

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

August 17, 2015

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
- Trustee James P. Kane
- Trustee David Carnright
- Trustee Kenneth A. Schmidt

Absent was: Deputy Mayor Mark J. Edsall (sick)

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

MINUTES

Mayor Coyne made a motion to accept the July 20, 2015 Business Meeting Minutes as presented which was seconded by Trustee Kane and carried upon a vote of 4 Ayes and 0 Nays.

Mayor Coyne made a motion to accept the August 10, 2015 Special Meeting Minutes as presented which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

CORRESPONDENCE

Mayor Coyne is in receipt of the following correspondence:

- Letter from Cornwall Presbyterian Church thanking the Department of Public Works for the sidewalk work done outside the church. They are happy with the results.
- Letter from Jules and Susan Beal of 91 Weeks Avenue regarding a sewer capital fee being charged on their vacant lot. They would like the law to be changed and the fee removed on vacant land that has no water or sewer lines.

TREASURER’S REPORT

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

Village water, sewer, garbage & penalties	\$ 130,985.48
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Town water & penalties 467,199.06
which included 6 final/adjustments for the Village and 9 for the Town.

Warrant #8 – Trustee Carnright made a motion to approve the August 2015 Warrant (#8) and authorize payments totaling \$414,195.53, which was seconded by Trustee Schmidt and carried by a vote of 4 Ayes and 0 Nays.

Treasurer Mahoney reported receipt of \$4,174,182.99 (60.46%) in anticipated revenues and \$2,296,313.30 (33.26%) in anticipated expenditures through the end of July.

Ms. Mahoney further reported that \$2,504,773.35 has been collected in Village taxes through July 31st. The Sewer Capital Fund balance is \$141,331.17 (including interest) through July 31st.

BUDGET AMENDMENT

Mayor Coyne made a motion authorizing a budget amendment to increase General Fund Revenue – Sales of Equipment (A2665) by \$3,317.98 and increase General Fund Expenditure – Firehouse Maintenance (A3411.4). The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays. This amount represents the proceeds from the sale of the 2006 Chevy Tahoe.

Clerk Mahoney and Deputy Treasurer Sebesta met with representatives from Chase Bank. One of the items discussed was their “Quick Deposit” check scanning system. Ms. Mahoney will be reaching out to other municipalities to see if they are using this type of system and to see how it is working for them.

BOARD DEPARTMENT REPORTS

Building Department Trustee Carnright reported 10 building permits were issued, 10 certificates of compliance/were issued, 46 onsite inspections were performed, 2 violations were issued (51 Mountain Rd and 26 Andrews St. - building without a permit), 1 stop work order (26 Andrews St.) and 6 fire inspections were conducted. Inspector Maggio worked 80 hours in July.

Fire Department – Trustee Kane reported 1 rubbish fire, 1 hazardous condition, 8 medical calls, 9 automatic alarms, 3 carbon monoxide detector activations, 1 good intent, 3 mutual aid calls, 2 meetings, 6 drills, 1 July 4th parade, 5 work details, 5 fund raising details, and 2 public relations details for a total of 47 events and 1242.06 man hours.

Trustee Kane further reported that hydro testing of S.C.B.A. cylinders has been completed. The cylinders have now been certified for the final time and will expire in 5 years. They will all have to be replaced by 2020 at an estimated cost of \$45,000. In addition, fire prevention classes continue at Camp Olmstead, the department attended the annual fire inspection of Cornwall-on-Hudson Elementary School with school district officials and Orange-Ulster BOCES officials, completed litter clean-up of Route 9W and Route 218 prior to July 4th celebration, annual firefighter physicals are ongoing, and began to work on 2016-2017 operating budget.

