

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

October 17, 2016

The regular meeting of the Board of Trustees was called to order at 6:30 P.M. The meeting was then adjourned into closed session at 6:31 P.M. to conduct an interview with a candidate for the full-time police position on a motion by Mayor Coyne which was seconded by Trustee Kane and carried by a vote of 3 Ayes and 0 Nays.

The following Board Members were in attendance:

Mayor Brendan G. Coyne
Deputy Mayor Mark J. Edsall
Trustee James P. Kane
Trustee David Carnright (arrived at 6:45 P.M.)

The regular meeting of the Board of Trustees was reconvened at 7:05 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

Absent was: Trustee Kenneth A. Schmidt (Vacation)

Also present were: Police Chief Steven Dixon, 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.

PUBLIC COMMENT

Vania Czumak of 14 Avenue B stated that there is a "speeding issue" on Avenue A. In order to resolve the issue, she suggested that signs be placed along the roadway that read "Village law" and show the speed limit. She showed a picture of a similar sign she found in Monroe to the Village Board.

CORRESPONDENCE

Mayor Coyne reported that this month's correspondence has been incorporated into tonight's agenda.

MINUTES

Mayor Coyne made a motion to accept the September 19, 2016 Business Meeting Minutes as presented which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

TREASURER'S REPORT

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

Village water, sewer, garbage & penalties	\$ 188,111.00
Town water & penalties	472,733.40

which included 4 finals/adjustments for the Village and 5 for the Town.

Warrant #10 — Trustee Camright made a motion to approve October 2016 Warrant #10 and authorize payment of \$481,147.83, which was seconded by Deputy Mayor Edsall and carried by a vote of 4 Ayes and 0 Nays.

Treasurer Mahoney reported that the Village is in receipt of \$4,450,910.79 (62.84%) in anticipated revenues and \$3,947,881.71 (55.74%) in anticipated expenditures through the end of September.

The Sewer Capital Fund balance is \$157,951.83 (including interest) through September 30th. The amount collected in 2016 Village property taxes is \$2,595,163.63 through September 30th.

Treasurer Mahoney reported that the last day to pay Village taxes in her office is October 31, 2016. After that date unpaid taxes will be turned over to the Orange County Commissioner of Finance office for collection.

Ms. Mahoney also reported that she attended NYCOM Fall Training classes in Saratoga Springs from September 12-15th.

BOARD DEPARTMENT REPORTS

Building Department Trustee Camright reported 9 building permits were issued, 11 certificates of compliance/occupancy were issued, 27 onsite inspections were performed, 3 violations were issued (12 Idlewild Ave, 23 Andrews St, and 4 Andrews St), 1 stop work order was issued (87 Duncan Ave — top floor renovation without permit), 4 fire inspections were conducted, and 3 municipal searches were completed. Inspector Maggio worked 80 hours in September.

Fire Department — Deputy Mayor Edsall reported 6 automatic alarms, 3 motor vehicle accidents, 7 medical calls, 1 good intent call, 2 hazardous condition calls, 1 rescue call, 1 mutual aid — to scene call, 1 meeting, 3 training classes, 6 drills, 9 work details, a 9/11 memorial service, and the Orange County Firemen's Parade for a total of 42 events and 454.62 volunteer man hours.

Deputy Mayor Edsall further reported that the annual OCVFA parade was held on September 24th in Monroe (Highland Fire Department Ulster County stood by). Storm King Engine Co. #2 won 1st place - Class B Fire Unit, 1st place - Color Guard and 1st place - Class A Auxiliary. Portable pump training was held on 9/21 and 9/22 with CET Fire Pumps who then donated a new pump for use on the rescue boat for fire suppression purposes. A Live Burn drill will take place on 10/23 at the Orange County Fire Training Center, an Orange County disaster drill will take place on 10/29 at the City of Newburgh (we will provide an engine to participate in the drill), fire prevention classes at local schools were held in conjunction with fire prevention week (10/9-10/15), pump repairs have been completed on E412 and E411, preliminary discussions are ongoing with manufacturers for the possible purchase of a pumper-tanker, preliminary work on the firehouse improvement grant projects is ongoing, and basement flood remediation discussions are ongoing.

Mr. Edsall reported that the rescue boat is in service and training has been completed. The Orange County Hudson River Response Plan has been modified and the rescue boat is now part of this plan.

