

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

August 21, 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 David Carnright
Trustee Kenneth A. Schmidt

Also present were: DPW Superintendent David Halvorsen, Water Superintendent Robert June, Attorney for the Village Joseph McKay, and Village Clerk Jeanne Mahoney.

Absent was: Trustee James P. Kane (Vacation)

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 HEARINGS

A LOCAL LAW CREATING A NEW CHAPTER 153 OF THE VILLAGE CODE OF THE VILLAGE OF CORNWALL-ON-HUDSON, NEW YORK ENTITLED “REMOVAL OF UTILITY POLES”, REQUIRING UTILITY COMPANIES TO REMOVE INACTIVE, BROKEN OR REPLACED UTILITY POLES WITHIN THE VILLAGE

Proof of Notice, Affidavit of Posting and Publication having been furnished, the Public Hearing on a Local Law Creating a new Chapter 153 of the Village Code of Cornwall-on-Hudson entitled “Removal of Utility Poles” requiring utility companies to remove inactive, broken or replaced utility poles within the Village was called to order at 7:01 PM on a motion by Mayor Coyne, seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

Trustee Schmidt stated that he will be happy to see the double utility poles come down.

Trustee Carnright stated that we’ve done a good job in conjunction with Central Hudson and our attorney to get this local law drafted. There has been a lot of ongoing litigation involving these “double” poles which are left sometimes for extended periods waiting for all utility lines to be moved. He hopes this law will “clean things up” and hopes the utility companies will get “on board”.

Deputy Mayor Edsall stated that he also appreciates the efforts of Trustee Kane who worked out the final details with the Attorney for the Village. Mr. Edsall is comfortable with the law as proposed.

Mayor Coyne stated that we've been working on this issue for some time. Double utility poles have become a "nuisance" and he has been getting complaints about them for some time now. He appreciates the efforts of Trustee Kane, Attorney for the Village McKay and Central Hudson representatives in drafting this local law.

Hearing no one speak for or against the introductory local law, Deputy Mayor Edsall made a motion to close the public hearing at 7:03 PM which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

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

Proof of Notice, Affidavit of Posting and Publication having been furnished, the Public Hearing on a Local Law Amending Chapter 172-70 and Chapter 172-48.3 of the Code of the Village of Cornwall-on-Hudson Regarding Accessory Apartments was called to order at 7:04 PM on a motion by Mayor Coyne, seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

Mary Aspin (member of the Village Comprehensive Plan Committee) of 6 Pine Street stated that she has not reviewed the proposed local law. She would like a copy so the Comprehensive Plan Committee can review it at their August 26th meeting. Ms. Aspin stated that she has several concerns regarding the existing law on accessory apartments. Does this proposed local law:

1. Limit the number of cars that an accessory apartment can park on site?
2. Limit number of accessory apartments permitted each year in the Village as a whole, neighborhood or block?
3. When the residential home with accessory apartment is sold will the permit for the apartment be reviewed before it is transferred to the new owner?
4. Are there accessory apartment permit renewal fees currently? If not, will there be?

Trustee Schmidt stated that parking is an important issue/concern.

Trustee Carnright stated that the Village Board's intent is to "strengthen" the existing local law. He believes most of Ms. Aspin's concerns are addressed in the draft local law.

Deputy Mayor Edsall stated that this draft is a "good improvement" of the law. A zoning law should not place a limit on the number of allowed uses per area in the Village. Doing so might discriminate one property from the next on a street because of the order in which applications were received. The intent in this proposed local law is to control accessory apartments so they do not become problematic. Mr. Edsall asked that Ms. Aspin and the Comprehensive Plan Committee review the law and provide written comments to the Village Board for consideration.

Mayor Coyne stated that the Village Board was asked to review the existing law after some recent applications for accessory apartment raised issues/concerns. He thanked Mr. McKay for his efforts in drafting this local law.

Attorney for the Village McKay stated that a Village resident provided written comments concerning the draft law. Where appropriate, some concerns/comments were incorporated into this draft law. One of the comments questioned whether it is a Type 1 or an Unlisted action under the State Environmental Quality Review (SEQR) process. Mr. McKay initially prepared a short form Environmental Assessment Form (EAF) which he believes is sufficient; however, since there appears to be some controversy with respect to the law, more SEQR review rather than less is appropriate. He has now prepared a long Environmental Assessment Form (EAF) for the Village Board to review. The Mayor can then sign this form and refer it to the Orange County Planning Department along with the most current version of the draft law for review and comments.

