

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

July 17, 2017

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, Assistant Fire Chief Michael Trainor, and Village Clerk Jeanne Mahoney.

Absent was: Attorney for the Village Joseph McKay (attending a meeting in So. Blooming Grove – arrived at 8:25 P.M.)

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.

Mayor Coyne welcomed Edward Tapia (the Cornell summer intern working with the Village to update our roads program), and the Boy Scouts in attendance this evening.

PUBLIC COMMENT

Carol O’Keefe of 2 Payson Road stated that the movie night this past Saturday at Donahue Memorial Park was “fantastic”. In addition Ms. O’Keefe stated that she is very pleased with this year’s Summer Playground program.

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 June 19, 2017 Business Meeting Minutes as prepared which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

TREASURER'S REPORT

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

Village water, sewer, garbage & penalties	\$289,762.17
Town water & penalties	186,518.98

which included 4 finals/adjustments for the Village and 2 for the Town.

Warrant #7 — Trustee Carnright made a motion to approve the July 2017 Warrant #7 and authorize payment totaling \$90,587.28, 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 \$3,735,332.03 (50.49%) in anticipated revenues and \$2,034,753.69 (27.50%) in anticipated expenditures through the end of June.

The amount collected in Village taxes is \$2,683,054.23 through June 30th.

The Sewer Capital Fund balance is \$180,818.67 (including interest) through June 30th.

Ms. Mahoney further reported that Verizon technicians were onsite June 20th and 22nd to repair the copper line for police tie-line and move other lines off copper to fiber-optic. The phones and alarms seem to be working at this time. She provided three proposals for phone system upgrades to the Village Board for review and acceptance. Mayor Coyne tabled action on this item until later in tonight’s agenda.

BOARD DEPARTMENT REPORTS

Building Department Trustee Carnright reported 15 building permits were issued, 27 certificates of compliance/occupancy were issued, 31 onsite inspections were performed, 4 violations were issued (21 Meadow Ave-high grass, 218 Hudson St-fence without permit, 25 Avenue A-demolition without permit, and 34-36 Duncan Avenue-work without permit), 2 stop work orders were issued at 25 Avenue A and 34-36 Duncan Avenue, 8 fire inspections were conducted, and 2 municipal searches were completed. Inspector Maggio worked 80 hours in June.

Fire Department — Deputy Mayor Edsall reported 1 automatic alarm, 2 medical calls, 4 motor vehicle accidents, 6 mutual aids, 1 public service, 1 hazardous condition, 1 good intent call, 2 meetings, 6 drills, 1 fund raising detail-River-fest, 4 public relations details, 1 fire prevention detail, and 1 work detail for a total of 32 events and 589.94 volunteer man hours.

Deputy Mayor Edsall further reported that the fire company awarded seven scholarships to recent CCHS graduates, the annual Fireman’s Fair will be held July 26th thru July 29th, Boat #416 is out of service (looking for a new motor), the NYS Dormitory Authority of the State of New York (DASNY) grant has passed through the financial review process and is on to the audit process, and the NYS Department of Labor consultation took place (a few deficiencies were noted) and will provide a final

report. The department has begun taking corrective action in advance of the report, and once the deficiencies are corrected there will be no follow up inspections for at least three years.

Police Department Trustee Kane reported 1 felony criminal mischief, 1 misdemeanor fraud, 1 misdemeanor criminal mischief, 2 misdemeanor petty larceny, 1 misdemeanor harassment, 1 felony arrest, 7 misdemeanor arrests, 3 personal injury accidents, 7 property damage accidents, 64 traffic summons issued, 35 traffic warnings issued, 18 parking summons issued, 6 traffic enforcement posts, 4 fire response calls, 5 domestic incident calls, 9 alarm response calls, 7 noise complaints, 1 suspicious person call, 10 suspicious vehicle calls, 4 suspicious activity calls, 7 animal complaints, 2 disorderly juvenile calls, 11 assists to the Town of Cornwall Police Department, 3 EMS assist calls, 1 assist to other agencies, 1 welfare check, and 2 assists to citizen for a total of 442 total calls for service.

