

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

October 16, 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: 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.

SWEARING IN – DETECTIVE ARTHUR TERWILLIGER

Chief Dixon reported that Police Officer Arthur Terwilliger has been with the Village of Cornwall-on-Hudson Police Department for 17 years. Officer Terwilliger has always been a “hard and conscientious worker” who is very thorough and takes a lot of pride in his job. Chief Dixon is grateful to now have Detective Terwilliger as his “right-hand man”.

Chief Dixon presented Arthur Terwilliger with his Detective badge and Detective Terwilliger was sworn in by Village Clerk Mahoney.

Detective Terwilliger thanked Chief Dixon and the Village Board for the opportunity. Detective Terwilliger stated that he will still continue to do his job to the best of his ability.

PUBLIC COMMENT

Carol O’Keefe of 2 Payson Road stated that the Department of Public Works crew did a “great job” with Bulk Pick up today.

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 18, 2017 Business Meeting Minutes as presented which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

Mayor Coyne made a motion to table acceptance of the October 2, 2017 Special Meeting Minutes until next month 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 September read as follows:

| | |
|---|--------------|
| Village water, sewer, garbage & penalties | \$196,062.34 |
| Town water & penalties | 384,574.04 |

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

Warrant #10 - Deputy Mayor Edsall made a motion to approve the October 2017 Warrant #10 and authorize payment totaling \$194,418.85, which was seconded by Trustee Carnright and carried by a vote of 5 Ayes and 0 Nays.

Treasurer Mahoney reported that the Village is in receipt of \$5,353,404.99 (72.36%) in anticipated revenues and \$4,123,332.55 (55.74%) in anticipated expenditures through the end of September.

The amount collected in Village taxes is \$2,723,085.88 through September 30.

The Sewer Capital Fund balance is \$188,640.12 (including interest) through September 30.

BOARD DEPARTMENT REPORTS

Building Department Trustee Schmidt reported 10 building permits were issued, 9 certificates of compliance/occupancy were issued, 28 onsite inspections were performed, 1 violation was issued (372 Hudson Street - property maintenance), 1 stop work order was issued (43 River Avenue – work without a permit), 2 fire inspections were conducted, and 3 municipal searches were completed. Inspector Maggio worked 80 hours in September.

Fire Department Deputy Mayor Edsall reported 1 structure fire, 1 motor vehicle accident, 2 automatic alarms, 3 medical calls, 2 mutual aid calls, 1 hazardous condition, 1 public service call, 2 meetings, 9 drills, 1 September 11th ceremony, 8 work details, 1 miscellaneous activity, and 1 Orange County parade for a total of 33 events and 685.83 volunteer man hours.

Deputy Mayor Edsall further reported that boat 416 has been repaired and is in service at the Cornwall Yacht Club. The \$190,000 NYS grant is working its way through the approval process;

however, \$65,000 of the grant has been approved by the New York Assembly thanks to the efforts of Assemblyman Skoufis (waiting on the official notification from DASNY). The municipal warning siren, which was initially installed in the 1960's, is out of service due to an electrical issue and the department is looking into repair costs. Fire Prevention Week was October 8th – 14th. This year's theme was "Every Second Counts: Plan Two Ways Out".

Deputy Mayor Edsall congratulated the company for taking 2nd place Class A and the Auxiliary for taking 1st place Class B at the recent Orange County Volunteer Fireman's Parade.

Police Department Trustee Kane reported 1 criminal mischief, 3 petty larceny, 1 harassment, 1 misdemeanor arrest, 1 violation arrest, 2 personal injury accidents, 2 property damage accidents, 26 traffic summons issued, 21 traffic warnings issued, 14 parking summons issued, 5 traffic enforcement posts, 2 fire response calls, 1 domestic incident call, 7 alarm response calls, 4 noise complaints, 4 suspicious person calls, 4 suspicious vehicle calls, 2 suspicious activity calls, 5 animal complaints, 2 disorderly adult calls, 1 disorderly juvenile call, 15 assists to the Town of Cornwall Police Department, 6 EMS assist calls, 2 assists to other agencies, 4 welfare checks, and 2 assists to citizens for a total of 370 total calls for service.

Trustee Kane further reported that the police department continued participation in the Orange County "STOP-DWI" traffic enforcement grant. P.O. Dawydko attended "Patrol Rifle Instructor School Training at the Village of Dolgeville Police Department, and P.O. Desjardines attended a "Distracted Driver Training Course" at the Orange County Emergency Services Center in Goshen.

Department of Public Works — Trustee Carnright reported 98.59 tons of trash, 29.44 tons of recycling, and 60 yards of yard waste was collected. In addition, the department continues mowing and trimming of Village-owned properties, repairs and maintenance of Village-owned vehicles, reclaimed Duncan Avenue from Hudson Street to Duncan Lane, catch basin cleaning and repairs, sweeping of streets, blacktop patching, and building a new leaf box for a dump truck.