Police Department Trustee Kane reported 1 felony criminal mischief, 2 misdemeanor order of protection violations, 2 misdemeanor criminal mischief, 2 misdemeanor petty larcenies, 2 misdemeanor harassments, 2 misdemeanor arrests, 1 violation arrest, 1 warrant arrest, 2 personal injury accidents, 6 property damage accidents, 22 traffic summons issued, 17 traffic warnings issued, 11 parking summons issued, 7 fire response calls, 2 domestic incident calls, 6 alarm response calls, 6 noise complaints, 1 suspicious person call, 4 suspicious vehicle calls, 5 suspicious activity calls, 6 animal complaints, 1 disorderly adult call, 2 disorderly juvenile calls, 2 assists to the Town of Cornwall Police Department, 13 EMS assist calls, 7 assists to other agencies, 2 welfare checks, and 3 assists to citizens for a total of 370 total calls for service.

Trustee Kane further reported that during the month of September the department continued participating in Orange County "STOP-DWI" enforcement, and P.O.'s Terwilliger and McGann attended "High in Plain Sight, Current Drug Trends" training in Goshen.

BUDGET AMENDMENT

Upon the recommendation of Chief Dixon, Deputy Mayor Edsall made a motion authorizing a budget amendment to increase General Fund Revenue — Gifts/Donations (A2705) by \$1,500.00 and General Fund Expenditure - Police Expense (A3120.4) by \$1,500.00. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays. This money was donated by the Cornwall Chamber of Commerce who sponsored their 5th Annual Car Show in September to benefit the Town of Cornwall and Village of Cornwall-on-Hudson police departments.

Department of Public Works — Trustee Carnright reported mowing and trimming of Village owned properties, repairs and maintenance to Village owned vehicles, weekly yard waste collection, cleaning of catch basins, sweeping of streets, sewer main maintenance, completion of repairs and blacktop to "wash out" areas on the Boulevard, replacement of storm drain pipe under Partridge Road, removal of tree stump on Spruce St., planting of 2 trees at Donahue Memorial Park, and purchase of new poly sander for 1 ton pickup (wire tested ready for service).

Trustee Carnright further reported that Fall Bulk pick up began on October 17th. In addition DPW Superintendent Halvorsen will attend NYCOM Public Works School from October 16-19th.

Water Department — Trustee Kane reported an average daily production of 967,000 gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 21). A total of 72 utility mark-outs were done, 8 meters were replaced, 10 miscellaneous repairs were completed, and 8 final meter readings were done. A water main was repaired on Tamara Ln and Main St, a water service line was replaced to 188 and 190 Main St, a 16" main water valve was replaced on Hasbrouck Ave, grass was cut at all water department properties, all system PRV's were serviced, 2 fire hydrants were repaired, a broken gate to the Maple Road tank was removed (a contractor will replace it), and the department assisted Town of Cornwall Highway Department with tar and chipping/paving town roads.

It was also reported that Water Superintendent June receives many notices each year from the NYS Department of Environmental Protection (DEP) of shutdowns and partial shutdowns of the aqueduct. During these periods his department transfers water production from the Catskill Filter Plant to one of our other sources and uses these times to perform routine maintenance to the plant. Mr. June and the 2 water plant operators are in frequent contact with the DEP and he personally approves any and all changes or adjustments that will be required to our water system. Mr. June will inform the Board and public if any changes to our operation may call for any type of water restrictions; however, the Village is fortunate to have 3 water sources to draw from.

RESOLUTIONS

ROBERT SHOWLER RETIREMENT

Mayor Coyne made a motion to accept the resignation/retirement of Robert (Bob) Showier, effective November 1, 2016, and wishes him well. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays. Mr. Coyne stated that Bob was a reliable leader in our Department of Public Works for many years and will be missed.

Deputy Mayor Edsall stated Mr. Showier was a long-time Village employee who did a "terrific job". Bob's talents and good attitude will be missed and he wishes him the best.

ELECTION RESOLUTION

Trustee Kane made a motion providing notice that public voting for the election of Mayor and two Trustees, for terms of two years, will be held from noon to 9 p.m. on March 21, 2017, which was seconded by Trustee Carnright and carried by a vote of 4 Ayes and 0 Nays.

