

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

March 25, 2019

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: DPW Superintendent David Halvorsen, Water Superintendent Michael Trainor, Code Enforcement Officer Ben Maggio, Storm King Engine Co. #2 Asst. Fire Chief Chris O'Dell, and Village Clerk Jeanne Mahoney.

Arriving at 8:30 P.M. was: Attorney for the Village Joseph McKay - standing obligation with S. Blooming Grove

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 COMMENT

Niklas Moran of 187 Mountain Road asked if the revised draft solar law was posted on the Village's website. Mayor Coyne replied that it has not. There are only a few changes that were made which will be discussed later on in tonight's agenda.

SALUTE TO DEPUTY MAYOR MARK J. EDSALL

Water Superintendent Michael Trainor stated that he was SKEC #2 Fire Chief back in 1999 when Mr. Edsall was first elected to the Village Board. Mark was good to the fire department over the years, understood its needs, and was able to convey those needs to the Village Board.

Code Enforcement Officer Ben Maggio stated that he has enjoyed working with Deputy Mayor Edsall. Mr. Edsall is a "very competent, knowledgeable, and open-minded" trustee who did a lot for the Village. Mr. Maggio wishes Mark all the best in the future.

DPW Superintendent David Halvorsen stated that he and Deputy Mayor Edsall “go way back”. When he was first appointed DPW Superintendent, Mark was very helpful, always picked up the phone-both day and night, and always there to help when needed. That was greatly appreciated.

Planning Board Member Vishwa Chaudhry stated that Mr. Edsall handled the “negative years” in the past with professionalism and competence. Deputy Mayor Edsall is an engineer, Trustee Kane is an attorney, and Trustee Schmidt is an educator. Mr. Chaudhry stated that people need to realize how important it is to have these types of professionals on the Village Board.

Carol O’Keefe of 2 Payson Road thanked Deputy Mayor Edsall for his service to the Village community.

Newly elected Village Trustee James A. Gagliano stated that he first met Deputy Mayor Edsall ten years ago when he started attending Village Board meetings. Mr. Gagliano was impressed by Mr. Edsall’s level of professionalism and he thanked Mark for his service to the community and friendship over the years. There will be a “hole” that will be difficult to fill when Mark leaves office.

Cara Masterson a representative from Assemblyman Colin Schmitt’s Office presented Deputy Mayor Edsall with an official certificate/proclamation thanking Mark for his many years of service and to wish him the best of luck moving forward.

Trustee Ken Schmidt stated that he first met Mark and his lovely family when their children attended Cornwall-on-Hudson Elementary School where he served as principal. Mark is a highly professional, extremely kind, dedicated and knowledgeable individual who “will always go to great lengths” to serve the entire community. It is “abundantly” clear that Mark’s presence on the Village Board has been “outstanding” and he will be truly and sincerely missed.

Trustee Dave Carnright stated that he has known Deputy Mayor Edsall and his family since their high school days. Since joining the Village Board 7 years ago, Mr. Carnright stated that Mark has been a mentor to him and everyone else on the Board. His expertise has been a tremendous help. Mr. Carnright wishes Mark all the luck and some “spare time at night”.

Village Clerk Jeanne Mahoney stated that the more things change, the more they stay the same. When Mr. Edsall was first elected to the Village Board back in 1999, agenda items included: adopting a Sexual Harassment policy, authorizing a Revenue Anticipation Note in the Water Fund, and approving plans and specifications to construct a Micro-filtration plant in Black Rock. Agenda items from this past year include: adopting a Sexual Harassment policy, authorizing a Revenue Anticipation Note in the Water Fund, and approving plans and specifications for a replacement liner at the Black Rock Micro-filtration plant. She stated over the past 20 years, Deputy Mayor Edsall has served with 13 Trustees, 6 Building Inspectors, 6 Fire Chiefs, 5 Engineers, 5 Attorneys, 4 Police Chiefs, 3 Mayors, 3 Water Superintendents, 2 DPW Superintendents, and 1 Village Clerk. She further stated that “We’ve been through a lot together”. “Through it all, Mark was a trusted leader, confidant, champion, protector, and friend” and she “will miss him both professionally and personally”.

