

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

January 25, 2016

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, Code Enforcement Officer Ben Maggio, 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 December 21, 2015 Business Meeting Minutes as prepared which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

Mayor Coyne made a motion to accept the January 11, 2016 Special Meeting Minutes as prepared 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 Homeland Security and Emergency Services stating that they will not be funding the Village’s Hazard Mitigation grant proposal.

**TREASURER’S REPORT**

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

Village water, sewer, garbage & penalties	\$ 403,759.05
Town water & penalties	164,733.17

which included 5 final/adjustments for the Village and 7 for the Town.

Warrant #1 – Mayor Coyne made a motion to approve January 2016 Warrant #1 and authorize payment of \$140,671.75, which was seconded by Trustee Schmidt and carried by a vote of 5 Ayes and 0 Nays.

Treasurer Mahoney reported that the Village is in receipt of \$5,564,248.02 (80.59%) in anticipated revenues and \$5,449,545.67 (78.93%) in anticipated expenditures through the end of December.

The Sewer Capital Fund balance is \$93,253.95 (including interest) through December 31<sup>st</sup>.

## **BOARD DEPARTMENT REPORTS**

Building Department Trustee Carnright reported 10 building permits were issued, 11 certificates of compliance/were issued, 26 onsite inspections were performed, 1 violation was issued (6 Winterview Lane-no permit), 6 fire inspections were conducted, and the year-end report to NYS Department of State Building Standards and Codes was submitted. Inspector Maggio worked 80 hours in December.

Fire Department – Deputy Mayor Edsall reported 1 structure fire, 1 carbon monoxide incident, 8 medical calls, 4 automatic alarms, 1 mutual aid, 1 funeral, 2 meetings, 6 drills, 5 work details, 4 public relations details, and 1 holiday parade for a total of 34 events and 534.28 man hours.

Deputy Mayor Edsall further reported that the firefighter's grant for Turn-out gear and SCBA bottles was submitted before the January 15<sup>th</sup> deadline. In addition the department attended the funeral for Capt. Jack Rose of the Mount Marion Fire Department in Ulster County, is moving equipment and materials back into the mechanics room, and assisted with the New Year's Eve celebration in the Village Square. The department is also looking into relocating their communications repeater from Cronomer Hill in Newburgh to Snake Hill in New Windsor. The Snake Hill site will give better coverage.

Residents are reminded to call 911 for fire emergency calls, not the fire department business line. In addition residents must properly display their house numbers to assist emergency responder's in locating their houses when responding to an emergency.

## **BUDGET TRANSFER**

Upon the recommendation of Fire Chief Armitage, Deputy Mayor Edsall made a motion to transfer \$3,500 from General Fund Mechanic Expenditure (A3410.11) to Firehouse Maintenance (A3410.4) which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

Police Department Trustee Kane reported 1 aggravated harassment, 2 criminal mischief, 2 petty larcenies, 1 misdemeanor assault, 2 harassment, 2 misdemeanor arrests, 6 property damage accidents, 15 traffic summons issued, 26 warnings issued, 5 parking summons issued, 4 fire response calls, 3 domestic incident calls, 9 alarm response calls, 5 noise complaints, 2 suspicious person calls, 2 suspicious vehicle calls, 2 suspicious activity calls, 4 animal complaints, 7 assists to the Town of Cornwall Police Department, 15 EMS assist calls, 9 assists to other agencies, 1 welfare check, and 4 assists to citizens for a total of 321 total calls for service.

Trustee Kane further reported that the department continued participating in Orange County “STOP DWI” enforcement and assisted with traffic and security for the New Year’s Eve Ball Drop celebration.

It was also reported that the new 2015 Ford Interceptor Taurus patrol vehicle (#426) was put into service.

Department of Public Works – Trustee Schmidt reported yard waste collection stopped on the last week of December, lights were placed on Christmas tree, and the Menorah was repaired. In addition, the department cold patched potholes, cleaned gutter line of leaves, performed equipment maintenance, cleaned up DPW yard, and assisted with set up for New Year’s Eve Ball Drop.

Trustee Schmidt further reported that as of January 6, 2016, recycling will be collected weekly in the Village.

Trustee Kane stated that the DPW did a “great job” cleaning up after this past Saturday’s snow storm. Mr. Kane reported that a new sign has been placed at the municipal lot requiring vehicles be moved within a particular time period after a storm by order of the Village Police Department or they will be towed so the lot can be cleared of snow. The sign will be kept covered until it snows. According to DPW Superintendent Halvorsen, approximately 50% vehicles complied.

Mayor Coyne complimented Trustee Kane on his plan to address “winter parking”.