Police Department Trustee Schmidt reported 1 aggravated harassment, 1 fraud, 1 petty larceny, 1 harassment, 2 felony arrests, 8 misdemeanor arrests, 1 warrant arrest, 3 traffic accidents, 74 traffic summons issued, 41 warnings issued, 24 parking summons issued, 8 fire response calls, 1 domestic incident call, 11 alarm response calls, 7 noise complaints, 1 suspicious person call, 4 suspicious activity

calls, 11 animal complaints, 1 disorderly adult, 2 disorderly juvenile calls, 8 assists to the Town of Cornwall Police Department, 8 EMS assist calls, 1 assist to other agencies, 4 welfare checks, and 6 citizen assists for a total of 366 total calls for service.

Trustee Schmidt further reported that P.O. Pena and Chief Dixon attended “IMPACT” computer program training held in Middletown, NY, and the department officers continued participating in Orange County “STOP DWI” vehicle and traffic enforcement, and assisted Storm King Fire Department with its annual “Fireman’s Fair”.

Department of Public Works – Trustee Carnright reported repairs to village vehicles, sweeping of village streets, sewer maintenance, weekly yard waste collection, blacktop patching, building maintenance, weekly mowing and trimming of Village properties, repairs and preparation work on gutters along Mountain Road, assisted fire department with setup and breakdown of their fair, paving upper half of Mountain Road, ADA work started at Riverfront parking area and walkway, along with removal of several trees and pruning of the area.

Trustee Carnright further reported that a new truck, which has had ice control equipment (calcium tanks and ground speed control) installed, has been delivered.

Water Department – Trustee Kane reported an average daily production of 1,020,000 gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 25). A total of 101 utility mark-outs were done, 5 meters were replaced, 14 miscellaneous repairs were completed, and 10 final meter readings were done. In addition, water service leaks were repaired at 1 First St., 8 Avenue B, and 66 Weeks Ave., a water main break was repaired on Barr Ave., fire hydrant maintenance is continuing, property maintenance is continuing, and the department assisted the Department of Public Works with paving of Mountain Road.

Water Superintendent June reported that his new truck has been delivered and will be put into service shortly.

RESOLUTIONS

MEMORANDUM OF AGREEMENT – POLICE BENEVOLENT ASSOCIATION (PBA)

Trustee Kane made a motion authorizing Mayor Coyne to sign the Memorandum of Agreement with the Police Benevolent Association (PBA) which was seconded by Trustee Carnright and the opened for Board discussion.

Trustee Kane stated that he has been involved with the negotiations for 3-4 years and that this is the “best contract that we can get”. Mr. Kane acknowledged that with negotiations like this neither side is happy to a certain degree. He thanked full-time P.O.’s Terwilliger and Pena as well as the part-time officers for working with the Board. He is glad it’s completed and we can move on.

Trustee Carnright thanked Mayor Coyne, Deputy Mayor Edsall, and Trustee Kane for their hard work. The longer negotiations go on, the worse they become. There are no big winners or losers. Now there is an agreement and we can move forward. Going forward we cannot allow these contracts go out as long as they have been.

Trustee Schmidt thanked everyone involved in putting this agreement together.

Mayor Coyne is pleased that we have reached this point. He thanked P.O.s Pena, Terwilliger, and Nye for their help. The next step will be the contract. Mr. Coyne may call for a Special Meeting once a contract is ready for acceptance.

The matter was then put to a vote which resulted in 4 Ayes and 0 Nays.

KIRYAS JOEL ANNEXATION PETITION – PROFESSIONAL SERVICES

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

WHEREAS, impacts of any proposed Project including the 507 Acre and 164 Acre Annexations sought by the Village of Kiryas Joel, New York (“KJ”) is a matter for the Village of Cornwall-on-Hudson, New York (“Village”) to consider; and

WHEREAS, a Final Generic Environmental Impact Statement (FGEIS) and related documents are expected to be issued in connection with such proposed Annexation; and

WHEREAS, prior to the release of the FGEIS the Village wishes to authorize its professionals, upon release of such documents, to review such FGEIS and the impacts on the Village and to make any appropriate recommendations to the Village Board in regard to the FGEIS and related documents; and

NOW, THEREFORE, BE IT RESOLVED that:

1. The above “WHEREAS” paragraphs are incorporated herein by reference.
2. The Attorney for the Village, Village Engineer, Village Planner and any other professional deemed necessary by the Mayor upon notice to the Village Board, are authorized to perform up to ten (10) hours of services each to review any FGEIS and related documents released by the Village of Kiryas Joel concerning the proposed 507 and 164 Acre Annexations concerning potential impacts on the Village of Cornwall-on-Hudson and to submit responses and recommendations to the Village Board as to the completeness, lawfulness, and procedural compliance of such FGEIS; and to make recommendations as to any appropriate responsive actions by the Village to such FGEIS and related documents.
3. This resolution shall take effect immediately.