Trustee Jim Kane stated that he thanks Deputy Mayor Edsall on three fronts. First as a Village resident: for his dedicated service to Village for 20 years. Second as a colleague: a hard working dedicated colleague with whom he has worked closely with on a myriad of issues. Without his professionalism and guidance these issues would have been much more difficult to accomplish. Third as a friend: for his friendship over the past ten years. Back in 2009 when he was first running for Village Trustee, Mr. Kane started attending Village Board meetings and quickly realized that, in his opinion, Mark was most the valuable member on that Board. Mark is a “hard working” professional who has brought so much background knowledge to share on community issues. While going door to door getting signatures on his nominating petition, Mr. Kane would encourage people to also vote for Mr. Edsall even though they had never met. During one of their first conversations Mark thanked him for his support.

On behalf of the Village Board, Trustee Kane presented Deputy Mayor Edsall with a shadowbox containing the Village logo, a Deputy Mayor badge, and a plaque which read in part “In grateful appreciation and recognition of your 20 years of dedicated service to the residents of the Village of Cornwall on Hudson and the Village Board of Trustees. Your teamwork, commitment, leadership and professionalism as Deputy Mayor and Trustee have ensured that our Village remains a wonderful place to live. Your loyalty, friendship and service will be long remembered.” Trustee Kane then presented Mark’s wife Maureen with flowers as a special recognition in “grateful appreciation of the commitment and support you gave to Mark”.

Mayor Brendan Coyne presented Deputy Mayor Edsall with proclamations from Orange County Executive Steven Neuhaus and State Senator James Skoufis in honor of his 20 years of dedicated service to our community.

Mayor Coyne then presented Deputy Mayor Edsall with a proclamation from the Village Board which read in part “Mark has been a proud, dedicated servant of the Village of Cornwall-on-Hudson answering many challenges, reducing long-term borrowing, and spending countless hours at meetings and events”.

Mayor Coyne stated that when he was first elected Mayor back in 2011, Mark was an “amazing mentor”. It was like having “two mayors” throughout the eight years that he has been in office. Mark’s vast experience as an Engineer, a Village Trustee, and Deputy Mayor can’t be duplicated. Mark is highly respected throughout the county. The Village “owes a great deal” of debt to Mr. Edsall because he “put an end” to most long-term borrowing thereby reducing the Village’s debt. We are very fortunate to have had Mark on the Village Board to help “get us through” difficult times. After first being elected in 2011, one of the first things Mr. Edsall handled on his behalf was Hurricane Irene. It was a devastating storm, and Mark “led us through that”. Mayor Coyne has known Mr. Edsall and his wife for many years. The sacrifice that a wife and family have to make for a member of the Village Board, especially for Mark who has served for 20 years, is enormous and Mayor Coyne is very grateful to Maureen. He presented flowers to Maureen Edsall for her support.

Deputy Mayor Edsall thanked our elected officials for the wonderful proclamations. The shadowbox he received from the Village Board is “incredibly beautiful”. He thanked everyone for their kind words this evening.