Trustee Kane further reported that the police department participated in the Governors Traffic Safety Committee (“GTSC”) and Orange County “STOP-DWI” traffic enforcement grants, and assisted with traffic/security for River-fest, and CCHS junior and senior prom photo taking events at Donahue Memorial Park.

The Police Department has secured a \$40,000 NYS Department of Criminal Justice Services (DCJS) grant from Senator Larkin’s office for a new patrol vehicle (to replace 2006 Dodge Charger). The Village Board and police chief thanked Senator Larkin for his efforts.

Department of Public Works — Trustee Schmidt reported 114.22 tons of trash, 26.56 tons of recycling, and 75 yards of yard waste was collected. In addition, the department continued mowing and trimming of Village owned properties, sewer main maintenance, catch basin cleaning and repairs, sweeping of streets, blacktop patching, trimming of trees and bushes along Hudson Street sidewalks, removal of trees (Idlewild Park Dr., Boulevard, Prospect St, Weeks Avenue, and Taylor Place), replaced 18” culvert pipe and removed manhole from yard on Duncan Avenue, repairs to sidewalk on Idlewild Avenue, repairs and maintenance to Village owned vehicles, prepared riverfront park area and setup for River-fest, assisted fire department moving equipment for River-fest, and assisted police department with traffic control devices at riverfront park and Shore Road for senior prom.

Trustee Schmidt further reported that the DPW Superintendent’s new vehicle has been delivered and is in service. The Code Enforcement Officer is now utilizing his former vehicle (2012 Ford Escape).

Mayor Coyne introduced Edward Tapia, our summer intern from Cornell University who has spent several weeks updating our road inventory program and is performing a street sign inventory.

Mr. Tapia reported that Village roads have improved since the last inventory was done 3 years ago. This improvement is primarily due to the road maintenance that has been done. The “Pavement Condition Index” (PCI) average has increased from 75 to 77.5 which is “pretty significant”. Mr. Tapia also reported that he has been doing a street sign inventory and mapping them throughout the Village. The Village Board thanked Mr. Tapia for his efforts.

Mayor Coyne stated that DPW Superintendent Halvorsen spent approximately \$100,000 out of contingency money each of the past 2 years to repave additional Village roads. DPW Superintendent Halvorsen reported that he plans to repave Duncan Avenue from Hudson Street to Ridge Road this year.

Mayor Coyne stated that he is “very pleased” with efforts over the past few years to improve Village road conditions.

Water Department — Trustee Carnright reported an average daily production of 900,000 gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 44). A total of 12 meters were replaced, 12 miscellaneous repairs were completed, and 5 final meter readings were done. Curb boxes were repaired at 71 Duncan Avenue, 11 Bede Terrace and 80 Quaker Avenue, water service was turned off at 4 Derby Lane, water service was turned on at 59 Deer Hill Road and Redden garden on Deer Hill Road, pump B-1 was reinstalled at Maple Road pump station and pump B-2 was removed for repairs. In addition the department mowed all dams, weed wacked all fire hydrants, inspected all pressure reduction valves (PRV’s), removed hydrant markers and inspected hydrants, repaired air valve at Riley Road connection to Catskill Aqueduct, assisted City of Middletown DPW with cutting of their dams, all department personnel attended in-house safety training, and Mike Trainor attended continuing education class for water treatment license.

Water Superintendent June will be on vacation from July 14th thru July 23rd.

Deputy Mayor Edsall reported that fire flow testing was performed throughout the water system. Areas were identified that need future improvements. This was done in conjunction with Insurance Services Organization (ISO) reporting.

Mayor Coyne asked for a Moment of Silence in honor of former Village of Cornwall-on-Hudson Police Chief Richard (Rick) Douglass who passed away on July 1st. Chief Douglass served the Village and it’s residents for 30 years and will be sadly missed.

