

THE VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

April 4, 2016

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

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

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

James P. Kane and Kenneth A. Schmidt (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. Mr. Edsall has been a "tremendous help" to him, having been on the Village Board for many years, and also being an engineer all around the county.

MAYORAL APPOINTMENTS – SUBJECT TO BOARD APPROVAL

Mayor Coyne noted that Village Clerk Jeanne Mahoney's current term will end on April 3, 2017 and is not subject for approval this evening.

Mayor Coyne noted that Village Treasurer Jeanne Mahoney's current term will end on April 3, 2017 and is not subject for approval this evening.

PUBLIC OFFICERS – ONE YEAR APPOINTMENT

Mayor Coyne reported that one year appointments for the following public officers will be postponed until legal review of a draft policy and procedures for non-union employees is completed. These individuals will continue in office as "Holdovers".

- Paula Sebesta – Deputy Treasurer
- Mary Ellen Dennett – Deputy Village Clerk

Mayor Coyne reported that one year appointments for the following public officers will be postponed until new employment agreements are finalized.

- Ben Maggio – Code Enforcement Officer
- Steve Dixon – Police Chief

POSITIONS OF EMPLOYMENT – ONE YEAR APPOINTMENT

Mayor Coyne reported that one year appointments for the following positions of employment will be postponed until legal review of a draft policy and procedures for non-union employees as well as employee agreements is completed. These individuals will continue employment as “Holdovers”.

- Jeanne Mahoney – Tax Collector and Records Custodian
- Mary Ellen Dennett – Deputy Tax Collector
- Dave Halvorsen – Superintendent of Public Works
- Bob June – Superintendent of Water

Mayor Coyne moved to accept the appointment of Kathleen Christensen as Village Historian for a one (1) year term ending April 3, 2017 which was seconded by Trustee Schmidt and carried upon a vote of 5 Ayes and 0 Nays.

Mayor Coyne moved to accept the appointment of Jeff Small as Planning Board Chairman for a one (1) year term ending April 3, 2017 which was seconded by Trustee Schmidt and carried upon a vote of 5 Ayes and 0 Nays.

Mayor Coyne moved to accept the appointment of Mike Kelly as Zoning Board Chairman (interim) for a one (1) year term ending April 3, 2017 which was seconded by Trustee Schmidt and carried upon a vote of 5 Ayes and 0 Nays.

Mayor Coyne moved to accept the appointment of Kurt Hahn as Disaster Control Officer for a one (1) year term ending April 3, 2017 which was seconded by Trustee Schmidt and carried upon a vote of 5 Ayes and 0 Nays.

BOARD APPOINTMENTS – ONE YEAR TERMS

Mayor Coyne reported that one year appointments for the following positions of employment will be postponed until legal review of a draft policy and procedures for non-union employees is completed. These individuals will continue employment as “Holdovers”.

- Jeanne Mahoney – Vital Statistics Registrar

- Mary Ellen Dennett – Deputy Vital Statistics Registrar

ATTORNEY FOR THE VILLAGE

Deputy Mayor Edsall made a motion to appoint the law firm of **Catania, Mahon, Milligram, & Rider PLLC as Attorney for the Village for fiscal year 2016/17** to serve the Village Board, Ethics Board, Planning Board, and Zoning Board of Appeals at the current rate. The motion was seconded by Trustee Kane and carried upon a vote of 5 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 2016/17** to serve the Village Board, Planning Board, Zoning Board of Appeals, and for special projects at the current rate. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

AUDITOR FOR THE VILLAGE

Trustee Carnright made a motion to **appoint Nugent & Haeussler as Auditor for the Village for fiscal year 2016/17** at the current rate. The motion was seconded by Trustee Schmidt and carried upon a vote of 5 Ayes and 0 Nays.

PLANNING/ZONING/ETHICS BOARD APPOINTMENTS

Trustee Kane made a motion to appoint Jeff Small to the Planning Board for a 5 year term expiring on April 5, 2021, subject to his being sworn in within 30 days of this appointment, which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

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

Name	Term Expires	Took Office	Replaced
Wynn Klosky	April 3, 2017	June 20, 2011	Andrew Argenio
Vishwa Chaudhry	April 2, 2018	July 16, 2012	James Patch
Maureen Spaulding	April 1, 2019	July 1, 2015	Maryann O’Dell
Lee Murphy (holdover)	April 6, 2015	February 23, 2004	Matthew Smith
Jeffrey Small	April 5, 2021	October 16, 2006	Merle Mammato

Deputy Mayor Edsall made a motion to appoint Philip Adams to the Zoning Board of Appeals for a 5 year term expiring on April 5, 2021, subject to his being sworn in within 30 days of this appointment, which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

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

Name	Term Expires	Took Office	Replaced
Steven Fogarty	April 3, 2017	April 1, 2012	J. Blake Haase

Kevin Finn	April 2, 2018	April 1, 2013	Andrew Maroney
Michael Kelly	April 1, 2019	January 24, 2005	Edwin Knapp
Matthew Bannon	April 6, 2020	April 1, 2013	Robert Quillin
Philip Adams	April 5, 2021	April 1, 2013	Tom Petersen

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

Mayor Coyne made a motion to accept the resignation of Peter Miller from the Ethics Board with regret, which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

Trustee Carnright made a motion to appoint Michael Ferraro to the Ethics Board for a 3 year term expiring on April 1, 2019, subject to her being sworn in within 30 days of this appointment, which was seconded by Trustee Schmidt and carried upon a vote of 5 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 3, 2017, subject to her being sworn in within 30 days of this appointment, which was seconded by Trustee Schmidt and carried upon a vote of 5 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 3, 2017, subject to his being sworn in within 30 days of this appointment, which was seconded by Trustee Schmidt and carried upon a vote of 5 Ayes and 0 Nays.