Mark “started this journey” back in the late 1990’s after discussing an opportunity to run for the Village Board with former Trustee Eugene Randazzo. Mr. Randazzo had decided that he no longer had the time to be on the Board and asked Mark if he would be willing to run. Mark appreciates Eugene having the confidence in him. Mr. Edsall stated that he had a “distinct honor” at that start of his first term to be sworn in by the late NYS Supreme Court Justice John McGuirk, a good friend and a fellow “Jasper” (a term to describe a Manhattan College graduate). For 20 years, Mark has shared the responsibility running local government with three mayors and multiple trustees. He has had the opportunity to serve as Deputy Mayor for two administrations and appreciates both showing some trust in him. Looking back, some issues that “stick in” his mind include the unexpected passing of former Deputy Mayor Tony Ferraro back in 2004. Also on a Saturday in 2006, after meeting with fellow Trustee Bill Fogarty and the Village Clerk to discuss Village debt, it was agreed they would no longer vote to authorize borrowings. He is pleased and proud that the debt has dropped from approximately \$12 million in 2006 to 2.5 million in 2019. Mark has proudly worked with Storm King Engine Co. to get a new rescue truck. Hurricane Irene hit in 2011 which left the Village “marooned” for a period of time. The support from department heads, police, and fire department got us through. Another issue was closing of the DPW building back in 2009, due to “structural” concerns, which required some “bracing” of the building to meet some very “stringent and difficulty applied code”. The building was finally reopened and in the long run it is still the “best bargain” the Village ever got. Mark stated that he “survived” the earthquake of 2011 while covering a meeting for Trustee Kane inside the DPW garage. Interesting to note he was there with an architect to discuss the structural integrity of the building. There was no damage (and this was before the reinforcement was done).

Mr. Edsall thanked all the members of the Village Board for what they’ve done for him over the years. He thanked Ms. Mahoney, whose “steadfast service” and always being there made it possible for him to “do his job”. She is not just a co-worker but also a friend who has been here for the “whole 20”. Mr. Edsall thanked former Trustee Rudy Hahn and the late Tony Ferraro for showing him “the ropes”. Mr. Edsall thanked all the Village department heads, Village employees, Storm King Engine volunteers, former fire chiefs Jeff Armitage and Mike Trainor, current fire chief Eric Chatfield, the Village police department, former police chiefs the late Rick Douglass, Charlie Williams, and current police Chief Steve Dixon. Everyone contributed to making the Village a wonderful place. Mr. Edsall thanked Jim Kane for his friendship. Together they handled some of the “heavy lifting” over the years on difficult Village issues. Most important, he thanked his wife Maureen and children Bridget and James. Without them, he “wouldn’t be here”.

Police Chief Steve Dixon stated that he was fortunate to come to work for the Village in 2011 after retiring as a Sergeant in the Town of Cornwall police department. Deputy Mayor Edsall was instrumental in bringing him to the Village as police chief fulfilling a “life-long” dream after 25 years of police service. Chief Dixon thanked Mark and stated he has always been a “tremendous” asset, a great person to work with, and most of all a friend.

Deputy Mayor Edsall and Mrs. Edsall then left the meeting due to a medical issue.

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 February 25, 2019 Business 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 February read as follows:

Village water, sewer, garbage & penalties	\$335,275.72
Town water & penalties	175,937.40

which included 3 finals/adjustments for the Village and 4 for the Town.

Warrant #3 — Trustee Carnright made a motion to approve the March 2019 Warrant #3 and authorize payment totaling \$382,876.45, 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:	\$4,220,116.44	Expenditure:	\$ 3,991,241.40
Water Fund Revenue:	\$2,284,221.37	Expenditure:	\$ 3,391,500.80
Sewer Fund Revenue:	\$ 493,158.34	Expenditure:	\$ 336,414.66

Total receipt of \$6,997,496.15 (94.68%) in anticipated revenues and \$7,719,156.86 (104.45%) in anticipated expenditures through the end of February.

The Sewer Capital Fund balance is \$308,372.12 (including interest) through February 28.

BOARD DEPARTMENT REPORTS

Building Department Trustee Carnright reported 8 building permits were issued, 15 certificates of compliance/occupancy were issued, 31 onsite inspections were performed, 4 violations were issued, 3 municipal searches were completed, and 2 fire inspections were conducted. Inspector Maggio worked 80 hours in February.

Fire Department Trustee Schmidt reported 1 automatic alarm, 8 medical emergencies, 1 mutual aid, 3 hazardous conditions, 5 training classes, 1 structure fire, 2 standby calls, and 3 other details for a total of 24 events and 209 volunteer man hours.