RESOLUTIONS

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

INTRODUCTORY LOCAL LAW ENTITLED “REMOVAL OF DOUBLE UTILITY POLES” REQUIRING UTILITY COMPANIES TO REMOVE INACTIVE, DAMAGED OR REPLACED UTILITY POLES WITHIN THE VILLAGE

WHEREAS, the Village Board desires to require utilities that use Village highways, streets, roads and rights-of-way to promptly remove their plants, cables, lines, equipment, and terminals from old and damaged poles; and

WHEREAS, the Village Board desires to require the prompt removal of double “zombie” poles once all plants, cables, lines, equipment, and terminals have been removed;

WHEREAS, the Village Board wishes to set a time and place for a public hearing to consider this proposed local law;

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 let it be further

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

RESOLVED, that a public hearing be held by the Village Board in order to receive comments and suggestions regarding the proposed local law entitled “Removal of Double Utility Poles”, requiring utility companies to remove inactive, damaged or replaced utility poles within the Village, and to receive any comments concerning the potential adverse environmental impacts of the proposed legislation in accord with SEQRA, on August 21, 2017, at 7:00 p.m., or as soon thereafter as it may be heard, 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 public notice of said hearing to be given as provided by law.

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

WORKPLACE VIOLENCE PREVENTION PROGRAM

Mayor Coyne reported that the Workplace Violence Prevention Committee has drafted a policy regarding workplace violence prevention program and it has been previously distributed to the Village Board for review.

Mayor Coyne made a motion to adopt the Workplace Violence Prevention Program Policy which was prepared with the participation of authorized employee representatives from the CSEA and PBA. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

CORNWALL PRESBYTERIAN CHURCH – PICNIC AT DONAHUE MEMORIAL PARK

Mayor Coyne made a motion to approve Cornwall Presbyterian Church’s request to hold a worship service and church picnic at Donahue Memorial Park on Sunday, September 10, 2017 from 9:00 AM – 2:00 PM. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

OTHER BUSINESS

VILLAGE PHONE SYSTEM

The Village Clerk provided the Board with proposals to upgrade the Village's phone system from Magna5 (formerly known as Cornerstone), Jive, and ITC. It was noted that the proposals from Magna5 and Jive were for "phone kits" and to place our phone system in the "cloud". The proposal from ITC would not only place our system in the "cloud" but is also a lease agreement for all new phone equipment in Village, DPW, and the fire department.

After some discussion, Deputy Mayor Edsall made a motion authorizing Mayor Coyne to execute a lease agreement with Independent Telecommunications Corporation (ITC) for new phone equipment and a new "cloud based" telephone services for a monthly payment of \$1,334.79 for Village Hall, DPW, and the fire department. It was noted that a separate proposal will be obtained for the Water Department. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

COVAC AGREEMENT

Mayor Coyne tabled discussion on this item for Attorney-Client session later this evening.

ACCESSORY APARTMENTS

Mayor Coyne tabled discussion on this item for Attorney-Client session later this evening.

BLACKROCK WATER TREATMENT PLANT CLEARWELL: BILLS

Mayor Coyne tabled discussion on this item for Attorney-Client session later this evening.

KIRYAS JOEL – TOWN

Mayor Coyne reported that Kiryas Joel (KJ) is advancing its efforts to dissolve the Village of Kiryas Joel and become the Town of Palm Tree. Hearings will take place next month. Mayor Coyne has questions of how this plan will affect the coalition lawsuit against KJ's annexation and will speak with Attorney for the Village McKay and other members of the coalition in advance of the hearing date(s).

NY POWER AUTHORITY: ENERGY EFFICIENCY PROGRAM – LED STREET LIGHTING PROJECT

Mayor Coyne reported that he attended a meeting today with representatives from the Town of Cornwall, Cornwall Conservation Advisory Committee (CAC) and from NY Power Authority. Mayor Coyne expects to receive a contract to save money on LED street lighting shortly. Mayor Coyne may wish to schedule a joint meeting with the Town Board to discuss this item further.

