

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

December 17, 2007

The regular meeting of the Board of Trustees was called to order at 7:30 P.M. with the Pledge of Allegiance, at 325 Hudson St., Cornwall-on-Hudson, N.Y.

The following Board Members were in attendance:

Mayor Joseph J. Gross
Trustee Charles R. Hahn (arrived at 7:35 PM)
Trustee Mark J. Edsall
Trustee Peter J. Miller
Trustee William T. Fogarty

Also present were: Police Chief Charles Williams, Acting DPW Superintendent David Halvorsen, Water Superintendent Robert June, SKEC #2 Fire Chief Jeffrey Armitage, Deputy Village Attorney Howard Protter, and Village Clerk Jeanne Mahoney.

PUBLIC HEARING INTRODUCTORY LOCAL LAW I-7 of 2007, "Prohibition of Illicit Discharges, Activities and Connections to Separate Storm Sewer System" Proof of Notice, Affidavit of Posting and Publication having been furnished, and copies of the text having been given to each Board Member on November 19, 2007, the Public Hearing on Prohibition of Illicit Discharges, Activities and Connection to Separate Storm Sewer System was called to order at 7:31 PM by Mayor Gross.

Deputy Village Attorney Protter stated that the proposed local law is required by New York State to assist Village's in the regulation of storm water drain discharges. The Village is one of many municipalities that has a permit for discharge into the river and is subject to the new permitting requirements. We are involved in a multi year plan to gain better control over what gets put into the drains. One of this year's requirements is to take action to prohibit certain types of connections to storm drains which would increase pollution into the river.

Trustee Edsall asked if outfall mapping has been done in time for next year's deadline. Acting DPW Superintendent Halvorsen replied that he has the outfall map prepared by Stantec. He then asked if the map is GIS compliant. Mr. Halvorsen stated he will find that out for him.

Having no one further speak for or against said proposed law, Trustee Edsall made a motion to close the public hearing at 7:35 PM which was seconded by Trustee Miller and carried by a vote of 4 Ayes and 0 Nays.

Trustee Hahn arrived at 7:35 PM.

Mayor Gross stated that he has received numerous calls since the storm thanking the Village for the care and upkeep of roadways. He thanked the Village department heads for their help. Trustee Edsall also wished to thank the Department of Public Works for a job well done.

Trustee Fogarty moved for the acceptance of the November 19, 2007 Regular Meeting and December 10, 2007 Special Meeting Minutes as presented, on a motion seconded by Trustee Hahn, the minutes were approved 5 Ayes and 0 Nays.

TREASURER'S REPORT

Mayor Gross stated that a treasurer's report for the month of November has been prepared and distributed to the Village Board for review.

The open utility balances report for the end of November read as follows:

Village water, sewer, garbage & penalties	\$121,735.38
Town water & penalties	277,317.32

Which included 1 finals/adjustments for the Village and 17 for the Town.

The following claims were approved for payment:

General Fund claims in the amount of	\$ 177,845.86
Water Fund claims in the amount of	237,017.85
Sewer Fund claims in the amount of	3,628.59
Trust & Agency claims in the amount of	2,023.78

DEPARTMENT REPORTS

The Water Department reported an average daily production of 1.116 million gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected. It was also reported that 36 utility locations were made, 33 meters were repaired or replaced, and 4 special readings were taken. In addition to routine maintenance, fire hydrant flushing was completed, water lines were relocated at 49, 51 & 53 Mountain Road, the department assisted DPW with Mountain Road bridge and road repair, and plows were moved to Shore Road.

Water Superintendent June reported that the Black Rock Treatment Plant is online and running daily.

Water Superintendent June further reported the Michael Trainor and Donald Bryde attended a two day class on Microsoft Access.

The Fire Department reported 48 events, including 17 emergency medical service (EMS) calls, for a total of 538.5 volunteer man hours.

The Mayor is in receipt of a copy of a letter from Fire Chief Armitage to Acting DPW Superintendent Halvorsen thanking him and Department of Public Works staff for their assistance with the 2007 Christmas tree lighting.

The Police Department reported 17 COVAC assists; 8 calls were covered for/assisted to Town Police; 16 responses to burglar alarms; 5 E-911 hangups; 5 domestic incidents; 15 crimes were committed; 2 vehicle lockouts; 4 accidents were investigated; 49 moving violations; and 5 parking tickets were issued. Total patrol miles = 2,866 not including mileage on Chief's vehicle.

Chief Williams reported that Sergeant Christopher Park continues investigation on seven (7) open cases.