Trustee Schmidt further reported that 1 member completed NYS EMT training and is now a full NYS EMT (160+ hours). The annual dinner and awards ceremony will be on Friday, March 29th.

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

Trustee Schmidt reported that the electric upgrade to the rear garage has been completed. Heat and air compressor are now working.

Police Department Trustee Kane reported 1 felony assault, 1 misdemeanor fraud, 1 misdemeanor petit larceny, 1 felony arrest, 1 misdemeanor arrest, 3 property damage accidents, 18 traffic summons issued, 22 traffic warnings issued, 3 parking summons issued, 5 traffic enforcement posts, 3 fire response calls, 3 domestic incidents, 5 alarm response calls, 1 noise complaint, 2 suspicious person calls, 2 suspicious vehicle calls, 1 suspicious activity call, 4 animal complaints, 8 assists to the Town of Cornwall Police Department, 14 EMS assist calls, 5 assists to other police agencies, 5 welfare checks, 3 assists to citizens, 1 assist to COH DPW, and 1 assist to COH Water Department for a total of 311 total calls for service.

Trustee Kane further reported that during the month of February, P.O. Smedley attended “Controlled Party Dispersal Training” held at the E911 Center in Goshen. In addition the department completed “ALERTT” training.

Department of Public Works — Trustee Carnright reported 92.25 tons of trash, 26.15 tons of recycling, and no yard waste was collected. The department performed cold patching of potholes, service and repairs to Village owned vehicles, plowing and salting of roads and parking lot, removal of snow from business district and parking areas, started repairs on street sweeper and roadside mower in preparation for the season, and started painting inside second floor of DPW offices. The Spring Bulk pick up will be April 29. DPW Superintendent Halvorsen will be out of town from March 26-30.

Trustee Carnright further reported that the new fuel tracking system has been operational for a few months now and each department use is now being more accurately accounted for. In addition one of the two boilers at the Village Hall has failed. Mr. Halvorsen is waiting a quote to replace the boiler because the cost of repair of the obsolete unit will be near the cost of a new unit.

Water Department — Trustee Schmidt reported an average daily production of 808,000 gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 50), 43 lead and copper samples were collected, 9 meters were replaced, 6 miscellaneous repairs were completed, 7 final meter readings were done, and 42 utility mark-outs were completed. The department repaired a water leak at the intersection of Canterbury Ave and Poplar St., completed check of “winterized” fire hydrants, completed monthly inspection of Pressure Reduction Valves (PRV’s), read meters in the Village and all commercial meters, completed audit of commercial meters, completed snow removal from department properties, and completed painting and miscellaneous work for Water Superintendent’s Office at 50 Shore Road.

CATSKILL TREATMENT PLANT

Trustee Schmidt reported that the Catskill Treatment plant was placed back online as of March 1. In addition the floc drives were repaired, a new meter was installed to track domestic water consumption, and other miscellaneous work was completed.

TAYLOR ROAD WELLFIELDS

Trustee Schmidt reported that a standby generator has been ordered, electric service upgrades have been scheduled with Central Hudson, and a meeting was held with our “SCADA” system vendor to review “control” aspects of the project. In addition a new meter was installed to track domestic water consumption.

RESOLUTIONS

LOCAL LAW REGULATING CERTAIN SOLAR ENERGY SYSTEMS AND EQUIPMENT WITHIN THE VILLAGE OF CORNWALL-ON-HUDSON

Trustee Kane stated that based upon comments/suggestions from the Planning Board, Section 173-4 (4) was amended to “rooftop and building-mounted solar panel systems should use or include the thin film PV systems where possible”. Section 173-5- Freestanding and Ground Mounted solar energy systems was amended by adding “landscape shall be provided at the fence line to reduce adverse visual impacts” to neighbors. In addition the maximum height for freestanding and ground-mounted mounts was reduced from 10 feet to 5 feet.

Trustee Carnright stated that he has reviewed the revised draft local law and feels Village residents should not be “burdened” with having to special order 5” fencing when the standard privacy fence comes in 6’ sections.

