

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

November 19, 2018

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 (arrived at 7:35 p.m.)
Trustee David Carnright
Trustee Kenneth A. Schmidt

Also present were: DPW Superintendent David Halvorsen, Water Superintendent and Storm King Engine Co #2 Fire Chief Michael Trainor, 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 HEARINGS

ORDERING ABATEMENT OF PROPERTY VIOLATIONS LOCATED AT 12 PAYSON ROAD

Proof of Notice, Affidavit of Posting and Publication having been furnished, the Public Hearing Ordering Abatement of Property Violations at 12 Payson Road was called to order at 7:01 PM on a motion by Mayor Coyne, seconded by Trustee Carnright, and carried by a vote of 4 Ayes and 0 Nays. It was noted that the respondent, Ms. Kathy Lynn Suto, was not present this evening.

Mayor Coyne is in receipt of a site inspection report dated November 19, 2018 from Stephen R. Giacco, an inspector with the Town of Cornwall Building Department. In Mr. Maggio's absence, Mr. Giacco was asked to inspect the property located at 12 Payson Road to see if violations were remedied.

According to Mr. Giacco's report, the following violations still need to be remedied:

- Vegetation on the side of the house still needs to be cut and removed.
- Debris that is stacked on the rear table/patio needs to be removed from property.
- A large tree limb in the rear yard needs to be cut and removed from property.
- A pile of yard debris in the rear yard needs to be removed from property.
- A metal shed in the rear yard had the roof collapse by a large tree limb. The tree limb and shed need to be removed from property.

Mayor Coyne reported that Code Enforcement Officer Maggio and the Village Board have been "dealing with this property" for a couple of years now. The house has been vacant for a long time, there

is a history of property maintenance violations, and Mr. Maggio has been trying to “stay on top” of them.

Trustee Carnright stated that it is unfortunate that this problem is not getting any better.

Deputy Mayor Edsall stated that this is very unfortunate. The owners are “fine” people; however the condition of the unoccupied house and property is in violation of Section 120 of the Village Code.

Attorney for the Village McKay reported that on September 20, 2018, Code Enforcement Officer Maggio issued Ms. Suto an Order to Remedy violations on her property including removal of noxious weeds, tall grass, and hazardous/diseased trees and shrubs by September 27, 2018. That order was not complied with. On October 3, 2018, Mr. Maggio issued Ms. Suto a second Order to Remedy Violation that reiterated the original issues with the property and indicated she needed to cut and trim grass and bushes, as well as remove rubbish and weeds by October 8, 2018 or the Village Board would hire a private contractor do the work and place a lien on the property for the associated costs.

Hearing no one from the public speak for or against an order to abate property violations at 12 Payson Road, Deputy Mayor Edsall made a motion to close the public hearing at 7:08 pm which was seconded by Trustee Carnright and carried by a vote of 4 Ayes and 0 Nays.

RESOLUTION OF THE VILLAGE BOARD OF THE VILLAGE OF CORNWALL-ON-HUDSON AUTHORIZING THE MAYOR TO RETAIN A PRIVATE CONTRACTOR TO PERFORM PROPERTY MAINTENANCE TO ABATE VIOLATIONS OF THE VILLAGE CODE’S PROPERTY MAINTENANCE PROVISIONS (CHAPTER 120) FOR THE PROPERTY LOCATED AT 12 PAYSON ROAD

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

WHEREAS, the Village Board has identified several instances where the owner, tenants or occupants of the real property located at 12 Payson Road (the “Property”) appear to be in violation of Village Code §120-7 for property maintenance violations; and

WHEREAS, the Code Enforcement Officer has issued an Order to Remedy the existing violations: and

WHEREAS, upon reinspection by the Village, it was determined that the property owner, Kathy Lynn Suto, failed to comply with the Notice to Remedy; and

WHEREAS, pursuant to § 120-7 the Village Board scheduled a public hearing for November 19, 2018 to determine whether the Village would make the necessary repairs to the Property; to clean up the Property; to make the building safe and in compliance with the Order to Remedy and to charge the total cost to remedy the violations to the property owner; and

WHEREAS, the Village properly noticed the owner of 12 Payson Road of the public hearing scheduled for November 19, 2018; and

WHEREAS, the Village Board conducted a public hearing on November 19, 2018 to determine the pending violations; and

WHEREAS, the Village Board determined that the property owner was in violation of Chapter 120 of the Village Code; and

WHEREAS, the Village Board determined that the Village would retain a private contractor to perform such services as may be required to abate the violations at 12 Payson Road;

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. The Mayor is authorized to retain the services of a private contractor to perform such services as may be required to abate the violations at the premises; and
2. To charge the total cost to remedy the violations to the property owner; and
3. If the property owner or other agent has not paid the costs to remedy in full within 60 days of being invoiced for the same, the Village Clerk is authorized and directed to assess the costs as a lien against the property, to be re-levied and collected in the same manner as real property taxes.