The motion was seconded by Trustee Carnright and opened for Board discussion.

Mayor Coyne stated that he has been working with a group of 8 mayors and supervisors. Kiryas Joel has proposed a new well on the border of Woodbury and Cornwall in Mountainville. There is concern that our neighbors in Mountainville will face more hardship in terms of their private wells. The Village’s main concern is water supply. We provide water to the Town and Village and want the proposed well to be monitored in order to protect our interests. Mr. Coyne indicated that the group has discussed “pooling” resources in terms of legal and engineering review.

The matter was then put to a vote which resulted in 4 Ayes and 0 Nays.

PILGRIM PIPELINE – OPPOSITION TO INSTALLATION

Trustee Kane provided an information packet to the Village Board for review regarding the Pilgrim Pipeline. The proposed bi-directional pipeline will go from Albany to Linden, N.J. following the NYS Thruway and will cross our water supply lines at Riley Road and again at Jackson Avenue. Mr. Kane reported that many municipalities in New York and New Jersey are opposed to the pipeline because it will be used to transport Bakken crude oil which is one of the most explosive crude oils. This Village Board is opposed because the pipeline could interfere with our water supply lines in an accident.

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

WHEREAS, Pilgrim Pipeline Company is proposing to build a bi-directional pipeline in close proximity to the NY State Thruway, through Rockland, Orange, Ulster, Greene, and Albany counties that would transport crude oil and refined petroleum products between Albany, New York and Linden, New Jersey; and

WHEREAS, the pipeline will carry oil from the Bakken Shale region of North Dakota extracted through a process of hydraulic fracturing, or “fracking,” which has been found to contaminate clean water resources, create toxic air emissions and radioactive waste, and release large quantities of methane gas into the atmosphere; and

WHEREAS, in February the Wall Street Journal compared crude oil from 86 locations worldwide, indicates that crude oil from Bakken Shale has a far higher vapor pressure than crude from dozens of other locations, making it the most explosive crude oil; and

WHEREAS, the U.S. Department of Transportation’s Pipeline and Hazardous Materials Safety Administration (PHMSA) issued a safety alert on January 2, 2014, to the general public, emergency first responders, and shippers and carriers regarding the particular flammability of Bakken crude oil; and

WHEREAS, the Pipeline will carry a large volume of Bakken crude oil through residential areas in adjacent communities, which will place residents in harm’s way should an explosion or spill occur;

WHEREAS, the Pilgrim Pipeline is proposed to be laid in the vicinity of and will carry a large volume of Bakken crude oil across the Village of Cornwall-on-Hudson’s water lines which supply drinking water from the Catskill Water Treatment Plant in the vicinity of Riley Rd., as well crossing over the water lines that supply drinking water from the ground wells located off of Jackson Ave. to the residents of Town of Cornwall and Village of Cornwall on Hudson; and

WHEREAS, according to PHMSA, pipeline operators reported more than 1,000 crude oil spills nationwide between 2003 and 2013, resulting in over 40 million gallons of oil being spilled; and

WHEREAS, a majority of these spills were the result of corrosion, equipment failure, incorrect operation or material and weld failures; and

WHEREAS, according to PHMSA, it has only 139 inspectors and 300 state inspectors to oversee 2.6 million miles of pipeline, and a limited amount of that pipeline system has been inspected by PHMSA or its state partners since 2006; and

WHEREAS, any rupture or compromise of the Pipeline, even without an explosion or fire, will require extraordinary cleanup efforts, could possibly force residents from their homes, and place a large number of residents in close proximity to hazardous materials; and