After some additional discussion, the Board agreed to replace all references to “five-foot solid fence” with “six-foot solid fence”. In addition they agreed to amend Section 173-3 (3) by removing the following text “and shall only be permitted to provide sufficient kilowatts to power the site plus 20%. All applicants must provide a calculation demonstrating the required amount”.

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 November 19, 2018, designating the board as Lead Agency and scheduling a public hearing to be held by said Governing Body on January 28, 2019, at 7:00 p.m. at Village Hall to hear all interested persons on a proposed amendment to its Local Law authorizing the Village to adopt regulations with respect to uses, systems and equipment of solar power energy within the Village; 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 January 28, 2019, 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 local law, entitled a “Local Law Regulating Certain Solar Energy Systems and Equipment Within the Village of Cornwall-on-Hudson” (the “Local Law”); 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 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;

(2) that the adoption of the proposed local law is in the best interests of the residents of the Village, and hereby adopts said Local Law No. 2 of 2019, “Solar Energy Systems and Equipment”; 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 Trustee Carnright.

Trustee Kane amended the motion to make the approval subject to changes made by counsel and replacement of all references to “five-foot solid fence” with “six-foot solid fence”. Further to amend Section 173-3 (3) by removing the following text “and shall only be permitted to provide sufficient kilowatts to power the site plus 20%. All applicants must provide a calculation demonstrating the required amount”.

The motion as amended was then carried upon a vote of 4 Ayes and 0 Nays.

BLACK ROCK REHABILITATION PROJECT - AUTHORIZING VILLAGE CLERK TO SOLICIT BIDS

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

WHEREAS, on February 11, 2019, the Village Board designed itself as Lead Agency and adopted a resolution authorizing the issuance of a bond anticipation note in the amount of \$382,000.00 for the rehabilitation of the Black Rock Water Treatment Plant (the “Rehabilitation Project”); and

WHEREAS, the capital Rehabilitation 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 implantation of which as proposed, it has been determined will not result in any significant adverse environmental impact; and

WHEREAS, the Village Board has reviewed specifications for the Rehabilitation Project from its consulting engineers, Pitingaro & Doetsch Consulting Engineers P.C. (“Pitingaro & Doetsch”); and

WHEREAS, the Village Board wishes to proceed with the Rehabilitation Project;

NOW, THEREFORE, BE IT HEREBY RESOLVED,

1. That the Village Board accepts and approves the Plans prepared by Pitingaro & Doetsch subject to review and acceptance of final contract documents by the Attorney for the Village; and

2. That the Village Board authorizes the Clerk to advertise for bids to perform the work in accordance with the approved plans, for a bid opening date of May 2, 2019 at 2:00 p.m.

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

ESTABLISHING ENERGY BENCHMARKING REQUIREMENTS

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

WHEREAS, buildings are the single largest user of energy in the State of New York. The poorest performing buildings typically use several times the energy of the highest performing buildings—for the exact same building use; and

WHEREAS, collecting, reporting, and sharing building energy data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide, and equipped with this information the Village of Cornwall-on-Hudson is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement; and

WHEREAS, the Village of Cornwall-on-Hudson Board of Trustees desires to use Building Energy Benchmarking - a process of measuring a building’s energy use, tracking that use over time, and comparing performance to similar buildings - to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the Village of Cornwall-on-Hudson; and

WHEREAS, the Village of Cornwall-on-Hudson Board of Trustees desires to establish procedure or guideline for Village of Cornwall-on-Hudson staff to conduct such Building Energy Benchmarking; and

NOW THEREFORE, IT IS HEREBY RESOLVED AND DETERMINED, that the following specific policies and procedures are hereby adopted;

BUILDING ENERGY BENCHMARKING POLICY/PROCEDURES

§1. DEFINITIONS

(A) “Benchmarking Information” shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.

(B) “Building Energy Benchmarking” shall mean the process of measuring a building’s Energy use, tracking that use over time, and comparing performance to similar buildings.