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

A LOCAL LAW AMENDING CHAPTER 155-48, ENTITLED “NO PARKING AT ANY TIME”, TO DESIGNATE “NO PARKING” AREAS ON CHERRY AVENUE AND DUNCAN AVENUE WITHIN THE VILLAGE OF CORNWALL-ON-HUDSON

Be it enacted by the Village Board of the Village of Cornwall-on-Hudson, County of Orange, State of New York, as follows:

Section 1.

This Local Law is enacted pursuant to Section 1660 of the NYS Vehicle and Traffic Law for the purpose to amend Chapter 155-48 entitled “No Parking at Any Time” to designate “No Parking” areas on Cherry Avenue and Duncan Avenue.

Section 2.

The Village Code **Chapter 155, Entitled “VEHICLES AND TRAFFIC,”** is hereby amended at **Section 155-48, entitled “Schedule XIII: No Parking at Any Time”** by inserting the following language in its appropriate alphabetical location, as follows:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
“Cherry Avenue	East	From Hudson Street to Clark Avenue”

Section 3.

The Village Code Chapter 155, Entitled “VEHICLES AND TRAFFIC,” is hereby amended at Section 155-48, entitled “Schedule XIII: No Parking at Any Time” by inserting the following language in its appropriate alphabetical location, as follows:

<u>Name of Street</u>	<u>Side</u>	<u>Location</u>
“Duncan Avenue	East	From 265 Feet South of Hudson Street to Duncan Lane”

All other text contained in Chapter 155-48 shall continue in full force and effect.

Section 4. Severability.

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Village Board of the Village of Cornwall-on-Hudson hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

Section 5. Repeal.

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 6. Authority.

This Local Law is enacted pursuant to the Municipal Home Rule Law. This Local Law shall supersede the provisions of Village Law to the extent it is inconsistent with the same, and to the extent permitted by the New York State Constitution, the Municipal Home Rule Law, or any other applicable statute.

Section 7. Effective Date.

This law shall become effective upon filing with the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Proof of Notice, Affidavit of Posting and Publication having been furnished, the Public Hearing on a Local Law amending Chapter 155-48 of the Village Code entitled “No Parking at any Time”, to designate “No Parking” Areas on Cherry Avenue and Duncan Avenue within the Village of Cornwall-on-Hudson was called to order at 7:12 PM on a motion by Mayor Coyne, seconded by Trustee Carnright, and carried by a vote of 4 Ayes and 0 Nays.

Mayor Coyne reported that members of the fire department had approached the Village Board with safety concerns regarding Cherry Avenue and Duncan Avenue. It was noted that fire department equipment have difficulty navigating through these roadways when vehicles are parked on both sides on the street. The Village Board asked DPW Superintendent Halvorsen to make a recommendation on how best to restrict parking to alleviate this issue. Mr. Halvorsen has recommended no parking on the east side of Cherry Avenue from Hudson Street to Clark Avenue and no parking on the east side of Duncan Avenue from 265 feet south of Hudson Street to Duncan Lane. Mr. Halvorsen determined that the east side was the most logical side to restrict parking because fire hydrants are on that side.

Hearing no one from the public speak for or against the Local Law amending Chapter 155-48 of the Village Code entitled “No Parking at any Time”, to designate “No Parking” Areas on Cherry Avenue and Duncan Avenue within the Village of Cornwall-on-Hudson Deputy Mayor Edsall made a motion to close the public hearing at 7:14 pm which was seconded by Trustee Carnright and carried by a vote of 4 Ayes and 0 Nays.

