

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

March 7, 2016

The Special Meeting of the Board of Trustees was called to order at 5:30 P.M., 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, and Village Clerk Jeanne Mahoney.

RESOLUTION AUTHORIZING THE VILLAGE OF CORNWALL-ON-HUDSON TO AUTHORIZE ADDITIONAL EXPENDITURES TO CONTINUE TO PARTICIPATE IN THE ANNEXATION LITIGATION

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

WHEREAS, on September 10, 2015, the Village Board of Trustees (“Board”) of the Village of Cornwall-on-Hudson, New York (“Village”) authorized the Village to initiate and participate in litigation involving the review of the annexation petitions filed concerning property in the Town of Monroe, New York to be annexed to the Village of Kiryas Joel, New York (collectively the “Annexation Litigation”); and

WHEREAS, soon thereafter, the Village executed a Inter-Municipal Agreement to join seven (7) other local municipalities impacted by the proposed annexation (the “Coalition”) for the most expeditious and economical pursuit of the lawsuit, as authorized to do so in the September 10, 2015 resolution; and

WHEREAS, the Coalition retained Bryan Cave, LLP to provide legal counsel in connection with the Annexation Litigation; and

WHEREAS, the September 10, 2015 resolution also authorized the expenditure of \$25,000 for said litigation with the Village Board reserving its right to make additional expenditures from time to time; and

WHEREAS, the Annexation Litigation consist of two separate proceedings, one in New York State Supreme Court, Westchester County, and the other is the Second Department of the Appellate Division; and

WHEREAS, the Coalition and its counsel have thus far been successful in obtaining an injunction in New York State Supreme Court to prevent the completion of the annexation pending the outcome of the Article 78 proceeding filed by the Coalition, which proceeding challenges the procedural aspects of the annexation; and

WHEREAS, the Coalition and its counsel have also successfully moved to permit some of the Coalition members to intervene in a separate Appellate Division proceeding which focuses on whether the annexation is in the public's interest; and

WHEREAS, the Village Board has recently been informed that the collective funds raised by the Coalition is depleting and the Coalition's counsel requires additional funds; and

WHEREAS, each Coalition member is being asked to contribute an additional \$15,000 to continue the Annexation Litigation; and

NOW THEREFORE, it is resolved by the Village Board as follows:

The Village Board hereby authorizes the additional expenditure of \$15,000 to continue the Annexation Litigation. The Village Board reserves all rights to make any additional expenditures from time to time for said litigation as appropriate.

This Resolution shall take place effective immediately.

The foregoing resolution was seconded by Trustee Carnright.

After some discussion it was noted that this additional contribution will be split between General Fund Litigation Expense (A1420.410) and Water Fund Legal Expense (W8310.410).

The motion was then carried upon a vote of 5 Ayes and 0 Nays.

Mayor Coyne moved to close the Special Meeting into Executive Session to discuss the employment two members of the Department of Public Works at 5:40 PM which was seconded by Trustee Carnright and carried by a vote of 5 Ayes and 0 Nays.

The special meeting was recovered at 5:50 PM on a motion introduced by Mayor Coyne which was seconded by Trustee Kane and carried upon a vote of 5 Ayes and 0 Nays.

DEPARTMENT OF PUBLIC WORKS – TERMINATION OF EMPLOYMENT

Mayor Coyne made a motion to terminate the employment of probationary Department of Public Works Laborer Christopher Brunell for failure to report to duty on two occasions and for failure to adequately perform his job duties after a similar incident in December. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

DEPARTMENT OF PUBLIC WORKS – LETTER OF RESIGNATION

Mayor Coyne made a motion to accept the letter of resignation with regret from James Moore effective March 17, 2016 which was seconded by Trustee Schmidt and carried upon a vote of 5 Ayes and 0 Nays. Mayor Coyne wished Mr. Moore well in his new position with the City of Newburgh Fire Department.

DEPARTMENT OF PUBLIC WORKS - LABORER POSITIONS

Deputy Mayor Edsall made a motion authorizing DPW Superintendent Halvorsen to advertise, interview, and make recommendations to fill open Laborer's positions in the Department of Public Works which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

Having concluded the business set before them, Deputy Mayor Edsall moved to close the Special Meeting at 5:58 PM which was seconded by Trustee Carnright and carried by a vote of 5 Ayes and 0 Nays.