

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

February 12, 2018

A Special Meeting of the Board of Trustees was called to order at 7:00 P.M., at 325 Hudson St., Cornwall-on-Hudson, N.Y on a motion introduced by Mayor Coyne, seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

The following Board Members were in attendance:

Mayor Brendan G. Coyne  
Trustee James P. Kane  
Trustee David Carnright  
Trustee Kenneth A. Schmidt

Absent was: Deputy Mayor Mark J. Edsall (sick)

Also present was: Water Superintendent Robert June, DPW Superintendent David Halvorsen, Building Inspector Ben Maggio, Storm King Engine Co. #2 Fire Chief Michael Trainor, Asst. Fire Chief Eric Chatfield, and Village Clerk Jeanne Mahoney.

REVENUE ANTICIPATION NOTE RESOLUTION – WATER RENTS

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

**REVENUE ANTICIPATION NOTE RESOLUTION DATED FEBRUARY 12, 2018.  
A RESOLUTION DELEGATING TO THE VILLAGE TREASURER OF THE VILLAGE OF CORNWALL ON HUDSON, ORANGE COUNTY, NEW YORK, POWER TO AUTHORIZE THE SALE AND ISSUANCE OF NOT TO EXCEED \$340,000 REVENUE ANTICIPATION NOTES OF SAID VILLAGE IN ANTICIPATION OF THE REVENUES TO BE RECEIVED IN ANTICIPATION OF WATER RENTS BY SAID VILLAGE IN THE 2018-2019 FISCAL YEAR OF SAID VILLAGE.**

**BE IT RESOLVED**, by the Board of Trustees of the Village of Cornwall on Hudson, Orange County, New York, as follows:

Section 1. The power to authorize the sale and issuance of not to exceed \$340,000 revenue anticipation notes of the Village of Cornwall on Hudson, Orange County, New York, including renewals thereof, in anticipation of the receipt of revenues to be received by said Village as water rents during the 2018-2019 fiscal year of said Village, is hereby delegated to the Village Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents as may be determined by said Village Treasurer, pursuant to the provisions of the Local Finance Law.

Section 2. This resolution shall take effect immediately.

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

Trustee Kane stated that several water fund expense lines are over budget this year making it necessary to authorize a Revenue Anticipation Note. The sharp increase in property taxes due to a significant increase of assessed value at the Catskill Filter Plant caused that line to go over budget by \$105,000.00. Other expense lines that are over budget include health insurance costs, professional legal and engineering fees, Black Rock Clearwell Rehabilitation, and the Taylor Road wellfield.

#### ORDER & STIPULATION OF SETTLEMENT

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

#### **RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CORNWALL-ON-HUDSON AUTHORIZING SETTLEMENT OF LITIGATION WITH THE TOWN OF CORNWALL AND ITS ASSESSOR, THE CORNWALL CENTRAL SCHOOL DISTRICT AND ORANGE COUNTY IN CONNECTION WITH THE ASSESSMENT OF VILLAGE OWNED PROPERTY WITHIN THE TOWN**

**WHEREAS**, on or about October 31, 2017 the Village filed a Verified Petition and Complaint brought under Article 78 and Section 3001 of the Civil Practice Law and Rules seeking to nullify and void the assessment of property owned by the Village and located within the Town, County and School District (Orange County Index No. EF008893-2017); and

**WHEREAS**, the parties to the proceeding have arrived at a settlement of all claims and causes of action which form the basis for the proceeding; and

**WHEREAS**, an Order & Stipulation of Settlement has been drafted by the attorney for the Village on behalf of the Village, the terms of which have been negotiated and agreed to by representatives of the Town, County and School District; and

**WHEREAS**, the Village Board has reviewed the Order & Stipulation of Settlement and finds the same to be acceptable in all respects; and

**WHEREAS**, the Village Board wishes to authorize the Mayor and/or its Attorney to execute the Order & Stipulation of Settlement on behalf of the Village and to authorize all appropriate Village personnel to carry out the terms of the Order & Stipulation of Settlement, and

**WHEREAS**, the execution of the Order & Stipulation of Settlement is a Type II action under the New York State Environmental Quality Review Act and therefore not subject to environmental review.

**NOW, THEREFORE**, it is hereby:

**RESOLVED**, that the Village Mayor and/or the Attorney for the Village (Catania, Mahon, Milligram & Rider, PLLC) are hereby authorized to execute the Order & Stipulation of Settlement, subject to final review by the Attorney for the Village as to form and content, (a copy of which is annexed hereto); and to execute any and all documents to effectuate the settlement described therein, subject to review by the Attorney for the Village as to form and content.

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

Mayor Coyne stated that it is important to note that the Village's decision to agree to a reduction of the 2017 final assessed valuation of our Catskill Treatment Plant property located at 55 Palomino Road (4-2-56) from \$6,691,200.00 to \$3,500,000.00 to settle this action in no way implies that we agree that \$3,500,000.00 is a fair market value of the property going forward.

Having concluded the business set before them, Mayor Coyne moved to close the Special Meeting at 7:10 PM which was seconded by Trustee Carnright and carried by a vote of 4 Ayes and 0 Nays.