Water Department – Trustee Carnright reported an average daily production of 945,000 gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 27). A total of 44 utility mark-outs were done, 1 meter was replaced, 14 miscellaneous repairs were completed, and 10 final meter readings were done. Fire hydrants were serviced and hydrant markers were installed, water mains were repaired on Second Street and NYS Route 218, and the department continued property maintenance, and rebuilding all catch basins on Pecks Road.

Mayor Coyne reported that Andrew Fetherston of Maser Consulting (Engineer for the Village) will attend the February 8<sup>th</sup> work session to discuss the Clearwell Rehabilitation and Taylor Road Wellfield projects.

## **RESOLUTIONS**

### **2016 – 2017 BUDGET ADOPTION**

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

**A RESOLUTION ADOPTING A BUDGET FOR THE FISCAL YEAR COMMENCING MARCH 1, 2016 AND ENDING FEBRUARY 28, 2017, MAKING APPROPRIATIONS FOR THE CONDUCT OF VILLAGE GOVERNMENT AND ESTABLISHING THE RATES OF COMPENSATION FOR OFFICERS AND EMPLOYEES FOR SUCH PERIOD.**

WHEREAS, the tentative budget for the year commencing March 1, 2016 and ending February 28, 2017 has been duly presented to the Board of Trustees of the Village of Cornwall-on-Hudson by the Budget Officer and a duly advertised Public Hearing has been held thereon,

NOW, THEREFORE, BE IT RESOLVED, pursuant to Section 5-508(4) of the Village Law, that the tentative budget as amended and revised, be and hereby is adopted as the budget and all amounts set forth in Statement 1 as required for the payment of principal of and interest on indebtedness be and are hereby appropriated for the objects and purposes specified and the salaries and wages stated in the schedule of such budget shall be and are hereby fixed at the amounts shown therein effective March 1, 2016.

The foregoing resolution was seconded by Trustee Schmidt.

Mayor Coyne reported that after the public hearing, minor changes were made to the draft budget in order to cover the bill from PERMA for workers compensation insurance and the summer playground program. These changes were accomplished by reducing other lines within the budget and did not affect the proposed tax rate. He then called for a vote which resulted in 5 Ayes and 0 Nays.

**TAX LEVY RESOLUTION**

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

**A RESOLUTION LEVYING THE TOTAL TAXES AND OTHER CHARGES EXTENDED AND LEVIED AGAINST EACH PARCEL OF REAL PROPERTY SHOWN ON THE ROLL PREPARED AND VERIFIED BY THE ASSESSOR FOR THE 2016-2017 FISCAL YEAR.**

RESOLVED, that there be levied and assessed against the real property of the Village of Cornwall-on-Hudson the following sums for village government and other charges for the fiscal year 2016-17 with a tax rate of \$10.39 per thousand of assessed valuation:

General Fund	
Total taxes for Current Budget	\$2,525,000.00
Delinquent water rents & charges	48,507.41
Delinquent sewer rents & charges	54,323.85
Delinquent garbage charges	50,539.72
 Total Relevy	 \$153,370.98
Total Real Property Taxes and Other Charges on Roll	 \$2,678,370.98

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

**ELECTION INSPECTOR APPOINTMENTS**

The Clerk requested the following be appointed Election Inspectors for the upcoming March 15<sup>th</sup> election at a rate of \$75 per day:

Registration Day:	Margaret Flint, as Chairperson and Elsa Cameron
Election Day Table:	Margaret Flint, Elsa Cameron, Martha Diederich, and Colette Fulton

Alternates: Lauren Anderson, Robert Anderson, Barbara Fletcher, Floranne Moulton, Susan Ostrander, and Carmela Yerdon  
Election Day Machine: Brigid Flynn and Barbara Gabhart  
Field Tech of Voting Machines: Ray Torracca (rate of \$150 per machine)

Mayor Coyne moved to accept these appointments which was seconded by Deputy Mayor Edsall and carried by a vote of 5 Ayes and 0 Nays.

#### VILLAGE REGISTRATION DAY

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

**WHEREAS**, the next General Election for Officers will be held on the 15th day of March, 2016 and

**WHEREAS**, no person shall be entitled to vote at any Village Election whose name does not appear on the Register for the election district in which he claims to be entitled to vote, and

**WHEREAS**, it is the duty of the inspectors of election to prepare such register of qualified voters for the district for which they were appointed, and

**WHEREAS**, Section 15-118 of the Election Law of the State of New York requires that every Village hold a Registration Day for each General Village Election,

**NOW, THEREFORE BE IT RESOLVED**, that Registration Day for the Village of Cornwall-on-Hudson shall be held on Saturday, the 5th of March from 12:00 PM to 5:00 PM in the Board Room of the Village Hall, 325 Hudson St., Cornwall-on-Hudson, N.Y.