RESOLUTION OF ADOPTION

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 on October 15, 2018, designating the board as Lead Agency and scheduling a public hearing to be held by said Governing Body on November 19, 2018 at 7:00 p.m. at Village Hall to hear all interested persons on proposed Local Law authorizing the Village to amend Chapter 155-48 of the Village Code, entitled “No Parking at Any Time”, to designate “No Parking” areas on portions of Cherry Avenue and Duncan Avenue; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of said Village, according to law; and

WHEREAS, said public hearing was duly held on November 19, 2018, at or about 7:00 p.m. at the Village Hall, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed amendment to Chapter 155-48, to designate “No Parking” areas on Cherry Avenue and Duncan Avenue; and

WHEREAS, pursuant to part 617 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; and

WHEREAS, the Village Board of the Village of Cornwall-on-Hudson, after due deliberation, finds it in the best interest of said Village to adopt said amendment to Local Law;

NOW, THEREFORE, BE IT RESOLVED:

The Village Board finds:

(1) that the proposed local law is classified as an unlisted action under SEQRA; it has no significant adverse environmental impacts and issues a negative declaration thereon; and

(2) that the Village Board adopts the proposed local law, and hereby amends Chapter 155-48, entitled “No Parking at Any Time”; and

(3) hereby directs that the Village Clerk 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 Deputy Mayor Edsall and carried upon a vote of 4 Ayes and 0 Nays.

PUBLIC COMMENT

Christine Ruppert of 103 Mountain Road stated that cars were towed off Mountain Road a couple of weekends ago. She asked if there was a parking restriction on Mountain Road.

Mayor Coyne replied that he will check into this and get back to Ms. Ruppert.

Niklas Moran of 187 Mountain Road stated that the restaurant at 191 Hudson Street has been vacant a long time and asked what is being done about it. Mr. Moran feels this property is a “nuisance” to the community around it and is probably in violation of some Village codes. The Village should consider establishing a vacant house/property registration and fee schedule.

Mayor Coyne replied that the restaurant has been vacant about eight years. Mayor Coyne met with the owner and he does not want to sell the property. Code Enforcement Officer Maggio has visited the site on multiple occasions and the owner has cleaned up the property when asked. Mayor Coyne also spoke with the Comprehensive Plan committee about vacant properties in the Village.

Deputy Mayor Edsall replied that a vacant property does not cause a violation as long as it is secured and maintained.

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 October 15, 2018 Business Meeting Minutes as presented which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

Mayor Coyne made a motion to accept the October 16, 2018 Special 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 October read as follows:

Village water, sewer, garbage & penalties	\$411,112.67
Town water & penalties	236,837.03

which included 2 finals/adjustments for the Village and 0 for the Town.

Warrant #11 — Trustee Carnright made a motion to approve the November 2018 Warrant #11 and October “pre-pays” and authorize payment totaling \$1,005,137.74, which was seconded by Trustee Schmidt and carried by a vote of 4 Ayes and 0 Nays.

Treasurer Mahoney reported that the revenue/expenditure reports by fund are:

General Fund Revenue:	\$3,281,980.86	Expenditure:	\$ 2,621,071.34
Water Fund Revenue:	\$1,849,233.20	Expenditure:	\$ 1,773,502.13
Sewer Fund Revenue:	\$ 284,696.71	Expenditure:	\$ 306,056.11

Total receipt of \$5,415,910.77 (73.28%) in anticipated revenues and \$4,700,629.58 (63.6%) in anticipated expenditures through the end of October.

The amount collected in Village taxes is \$2,792,667.54 through October 31. The collection period ended on October 31. Unpaid taxes totaling \$72,127.77 have been turned over to the Orange County Commissioner of Finance Office for collection.

The Sewer Capital Fund balance is \$259,396.33 (including interest) through October 31.

BOARD DEPARTMENT REPORTS

Building Department Trustee Carnright reported 18 building permits were issued, 15 certificates of compliance/occupancy were issued, 43 onsite inspections were performed, 2 stop work orders were issued, 3 municipal searches were completed, and 4 fire inspections were conducted. Inspector Maggio worked 80 hours in October.

Mayor Coyne reported that the owners of DB Mart are “making progress” and he wishes them well. They are waiting for the new tanks to be delivered. Mayor Coyne further reported that Ms. Romano has withdrawn her Zoning Board application for a dog kennel on Bayview Avenue.

Fire Department Deputy Mayor Edsall reported 1 structure fire, 1 motor vehicle accident, 3 automatic alarms, 9 medical calls, 2 hazardous conditions, 3 mutual aids given, 2 meetings, 6 drills, 1 work detail, 10 EMT classes, 7 fire prevention classes, and 1 Halloween Open House for a total of 46 events and 311.19 volunteer man hours.

Deputy Mayor Edsall further reported the new station siren is in service, fire prevention classes were completed at Cornwall-on-Hudson Elementary School, Village Nursery School and Abilities First

School, and the department applied for a FEMA Assistance to Firefighter's grant to fund a pumper/tanker.

