

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

February 11, 2019

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 5 Ayes and 0 Nays.

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 was: DPW Superintendent David Halvorsen, Water Superintendent Michael Trainor, Police Chief Steven Dixon, Code Enforcement Officer Ben Maggio, and Village Clerk Jeanne Mahoney.

SET PUBLIC HEARING DATE ON MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4)

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

**WHEREAS**, the Village Board wished to set a time and place for a public hearing to consider the adoption of the Municipal Separate Storm Sewer Systems (MS4) audit.

**NOW, THEREFORE, IT IS HEREBY –**

**RESOLVED**, that the Village Board hereby determines that it will be the lead agency with respect to the review of (the “project”) in accord with New York State Environmental Quality Review Act (“SEQRA”) and part 617 of the regulations implementing SEQRA, since there are no other agencies that have the authority to approve the project; and it is further –

**RESOLVED**, that the Village Board hereby classifies the action as an unlisted action under SEQRA; and it is further –

**RESOLVED**, that a public hearing be held by the Village Board in order to receive comments and suggestions regarding the audit of the Municipal Separate Storm Sewer Systems (MS4), and to receive any comments concerning the potential adverse environmental impacts of the proposed legislation in accord with SEQRA, on April 15, 2019 at 7:01 p.m. at the Village Hall located at 325 Hudson Street, Cornwall-on-Hudson, New York; and it is further –

**RESOLVED**, that the Village Clerk is hereby authorized and directed to cause said 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.

**TRANSFER DPW EMPLOYEE TO WATER DEPARTMENT**

Mayor Coyne made a motion authorizing the lateral transfer of Joseph McCormick from the Department of Public Works (Motor Equipment Operator) to the Water Department (Water Maintenance Worker) effective February 19, 2019 which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

**AUTHORIZE DPW SUPERINTENDENT TO ADVERTISE VACANT POSITION**

Mayor Coyne made a motion authorizing DPW Superintendent Halvorsen to advertise a vacant Laborer position within the Department of Public Works which was seconded by Trustee Carnright and carried upon a vote of 5 Ayes and 0 Nays.

**AUTHORIZE APPLICATION TO HRV GREENWAY FOR COMPREHENSIVE PLAN UPDATE GRANT**

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

**WHEREAS**, the Village of Cornwall-on-Hudson is applying to the Hudson River Valley Greenway for a grant under the Hudson River Valley Greenway Planning Grant Program for a project entitled “Comprehensive Plan Update” to be located in the Village of Cornwall-on-Hudson.

**NOW, THEREFORE BE IT RESOLVED**, the Village Board of the Village of Cornwall-on-Hudson hereby does approve and endorse the application for a grant under the Hudson River Valley Greenway Planning Grant Program, for a project known as “Comprehensive Plan Update” and located within this community.

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

**BLACK ROCK WATER TREATMENT PLANT – REHABILITATION/RECONSTRUCTION**

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

**A RESOLUTION AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF AN ADDITIONAL \$382,000 BONDS OF THE VILLAGE OF CORNWALL-ON-HUDSON, ORANGE COUNTY, NEW YORK, TO PAY PART OF THE COST OF THE REHABILITATION AND RECONSTRUCTION OF THE BLACK ROCK WATER TREATMENT PLANT AND RELATED IMPROVEMENTS, in AND FOR SAID VILLAGE.**

WHEREAS, the capital project hereinafter described has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, it has been determined will not result in any significant adverse environmental impact; and

WHEREAS, the Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York, on November 29, 2016, duly adopted a bond resolution authorizing the issuance of \$350,000 bonds of said Village to pay the cost of the rehabilitation and reconstruction of the Black Rock Water Treatment Plant, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, in and for Village of Cornwall-on-Hudson, Orange County, New York, and

WHEREAS, it has now been determined that the maximum estimated cost of such specific object or purpose and related improvements is \$732,000, an increase of \$382,000 over that previously authorized; and

WHEREAS, it is now desired to authorize the issuance of an additional \$382,000 bonds of said Village for such specific object or purpose to pay a portion of the cost thereof, together with related improvements;

NOW, THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York, as follows:

Section 1. For the specific object or purpose of paying additional costs of the rehabilitation and reconstruction of the Black Rock Water Treatment Plant, together with sewer liner replacements, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, in and for Village of Cornwall-on-Hudson, Orange County, New York, there are hereby authorized to be issued an additional \$382,000 bonds of the Village of Cornwall-on-Hudson, Orange County, New York, pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of such specific object or purpose is now determined to be \$732,000, which specific object or purpose is hereby authorized at said maximum estimated cost, and that the plan for the financing thereof is as follows:

- a) by the issuance of the \$350,000 bonds of said Village authorized to be issued pursuant to bond resolution dated and duly adopted November 29, 2016; and
- b) by the issuance of the additional \$382,000 bonds of said Village authorized to be issued pursuant to this bond resolution, subject to permissive referendum.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law, calculated from the date of the first obligations issued against said November 29, 2016 bond resolution, being February 10, 2017. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Village of Cornwall-on-Hudson, Orange County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall annually be levied on all the taxable real property in said Village a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Village Treasurer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Village Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Village Treasurer, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Village Treasurer shall deem best for the interests of said Village, however, that in the exercise of these delegated powers, the Village Treasurer shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Village Treasurer shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, the chief fiscal officer of such Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:  
1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or

- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. Upon this resolution taking effect, a summary thereof shall be published in the official newspaper, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 11. **THIS RESOLUTION IS ADOPTED SUBJECT TO PERMISSIVE REFERENDUM.**

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

Having no further business to bring before them, Mayor Coyne made a motion to close the special meeting at 7:06 PM which was seconded by Deputy Mayor Edsall and carried upon a vote of 5 Ayes and 0 Nays.