He further reported that the department conducted "in-service" Domestic Violence refresher training. Officer's Terwilliger, Willard and Burchell attended Credit Card Fraud training. Officers Terwilliger, Willard and Nye attended 2 day "Cycle Training" which included updates on Juvenile Law, Tactical Handcuffing and Penal Law changes.

Chief Williams provided a copy of a letter sent to Officer Michael Lug by the Orange County Stop-DWI Program thanking him for participating as an instructor with the Standardized Field Sobriety Testing School.

Chief Williams then gave a brief presentation on the International Police Chief's Training Seminar he attended in New Orleans this past October.

The Department of Public Works reported replacement of 24" pipe in roadway on Boulevard with headwall, decoration of the Christmas tree for lighting, installation of menorah for lighting, removal of bridge on Mountain Rd replacing with 3, 30" ADS ultra flow pipes, headwall framed and poured for Mountain Road culverts, blacktopping of Boulevard and Mountain Road, installation of sanders and plows on trucks for snow removal, gutter cleaning on mountain, weekly leaf pick up and vehicle maintenance.

Acting DPW Superintendent Halvorsen advised the Board that three (3) vehicles broke down during the last storm. Two have had repairs made and are back in service, and the other is awaiting parts.

The Building Inspector reported 41 on site inspections, 18 fire inspections, 6 municipal searches, and 9 building permits were issued.

The Code Enforcement Officer reported 5 certificates of occupancy and compliance and 5 property maintenance violations were issued.

CORRESPONDENCE

Mayor Gross is in receipt of a copy of a letter sent by Acting DPW Superintendent Halvorsen to John DiGregorio of Central Hudson Gas & Electric regarding the poor condition of Hudson Street, Church Street, and Wood Avenue roadways where gas lines were recently replaced. He is requesting a meeting and that the roadways be restored to their condition prior to this project.

Mayor Gross is in receipt of a letter from Elizabeth Knapp Johnson requesting permission to have a wedding at Donahue Memorial Park Riverfront Shelter on September 20, 2008.

Mayor Gross is in receipt of a letter sent by Donna Chatfield of Lafayette St. to Acting DPW Superintendent Halvorsen regarding a drainage problem on her driveway she feels was created by the re-paving of Lafayette Street a couple of years ago.

Mayor Gross is in receipt of an email sent by Dennis Wood regarding the Village Board's decision to not approve an exemption to Cold War Veterans.

Trustee Edsall stated that Mr. Wood's email is not correct. The Village Board decided to take some time to review the matter prior to making a decision. No formal action was taken at last month's meeting.

Trustee Fogarty would like to start the review process by determining how many Cold War veterans currently live in the Village.

Mayor Gross is in receipt of a letter sent by Adrienne Davet requesting permission for St. Thomas of Canterbury School to hold a 5K run on June 14, 2008.

Trustee Edsall made a motion agreeing to cooperate with St. Thomas of Canterbury School with a 5K run taking place Saturday June 14, 2008, provided the event and traffic control is properly coordinated with the Police Chief which was seconded by Trustee Fogarty and carried by a vote of 5 Ayes and 0 Nays.

Mayor Gross has received an announcement regarding Parks and Trails New York technical assistance applications which must be submitted by January 11, 2008.

Mayor Gross is in receipt of an email from Food Bank of Hudson Valley to Deputy Village Attorney Protter regarding exploring the use shared space with the Village at their facility.

Mayor Gross is in receipt of a copy of a draft letter to Town and Village residents who have volunteered from the Hudson Fulton Celebration Committee.

Mayor Gross is in receipt of a letter from ARMCO Liquor License Services informing the Village Board of PortoSpain, Inc.'s intention to file an application for a liquor license with the NYS Liquor Authority and request for a waiver letter from the Village of Cornwall-on-Hudson.

Trustee Miller made a motion authorizing the Village Clerk to send a letter waiving the 30 day application hold for PortoSpain, Inc. which was seconded by Trustee Edsall and carried by a vote of 5 ayes and 0 nays.

Mayor Gross is in receipt of a statement from NYS Department of Transportation regarding the availability of grant applications for Safe Routes to School program to improve access to and from schools.

Mayor Gross is in receipt of a letter from Senator William Larkin acknowledging receipt of our request for a legislative initiative grant.

Mayor Gross is in receipt of a copy of letter sent to Police Chief Williams from David Schwartz, Chairman and Commissioner of Motor Vehicles announcing \$3,200 has been awarded to the Village to participate in the statewide “Buckle Up NY” campaign.

Mayor Gross is in receipt of an announcement from the Orange County Community Development Office regarding the availability of low interest loans to eligible homeowners.

