) Monthly meetings of the Orange County Association of Towns, Villages and Cities;
- and

WHEREAS the Board of Trustees has determined that attendance by certain municipal officials and employees at one or more of these meetings, conferences or schools benefits the Village;

NOW THEREFORE BE IT RESOLVED:

1. The following officers and employees are hereby authorized to attend the foregoing activities; Mayor, Trustees, Clerks, Treasurer, Department of Public Works Superintendent, Water Superintendent, and Chief of Police.
2. This resolution shall take effect immediately.

The foregoing resolution was seconded by Trustee Schmidt, and upon a vote of 4 Ayes and 0 Nays, the motion was carried.

OFFICIAL NEWSPAPERS

Deputy Mayor Edsall made a motion to declare **The Cornwall Local** to be the official weekly newspaper and **The Times Herald Record** as the official daily newspaper of the Village for the fiscal year 2014/15. The motion was seconded by Trustee Carnright and carried by a vote of 4 Ayes and 0 Nays.

RESOLUTIONS

FIRST NIAGARA LEASE AGREEMENT

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

WHEREAS, the Village of Cornwall-on-Hudson hereinafter referred to as “Lessee” is a political subdivision in New York State and is duly organized and existing pursuant to the Constitution and laws of the State; and

WHEREAS, pursuant to applicable law, the governing body of the Lessee (“Governing Body”) is authorized to acquire, dispose of and encumber real and personal property, including, without

limitation, rights and interests in property, leases and easements necessary to the functions or operations of the Lessee; and

WHEREAS, the Governing Body hereby finds and determines the execution of one or more lease-purchase agreements (“Equipment Leases”) in the principal amount not to exceed \$35,752.30 (“Principal Amount”) for the purpose of acquiring the property generally described below (“Property”) and to be described more specifically in the Equipment Leases is appropriate and necessary to the functions and operations of the Lessee;

Brief Description of Property:

One (1) Chevrolet Express 3500 Van/model CG33503/ VIN: 1GB0G2CG5F1136681

WHEREAS, First Niagara Leasing, Inc. (“Lessor”) is expected to act as the Lessor under the Equipment Leases; and

WHEREAS, the Lessee may pay certain capital expenditures in connection with the property prior to its receipt of proceeds of the Equipment Leases (“Lease Purchase Proceeds”) for such expenditures and such expenditures are not expected to exceed the Principal Amount; and

WHEREAS, the U.S. Treasury Department regulations do not allow the proceeds of a tax-exempt borrowing to be spent on working capital and the Lessee shall hereby declare its official intent to be reimbursed for any capital expenditures for Property from the Lease Purchase Proceeds.

NOW, THEREFORE, Be It Resolved by the Governing Body of the Lessee:

Section 1. The Lessee hereby determines that is has critically evaluated the financing alternatives available to it pursuant to 2 NYCRR Section 39.2 and that entering into the Equipment Leases and financing the acquisition of the Property thereby is in the best interests of the Lessee. Such evaluation shall be available as a public record.

The specific reason for such determination is that entering into such Equipment Leases results in a lower overall cost to the Lessee. Execution of the Equipment Leases will not cause the Lessee to be in violation of the limits contained in paragraph c of subdivision 6 of Section 109-b of the General Municipal Law.

Section 2. The Lessee is hereby authorized to acquire and install the Property (“the “Project”) and is hereby authorized to finance the Project by entering into the Equipment Leases. Any action taken by the Lessee in connection therewith is hereby ratified and confirmed.

Section 3. The Village Mayor (an “Authorized Representative”) acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver one or more Equipment Leases in substantially the form set forth in the document presently before the Governing Body, which document is available for public inspection at the office of the Lessee. Each Authorized Representative acting on behalf of the Lessee is hereby authorized to negotiate, enter into,

execute, and deliver such other documents relating to the Equipment Lease (including, but not limited to, escrow agreements) as the Authorized Representative deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Equipment Leases are hereby authorized.

Section 4. By a written instrument signed by any Authorized Representative, said Authorized Representative may designate specifically identified officers or employees of the Lessee to execute and deliver agreements and documents relating to the Equipment Leases on behalf of the Lessee.

Section 5. The aggregate original principal amount of the Equipment Leases shall not exceed the Principal Amount and shall bear interest as set forth in the Equipment Leases and the Equipment Leases shall contain such options to purchase by the Lessee as set forth therein.