(C) “Commissioner” shall mean the head of the Department.

(4) “Covered Municipal Building” shall mean a building or facility that is owned or occupied by the Village of Cornwall-on-Hudson that is 1,000 square feet or larger in size.

(5) “Department” shall mean the Department of Public Works.

(6) “Energy” shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.

(7) “Energy Performance Score” shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.

(8) “Energy Use Intensity (EUI)” shall mean the kBtUs (1,000 British Thermal Units) used per square foot of gross floor area.

(9) “Gross Floor Area” shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

(11) “Portfolio Manager” shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

(12) “Utility” shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

(13) “Weather Normalized Site EUI” shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

§2. APPLICABILITY

(1) This policy is applicable to all Covered Municipal Buildings as defined in Section 2 of this policy.

(2) The Commissioner may exempt a particular Covered Municipal Building from the benchmarking requirement if the Commissioner determines that it has characteristics that make benchmarking impractical.

§3. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS

(1) No later than June 1, 2019, and no later than the Annual Reorganization Meeting every year thereafter, the Commissioner or his or her designee from the Department shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year.

(2) For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Commissioner or his or her designee from the Department shall begin inputting data in the following year.

§4. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION

(1) The Department shall make available to the public on the Village of Cornwall-on-Hudson website Benchmarking Information for the previous calendar year:

(a) no later than September 1, 2019 and by September 1 of each year thereafter for Covered Municipal Buildings; and

(2) The Department shall make available to the public on the internet and update at least annually, the following Benchmarking Information:

(a) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and

(b) For each Covered Municipal Building individually:

(i) The status of compliance with the requirements of this Policy; and

(ii) The building address, primary use type, and gross floor area; and

(iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and

(iv) A comparison of the annual summary statistics (as required by Section 5(2)(b)(iii) of this Policy) across calendar years for all years since annual reporting under this Policy has been required for said building.

§5. MAINTENANCE OF RECORDS

The Department shall maintain records as necessary for carrying out the purposes of this Policy, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Department for a period of three (3) years.

§6. ENFORCEMENT AND ADMINISTRATION

(1) The Commissioner or his or her designee from the Department shall be the Chief Enforcement Officer of this Policy.

(2) The Chief Enforcement Officer of this Policy may promulgate regulations necessary for the administration of the requirements of this Policy.

(3) Within thirty days after each anniversary date of the effective date of this Policy, the Chief Enforcement Officer shall submit a report to the Village Board of Trustees including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Commissioner determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Policy.

§7. EFFECTIVE DATE

This policy shall be effective immediately upon passage.

§8. SEVERABILITY

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

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

WATER DEPARTMENT APPOINTMENTS

Upon the recommendation of Water Superintendent Michael Trainor, Mayor Coyne made a motion appointing Donald Bryde to the position of Chief Water Plant Operator, effective immediately at the pay rate listed in the current CSEA contract salary schedule, Appendix "A which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays. Mayor Coyne noted that Mr. Bryde is a dedicated employee with 28 years of service to the Village.

Upon the recommendation of Water Superintendent Michael Trainor, Mayor Coyne made a motion appointing Daniel Nye to the position of Water Maintenance Leader, effective immediately at the pay rate listed in the current CSEA contract salary schedule, Appendix "A which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays. Mayor Coyne noted that Mr. Nye is a dedicated employee with 11 years of service to the Village.

AUTHORIZE TRAINING FOR WATER DEPARTMENT EMPLOYEE

Upon the recommendation of Water Superintendent Trainor, Mayor Coyne made a motion authorizing Water Maintenance Worker Richard Smith to attend the Western New York Water Operator School from May 13, 2019 thru May 24, 2019. This training is necessary for Mr. Smith to obtain a New York State Water Operators IIA/B license which is required to operate our water treatment facilities. This authorization is conditioned upon Mr. Smith staying with the Village Water Department for a minimum of 3 years after completing the class or he will be required to reimburse the Village for the training costs. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

EMPLOYEE HEALTHCARE – CPI-HR CONTRACT

Clerk Mahoney reported that our contract with CPI-HR is up for renewal. The fee is the same as 2018 (\$4,050.00). CPI-HR provides guidance with respect to the Patient Protection and Affordable Care Act “ACA”.