Mayor Coyne announced that it is his intention to run again for the office of Mayor.

Trustee Carnright announced that he also plans to run again for the office of Trustee and hopes the public will support him.

Deputy Mayor Edsall stated that it has been his "pleasure to serve the Village for several years" and he would love to continue to serve the Village.

ANNUAL SUPPLY BIDS

Mayor Coyne made a motion to approve the bid documents and specifications, authorize bidding and the publication of the notice to bidders indicating that bids will be accepted until 2:00 PM on November 10, 2016 for Water Treatment Chemicals, which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

Mayor Coyne made a motion to approve the bid documents and specifications, authorize bidding and the publication of the notice to bidders indicating that bids will be accepted until 2:15 PM on November 10, 2016 for Water Meters, which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

Mayor Coyne made a motion to approve the bid documents and specifications, authorize bidding and the publication of the notice to bidders indicating that bids will be accepted until 2:30 PM on November 10, 2016 for #2 Fuel Oil & "Off Road Diesel", which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

Mayor Coyne made a motion to approve the bid documents and specifications, authorize bidding and the publication of the notice to bidders indicating that bids will be accepted until 2:45 PM on November 10, 2016 Sludge Removal Services, which was seconded by Trustee Carnright, and carried upon a vote of 4 Ayes and 0 Nays.

ORANGE COUNTY PROPERTY TAX EXEMPTION RESOLUTION

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

WHEREAS, the Village of Cornwall-on-Hudson is the owner of real property in the Town of Cornwall and Town of New Windsor, County of Orange, identified on the tax map as follows:

	SECTION	BLOCK	LOT
Cornwall	32	1	17
	4	2	56
	29	1	50
	29	1	54
	31	1	15
	32	1	8.1
New Windsor	65	1	20

AND, WHEREAS, the above real property is devoted solely to public use and part of the Village owned water system as the sites for water wells, plant treatment, chlorinator and water shed; and

WHEREAS, the Real Property Tax Law, Section 406(3) provides the authority for each taxing district in which municipally owned property used in such manner is located, to grant a whole exemption from real property taxes levied by that taxing district; and

WHEREAS, such exemption for the Village of Cornwall-on-Hudson water supply site real property would provide a direct and immediate benefit for the taxpayers and water users of the Village of Cornwall-on-Hudson which would enhance real property ownership, encourage industrial and commercial development and exemplify a spirit of intermunicipal cooperation between the County of Orange and this Village.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Cornwall-on-Hudson on behalf of the Village of Cornwall-on-Hudson, its taxpayers, water system users and citizens hereby petition the County of Orange, Town of Cornwall, and Town of New Windsor to grant a whole exemption from State, County, and Town real property taxes commencing for calendar year 2018 for the parcels of real property identified above in the Town of Cornwall and Town of New Windsor.

	SECTION	BLOCK	LOT
Cornwall	32	1	17
	4	2	56
	29	1	50
	29	1	54
	31	1	15
	32	1	8.1
New Windsor	65	1	20

AND IT IS FURTHER RESOLVED, that the Mayor and Village Attorney are authorized to attend such meeting of the Orange County Legislature and Committees thereof as may be appropriate to aid and assist in the deliberations in this petition by that body.

The foregoing resolution was seconded by Trustee Carnright, and upon a vote of 4 Ayes and 0 Nays, the Mayor declared the resolution adopted on October 17, 2016.

CORNWALL LIONS FALL HARVEST RACE

Mayor Coyne made a motion to approve the Cornwall Lions "Fall Harvest" race on November 13th, authorize participants to use the Village Hall parking lot, and provide extra police coverage if needed which was seconded by Deputy Mayor Edsall and carried upon a vote of 4 Ayes and 0 Nays.

Trustee Kane stated that he looks forward to another "great race", and reported that an insurance certificate will be provided to the Village shortly.

DPW LABORER POSITION APPOINTMENT

Upon the recommendation of DPW Superintendent Halvorsen, Trustee Kane made a motion to appoint Connor Watts 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, physical examination, and drug screening. The appointment is further subject to Mr. Watts maintaining a valid driver's license during the length of his employment with the Village. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

NYS EFC DRINKING WATER STATE REVOLVING FUND (DWSRF) — TAYLOR ROAD WELL FIELD UPGRADES

Clerk Mahoney reported that the Village's application for short-term financing through the DWSRF program is on the intended use plan for project financing and therefore eligible for low-cost financing. In order to complete our application the Village must provide executed agreements for local counsel, bond counsel, and engineering on this project.