Hearing no one further speak for or against the introductory local law, Deputy Mayor Edsall made a motion to close the public hearing to verbal public comments at 7:16 PM. The Village Board will continue the public hearing to accept written comments from the public and Comprehensive Plan Committee on the proposed local law for a period of 14 days from tonight. Written comments should be sent to the Village Clerk's Office. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

RESOLUTION OF ADOPTION - A LOCAL LAW CREATING A NEW CHAPTER 153 OF THE VILLAGE CODE OF THE VILLAGE OF CORNWALL-ON-HUDSON, NEW YORK ENTITLED "REMOVAL OF UTILITY POLES", REQUIRING UTILITY COMPANIES TO REMOVE INACTIVE, BROKEN OR REPLACED UTILITY POLES WITHIN THE VILLAGE

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

WHEREAS, a resolution was duly adopted by the Village Board of the Village of Cornwall-on-Hudson scheduling a public hearing to be held by said Governing Body on August 21, 2017 at 7:00 p.m. at the Village Hall located at 325 Hudson Street, Cornwall-on-Hudson, New York to hear all interested persons on a proposed local law entitled "Removal of Double Utility Poles"; and

WHEREAS, notice of said public hearing was duly advertised in The Cornwall Local, the local newspaper of general circulation of said Village; and

WHEREAS, said public hearing was duly held on August 21, 2017 at or about 7:00 p.m. at the Village of Cornwall-on-Hudson Village Hall, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law or any part thereof; and

WHEREAS, the Board of Trustees is the Lead Agency with respect to the consideration, review and determination of the significance of the aforementioned legislative action pursuant to the State Environmental Quality Review Act (SEQRA) regulation section 617.6(b)(1)(i); and

WHEREAS, pursuant to part 617.5 (c)(30) of the implementing regulations of Article 8 of the New York State Environmental Quality Review Act (SEQRA), the adoption of said proposed Local Law is an Unlisted action under SEQRA;

NOW, THEREFORE, IT IS HEREBY

RESOLVED, that the Village Board finds that the proposed local law has no significant adverse environmental impacts and issues a negative declaration thereon, and that the adoption of the proposed local law is in the best interests of the residents of the Village; and be it further

RESOLVED, that the Village Board of the Village of Cornwall-on-Hudson hereby adopts said Local Law No. 3 of 2017 of the Village of Cornwall-on-Hudson, entitled “Removal of Double Utility Poles” a copy of which is attached hereto and made a part of this resolution; and be it further,

RESOLVED, that the Village Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Village of Cornwall-on-Hudson and to give due notice of the adoption of said local law to the Secretary of State of New York.

The foregoing resolution was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

CORRESPONDENCE

Mayor Coyne is in receipt of the following correspondence:

- Letter from Steve Powell thanking the Village Board for the Bandstand music.
- Note from Ed Hurley, coordinator of the Summer Bandstand music concerts, thanking the Department of Public Works for Bandstand maintenance.
- Thank you note from the CCHS Cheerleaders for allowing the use of Village Hall parking lot for their car wash. They raised \$1,000.

MINUTES

Mayor Coyne made a motion to accept the July 17, 2017 Business Meeting Minutes as prepared 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 July read as follows:

Village water, sewer, garbage & penalties	\$147,410.33
Town water & penalties	365,948.66

which included 4 finals/adjustments for the Village and 6 for the Town.

Warrant #8 — Trustee Carnright made a motion to approve the August 2017 Warrant #8 and authorize payment totaling \$212,478.05, which was seconded by Trustee Schmidt and carried by a vote of 4 Ayes and 0 Nays.

SPRINGBROOK SOFTWARE PROGRAM

Ms. Mahoney is in receipt of a memo from Deputy Treasurer Sebesta that states she went “live” on the Springbrook software program last week. Ms. Sebesta has been working with Accela representatives for some time and is now being trained on accounts payable, general ledger, accounts receivable, journal entries, and more. She noted that this month’s warrant and vendor checks look different because they were run off the new program.

Treasurer Mahoney reported that the Village is in receipt of \$4,044,266.87 (54.67%) in anticipated revenues and \$2,502,914.49 (33.83%) in anticipated expenditures through the end of July.