Section 6. The Lessee's obligations under the Equipment Leases shall be subject to annual appropriation or renewal by the Governing Body as set forth in each Equipment Leases and the Lessee's obligations under the Equipment Leases shall not constitute general obligations of the lessee or indebtedness under the Constitution or laws of the State.

Section 7. It is hereby determined that the purpose of the Project is an object or purpose described in subdivision 32 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 5 years.

Section 8. It is hereby determined the term of the Equipment Leases authorized by this resolution will not be in excess of 4 years.

Section 9. The Governmental Body has determined that the Project is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQR") is required.

Section 10. The Governing Body of Lessee anticipates that the Lessee may pay certain capital expenditures in connection with the Property prior to the receipt of the Lease Purchase Proceeds for the Property. The Governing Body of Lessee hereby declares the Lessee's official intent to use the Lease Purchase Proceeds to reimburse itself for Property expenditures. This section of the Resolution is adopted by the Governing Body of Lessee for the purpose of establishing compliance with the requirements of Section 1.150-2 of Treasury Regulations. This section of the Resolution does not bind the Lessee to make any expenditure, incur any indebtedness, or proceed with the purchase of the Property.

Section 11. **BANK QUALIFIED: LESSEE CERTIFIES THAT IT HAS DESIGNATED THIS LEASE AS A QUALIFIED TAX-EXEMPT OBLIGATION IN ACCORDANCE WITH SECTION 265(b) (3) OF THE CODE, THAT IT HAS NOT DESIGNATED MORE THAN \$10,000,000 OF ITS OBLIGATIONS AS QUALIFIED TAX-EXEMPT OBLIGATIONS IN ACCORDANCE WITH SUCH SECTION FOR THE CURRENT CALENDAR YEAR AND THAT IT REASONABLY ANTICIPATES THAT THE TOTAL AMOUNT OF TAX-EXEMPT**

OBLIGATIONS TO BE ISSUED BY LESSEE DURING THE CURRENT CALENDAR YEAR WILL NOT EXCEED \$10,000,000.

Section 12. The Authorized Representative is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the Equipment Leases authorized by this resolution as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Code.

Section 13. This resolution is not subject to any mandatory or permissive referendum pursuant to the Local Finance Law of Section 109-b of the General Municipal Law.

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

DONAHUE MEMORIAL PARK RIVERFRONT GAZEBO ACCESSIBILITY PROPOSAL

Mayor Coyne reported that a Request for Proposals was due by February 20th. One proposal was received from Nannini & Callahan in the amount of \$38,095.00. The Village received a \$15,000 grant from the Orange County Office of Community Development for handicap access to the riverfront gazebo. The balance of the work, including installation of additional parking, will be paid by the Village. Building Inspector Ben Maggio has reviewed the proposal and determined the values to be reasonable and recommends the Village Board make an award.

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

WHEREAS, on July 15, 2014, the Village of Cornwall-on-Hudson received funding under the FY-2014 Community Development Block Grant Program for Handicap Access to the Riverfront Gazebo at Donahue Memorial Park in the amount of \$15,000.00; and

WHEREAS, on November 17, 2014, the Village of Cornwall-on-Hudson Board of Trustees authorized a request to receive competitive proposals for handicap access to the riverfront gazebo at Donahue Memorial Park; and

WHEREAS, on November 17, 2014, pursuant to, and in accordance with, the provisions of Part 617 of the regulations implementing the New York State Environmental Quality Review Act (“SEQRA”), the Village Board determined that the proposed Donahue Memorial Park Riverfront Gazebo Accessibility was an action subject to SEQRA, preliminarily classified the aforementioned proposed action as a Type 2 action, and declared its intent to act as the SEQRA lead agency with respect to the consideration, coordinated review and determination of the significance of the aforementioned action; and

WHEREAS, on February 20, 2015, a proposal from Nannini & Callahan in the amount of \$38,095.00 for the project was opened and reviewed; and

WHEREAS, the Village Board has determined that awarding the Donahue Memorial Park Riverfront Gazebo Accessibility project to Nannini & Callahan, as the sole and qualified bidder, is in compliance with General Municipal Law section 103, and is otherwise in the best interests of the residents of the Village of Cornwall-on-Hudson; and

WHEREAS, the Village Board hereby agrees to commit \$23,095 in Village funds to cover the difference between the \$15,000 grant and the Nannini & Callahan proposal.