Deputy Mayor Edsall made a motion authorizing Mayor Coyne to execute agreements with Catania, Mahon, Milligram & Rider, PLLC (local counsel), Orrick, Herrington & Sutcliffe, LLP (bond counsel), and Maser Consulting PA (engineering) for the Taylor Road Well Field Upgrade project. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

OTHER BUSINESS

FULL-TIME POLICE OFFICER APPOINTMENT

Mayor Coyne reported that the Board interviewed a candidate for the vacant full-time police officer position earlier this evening. This item was tabled for closed discussion with counsel later this evening. The Board may reconvene to take action.

COMPREHENSIVE PLAN COMMITTEE

Mayor Coyne reported that the Comprehensive Plan Committee held their first meeting last month and they are off to a "good start". Their next meeting will take place on October 27th.

ROAD REPAIRS

Mayor Coyne reported that because the Village made additional road repairs in the Homeland and Avenue A area, a fund balance transfer will be needed. He tabled action on this transfer until the November business meeting.

CORNWALL VOLUNTEER AMBULANCE CORP (COVAC) CONTRACT

Mayor Coyne reported that COVAC is preparing to "go out on their own". This would require the Village to enter into a contract with COVAC for ambulance service. Town Supervisor Randazzo has offered to meet with the Village Board to discuss this issue. After some discussion, Mayor Coyne will invite Supervisor Randazzo to speak with the Board prior to the start of the November work session.

2017-2018 BUDGET

Mayor Coyne reported that he sent a memo to all department heads requesting they submit their draft budgets to him by November 1st.

CODE CHANGE REQUEST — LIVESTOCK IN VILLAGE

Mayor Coyne received a request from a resident to change Village Code 48-1 which pertains to the prohibition of certain animals from running at large. The resident would like the Village to prohibit the keeping of roosters within Village limits. After some discussion, Mayor Coyne asked Attorney for the Village McKay to draft a local law to revise the existing code to address this issue.

FISCAL STRESS SUMMARY

Mayor Coyne is in receipt of a "Fiscal Stress Summary" from the NYS Comptroller's Office based upon their review of our 2016 Annual Update Document (AUD). As of December 31, 2015, the Village is

once again classified as "No Designation" (which means we are not experiencing fiscal stress) with a score of 13.1%. In 2015 our score was 14.2%, and in 2014 our score was 17.5%.

HALLOWEEN CURFEW

Mayor Coyne reported that issuance of a local emergency order on Halloween is under consideration.

AVENUE A TRAFFIC

Mayor Coyne met with 6 residents of Avenue A last week to discuss their concerns related to speeding traffic. The residents submitted a petition with 67 signatures asking the Village Board to take action that will reduce speed. Some suggestions are to install speed bumps, a 3-way stop sign, and/or lower the speed limit. After some discussion Mayor Coyne tabled this item for discussion at the November work session. Mr. Coyne will also discuss this item further with DPW Superintendent Halvorsen.

KJ ANNEXATION LAWSUIT

Attorney for the Village McKay reported that the recent decision of Justice Gretchen Walsh pertains to the Article 78 action filed by the municipal coalition regarding the request to annex 164 acres from the Town of Monroe. In this case, the annexation petitions were approved by both the Village of Kiryas Joel and the Town of Monroe. Her 97-page decision went through issues of standing (determining which municipalities could continue the lawsuit), challenges to the petition itself, and determined that there was "substantial compliance" with the statute and that the petitions were valid. A specific challenge the municipal coalition took concerned the State Environmental Quality Review (SEQR) of the annexation. The Village of Kiryas Joel designated itself as the lead agency to conduct that review, performed the General Environmental Impact Statement (GEIS) over a 10-year period, and concluded that there would be essentially no adverse environmental impacts. The judge's decision to deny the challenge on this issue gives a "superficial standard" of review for annexations. Judge Walsh's decision also gave a "de facto" approval to the annexation.