COMPREHENSIVE PLAN COMMITTEE – UPDATE

Deputy Mayor Edsall reported that last month the Comprehensive Plan Committee adopted a breakdown of the format for the proposed comprehensive plan. The July meeting has been cancelled so the committee will next meet on August 24th.

VILLAGE CODE BOOK: UPDATING

Clerk Mahoney provided the Village Board with a proposal from General Code Publishers to update the Village Code Book in the amount of \$13,400.00. Deputy Mayor Edsall stated that the Comprehensive Plan Committee will be updating the Subdivision and Zoning portions of the Code Book as part of their review process so it isn't necessary to have General Code repeat this effort. After some discussion, the Board decided that the General Code proposal is cost prohibitive and it was rejected.

SUMMER RECREATION PROGRAM: UPDATE

Trustee Schmidt reported that the camp has gotten off to a “great start” with about 110 registered campers. Campers enjoy swimming in the town pool on Mondays and Wednesdays, and last Friday they visited Storm King Art Center. Additional trips are planned for Splashdown, Tarsio Bowling, and the Fireman’s Fair.

Mayor Coyne added that he donated milkweed seeds to the program and is encouraging campers to plant them to help the monarch butterflies and environment.

MOVIES ON THE HUDSON: REPORT ON JULY 15, 2017 PREMIERE

Mayor Coyne introduced Michael Trainor who is heading the group “Movies on the Hudson” to report on the July 15th premiere event of “E.T” on the Hudson.

Mr. Trainor reported that the premiere was a great success with approximately 250-300 people in attendance. Former Mayor Ed Moulton led the evening off with a history of Donahue Memorial Park. The CSX officer was very helpful. West Point Tours bus brought 52 people down to the park and brought many more back up Dock Hill Road when the movie was over. The next movie will be “Goonies” on the Hudson and Mr. Trainor asked to move the date from Saturday, August 12th to August 26th.

Hearing no objection from the Board, Mayor Coyne made a motion approving the change of date for the next Movies on the Hudson from August 12, 2017 to August 26, 2017. The motion was seconded by Deputy Mayor Edsall and carried upon a vote of 5 Ayes and 0 Nays.

The Village Board thanked Mr. Trainor for a “great job” in putting this event together and gathering local talent to make it happen.

RESTAURANT PATIO – RIVER AVENUE

Mayor Coyne tabled discussion on this item for Attorney-Client session later this evening.

FYI

CAR WASHES

Mayor Coyne reported that the CCHS Cheerleading Squad will hold a car wash on Saturday, July 29th and the National Honor Society will hold a car wash on Sunday, August 13th. Both events will take place in the Village Hall parking lot.

WEDDING PHOTOS

Mayor Coyne reported that wedding photos will be taken at Donahue Memorial Park on Saturday, August 5th.

UNDERGROUND RAILROAD

Mayor Coyne reported that Kathleen Christensen, the Village Historian will host a presentation on the Underground Railroad on Thursday, September 14th.

Mayor Coyne thanked the Boy Scouts for coming this evening and offered assistance if they ever have any questions.

BOARD ACTIVITIES/COMMENTS

Trustee Schmidt offered his condolences to the Douglass family on their loss.

Mr. Schmidt attended the movie night this past Saturday and congratulated Mike Trainor and his committee for a job well done. In addition Mr. Schmidt thanked DPW Superintendent Halvorsen and his crew for doing such a great job removing trees and branches along Idlewild Park Drive. They worked diligently to make the area spotless.

Trustee Carnright also congratulated Mr. Trainor and his committee saying movie nights on the Hudson was a great idea. Mr. Carnright also enjoyed the Sunday evening music concert at Town Hall.

Mr. Carnright offered his condolences to the Douglass family. Former Chief Rick Douglass not only a police chief, he was a great guy who always had a kind word for everyone, was well respected, and a local graduate who knew everyone and everyone knew him. Mr. Carnright attended the wake and it was good to see Rick's brother, Tom who was also a long-time Village police officer.