The amount collected in Village taxes is \$2,697,409.00 through July 31st.

The Sewer Capital Fund balance is \$180,827.88 (including interest) through July 31st.

Ms. Mahoney further reported that Mayor Coyne signed an agreement with ITC for the new phone system. They are now working behind the scenes to get the system set-up and our phone numbers ported over.

Ms. Mahoney also reported that she has been in touch with several businesses that can assist the Village by processing credit/debit card payments. She asked that this be placed on the September work session for Board discussion.

BOARD DEPARTMENT REPORTS

Building Department Trustee Carnright reported 12 building permits were issued, 5 certificates of compliance/occupancy were issued, 25 onsite inspections were performed, 1 violation was issued (7 Derby Lane-electrical issue), 2 stop work orders were issued at 25 Avenue A and 34-36 Duncan Avenue, 1 fire inspection was conducted, and 3 municipal searches were completed. Inspector Maggio worked 80 hours in July.

Fire Department — Deputy Mayor Edsall reported 5 automatic alarms, 8 medical calls, 2 motor vehicle accidents, 3 mutual aids, 1 hazardous condition, 1 search, 2 meetings, 6 drills, 1 4th of July parade, 6 fund raising details-Annual Fair, 2 funeral details, 2 fire prevention details, and 4 work details for a total of 43 events and 1,333.56 volunteer man hours.

Deputy Mayor Edsall further reported that the fire company provided a stand-by engine to the Valley Stream Fire Department on August 20th, the fire prevention program was completed at Camp Olmstead, and the department participated in a Mutual Aid Drill at West Point. In addition Boat 416 has been out of service. The motor will be rebuilt at the facility that currently maintains the boat to eliminate the need to use money from outside the department’s operating budget.

VEHICLE SURPLUS

Upon the recommendation of Fire Chief Armitage, Deputy Mayor Edsall made a motion to declare the 2002 Chevrolet Tahoe – VIN: 1GNEK13Z32J333460 surplus and authorize the Village Clerk to advertise it for sale through GovDeals. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

Police Department Trustee Schmidt reported 1 felony assault, 1 felony burglary, 1 felony grand larceny, 1 misdemeanor fraud, 1 misdemeanor criminal mischief, 1 misdemeanor assault, 1 misdemeanor aggravated harassment, 2 felony arrests, 1 misdemeanor arrest, 6 property damage accidents, 34 traffic summons issued, 33 traffic warnings issued, 22 parking summons issued, 8 traffic enforcement posts, 6 fire response calls, 2 domestic incident calls, 11 alarm response calls, 5 noise complaints, 4 suspicious person calls, 10 suspicious vehicle calls, 4 suspicious activity calls, 12 animal complaints, 3 disorderly juvenile calls, 16 assists to the Town of Cornwall Police Department, 12 EMS assist calls, 1 assist to other agencies, 1 welfare check, 1 assist to citizen, and 1 assist to COH DPW for a total of 433 total calls for service.

Trustee Schmidt further reported that the police department continued participation in the Orange County “STOP-DWI” traffic enforcement grant, and assisted with traffic/security for the July 4th event and the Firemen’s Fair.

The Police Department was awarded a \$2,430 traffic grant from NYS Governor’s Traffic Safety Committee (GTSC) for both “Seatbelt Mobilization Enforcement” and “Police Traffic Safety Enforcement” from October 2017 through September 2018. In addition the department applied for a \$3,800 grant from National Rifle Association (NRA) for two Colt LE6920 patrol rifles, 1 TASER conducted electrical weapon, and 14 TASER conducted electrical weapon holders.

A Moment of Silence was observed 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 its residents for 30 years and will be sadly missed.

DETECTIVE VACANCY

Upon the recommendation of Chief Dixon, Deputy Mayor Edsall made a motion authorizing Chief Dixon and Mayor Coyne to schedule interviews with interested candidates within the department to fill the vacant Detective position. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

Department of Public Works — Trustee Carnright reported 106.81 tons of trash, 27 tons of recycling, and 95 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, fabricating catch basin grate raisers for areas to be pave, and repairs and maintenance of Village owned vehicles.

Trustee Carnright further reported that Edward Tapia, our summer intern from Cornell University has completed the update of our CAMP-RS program as well as a street sign inventory throughout the Village.