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

#### PUBLIC EDUCATION FUNDING REFORM

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

**WHEREAS**, New York State is one of only 12 states that continue to fund public schools through property taxes; and

**WHEREAS**, the greatest financial burden faced by New York State homeowners is school taxes; and

**WHEREAS**, school taxes have forced many New Yorkers, including many transitioning to retirement on a fixed income, to sell their properties and leave New York; and

**WHEREAS**, most states fund public schools through sales taxes and state income taxes, both corporate and personal; other possible avenues of funding include mortgage taxes and excess profits taxes; all of which should be considered as more equitable and less burdensome alternatives to the school property tax method in New York; and

**WHEREAS**, New York City no longer funds its public schools through property taxes and, recognizing this as a matter of equity as well as hardship, and in order to avoid a “subsidy” by the residents of one region to another, the residents of New York City should either be afforded a credit or excluded from any funding alternative so that fair legislation can be enacted without opposition on that score; and

**WHEREAS**, the responsibility for the education of our youth should be more fairly and equitably distributed and not placed on the backs of property owners; and

**WHEREAS**, while New York State has enacted a 2% tax cap, thereby acknowledging that the Governor, Senate and Assembly are aware of this crisis, it is only a temporary solution to a worsening problem; and

**WHEREAS**, New York State must find a permanent solution for the sake of its survival.

**NOW, THEREFORE, BE IT RESOLVED** that the Cornwall-on-Hudson Village Board hereby requests that Governor Andrew Cuomo and members of the New York State Senate and the New York State Assembly address this crisis and enact reforms to school funding that implement an equitable alternative funding system to the property tax; and

**BE IT FURTHER RESOLVED** that we respectfully request that our New York State representatives, Senator William Larkin and Assemblyman James Skoufis, advocate for the reforms hereby put forth; and

**BE IT FURTHER RESOLVED** that the Village Board hereby authorizes the mayor to deliver certified copies of this Resolution to the Governor, Senator Larkin and Assemblyman Skoufis; and

**BE IT FURTHER RESOLVED** that the foregoing resolution shall take effect immediately.

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

Mayor Coyne thanked Town of Newburgh Supervisor Gil Piaquadio for drafting this resolution.

## **OTHER BUSINESS**

### **TAYLOR ROAD WELLFIELDS – DEC**

Mayor Coyne tabled this item for discussion with Engineer for the Village Andrew Fetherston at the February 8<sup>th</sup> work session.

The Village has received a permit from the NYSDEC authorizing the taking of up to 2,410,000 gallons per day from our wells and surface waterbodies. Discussion regarding this permit followed.

### **CLEARWELL REHABILITATION PROJECT**

Mayor Coyne tabled this item for discussion with Engineer for the Village Andrew Fetherston at the February 8<sup>th</sup> work session.

## MS4 MAPPING

Mayor Coyne reported that the Village has been awarded a \$75,000 grant for storm sewer mapping. He participated in a conference call on January 12<sup>th</sup> with Engineers for the Village Andrew Fetherston and Kelsey Howard to discuss preparation of a plan for storm sewer mapping. Mr. Coyne is confident our engineers will do a good job and the matter is in “capable hands”.

In addition there will be a meeting to discuss plans to address the MS4 Consent Order to make sure we are ready to submit our final report on time.

## CORNWALL CENTRAL SCHOOL DISTRICT REQUEST TO LOWER SPEED LIMIT

Mayor Coyne reported that the School District was apparently not aware that signage is already in place indicating the speed limit is 20 mph in the school zone.

## CORNWALL TOWN BOARD MEETING – SEWER PLANT AND SOLAR PROJECT

Mayor Coyne attended a Cornwall Town Board meeting on January 14<sup>th</sup> where they discussed the joint sewer plant and a solar project. Mr. Coyne will meet with Town Supervisor Randazzo again regarding the joint sewer plant. There is going to be a “tremendous amount of money involved” with making improvements as required by the DEC.

Deputy Mayor Edsall reported in an effort to make the costs as affordable as possible for town and village residents, the town is pursuing funding through the NYS Environmental Facilities Corp. (EFC), a subsidized loan program. The town has received a grant up to \$1,100,000 toward some of the sewer plant improvements.

## KIRYAS JOEL LITIGATION UPDATE

Mayor Coyne attended a meeting on January 19<sup>th</sup> of the coalition of eight local municipalities involved in a joint lawsuit challenging the annexation of a 164 acre parcel in the Town of Monroe to Kiryas Joel. Newly elected officials from the Town of Cornwall and Woodbury were in attendance.

Mayor Coyne also reported that an amended Article 78 petition has been prepared challenging the issuance of a water-taking permit by the NYS DEC for Mountainville Well #1.

## VILLAGE ELECTION – MARCH 15, 2016

Mayor Coyne reported that Village Election Day is Tuesday, March 15<sup>th</sup> from 12:00PM – 9:00PM in the Village Hall Board Room. The last date to file a nominating petition for the office of Trustee is Tuesday, February 9<sup>th</sup>.