STORM KING ENGINE CO #2 REPAIRS/UPGRADES – DASNY GRANT

Deputy Mayor Edsall reported that window replacement in main station, and roof replacement and foundation work on rear building will be completed shortly.

Police Department Deputy Mayor Edsall reported 1 misdemeanor fraud, 2 misdemeanor criminal mischief, 5 misdemeanor arrests, 2 warrant arrests, 1 personal injury accident, 5 property damage accidents, 20 traffic summons issued, 32 traffic warnings issued, 7 parking summons issued, 5 traffic enforcement posts, 3 speed/radar sign postings, 4 fire response calls, 2 domestic incidents, 12 alarm response calls, 2 suspicious person calls, 2 suspicious vehicle calls, 6 animal complaints, 1 disorderly adult call, 4 assists to the Town of Cornwall Police Department, 13 EMS assist calls, 2 assists to other police agencies, 2 welfare checks, 3 assists to citizens, and 1 assist to the Water Department for a total of 349 total calls for service.

Deputy Mayor Edsall further reported that during the month of October, P.O. Dawydko attended "DCJS Firearms Instructor School" in Port Jervis. Officer Dawydko is now fully certified to instruct pistol, shotgun and patrol rifle. In addition, the department assisted with both traffic and security for the Halloween holiday. Also during the month of October, the department received a grant from the Bureau of Justice Vest Partnership Program in the amount of \$2,125.00 for the purchase of new bullet-proof vests for our police officers.

LEASE TO PURCHASE 2019 FORD TAURUS POLICE INTERCEPTOR SEDAN

Mr. Edsall reported that over the years, he has worked toward implementing a lease to purchase vehicle program with long term maintenance agreements to rotate Village vehicles. This has lessened the burden on our budget and reduced long-term debt.

Upon the recommendation of Chief Dixon, Deputy Mayor Edsall made a motion authorizing the execution of a four-year lease to purchase agreement for a new 2019 Ford Taurus 4WD Police Interceptor Sedan in the amount of \$36,732.00, with the understanding that the 2010 Dodge Charger will be declared surplus and sold at a subsequent meeting. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

Deputy Mayor Edsall noted that the Ford Interceptor sedans are going to be discontinued as of 2019.

Mayor Coyne appreciates that our department heads are planning for the future.

Department of Public Works — Trustee Schmidt reported the department performed mowing and trimming of Village owned properties, repairs and maintenance of Village owned vehicles, sweeping of streets, blacktop patching, removal of the spruce tree at Village Bandstand along with others, removal of stump and relocated underground electric, and completed fall bulk pickup. In addition, with assistance from the Villages of Montgomery and Walden, and Towns of Cornwall and New Windsor, the

department performed full depth reclamation of Maple Road (approximately 5” of road bed was removed). Maple Road and Partridge Road were paved.

DPW Superintendent Halvorsen reported that he has received positive feedback about the tree removal at Village Bandstand. He thanked Eugene Randazzo for his help in sodding the area.

Trustee Kane arrived at 7:35 P.M.

Water Department — Trustee Carnright reported an average daily production of 815,000 gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 52), 4 meters were replaced, 9 miscellaneous repairs were completed, 4 final meter readings were done, and 117 utility mark-outs were completed. The department inspected pressure reduction valves (PRV’s) in the Town and Village, blacktopped repair sites, repaired trail wash-outs to Black Rock PRV’s, prepared water main valve boxes for DPW road construction and paving on Maple Road and Partridge Road, completed Village meter reading, mowed the dams, and performed routine maintenance to other department properties.

Trustee Carnright further reported that the annual Department of Health inspection that had been scheduled for November 9 has been postponed until December.

CATSKILL AQUEDUCT SHUTDOWN

Trustee Carnright reported that the aqueduct was shut down on Sunday, October 28. The Catskill Treatment plant was taken offline on Friday, October 26 in anticipation of the shutdown. Maintenance at the Catskill Treatment Plant during the shutdown began with cleaning of the sedimentation basins. Other routine maintenance will follow.

TAYLOR ROAD WELLFIELDS

Trustee Carnright reported that installation of the new north well was completed. Two emergency generators have been installed for use during the aqueduct shutdown.

RESOLUTIONS

PARK MOBILE CONTRACT

Attorney for the Village McKay reported that he made minor changes to the draft agreement between the Village and ParkMobile (a company that will provide a mobile application to pay for parking at Donahue Memorial Park).

Deputy Mayor Edsall made a motion authorizing Mayor Coyne to execute the ParkMobile agreement as amended by Attorney for the Village McKay. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays. This item was then tabled for discussion in Attorney/Client Session later this evening.