ADA SIDEWALK RAMP – ROUTE 218 NEAR CORNWALL-ON-HUDSON ELEMENTARY SCHOOL

DPW Superintendent Halvorsen reported that he sought proposals from several local contractors to create ADA compliant ramps from the sidewalk onto both sides of Hudson Street/Route 218 in front of Cornwall-on-Hudson Elementary School to improve safety for the children at the road crossing. Nannini & Callahan submitted the only proposal.

Mayor Coyne made a motion to accept the proposal from Nannini & Callahan to create a ADA compliant sidewalk ramp onto both sides of Hudson Street/Route 218 in front of Cornwall-on-Hudson Elementary School at a cost not to exceed \$19,000. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

ROAD PAVING – DUNCAN/WEEKS/WILLIS/BARR AVENUES

DPW Superintendent Halvorsen reported that September 5th is the projected start date for grinding of Duncan Avenue. Tilcon will pave the roadway soon thereafter. Upon completion, Weeks, Willis, and Barr Avenues will then be scheduled for paving.

NYS DEPARTMENT OF TRANSPORTATION UNDERTAKING

Deputy Mayor Edsall introduced the following resolution and moved for its adoption.

WHEREAS, the Village of Cornwall-on-Hudson Department of Public Works receives permits from time to time from the NYS Department of Transportation to conduct activities and operations upon highways and/or within right-of way controlled by the State of New York; and

WHEREAS, the Village of Cornwall on Hudson Department of Public Works access and operation upon state right-of-way is conditioned upon compliance with all applicable Highway Law,

NOW, THEREFORE BE IT RESOLVED, the Village of Cornwall-on-Hudson agrees to the terms and conditions set forth in the Undertaking for the benefit of the NYS Department of Transportation; and

BE IT FURTHER RESOLVED, the Village Board of the Village of Cornwall-on-Hudson authorizes Mayor Brendan G. Coyne, to sign the Undertaking.

The foregoing resolution was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

Water Department — Trustee Schmidt reported an average daily production of 858,000 gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 52). A total of 9 meters were replaced, 13 miscellaneous repairs were completed, 90 utility mark outs were completed, and 9 final meter readings were done. The department investigated a water leak at 47 Avenue A (positive at Village side), blacktopped all leak sites, replaced a fire hydrant on lower Hudson Ave, completed a service tap at 5 Hasbrouck Avenue,

mowed all dams, week wacked all fire hydrants, inspected all pressure reduction valves (PRV's) and installed replacement motor and pump in south well.

RESOLUTIONS

SUMMER PLAYGROUND COUNSELORS' SALARIES

Mayor Coyne reported that when Summer Counselor appointments were made back in June, the salary was set at last year's rate (\$9.00 per hour); however, the current state minimum wage is \$9.70 per hour.

Mayor Coyne made a motion to correct the hourly wage authorized to pay Summer Playground Counselor's from \$9.00 to \$9.70 which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

Mayor Coyne noted that the counselors have been paid at the correct rate so no additional wages are due.

BLOCK PARTIES – PINE STREET AND DUNCAN AVENUE

Mayor Coyne made a motion to approve a request from residents of Pine Street to hold a "block party" on Saturday, September 9th from 2:00 PM – 10:00 PM, subject to any police and building inspector guidelines, 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 annual Duncan Avenue "block party" (date to be announced) subject to any police and building inspector guidelines which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

ST. JUDE'S TRIKE-A-THON – SEPTEMBER 30, 2017

Mayor Coyne made a motion to approve the St. Jude's "trike-a-thon" on Saturday September 30th from 10:00 AM – 11:30 AM in the Village Hall parking lot subject to receipt of a certificate of liability insurance naming the Village additionally insured. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

REQUEST FOR GARBAGE REDUCTION

Mayor Coyne made a motion approving a request from Alice Liu of 9 Taft Place for 50% garbage reduction starting once the house has been vacant for 60 days (October 15, 2017) through May 1, 2018. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

OTHER BUSINESS

WORKPLACE VIOLENCE PREVENTION TRAINING

Mayor Coyne announced that Workplace Violence Prevention Training for everyone who conducts business on behalf of the Village has been scheduled for 10:00 AM on August 23rd and 7:00 PM on August 29th. Mayor Coyne is pleased that this is the last item to comply with the NYS Department of Labor Order. He thanked the Village Clerk for all her efforts in “moving this along”.

COVAC AGREEMENT

Deputy Mayor Edsall reported that the agreement is still being worked on. The matter was tabled for discussion at the September work session.