## DEC HUDSON RIVER ESTUARY GRANT

Mayor Coyne announced that he is hoping to apply for a “clean water” project grant through the NYS DEC.

## RIVERFRONT PARCEL

Trustee Kane reported that J.T. Abstract will do a title search on the property. Once that is done, Mr. Kane will prepare a deed and recording documents for legal review. He hopes to complete this transfer sometime next month.

## NEW YEAR'S EVE BALL DROP

Mayor Coyne reported that the New Year's Eve Ball Drop went smoothly. He thanked Storm King Engine Co. #2 for assisting with the annual ball drop from the ladder truck. Mr. Coyne also thanked the Department of Public Works for preparing the area for the event, the Police Department for providing pedestrian and traffic safety, and Bill Braine for organizing a "fun evening".

## CSX RAILROAD: NORTH RIVERFRONT CROSSING

Mayor Coyne stated that an accident occurred on November 25, 2015 at the north riverfront crossing when a vehicle got struck by a CSX train after it failed to stay on the roadway and got stuck on the train tracks. U.S. Senator Charles Schumer held a press conference at the site last week calling for CSX to improve safety at the railroad crossing. This has prompted CSX to schedule a meeting on Monday, February 1<sup>st</sup>. Representatives from the Federal Railroad Administration, NYS Department of Transportation, Senator Schumer's office, will be in attendance along with Mayor Coyne, SKEC #2 Fire Chief Armitage, Police Chief Dixon, and Disaster Control Officer Kurt Hahn.

## FYI

### U.S. MILITARY ACADEMY – INSTALLATION OF COMMANDANT BRIGADIER GENERAL

Mayor Coyne attended the U.S. Military Academy installation of Commandant Brigadier General Diana Holland on January 5<sup>th</sup>.

### NYCOM LOBBY DAY – FEBRUARY 9, 2016

Mayor Coyne reported that the NY Conference of Mayors (NYCOM) will host "Lobby Day" on February 9, 2016 in Albany.

### CONFERENCE OF TOWNS ANNUAL TRAINING

Mayor Coyne announced that the annual Conference of Towns training will take place from February 14<sup>th</sup> – 17<sup>th</sup> in New York City.

### REQUEST TO USE VILLAGE BANDSTAND

Mayor Coyne is in receipt of a request from Main Street Music and Art Studio to use the Village Bandstand annually to hold a yearly concert for students so they can experience performing for a larger audience. He tabled this item for discussion at the February 8<sup>th</sup> work session.

## BOARD ACTIVITIES/COMMENTS



Trustee Schmidt stated that while gathering signatures for his nominating petition, he received a lot of positive feedback from residents with regard to weekly recycling pick up in the Village.

Trustee Carnright stated that he received an email indicating that the lower tax cap resulted in many more municipalities voting to override it in 2015. 26% of local governments voted to exceed the tax cap which is up from 19% in 2014. It is becoming increasingly difficult to maintain necessary municipal services and stay within the present tax cap.

Trustee Kane stated that trucks continue to block street when making deliveries to Cumberland Farms. Mayor Coyne agreed to reach out to their representatives this week since he hasn't heard back from them in some time.

Deputy Mayor Edsall stated that he is pleased Senator Schumer used his clout to bring attention to the Shore Road railroad crossing. It is a "nightmare waiting to happen".

Mr. Edsall received a request from the Orange County Rowing Association and would like to discuss it at the February work session.

Having concluded the business set before them, Mayor Coyne made a motion to adjourn the meeting into Executive Session at 7:40 PM with Village Clerk Mahoney, Water Superintendent June, DPW Superintendent Halvorsen, and Attorney for the Village McKay in order to receive legal advice regarding a Water Department employee personnel matter, a Department of Public Works employee personnel matter, an issue involving employee paychecks, an update on non-union employment agreements, and to receive legal advice regarding a developers agreement. The motion was seconded by Deputy Mayor Edsall and carried upon a vote of 5 Ayes and 0 Nays.

The meeting was reconvened at 8:46 PM on a motion by Mayor Coyne which was seconded by Trustee Kane and carried upon a vote of 5 Ayes and 0 Nays.

#### COMMENCEMENT OF ADDITIONAL DISCIPLINARY CHARGES

Deputy Mayor Edsall made a motion to prefer disciplinary charge #02-2016 against a Department of Public Works employee as prepared by the Attorney for the Village and authorize DPW Halvorsen to take appropriate administrative disciplinary action which was seconded by Trustee Kane and carried upon a vote of 5 Ayes and 0 Nays.

On a motion by Deputy Mayor Edsall and seconded by Trustee Kane, the Board adjourned the meeting at 8:47 pm. Passed 5-0.