Trustee Kane also offered his condolences to the Douglass family. In addition, Mr. Kane offered condolences to the family of fellow American Legion member Ed Flynn who passed away on July 14th. Mr. Flynn was a big supporter of the American Legion and will be missed.

Mr. Kane also thanked Mr. Trainor and his entire committee for an outstanding job. He attended the movie event and it was a great evening.

Deputy Mayor Edsall offered his condolences to the Douglass family. Mr. Edsall had the pleasure of growing up in this community and everyone knew Chief Rick Douglass. Rick had a kind and wonderful way about him but could also be a good authority figure when he needed to be. Mr. Edsall recently spoke with former New Windsor Police Chief Walt Koury who shared that he and Chief Douglass were the only two chiefs in Orange County with college degrees at that time. It is now requirement to have a college degree in order to be eligible for a police chief position. His brother Tom was a great officer for many years in this Village as well.

Mr. Edsall also thanked Mike Trainor and his Movies on the Hudson committee for all the work they put into organizing the movie event. It was certainly a job well done.

Mayor Coyne also offered his condolences to the Douglass family. Although Mayor Coyne did not know Rick well, in the few times he interacted with him before becoming mayor, he found him to be a “fair” man and a great asset to our police department and community.

Mayor Coyne also thanked Mike Trainor and his committee. It is a “hallmark” that people come together as a community and can organize a successful event such as this movie night. Mayor Coyne is glad there is now another reason for our residents to enjoy the riverfront.

Having concluded the business set before them, Deputy Mayor Edsall made a motion to recess the business meeting at 7:54 P.M. The Board will reconvene and may take action before adjourning into a closed meeting to receive advice of counsel once Mr. McKay arrives this evening to discuss legal issues involving the COVAC contract, the proposed local law pertaining to Accessory Apartments, the Black Rock Clearwell Change Order, and the Restaurant Patio. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

The meeting was reconvened at 8:20 PM on a motion by Trustee Kane, seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

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

INTRODUCTORY LOCAL LAW AMENDING CHAPTER 172-70 AND CHAPTER 172-48.3 OF THE CODE OF THE VILLAGE OF CORNWALL-ON-HUDSON REGARDING ACCESSORY APARTMENTS

WHEREAS, the Village Board desires to amend Chapter 172-70 of the Code of the Village of Cornwall-on-Hudson by replacing the existing definition of “Accessory Apartment”; and

WHEREAS, the Village Board desires to amend Chapter 172-48.3 of the Code of the Village of Cornwall-on-Hudson by replacing the existing §172-48.3 entitled “Accessory apartment regulations” with a new §172-48.3; and

WHEREAS, the Village Board wishes to set a time and place for a public hearing to consider this proposed local law;

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 let it be further

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

RESOLVED, that a public hearing be held by the Village Board in order to receive comments and suggestions regarding the proposed local law amending Chapter 172-70 and Chapter 172-48.3 of the Code of the Village of Cornwall-on-Hudson regarding Accessory Apartments, and to receive any comments concerning the potential adverse environmental impacts of the proposed legislation in accord with SEQRA, on August 21, 2017, at 7:00 p.m., or as soon thereafter as it may be heard, 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 public notice of said hearing to be given as provided by law.

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

BLACKROCK WATER TREATMENT PLANT CLEARWELL: BILLS

Mayor Coyne made a motion authorizing payment of \$19,490.01 to PVS Construction in accordance with work performed under payment request #5. Payment of \$29,999.25 for Change Order #2 is not authorized at this time. The motion was seconded by Deputy Mayor Edsall and carried upon a vote of 5 Ayes and 0 Nays.

Attorney for the Village McKay arrived at 8:25 P.M.

Having concluded the business set before them, Mayor Coyne made a motion to adjourn the business meeting at 8:27 P.M into a closed meeting with Attorney for the Village McKay to discuss legal issues involving the COVAC contract, the proposed local law pertaining to Accessory Apartments, and the Restaurant Patio. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.