Mayor Gross is in receipt of a copy of a letter sent by Deputy Village Attorney Protter to Margaret Menge, Editor of the Cornwall Local regarding misstatements made in the paper regarding himself and his law firm in relation to the Well fields on Taylor Road.

Ms. Menge asked to respond to the letter this evening. She states the story is correct as written and his “beef” is with Former Mayor Edward Moulton not the Cornwall Local.

PUBLIC COMMENT

Fiona Durkin of Pine Street requested special consideration from the Village Board that will allow her to get a kinder goat. She assures the Board that she has done extensive research and will provide for its care.

Discussion followed regarding health and safety concerns and zoning issues. The Village Board would have to change Village law in order to permit this type of request. The Board indicated that they would consider such a request, provided additional information and proper training/care of the animal be obtained.

Trustee Edsall suggested that a special renewable permit be part of any future discussions to assist in monitoring.

OLD BUSINESS

BLACK ROCK FILTER PLANT STATUS/MODIFICATION

Mayor Gross stated that this item was addressed earlier in tonight's agenda.

JOINT SEWER PLANT DISCUSSION

Trustee Hahn stated a meeting took place and requested information regarding the potential increases for next year. He was told to estimate a 10% increase next year.

COMPREHENSIVE/MASTER PLAN REVIEW COMMITTEE

Mayor Gross stated that comments from the Orange County Planning Department on the draft Master Plan have been received and are under review.

LOCAL DEVELOPMENT CORPORATION (LDC)

Deputy Village Attorney Protter stated that he will have paperwork for the Board to review in time for next month's meeting.

Mayor Gross stated some issues at the DPW garage are currently being addressed (i.e. snow arrestors and installation of fencing) which will be paid for from thru bond proceeds.

WATERFRONT REVITALIZATION COMMITTEE REPORT

Chairperson Wenz reported that the committee expects to hear from the Governor's office soon regarding the grant application.

INTRODUCTORY LOCAL LAW – HAND BILL AND UNSOLICITED PRINTED MATERIALS

Mayor Gross asked Deputy Village Attorney Protter to follow up with the NYS Department of State.

Discussion regarding problems with mail delivery by the Village Post Office followed.

DONAHUE MEMORIAL PARK – GROUP USE DISCUSSION

Mayor Gross stated that he will be meeting with Deputy Attorney Protter and Clerk Mahoney to discuss this item.

FINES & PENALTIES

Mayor Gross stated that this item is remains under review by the Village Board.

VILLAGE SQUARE IMPROVEMENTS PROJECT

Committee Chairperson Barbara Gosda reported that the committee continues to meet on the first Monday of each month at 7:00 PM. The committee has several goals which include improvements to the Duncan Avenue/Hudson Street intersection, improvements to the municipal lot, signage and lighting.

INTRODUCTORY LOCAL LAW I-6 OF 2007- ETHICS LAW

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

Be it enacted by the Board of Trustees of the Village of Cornwall-on-Hudson, as follows:

Section 1. Purpose

The purpose of this Local Law is to create the Village of Cornwall-on-Hudson Ethics and Disclosure Law in compliance with article 18 of the New York State General Municipal Law (the "Ethics Law"). The citizenry of the Village of Cornwall-on-Hudson ("Village") are entitled to the expectation of exemplary ethical behavior from their officers, employees and appointed officials, and this law is intended to create the minimum standards which constitute that behavior. This legislation recognizes that varying degrees of professional and governmental responsibility warrant equitable requirements of disclosure in pursuit of official integrity, which must be balanced against individual constitutional rights. Any particulars not determined in this law shall be construed within the provisions of General Municipal Law article 18.

Section 2. Definitions

Unless otherwise indicated, the following terms shall be defined as such for the purpose of the Ethics Law:

APPOINTED OFFICIAL—Any individual who is appointed by the Board of Trustees of the Village to an agency, department, council, commission or board, whether unpaid or paid.

APPROPRIATE BODY—Pursuant to article 18 of the General Municipal Law, the Board of Ethics of the Village.

VILLAGE—The Village or any department, board, office, commission agency or authority thereof.

DEPARTMENT—Any of the divisions of Village government referred to in the definition of legislation in this section, except the Board of Trustees.

DISCLOSURE FORM—The annual financial disclosure form set forth on Exhibit B to this Local Law.

INTEREST—A direct or indirect pecuniary or material benefit accruing to a municipal officer, employee or appointed official, whether as the result of a contract with the Village or otherwise.