RIVERFEST 2019

Mayor Coyne reported that the Riverfest Committee has decided to move their annual event to the first Sunday in June. This is the result of Newburgh Illuminated's decision to hold their event on the first Saturday in June.

Deputy Mayor Edsall made a motion to grant approval to hold the 22nd annual RiverFest celebration on Sunday, June 2, 2019 and authorizing Mayor Coyne to execute an agreement subject to legal review, which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

ROBERT JUNE – AMENDED RETIREMENT DATE

Mayor Coyne made a motion to accept former Water Superintendent June's letter requesting the amendment of his retirement date from October 29, 2018 to October 26, 2018. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

ANNUAL SUPPLY BIDS

Treasurer Mahoney reported that a bid opening was held in the Village Office on November 8, 2018.

Water Treatment Chemicals - Bids were received from Surpass Chemical Corp. and Slack Chemical Co. Inc.

Mayor Coyne made a motion to award the bid to Surpass Chemical Co., Inc. in the amounts received November 8, 2018 which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

Water Meters - Mayor Coyne made a motion to award the bid to Ti-Sales, the sole bidder, in the amounts received November 8, 2018, which was seconded by Trustee Carnright, and carried by a vote of 5 Ayes and 0 Nays. Discussion followed about sole sourcing this item in the future.

Fuel Oil #2 and "Off-Road" Diesel - Bids were received from Mirabito Energy Products, Wilson Oil, and SOS Fuel.

Mayor Coyne made a motion to award the bid to Mirabito Energy Products, the low bidder, in the amounts received November 8, 2018, which was seconded by Trustee Carnright and carried by a vote of 5 Ayes and 0 Nays.

Alum Sludge Removal Services - Bids were received from Residuals Management d/b/a Earthcare, TAM Enterprises, and Fred A. Cook, Jr., Inc.

Mayor Coyne made a motion to award the bid to TAM Enterprises, the low bidder, as per the November 8, 2018 bid, which was seconded by Trustee Carnright and carried by a vote of 5 Ayes and 0 Nays.

INTRODUCTION OF A LOCAL LAW IMPOSING A SOLAR MORATORIUM

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

WHEREAS, the present zoning regulations in the Village of Cornwall-on-Hudson do not adequately address solar energy uses, systems and equipment; and

WHEREAS, in order to protect the public health, safety and welfare of the residents of the Village of Cornwall-on-Hudson, and to maintain the status quo with respect to certain solar energy uses, systems and equipment, the Village Board wishes to enact a local law establishing a moratorium on the processing of applications and/or the issuance of any permits, certificates of occupancy and approvals for uses relating to solar energy, including, but not limited to, applications seeking approval for solar arrays and solar farms, or any and all solar installations, except for residential, roof-mounted solar panels; and

WHEREAS, the Village Board of the Village of Cornwall-on-Hudson is empowered by the State to adopt such local law pursuant to the Municipal Home Rule Law; and

WHEREAS, the Village Board previously adopted a local law establishing a moratorium on May 21, 2018, which moratorium was extended, and which is scheduled to expire on or about January 28, 2019; and

WHEREAS, the Village Board wishes to adopt a further extension to the moratorium on the foregoing uses to allow the Village Board to analyze and determine potential appropriate revisions and amendments to the Village Code concerning solar uses;

NOW, THEREFORE, it is hereby

RESOLVED, that the Village Board of the Village of Cornwall-on-Hudson hereby designates itself to be the “Lead Agency” for the review of the proposed moratorium with respect to the State Environmental Quality Review Act (SEQRA); and be it further

RESOLVED, that the proposed moratorium is listed as Type II Action under §617.5 of SEQRA and, as such, is not subject to review under SEQRA; and be it further

RESOLVED, that the Village Board of the Village of Cornwall-on-Hudson will hold a public hearing on the proposed moratorium local law on December 17, 2018 at 7:00 p.m., at Village Hall, 325 Hudson Street, Cornwall-on-Hudson, New York, providing an opportunity for the public to be heard; and be it further

RESOLVED, that the Village Clerk is hereby directed to refer the aforesaid proposed moratorium local law to the Orange County Planning Department for review pursuant to General Municipal Law §239-m; and be it 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.