Mayor Coyne made a motion accepting the ACA Assistance Agreement with CPI-HR for 2019 which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

AMENDMENT TO COLLECTIVE BARGAINING AGREEMENT

Mayor Coyne introduced the following amendment to the CSEA Collective Bargaining Agreement and moved for its adoption.

It is hereby agreed, by and between the Parties, Village of Cornwall-on-Hudson and CSEA, Local 1000 AFSCME, AFL-CIO, that the Collective Bargaining Agreement covering the time period of March 1, 2010 to February 28, 2019, and continuing pursuant to applicable law until its replacement, is hereby amended as follows:

Article IX - Retirement and Medical Insurance, Section 2-Medical Insurance (D) shall be amended to add the following paragraph:

8. Notwithstanding the foregoing, an employee who has been granted a disability retirement by the retirement system administered by the State of New York or one of its civil divisions with a minimum of 25 years of service with the Village shall receive 100% paid family coverage, as described in paragraph 4, above, without regard to the employee’s age, as described in paragraph 1, above. In the event that this section is deemed to violate any law, rule, regulation, or any provision, by-law, or requirement of the relevant insurance policy, this subsection shall be severed and deemed null and void, without recourse by the employee, or further obligation of the village.

This agreement shall be deemed effective March 1, 2019.

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

DEPARTMENT OF PUBLIC WORKS APPOINTMENT

Upon the recommendation of DPW Superintendent David Halvorsen, Mayor Coyne made a motion appointing Kevin Guarneri to the position of Department of Public Works Laborer, subject to his passing a pre-employment physical and drug testing, also subject to a one-year probationary period, at the pay rate listed in the current CSEA contract salary schedule, Appendix “A. which was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

OTHER BUSINESS – WATER DEPARTMENT

BREAKELL LAW FIRM

Mayor Coyne tabled this item for discussion in Executive Session later this evening.

ARTICLE 7 PROCEEDING – ASSESSMENT CHALLENGE

Mayor Coyne tabled this item for discussion in Executive Session later this evening.

OTHER BUSINESS

LIGHTING LAW

Trustee Kane reported that the Village Board will be reviewing comments received from Orange County Planning Department and the Village Planning Board. Mr. Kane plans on meeting with representatives of Storm King School, who will be significantly impacted by the lighting law, to discuss implementing a timeline for compliance. He estimates that the law will be in final form and ready for adoption at either the May or June Business Meeting.

COMPREHENSIVE PLAN COMMITTEE

Mayor Coyne reported that Comprehensive Plan Committee will meet this Thursday, March 28. Mayor Coyne is happy to report that we have received a \$10,000 grant to cover half the cost of hiring a planner to assist the Comprehensive Plan Committee in completing their work.

PARK PASSES

Mayor Coyne reported that we have entered into an agreement with Park Mobile to provide a mobile application option so visitors can purchase one-day parking permits at Donahue Memorial Park. Mayor Coyne will reach out to Park Mobile to see if we can reach an agreement to provide the annual parking permits as well.

RUMMAGE SALE: CORNWALL PRESBYTERIAN CHURCH

Mayor Coyne announced that Cornwall Presbyterian Church will hold a “Rummage Sale” on Saturday March 30.

APPROVE DATES FOR MOVIES ON THE HUDSON

Mayor Coyne made a motion to approve the following 2019 dates for “Movies on the Hudson”:

June 8, July 13, August 10, and September 14. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

Mayor Coyne thanked Mike Trainor and his committee for putting this together. It is a great addition to the Village.

PBA, CSEA CONTRACTS

Mayor Coyne reported that negotiations are still ongoing with the PBA. A second meeting was recently held with CSEA representatives and negotiations are now underway. Further discussion was tabled for Executive Session later this evening.