BLACKROCK WATER TREATMENT PLANT CLEARWELL: BILLS

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

KIRYAS JOEL – PROPOSED TOWN OF PALM TREE

Mayor Coyne reported that public hearings were held last Tuesday and Wednesday. He spoke briefly on Wednesday but was “somewhat limited” in his remarks under the advice of the attorney that has been consulting with the coalition of 8 municipalities involved with the pending annexation lawsuit. Mayor Coyne did speak about how the County should be having meters on the sewers to help in terms on controlling growth in the county. Mayor Coyne will be meeting with a group of legislators on Wednesday to discuss this further. A vote by the County Legislature is scheduled for September 9th and 14 votes are needed to pass.

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

Mayor Coyne reported that he hopes to schedule a joint meeting with the Town Board to discuss this item further.

COMPREHENSIVE PLAN COMMITTEE – UPDATE

Mayor Coyne announced that the next meeting of the Comprehensive Plan Committee will be on August 24, 2017.

SUMMER RECREATION PROGRAM: UPDATE

Trustee Schmidt reported that the last day of camp was August 11th. Campers enjoyed trips to Tarsio Bowling, the Firemen’s Fair, Storm King Art Center, and Splashdown. The program also included many “theme days”. The group utilized the “Remind App” this year for friendly reminders and emergency information.

Mayor Coyne thanked Director Jen Borland and Assistant Director Jenna Park for another successful program. They worked hard to put on a good program and Mayor Coyne received “very good reviews”.

RESTAURANT PATIO – RIVER AVENUE

Mayor Coyne reported that he and Deputy Mayor Edsall will meet with Mr. Anthony Missere, owner of the building/restaurant on River Avenue sometime next month.

RIVERFRONT COMMITTEE

Mayor Coyne reported that he received a request from Village resident David Work, who would like to revitalize the Riverfront Committee. Some items talked about in the past include a pavilion and kayak rack to enhance the riverfront.

GRASWALD DECISION

Mayor Coyne reported that Ms. Graswald pled guilty to a lesser charge of criminally negligent homicide in the death of Vincent Viafore while kayaking in the Hudson River.

QUIET ZONE: CSX CROSSINGS

Mayor Coyne reported that a Village resident has asked Assemblyman Skoufis for help in creating a “quiet zone” at CSX crossings. Mr. Skoufis has agreed to seek funding for a study.

2020 CENSUS

Mayor Coyne reported that he will work with the Village Clerk to provide required items for the upcoming 2020 Census.

SAFETY COMMITTEE

Mayor Coyne reported that there is a Safety Committee provision in the current CSEA contract. This item will be placed on the September work session agenda for discussion.

FYI

CAR WASHES

Mayor Coyne reported that the CCHS National Honor Society held a car wash on Sunday, August 13th, and the CCHS Swimming/Diving Team will hold a car wash on Saturday, August 26th. Both events will take place in the Village Hall parking lot.

MOVIE ON THE HUDSON

Mayor Coyne reported that “Goonies” will be featured on Saturday, August 26th.

UPCOMING EVENTS AT DONAHUE MEMORIAL PARK

Mayor Coyne reported that a Sweet 16 party will be held on September 3rd and a wedding will take place in the gazebo on Saturday, September 9th.

UNDERGROUND RAILROAD

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

BOARD ACTIVITIES/COMMENTS

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

Trustee Carnright also offered his condolences to the Douglass family. Former Chief Rick Douglass was a good friend. Mr. Carnright also offered condolences to the family of retired Town of Cornwall Police Officer Eric Huber. Mr. Huber, who died last month, also ran a barbershop for many years on Main Street.

Deputy Mayor Edsall offered his condolences to the Douglass and Huber families. Both men were long-time public servants and great guys.

Mayor Coyne also offered his condolences to the Douglass family. Rick did a “great job for the Village” and will be sadly missed.

Mayor Coyne received notification earlier today from Chief Dixon that Teresa Hazard, mother of Town of Cornwall Police Chief Todd Hazard, died on August 18th.

Having concluded the business set before them, Deputy Mayor Edsall made a motion to adjourn the business meeting into a closed meeting at 8:05 P.M. to receive advice of counsel regarding legal issues involving the Black Rock Clearwell and Taylor Road projects, and a Building Department enforcement issue. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.