INTRODUCTION OF A LOCAL LAW REGULATING SOLAR ENERGY USES, SYSTEMS AND EQUIPMENT WITHIN THE VILLAGE OF CORNWALL-ON-HUDSON

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

WHEREAS, the Village Board of the Village of Cornwall-on-Hudson wishes to adopt regulations with respect to the uses, systems and equipment of solar power energy within the Village; and

WHEREAS, the Village Board is empowered by the State to adopt such local law pursuant to Municipal Home Rule Law; and

WHEREAS, the Village Board wishes to schedule a public hearing for January 28, 2019 at 7:00 p. m. to consider the adoption of the foregoing proposed amendment to the Village Code and to consider the potential adverse environmental impacts of the same; and

WHEREAS, the Village Board hereby preliminarily determines that the aforementioned proposed amendment to the Village Code is a Type I action subject to SEQRA regulations and determines that it will be the Lead Agency with respect to the consideration, review, and determination of significance of the proposed zoning changes pursuant to SEQRA regulations;

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. In accordance with the provisions of § 617.6(i) of the regulations implementing the New York State Environmental Quality Review Act (“SEQRA”), (the “SEQRA regulations”), the Village Board hereby determines that the aforementioned proposed amendment to the Village Code is an action subject to the SEQRA regulations; and

2. The Village Board preliminarily classifies the aforementioned action as Type I, pursuant to § 617.4 of the SEQRA regulations; and

3. The Village Board determines that it is, and will be, the Lead Agency with respect to the consideration, review, and determination of significance of the proposed zoning change pursuant to the SEQRA regulations, because there are no other agencies with authority to approve the project; and

4. The Village Clerk upon receipt of the final draft of local law, is directed to refer this matter to the Village Planning Board and to the Orange County Planning Department, pursuant to General Municipal Law Section 239-l and 239-m, for review and comment; and

5. That a public hearing be held by the Village Board on January 28, 2019 at 7:00 p.m. at the Village Hall located at 325 Hudson Street, Cornwall-on-Hudson, New York, with respect to amending Chapter 172 of the Village Code; and

6. 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.

INTRODUCTION OF A LOCAL LAW REGULATING OUTDOOR LIGHTING WITHIN THE VILLAGE OF CORNWALL-ON-HUDSON

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

WHEREAS, the Village Board of the Village of Cornwall-on-Hudson wishes to adopt regulations that set standards with respect to the installation of outdoor lighting, including standards that would minimize glare and impact on nearby residential properties within the Village; and

WHEREAS, the Village Board is empowered by the State to adopt such local law pursuant to Municipal Home Rule Law; and

WHEREAS, the Village Board wishes to schedule a public hearing for January 28, 2019 at 7:01 p. m. to consider the adoption of the foregoing proposed amendment to the Village Code and to consider the potential adverse environmental impacts of the same; and

WHEREAS, the Village Board hereby preliminarily determines that the aforementioned proposed amendment to the Village Code is a Type I action subject to SEQRA regulations and determines that it will be the Lead Agency with respect to the consideration, review, and determination of significance of the proposed zoning changes pursuant to SEQRA regulations;

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. In accordance with the provisions of § 617.6(i) of the regulations implementing the New York State Environmental Quality Review Act (“SEQRA”), (the “SEQRA regulations”), the Village Board hereby determines that the aforementioned proposed amendment to the Village Code is an action subject to the SEQRA regulations; and

2. The Village Board preliminarily classifies the aforementioned action as Type I, pursuant to § 617.4 of the SEQRA regulations; and

3. The Village Board determines that it is, and will be, the Lead Agency with respect to the consideration, review, and determination of significance of the proposed zoning change pursuant to the SEQRA regulations, because there are no other agencies with authority to approve the project; and

4. The Village Clerk, upon receipt of the final draft of local law, is directed to refer this matter to the Village Planning Board and to the Orange County Planning Department, pursuant to General Municipal Law Section 239-l and 239-m, for review and comment; and

5. That a public hearing be held by the Village Board on January 28, 2019 at 7:01 p.m. at the Village Hall located at 325 Hudson Street, Cornwall-on-Hudson, New York, with respect to the proposed amendment to the Village Code; and

6. 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.

TAYLOR ROAD WELL FIELD IMPROVEMENTS – CONSTRUCTION INSPECTION SERVICES

Mayor Coyne made a motion to accept the November 15, 2018 proposal from Pitingaro & Doetsch Consulting Engineers in the amount of \$39,000 for the Taylor Road Well Field Improvements Project – Construction Phase Engineering. The motion was seconded by Deputy Mayor Edsall. Discussion followed.