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

Name	Term Expires	Took Office	Replaced
Anthony Cashara	April 3, 2017	April 1, 2013	Elisabeth Hellwege
Peter Miller (vacancy)	April 2, 2018	November 19, 2012	Thomas Bailey
Michael Ferraro	April 1, 2019	April 1, 2013	Kristin Doyle
Alternates:			
John Ross	April 3, 2017	April 1, 2013	
Kristin Doyle	April 3, 2017	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 5 Ayes and 0 Nays.

WORKPLACE VIOLENCE PREVENTION COMMITTEE

Trustee Kane 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 Carnright and carried upon a vote of 5 Ayes and 0 Nays.

MEETINGS OF THE VILLAGE BOARD OF TRUSTEES

Schedule: Trustee Carnright 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 March and 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 and February 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 Schmidt and carried upon a vote of 5 Ayes and 0 Nays.

Agenda: The mayor will prepare draft agendas and distribute them to trustees on the Friday before work sessions and business meetings. He will receive input from trustees and finalize agendas and distribute them to trustees; 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 Schmidt and upon a vote of 5 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 was resolution was seconded by Trustee Schmidt and upon a vote of 5 Ayes and 0 Nays, the motion was carried.

SIGNATURE CARDS

Deputy Mayor Edsall 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 Trustee Carnright, and upon a vote of 5 Ayes and 0 Nays, the motion was carried.

PROCUREMENT POLICY

Trustee Schmidt 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 adopt 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 Carnright, and upon a vote of 5 Ayes and 0 Nays, the motion was carried.

MILEAGE ALLOWANCE

Deputy Mayor Edsall 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 \$0.54 per mile.
2. This resolution shall take effective immediately.

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

ATTENDANCE OF SCHOOLS

Trustee Kane 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 Carnright, and upon a vote of 5 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 2016/17. The motion was seconded by Trustee Carnright and carried by a vote of 5 Ayes and 0 Nays.

OTHER BUSINESS

DPW LABORER POSITIONS/APPOINTMENT

DPW Superintendent Halvorsen interviewed 10 candidates for the 2 open Laborer positions in the Department of Public Works.

Upon the recommendation of DPW Superintendent Halvorsen, Mayor Coyne made a motion to appoint Luis Delacruz and Jade Greer to the vacant Laborer positions 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, physical examination, and drug screening. The motion was seconded by Deputy Mayor Edsall and carried upon a vote of 5 Ayes and 0 Nays.

RESOLUTION TO HOLD A PUBLIC HEARING ON MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4)

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

WHEREAS, the Village Board wishes to set a time and place for a public hearing to consider the adoption of the Municipal Separate Storm Sewer Systems (MS4) audit.

NOW, THEREFORE, IT IS HEREBY –

RESOLVED, that the Village Board hereby determines that it will be the lead agency with respect to the review of the proposed local law (the “project”) in accord with New York State Environmental Quality Review Act (“SEQRA”) and part 617 of the regulations implementing SEQRA, since there are no other agencies that have the authority to approve the project; and it is further –

RESOLVED, that the Village Board hereby classifies the action as an unlisted action under SEQRA; and it is further –

RESOLVED, that a public hearing be held by the Village Board in order to receive comments and suggestions regarding the audit of the Municipal Separate Storm Sewer Systems (MS4), and to receive any comments concerning the potential adverse environmental impacts of the proposed legislation in accord with SEQRA, on April 18, 2016 at 7:01 p.m. at the Village Hall located at 325 Hudson Street, Cornwall-on-Hudson, New York; and it is further –

RESOLVED, that the Village Clerk is hereby authorized and directed to cause said public notice of said hearing to be given as provided by law.

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

BOARD ACTIVITIES/COMMENTS

Trustee Schmidt thanked everyone for their support and stated that it is “good to be back”.

Trustee Carnright congratulated Trustee Kane and Trustee Schmidt on their reelection.

Trustee Kane stated that with regard to the “holdover” of appointments, the Board would like to finish the non-union employment agreements and policy and procedures by the May meeting. He asked the employees to “hang in there” and apologized for the delay.

Deputy Mayor Edsall congratulated Trustee Kane and Trustee Schmidt on their reelection. He is glad to have them both back. Mr. Edsall thanked Mayor Coyne for re-appointing him as Deputy Mayor, as he enjoys “doing what I do” and helping the Village whenever he can in an elected position. Mr. Edsall appreciates everything the department heads do, and once one policies and procedures issue is resolved, the Board will move forward and make appointments effective retroactive to tonight. He thanked everyone for their patience.

Mr. Edsall is in receipt of Storm King Engine Co. #2’s 2016-2017 goals and he has reviewed them with Fire Chief Armitage. He would like to discuss this at the April work session.

Mayor Coyne stated that the Times Herald Record printed “My View” yesterday which he wrote on behalf of the 8 municipalities that are attempting to challenge the Kiryas Joel annexation. This was in response to the March 8th editorial concerning sustainability. Kiryas Joel wants to

grow. We have a responsibility to provide water to our residents. The coalition continues to meet monthly. The attorney is doing a very good job. Mr. Coyne wants to continue moving in a positive fashion going forward.

Having no further formal business to come before the Board, Mayor Coyne moved to adjourn the meeting into Executive Session at 7:30 PM in order to discuss non-union employment agreements which was seconded by Trustee Carnright and upon a vote of 5 Ayes and 0 Nays, the meeting was declared adjourned.