Trustee Carnright further reported that paving of Duncan Ave, Weeks Ave, Barr Ave, Willis Ave, Church St and Wood Ave began on October 4th and has been completed. Our DPW crew did a "beautiful job" on those roads. Fall bulk cleanup is the week of October 16. DPW Superintendent Halvorsen is attending NYCOM Public Works School in Lake George from October 16-18th.

Mayor Coyne stated that the streets look great and he thanked DPW Superintendent Halvorsen and the DPW crew for their efforts. The Village has been working hard to improve our streets.

USED ROADSIDE MOWER PURCHASE – INTERMUNICIPAL AGREEMENT

Upon the recommendation of DPW Superintendent Halvorsen, Deputy Mayor Edsall made a motion authorizing Mayor Coyne to execute an Inter-municipal Agreement with the Town of Hamptonburgh for the purchase of a used 1991 John Deere 2355 with a 1999 rear mount boom mower and assorted spare parts in the amount of \$14,000. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

Deputy Mayor Edsall made a motion to declare the 1983 Kubota tractor (Serial #51818) with rear mower and front bucket surplus and authorize the Village Clerk and DPW Superintendent to arrange for its disposal. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

Water Department — Trustee Schmidt reported an average daily production of 847,000 gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 70). A total of 15 meters were replaced, 16 miscellaneous repairs were completed, 65 utility mark outs were completed, and 13 final meter readings were done. The department repaired two water main breaks at 40 Laurel Avenue, repaired two 6” valves on Stillman Ave and Weeks Ave, repaired a 6” valve at 55 Duncan Ave, inspected all reservoirs, continued inspecting and painting fire hydrants, inspected all pressure reduction valves (PRV’s), performed routine property maintenance, performed maintenance to Black Rock upper PRV, and continued repair work on Aleck Meadow spillway.

Trustee Schmidt further reported that the Water Department will begin flushing fire hydrants the week of October 23rd.

Water Superintendent June is attending NYCOM Public Works School in Lake George from October 16-18th.

RESOLUTIONS

ORANGE COUNTY PROPERTY TAX EXEMPTION RESOLUTION

Mayor Coyne 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 2019 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 Attorney for the Village 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 on this petition by that body.

The foregoing resolution was seconded by Trustee Carnright, and upon a vote of 5 Ayes, and 0 Nays, the Mayor declared the resolution adopted on October 16, 2017.

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 9, 2017 for Water Treatment Chemicals, which was seconded by Trustee Carnright and carried upon a vote of 5 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 9, 2017 for Water Meters, which was seconded by Trustee Carnright and carried upon a vote of 5 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 9, 2017 for #2 Fuel Oil & "Off Road Diesel", which was seconded by Trustee Carnright and carried upon a vote of 5 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 9, 2017 Sludge Removal Services, which was seconded by Trustee Carnright, and carried upon a vote of 5 Ayes and 0 Nays.

ELECTION RESOLUTION

Mayor Coyne made a motion providing notice that public voting for the election of two Trustees, for terms of two years, will be held from noon to 9 p.m. on March 20, 2018, which was seconded by Trustee Carnright and carried by a vote of 5 Ayes and 0 Nays.

Trustee Kane announced that he “gladly” plans to run again for the office of Trustee.

Trustee Schmidt announced that he also plans to run again for the office of Trustee.

OTHER BUSINESS

HALLOWEEN CURFEW

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

WORKPLACE VIOLENCE PREVENTION TRAINING

Mayor Coyne reported that additional workplace violence prevention training classes will be scheduled for some time in November.

CREDIT/DEBIT CARD PAYMENT SYSTEM

Clerk Mahoney reported that the credit/debit card payment system should be “up and running” at Village Hall in the next few weeks.

BUDGET – 2018-2019

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

BLACKROCK WATER TREATMENT PLANT CLEARWELL

Mayor Coyne reported that a meeting is tentatively scheduled for later this month with Water Superintendent June, the Village Engineer, contractor, and manufacturer.

SAFETY COMMITTEE

Mayor Coyne reported that a meeting has been tentatively scheduled for November 1 with CSEA representative Brian Pomeroy.

COMPREHENSIVE PLAN COMMITTEE

Mayor Coyne announced that the next meetings of the Comprehensive Plan Committee will be on October 26, 2017 and November 16, 2017.

RIVERFRONT COMMITTEE

Mayor Coyne reported that he will be meeting with Village resident David Work at Donahue Memorial Park on October 17 at 5:00 PM.