Upon the recommendation of Attorney for the Village McKay, Mayor Coyne amended his motion to require that Pitingaro & Doetsch revise their November 15, 2018 proposal to include required guideline language from NYS Environmental Facilities Corporation’s (EFC) “Program Requirements and Bid Packet for Non-Construction Contracts” dated October 1, 2017. The motion, as amended was seconded by Deputy Mayor Edsall and carried upon a vote of 5 Ayes and 0 Nays.

AUTHORIZE MAYOR TO NEGOTIATE SETTLEMENT OF JAMES FITCH CLAIM

Deputy Mayor Edsall made a motion authorizing Mayor Coyne to negotiate terms of a settlement of the workers compensation claim involving James Fitch. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

ORANGE COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE

Attorney for the Village McKay reported that an Orange County Multi-Jurisdictional Hazard Mitigation Plan Update was recently delivered to Mayor Coyne for acceptance by the Village. The plan has already been approved by the Orange County Legislature. Mr. McKay has reached out to the Orange County Department of Emergency Services to see if a public hearing is required. He is waiting to hear back. In the meantime Mr. McKay recommends that the Village Clerk post the entire plan update on the Village’s website. Discussion followed.

Deputy Mayor Edsall reported that the Town and Village adopted a joint Hazard Mitigation Plan in 2013 because FEMA was requiring municipalities to have a plan in order to be eligible for certain types of grant programs. The county subsequently developed a Multi-Jurisdictional Hazard Mitigation Plan and rather than updating the Town and Village’s plan we “jumped on board” with the countys.

Deputy Mayor Edsall made a motion to table action on this item until the December meeting and directing the Village Clerk to post a link to the Orange County Multi-Jurisdictional Hazard Mitigation Plan Update on the Village’s website. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

VOLUNTEER FIREFIGHTER ENHANCED CANCER INSURANCE

Mayor Coyne reported that the NYS Volunteer Firefighter Enhanced Cancer Disability Benefits Act goes into effect on January 1, 2019. We are required to provide this benefit to our eight qualifying volunteer firefighters.

Deputy Mayor Edsall made a motion to accept the proposal from Chubb Accident & Health effective January 1, 2019 for an annual premium of \$1,096.00 (\$137 per firefighter). The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

OTHER BUSINESS – WATER DEPARTMENT

MASER - POTENTIAL LAWSUIT

Mayor Coyne tabled this item for Executive Session discussion with Village Trustees later this evening. It was noted that Attorney for the Village McKay will not be representing the Village in this potential lawsuit.

ARTICLE 7 PROCEEDING

Attorney for the Village McKay reported that Judge Catherine M. Bartlett has set a follow-up conference date for February 22, 2019 on the Article 7 proceeding challenging the Town Board of Assessment Review's determination with respect to the Catskill Filter Plant and Black Rock Microfiltration Plant.

CATSKILL FILTER PLANT – BOILER

Water Superintendent Trainor reported that delivery of the new boiler is expected on November 20 and installation will be completed by the end of the following week.

CORNWALL HIGHWAY EXCAVATION PERMIT – DRAFT

Mayor Coyne tabled discussion of this item for Attorney/Client session later this evening.

WATER BILL – NEW FORMAT

Mayor Coyne reported that the water bills will have a new format starting with the November billing.

OTHER BUSINESS

PBA NEGOTIATIONS

Mayor Coyne stated that the latest proposal from the Village has been given to the PBA representatives for review.

NATIONAL HERITAGE PROJECT: OPEN SPACES

Mayor Coyne reported that he attended a public meeting for the National Heritage Project on November 7. A survey seeking public input on which open space characteristics and natural areas are valued most in our community has been posted on our Facebook page. The Project is creating open space inventories for the Towns of Blooming Grove and Cornwall, and the Village of Cornwall-on-Hudson that will identify and prioritize open spaces. He thanked Carla Castillo for putting it together.

COMPREHENSIVE PLAN COMMITTEE

Mayor Coyne reported that the next meeting of the Comprehensive Plan Committee is scheduled for Thursday, December 13. In addition, Chairman Klosky has been invited to the December 10 work session.

TREES FOR TRIBS: OCTOBER 13, 2018

Mayor Coyne reported that on October 13, volunteers helped plant approximately 50 trees and shrubs at the bottom of Dock Hill Road. Mayor Coyne is grateful to the efforts of these volunteers to stop erosion and beautify the area.

RIVERFRONT COMMITTEE: DONAHUE MEMORIAL PARK IMPROVEMENTS

Mayor Coyne reported that along with David Work and Rana Lambert of the Riverfront Committee, he attended a meeting on October 10 with a Town council member of the Town of Marlborough to discuss potential funding options for future projects at Donahue Memorial Park including a pavilion.