NOW, THEREFORE, BE IT HEREBY

RESOLVED, that the Village Board of the Village of Cornwall-on-Hudson hereby awards the proposal for the Donahue Memorial Park Riverfront Gazebo Accessibility project to Nannini & Callahan to be performed in accordance with specifications prepared by the Maser Consulting, PA.

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

DPW LABORER POSITION/APPOINTMENT

Upon the recommendation of DPW Superintendent Halvorsen, Trustee Carnright made a motion to appoint Chris Brunell to the vacant Laborer position in the Department of Public Works at the salary in the current union contract. The appointment is subject to a one year probation, a background and license check, and physical examination. The motion was seconded by Trustee Schmidt and carried upon a vote of 4 Ayes and 0 Nays.

WATER DEPARTMENT - LABORER POSITION

Trustee Carnright made a motion authorizing Water Superintendent June to advertise an open Laborer's position in the Water Department which was seconded by Trustee Schmidt and carried upon a vote of 4 Ayes and 0 Nays.

SET 2015 SEWER CAPITAL FEE

Deputy Mayor Edsall made a motion to set the 2015 Sewer Fund Capital Rate at \$9 per "point" (single family dwellings will be billed \$15.00 six times a year for a total of \$90.00), and authorize the Village Clerk to compute rates based on the point system adopted by the Village Board July 15, 2013, effective with the April 15, 2015 billing which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

ENGINEER PROPOSAL – WATER DEPARTMENT PROJECTS

Upon the recommendation of Water Superintendent June, Deputy Mayor Edsall made a motion to accept the Maser Consulting, PA proposal dated March 16, 2015 for a Vulnerability Assessment and Emergency Action Plan (mandated by the NYS Department of Environmental

Conservation) in the amount of \$7,400.00, Black Rock Water Treatment Plant Clearwell improvements in the amount of \$22,750.00, Pumps, Controls, Generator upgrades at Taylor Road Well Field in the amount of \$21,000.00, and Bid Assistance, Contract Administration and Meetings in an amount not to exceed \$8,000.00. Further to authorize Mayor Coyne to sign the proposal. The motion was seconded by Mayor Coyne and carried upon a vote of 4 Ayes and 0 Nays.

BOARD ACTIVITIES/COMMENTS

Trustee Schmidt congratulated his fellow Board members on being re-elected to the Village Board.

Trustee Carnright thanked everyone for their support. He appreciates all those who came out to vote. Mr. Carnright congratulated his running mates on being re-elected.

Deputy Mayor Edsall thanked his supporters and fellow Board members for being so “wonderful to work with”. Mr. Edsall also thanked Mayor Coyne for re-appointing him as Deputy Mayor.

Mayor Coyne congratulated Deputy Mayor Edsall and Trustee Carnright and said that he appreciates working with everyone on the Board.

Mr. Coyne reported that the Little League Opening Ceremony and Parade will take place this Saturday April 11th, The Association of Towns, Villages and Cities will hold a forum on Consolidation that will be hosted by Orange County Citizens Foundation on April 30th in Sugar Loaf, a Kenneth Kumpel Memorial fund raiser will be held at Anthony’s Pier 9 on Saturday, April 25th, and the first organizational meeting was held last week for ArtFest which will be held on Sunday June 7th.

Having no further formal business to come before the Board, Mayor Coyne moved to adjourn the meeting into Executive Session at 7:38 PM with DPW Superintendent Halvorsen, Water Superintendent June, and Village Clerk Mahoney in order to discuss personnel issues involving a specific Water Department employee, and a particular DPW employee which was seconded by Trustee Carnright and upon a vote of 4 Ayes and 0 Nays, the meeting was declared adjourned.

Trustee Schmidt excused himself at 7:40 PM.

The meeting was reconvened at 8:12 p.m. on a motion by Deputy Mayor Edsall, seconded by Trustee Carnright, and carried upon a vote of 3 Ayes and 0 Nays.

WATER DEPARTMENT – TERMINATION OF EMPLOYMENT

Deputy Mayor Edsall made a motion to affirm the employment termination of probationary Water Department Laborer Cody Ogden effective March 27, 2015 which was seconded by Mayor Coyne and carried upon a vote of 3 Ayes and 0 Nays.

Having no further business set before them, Deputy Mayor Edsall made a motion to adjourn the meeting at 8:14 p.m. which was seconded by Trustee Carnright and carried upon a vote of 3 Ayes and 0 Nays.