WHEREAS, most residents living near the proposed pipeline depend on ground water and public community water systems for potable water supplies, the integrity and safety of which may be jeopardized by the Pipeline; and

WHEREAS, the Pilgrim Pipeline also threatens important surface water resources along its path; and,

WHEREAS, the Village of Cornwall on Hudson finds that if the proposed Pilgrim Pipeline were compromised, it potentially threatens the water supply system for the Village of Cornwall on Hudson and the Town of Cornwall and subsequently, the health, safety, and welfare of its residents;

NOW THEREFORE BE IT RESOLVED that the Village of Cornwall on Hudson of the State of New York, County of Orange:

1. Calls upon the New York State Thruway Authority to reject use of its right-of-way for the purpose of transporting oil or gas by pipeline; and
2. Calls for a moratorium on any and all planning, proposal, surveying, or construction of the Pilgrim Pipeline through the Town of Cornwall and across and in the vicinity of Village of Cornwall on Hudson owned water supply lines; and
3. Directs the Village Clerk to forward copies of this resolution to the NYS Thruway Authority Chair Joanie Mahoney, NYS DOT Commissioner Matthew Driscoll, U.S. Senators Charles Schumer and Kirsten Gillibrand and U.S. Representative Chris Gibson, Governor Andrew Cuomo, N.Y. Public Service Commission Chairwoman Audrey Zibelman, N.Y. Assembly Member James Skoufis, and N.Y. Senators William Larkin, and NYS DEC Acting Commissioner Marc Gertsman.

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

Mayor Coyne reported that he will be sending a letter to Pilgrim informing them that the Village will no longer allow them to conduct a survey on our water properties.

PINE STREET BLOCK PARTY

Mayor Coyne made a motion to approve a request from residents of Pine Street to hold a “block party” on Saturday, September 12th from 1:00 PM – 10:00 PM which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

TREE DONATION – DONAHUE MEMORIAL PARK

Trustee Kane made a motion to accept the donation of a dogwood tree from the Merritt family that will be planted at Donahue Memorial Park which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays. Mayor Coyne thanked the family for enhancing the riverfront.

FALL HARVEST RACE – NOVEMBER 8, 2015

Mayor Coyne made a motion approving a request to hold the annual Cornwall Lions “Fall Harvest Race” on Sunday, November 8, 2015 which was seconded by Trustee Kane and carried upon a vote of 4 Ayes and 0 Nays.

MAYORS CHALLENGE TO END VETERAN HOMELESSNESS

Mayor Coyne made a motion to accept the “Mayors Challenge to End Veteran Homelessness” in the Hudson Valley which was seconded by Trustee Schmidt and carried upon a vote of 4 Ayes and 0 Nays.

DUNCAN AVENUE BLOCK PARTY

Mayor Coyne made a motion to approve a request from residents of Duncan Avenue to hold a “block party” on Saturday, September 19th which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

OTHER BUSINESS

CONSOLIDATED FUNDING APPLICATION

Mayor Coyne reported that he submitted grant applications to Consolidated Funding for mapping of our sewer system, and enhancement of the riverfront. He thanked Maser Consulting for their assistance in preparing the application for mapping of our sewer system. Mr. Coyne hopes to hear back sometime this Fall.

KIRYAS JOEL - WATER

Mayor Coyne reported that he will attend a meeting on August 19th to review and discuss the County’s parallel environmental statement regarding the KJ annexation petitions.

NEW YORK MILITARY ACADEMY

Mayor Coyne voiced his concern about whether or not the proposal from Global Preparatory Academies is still alive. He hopes a deal can be completed before the property goes to auction. Mr. Coyne doesn’t know about the school’s future.

CONSENT JUDGMENT – PEACEDALE PROPERTIES, INC.