NATIONAL HERITAGE PROJECT

Mayor Coyne reported that he attended a meeting for the National Heritage Project on September 21 with members from both the Orange County and Hudson Highlands Land Trusts. Efforts are underway to focus on what is important in both the Village and Town.

VEHICLE AND TRAFFIC LAW SIGNS: CLIFFSIDE PARK & WOOD AVENUE

Mayor Coyne tabled discussion on this item until the December 10 work session. Attorney for the Village McKay will review the Village Code to see if the current local law requiring a police escort for trucks over 32' long needs to be amended to also restrict trucks with long trailers from Cliffside Park and Wood Avenue.

GARBAGE FEE WAIVER

Mayor Coyne is in receipt of requests to waive garbage fees at 6 Bayview Terrance and 38 Grandview Avenue. In accordance with Village policy, a 50% reduction will be applied once these properties have been vacant for 60 days.

PURCHASE OF A NEW FIREWALL – DEPARTMENT OF PUBLIC WORKS

Mayor Coyne reported that a virus infected a Village computer located at the Department of Public Works building. Fortunately, no Village information was “hacked”. A new firewall has been installed to protect the computers going forward.

CHRISTMAS TREE LIGHTING

Trustee Schmidt reported that the annual Holiday Tree lighting celebration will be held on Sunday, December 2nd starting with carols at 5:00 PM and the lighting at 5:30 PM.

MENORAH LIGHTING

Trustee Schmidt reported that the annual Lighting of the Menorah Gathering will be held on Monday, December 3rd at 5:30 PM.

NEW YEARS EVE BALL DROP

Committee Chairman Mike Trainor reported a committee meeting is scheduled for November 20 to start planning for the annual New Year’s Eve Ball Drop.

EMPLOYEE HOLIDAY GATHERING

Mayor Coyne reported that the annual Employee Holiday Gathering will be held on Friday, December 14.

MUTUAL AID – IMA

Mayor Coyne tabled discussion of this item for the December Business Meeting.

BUDGET – 2019-2020

Mayor Coyne reported that he has received the 2019-2020 budget requests from department heads. A draft budget will be distributed to the Village Board for discussion at the December work session.

WILLOW DELL CEMETERY

Mayor Coyne is in receipt of a letter from Kathryn Russell of Irvington, NY regarding mud and debris from the development of an adjacent property that has washed onto Willow Dell Cemetery covering the gravestones of her family members. Code Enforcement Officer Maggio has contacted the developer and landscaper. They are sorry for the problems and will correct them as soon as the weather improves.

ELECTRIC VEHICLES SEMINAR

Trustee Carnright reported that he recently attended an eight hour Electric Vehicles Seminar at the Central Hudson Headquarters in Lake Katrine. This seminar provided an overview of today’s industrial world and municipal funding options. The technology is quite expensive.

EMPLOYEE HANDBOOK

Mayor Coyne reported that he is working with the Village Clerk on an Employee Handbook for all Village employees.

MUSIC SHOP

Trustee Kane reported that he has received a complaint regarding persistent loud music coming from the Music Shop located at the corner of Hudson Street and Avenue A. He will refer this matter to the Code Enforcement Officer.

PUBLIC COMMENT

Niklas Moran of 187 Mountain Road stated that he is glad to hear to that Trustee Carnright attended Central Hudson's Electric Vehicle summit. Climate change is an important issue and Mr. Moran would like to see the Village become climate "resilient" and "green" by looking into replacing future department vehicles with electric ones.

Barbara Smith of 167 Hudson Street asked when the draft Lighting Law will be made available to the public.

Deputy Mayor Edsall anticipates that it will be available in early December.

BOARD COMMENT

Trustee Schmidt wishes everyone a happy, safe, and warm Thanksgiving.

Trustee Carnright wishes everyone a very Happy Thanksgiving.

Deputy Mayor Edsall wishes everyone a Happy Thanksgiving. He suggested people stay inside since the weather is forecasted to be very cold.

Mayor Coyne reported that the annual Cornwall Interfaith Service will be held at the United Methodist Church on Tuesday, November 20 at 7:30 PM. He also wishes everyone a Happy Thanksgiving.

Having concluded the business set before them, Mayor Coyne made a motion to adjourn the business meeting at 8:41 PM into Attorney/Client Session to discuss the ParkMobile agreement and the draft Cornwall Highway Excavation Permit, and then into Executive Session with Village Trustees to discuss a potential lawsuit involving Maser Consulting. The motion was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.