ASSOCIATION OF TOWNS, VILLAGES AND CITIES

Mayor Coyne reported that the Village of Cornwall-on-Hudson and Town of Cornwall will host the next meeting of Association of Towns, Villages and Cities at Painters Tavern on October 24, 2017 at 6:00 PM. He encouraged Village Board members to attend.

CSX: QUIET ZONE: LED LIGHTING FOR CROSSINGS

Mayor Coyne reported that he has secured a \$5,400 grant from Assemblyman Skoufis to have a study done that will provide options toward creating a “quiet zone” along the river.

Mayor Coyne further reported that Central Hudson has been cutting trees back near CSX railroad tracks and will provide LED lighting at crossings.

TREES FOR TRIBS

Mayor Coyne reported that a small number of shrubs will be planted on the lower part of Dock Hill Road.

RELEAF WORKSHOP

Mayor Coyne reported that he attended a “ReLeaf Workshop” on October 12. It was an interesting discussion about how difficult it is for trees to survive in urban areas.

LED LIGHTING

Deputy Mayor Edsall reported that in response to complaints about 5 Kelvin LED street lights being very bright, Central Hudson has agreed to stop using them. Moving forward they will use 3.5 Kelvin LED lighting instead.

GARBAGE REDUCTION REQUEST

Mayor Coyne is in receipt of a request for reduction in garbage charges from Raymond Lovell of 38 Grandview Avenue between December 2017 and April 2018. In accordance with existing Village policy, Deputy Mayor Edsall made a motion to authorize a 50% reduction in garbage charges once the home has been vacant for 60 days which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

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 2017 Annual Update Document (AUD). As of December 31, 2016, the Village is once again classified as "No Designation" (which means we are not experiencing fiscal stress) with a score of 11.9%. In 2016 our score was 14.2%, and in 2015 our score was 14.2%.

FYI

CAR WASH

Mayor Coyne reported that the Cornwall Girl Scouts held a car wash on Sunday, October 8 in the Village Hall parking lot.

EVENTS AT DONAHUE MEMORIAL PARK

Mayor Coyne reported that weddings took place at the gazebo on October 7 and 14. Snapshot Day was held on October 12. A St. Thomas event took place on the lawn area on October 14.

VILLAGE-WIDE YARD SALE

Mayor Coyne reported that the Village-wide Yard Sale took place on October 14.

FALL BULK PICKUP

Mayor Coyne reported that the Fall Bulk Pickup began on October 16, 2017.

CORNWALL WALK/RUN FOR CANCER

Mayor Coyne reported that the Cornwall Walk/Run for Cancer will take place on Saturday, October 28.

LIONS FALL HARVEST RACE

Mayor Coyne reported that the Lions Fall Harvest Race will take place on Sunday, November 12.

PUBLIC COMMENT

No one from the public wished to speak.

BOARD ACTIVITIES/COMMENTS

Trustee Kane congratulated Art Terwilliger on his “well-deserved” promotion to Detective. Both candidates that interviewed for the position were excellent.

Trustee Schmidt congratulated Art on his promotion. Mr. Schmidt also congratulated the fire department on taking 2nd place Class A and the Auxiliary for taking 1st place Class B at the Orange County Volunteer Fireman’s Parade.

Trustee Carnright also congratulated Art on his promotion and the fire department for a great showing at the parade.

Deputy Mayor Edsall congratulated Art on his promotion and credited Theo Dawykdo, the other candidate for the Detective’s position. Officer Dawykdo is a “great” police officer and Mr. Edsall is glad to have him in our department.

Mayor Coyne congratulated Art on his promotion and the fire department for a strong showing at the parade. Mayor Coyne also congratulated Trustee Carnright who recently became a grandfather.

Having concluded the business set before them, Mayor Coyne made a motion to adjourn the business meeting into a closed meeting at 7:54 P.M. to receive advice of counsel regarding a disciplinary issue involving a Water Department employee, non-union agreements, an insurance issue regarding former Police Chief Douglass, potential litigation pertaining to the assessment of and tax bill for a water department property, and a risk management liability issue. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

The meeting was reconvened at 9:02 PM on a motion by Deputy Mayor Edsall, seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

DISCIPLINARY HEARING

Deputy Mayor Edsall made a motion authorizing the Attorney for the Village to retain a hearing officer and schedule a date for a hearing in connection with charges against Water Department employee Andrew Sanders seeking termination of said employee. The motion was seconded by Trustee Kane and carried upon a vote of 5 Ayes and 0 Nays.

NON-UNION AGREEMENTS

Mayor Coyne made a motion authorizing Deputy Mayor Edsall and Trustee Kane to prepare final non-union agreement documents, including any addendum, for signature by employees to be followed by

execution of documents by mayor. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

Having concluded the business set before them, Deputy Mayor Edsall made a motion to adjourn the business meeting at 9:04 PM which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.