Mayor Coyne made a motion authorizing the Village Clerk to comply with the consent judgement and issue a refund to the law firm of Corbally, Gartland, and Rappleyea, LLP in the amount of \$1,813.30 in the matter of Peacedale Properties, Inc. v. Town of Cornwall which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

CENTRAL HUDSON LED STREET LAMPS

Trustee Carnright reported that Central Hudson has approved a plan to provide LED street lights, at no cost to municipalities, to help save on energy costs. The program will be available on a “first come first serve” basis. He recommends that the Village submit a letter to Central Hudson as soon as possible for consideration.

DPW Superintendent Halvorsen met with representatives from Central Hudson several months ago regarding infrastructure improvements and part of the agreement reached with the Village put us at the “top of the list” for LED replacements. Therefore our paperwork has already been submitted.

WATER INFRASTRUCTURE IMPROVEMENT ACT

Mayor Coyne reported that the deadline for submittal of grant proposals is September 4th.

Water Superintendent June reported that last month the Village Engineer submitted initial paperwork on our proposals to re-line our clear well at Black Rock, make repairs to Village dams, and rehab our wells in Mountainville. He will continue to work with the Engineer on this.

Discussion followed regarding the draft bid document and specifications for the Black Rock Water Treatment Plant Clearwell Rehabilitation that were prepared by Maser Consulting. Attorney for the Village McKay stated that he has performed a brief review of these documents and it appears to be a “well drafted document”. Clerk Mahoney stated that the clearwell rehabilitation work needs to be done as soon as possible. She would like the Village Board to accept final bid documents and specifications at the September meeting and set a bid date.

CSEA CONTRACT NEGOTIATIONS

Mayor Coyne reported that the Memorandum of Agreement is being revised by the CSEA representatives. Their first draft was incomplete. Mayor Coyne hopes to receive a second draft soon.

BAKKEN CRUDE OIL

Mayor Coyne received a fax from U.S. Secretary of Transportation Anthony Foxx today. This correspondence is in response to Mr. Coyne’s letters expressing concern about Bakken crude oil being transported through the Village and the need to stabilize it before shipping. Mayor Coyne is disappointed with the response, which is not nearly enough. He doesn’t understand why the Department of Transportation is not “stepping up” and making sure that the oil companies “do the right thing” and save lives. It’s just a matter of time before someone dies in this country; 47 people were killed about 2 years ago in Canada.

FYI

WEDDING

Mayor Coyne reported that a wedding ceremony was held in the gazebo at Donahue Memorial Park on Friday, August 7th.

CAR WASH – CORNWALL SEA DRAGONS

Mayor Coyne reported that the Cornwall Sea Dragons will hold a car wash in the Village Hall parking lot on Saturday, August 29th.

BLACK ROCK RACES

Mayor Coyne reported that the “Black Rock Race” event will take place on Saturday, September 12th in Black Rock Forest.

9/11 MEMORIAL SERVICE – DEDICATION TO FDNY FIREFIGHTER KENNETH KUMPEL

Mayor Coyne reported that a memorial service will take place at the 9/11 bench located in the Chadeayne Traffic Circle on Friday, September 11th at 6:00 PM. This year members of Highland and the NYC Fire Department will be dedicating a memorial in honor of FDNY Firefighter Kenneth Kumpel, a Cornwall resident who died on that day.

BOARD ACTIVITIES/COMMENTS

Trustee Schmidt received the final report from Summer Playground Director Jen Borland indicating this year’s playground was a “huge success” with the largest group of campers in 3 years. The kindergarten program, which is in its second year, is growing and feedback from parents is that it helps with the transition into a school setting. Ms. Borland credits the hard working and dedicated counselors and Assistant Director Amanda Russell, who planned fun activities, for this year’s successful program and she is looking forward to meeting with the Village Board to discuss next year’s program.

Having concluded the business set before them, Mayor Coyne made a motion to adjourn the meeting into Executive Session at 7:59 PM with Clerk Mahoney and Attorney for the Village McKay in order to receive legal advice regarding “pooling resources” for legal and engineering professional services on the KJ Annexation, a FOIL request, pending litigation regarding the Sweeney matter, and the Ethics Board which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.