Justice Walsh made no decision on the petition filed challenging the 507-acre annexation request. That matter is currently before the Appellate Division.

Mayor Coyne reported that the Village of Cornwall-on-Hudson, Town of Cornwall, Village of Harriman, and Village of Monroe have been taken out of the lawsuit because we "don't have standing". The coalition of municipalities plans to meet on Tuesday to discuss a possible appeal.

NON-UNION EMPLOYEES' AGREEMENT

Deputy Mayor Edsall reported that he and Trustee Kane need to schedule individual meetings with nonunion employees'.

FYI

TREES DEDICATION — DONAHUE MEMORIAL PARK

Mayor Coyne thanked Village resident Mrs. Dean Satterly for recently dedicating 2 dogwood trees at Donahue Memorial Park in honor of her friends Betty Hinkle and Lynne Mills.

DOMESTIC VIOLENCE AWARENESS MONTH

Mayor Coyne announced that October is Domestic Violence Awareness month.

ORANGE COUNTY PARTNERSHIP — BREAKFAST

Mayor Coyne reported that he attended a breakfast on October 6th that was sponsored by the Orange County Partnership. The Legoland proposal was discussed.

VILLAGE-WIDE YARD SALE & APPLE TIME FAIR

Mayor Coyne reported that the Village-wide Yard Sale and Apple Time Fair took place on October 15th. Both events went well with no reported problems.

HUDSON RIVER SNAPSHOT DAY

Mayor Coyne announced that the Willow Avenue fourth graders will hold the annual "Hudson River Snapshot Day" at Donahue Memorial Park on Thursday, October 20th.

WALDEN SAVINGS BANK —40 YEARS IN CORNWALL-ON-HUDSON/COMMUNITY SHRED DAY

Mayor Coyne reported that Walden Savings Bank will celebrate its 40th anniversary in Cornwall-on-Hudson on Friday, October 21st. In addition the bank will host a "Community Shred Day" on Saturday, October 22nd.

Deputy Mayor Edsall stated that he has been a customer of Walden Savings Bank since they first opened the Cornwall-on-Hudson branch. It is a responsive and nice local bank with "great people".

Trustee Carnright reported that his wife Louise was their first bank teller at the Cornwall-on-Hudson branch along with former Trustee Phyllis Pryne.

TREES FOR TRIBS PLANTING

Mayor Coyne reported that he, representatives from the NYS DEC, and students from Storm King School and New York Military Academy will replace invasive plants with native bushes and plants at Pagenstecher Park on October 29th.

CORNWALL WALK/RUN FOR CANCER

Mayor Coyne reported that the Cornwall "Walk/Run For Cancer" event will take place on Saturday, October 29th.

BOARD ACTIVITIES/COMMENTS

Mayor Coyne, Deputy Mayor Edsall, Trustee Kane, and Trustee Carnright offered their best wishes Bob Showier in his retirement.

Having concluded the business set before them, Mayor Coyne made a motion to adjourn the business meeting into a closed meeting to receive advice of counsel at 8:05 PM with the Attorney for the Village to discuss the full-time police officer candidate and a personnel issue regarding a particular employee in the Water Department. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays. Mayor Coyne noted that the Board may reconvene after closed session in order to take action.

The meeting was reconvened at 8:35 PM on a motion by Mayor Coyne, seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

FULL-TIME POLICE OFFICER APPOINTMENT

Upon the recommendation of Police Chief Dixon, Deputy Mayor Edsall made a motion to authorize the hiring of Theodore Dawydko to the position of full time Police Officer, in accordance with the current PBA contract provisions provided for an officer with 3 years of service with the Village, and with a six (6) month probationary period. Such credit of 3 years' service will not apply in connection with longevity. Hiring of Mr. Dawydko is subject to the Village receiving written acknowledgement from the P.B.A. and union that they have no objections to the provisions of such hiring, with the Attorney for the Village to contact legal counsel for the union to discuss such details. Should the written acknowledgement be received, the effective date of hire will be November 1, 2016. This motion was seconded by Trustee Kane and carried by a vote of 4 Ayes and 0 Nays.

Having concluded the business set before them, Trustee Kane made a motion to adjourn the meeting back into a closed meeting to receive advice of counsel at 8:37 PM to discuss a personnel issue regarding a particular employee in the Water Department. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.