REORGANIZATION MEETING

Mayor Coyne reported that the annual Reorganization Meeting will be held on Monday, April 1st at 7:00 PM.

RETIREMENT OF JOSEPH GILL: THE CORNWALL LOCAL

Mayor Coyne reported that Joseph Gill, the long-time vice president and general manager of the Cornwall Local, will retire this Friday, March 29. Mr. Gill has been working for the newspaper for 48 years. On behalf of the Village Board, Mayor Coyne wishes Mr. Gill well in his retirement.

BULK PICKUP AND YARD WASTE COLLECTION

Mayor Coyne announced that the bi-annual bulk pickup will take place on April 29. In addition, the Department of Public Works will resume yard waste collection on April 1.

WEST POINT REGATTA

Mayor Coyne announced that the West Point “Regatta” is scheduled for April 27 and 28. There is another event that was previously approved for April 28, so Mayor Coyne will be speaking with the Regatta organizers to try to work this out.

PUBLIC COMMENT

Niklas Moran of 187 Mountain Road thanked the Village Board for enacting a Solar Law and establishing energy benchmarking requirements for certain municipal buildings. Mr. Moran further stated that Storm King School may be eligible for assistance through the New York Power Authority and/or EMPEQ in order to comply with the Lighting Law.

BOARD COMMENT

Trustee Schmidt stated that it was a nice gathering for Deputy Mayor Edsall this evening.

Trustee Carnright acknowledged the passing of Thomas Quinlan on March 20. Mr. Quinlan was a past commander of American Legion Post 353, and veteran of the U.S. Air Force.

Trustee Kane stated that Deputy Mayor Edsall will be sorely missed. In addition Mr. Kane offered his condolences to the Quinlan family. Mr. Quinlan was a “gentleman”.

Mayor Coyne offered his condolences to the Quinlan family. Mayor Coyne knew Mr. Quinlan from their days serving the Cornwall Lions Club. In addition Mayor Coyne stated that he appreciates everything done on Deputy Mayor Edsall’s behalf this evening and thanked Orange County Executive Steve Neuhaus, Assemblyman Colin Schmitt, and State Senator James Skoufis for the proclamations.

Mayor Coyne announced that the Cornwall Little League Opening Day-Parade will take place on April 6.

Attorney for the Village McKay arrived at 8:30 PM.

Mr. McKay is sorry to have missed Deputy Mayor Edsall’s “Salute” held earlier this evening. Mr. McKay has known Mark since he was first hired as the Attorney for the Village approximately 9 years ago. From the outset, it was clear that Mark was an asset to the Village. He is an incredibly bright, “strong willed” individual who routinely solved all the most difficult tasks and problems for the Village. Mark also has a dynamic work ethic and he took on and completed many daunting Village projects. Marks background as an Engineer served the Village well countless times. Mark is very creative and would often make up SEQR resolutions and schedule public hearings “on the fly”. Over the years, Mr. McKay has learned how important this community is to Mark and how much time he has devoted to it. Whenever the Village needed him, Mark was always there. When there was litigation, Mark was there. When people needed aid, Mark was always there. Mark also helped people who needed assistance through his charitable works. In 2011, the “floods came” as a result of Hurricane Irene, Mark was there. If Mark was still here this evening, Mr. McKay would thank him because in the last 10 years, he has made a friend in Mark Edsall.

Having concluded the business set before them, Mayor Coyne made a motion to adjourn the business meeting at 8:38 PM into Attorney/Client Session to discuss the assessment challenge and PBA and CSEA contract negotiations and then into Executive Session with Village Trustees to discuss potential lawsuit involving Maser Consulting. The motion was seconded by Trustee Carnright and carried upon a vote of 4 Ayes and 0 Nays.

Trustee Kane made a motion to come out of Executive Session 9:36 PM which was seconded by Trustee Schmidt and carried upon a vote of 4 Ayes and 0 Nays. No further action was taken.