JURISDICTION—Having authority, capacity, power or right to act with regard to the management and administration of policy and supervision of personnel of any Village department.

LEGISLATION—A matter that appears upon the calendar or agenda of the Board of Trustees of the Village or upon a committee thereof upon which any official action has been taken, and which includes adopted acts, local laws, ordinances or resolutions.

OFFICER or EMPLOYEE—Any officer or employee of the Village and any elected official, appointed official and head of any agency, commission or board of the Village, whether paid or unpaid.

POLICY-MAKING POSITION—An officer or employee whose duties are not ministerial in nature and designated to be “policy-making” by the Board of Trustees as set forth on Exhibit A to this Local Law.

REPORTING INDIVIDUAL—An officer, employee or appointed official who is required to complete and file an annual statement of financial disclosure pursuant to this Local Law.

VILLAGE ELECTED OFFICIAL—The Mayor and members of the Village Board of Trustees.

VILLAGE CONSULTANT - An individual or firm retained by the Village to provide consulting services and who in any year receives more than \$7500.00 from the Village.

Section 3. Conflict of Interest

It is the policy of the Board of Trustees of the Village that all officers, employees and consultants must avoid conflicts or potential conflicts of interest. A conflict or a potential conflict exists whenever an officer, employee or consultant has an interest, direct or indirect, which conflicts with his or her duty to the Village or which could adversely affect an individual’s judgment in the discharge of his or her responsibilities. No officer, employee or consultant shall:

A. Take action or participate in any manner whatsoever in his or her official capacity in the discussion, negotiation or awarding of any contract or in any business or professional dealings with the Village or any department thereof in which the officer, employee or consultant has or will have an interest, direct or indirect, in such contract or professional dealings.

B. Engage in, solicit, negotiate for or promise to accept private employment or render services for his or her personal benefit when such employment or service creates a conflict or impairs the proper discharge of his or her official duties.

C. Solicit, directly or indirectly, any gift or receive or accept any gift having the value of seventy-five dollars (\$75) or more, whether in the form of money, services, loan, travel,

entertainment, hospitality, thing or promise, or in any other form, under circumstances in which it could be reasonably inferred that the gift was intended to influence him or her or could reasonably be expected to influence him or her in the performance of his or her official duties or was intended as a reward for any official action on his or her part.

D. Disclose confidential financial information acquired in the course of his or her official duties or use such information to further his or her personal interest.

E. Take action on a matter before the Village or any instrumentality thereof when, to his or her knowledge, the performance of that action would provide a pecuniary or material benefit to himself or herself.

Section 4. Disclosure of Interest

A. Any officer, employee or consultant who has, will have or intends to acquire a direct or indirect interest in any matter being considered by the Board of Trustees by the Village or by any other official, board, department, officer or employee of the Village and who participates in the discussion before or who gives an opinion or gives advice to any board, department or individual considering the same shall publicly disclose on the official record of the Village the nature and the extent of such interest.

B. Any officer, employee or consultant of the Village who has knowledge of any matter being considered by any board, department, officer or employee of the Village, in which matter he or she has or will have or intends to acquire any direct or indirect interest, shall be required immediately to disclose, in writing, his or her interest to such board, department, officer or employee and the nature and the extent thereof to the degree that such disclosure gives substantial notice of any potential conflict of interest.

C. Reporting individuals, as enumerated on Exhibit A, must file with the Village Board of Ethics a statement of financial disclosure, which shall be supplied to them by the office of the Village Clerk. This statement shall be completed and returned, in a sealed envelope, to the Board of Ethics on or before March 31 of the year for which the employment is in effect.

D. A person who is subject to the filing requirements of this Local Law from more than one filing entity may satisfy the requirements by filing only one annual statement of financial disclosure and filing with the other(s) entity a notice that such filing has been made, inclusive of the date and place of the filing.

E. Any person who is subject to the reporting requirements of this Local Law shall be required to submit an annual statement of financial disclosure on or before March 31 of the year in which the employment is in effect.

Section 5. Review

Every official and employee is required to attest, on an annual basis, that he or she has reviewed the Code of Ethics of the Village, to be made on or before March 31 of the year for which the employment is in effect.

Section 6. Board of Ethics

A. Establishment. The Board of Trustees of the Village, pursuant to article 18 of the New York State General Municipal Law, hereby establishes the Village Board of Ethics, responsible for ensuring full compliance with this Code of Ethics and Disclosure. The Board of Ethics shall consist of three (3) members, who shall be appointed by the Board of Trustees. All shall be approved by majority vote of the entire Board of Trustees. Any action of the Board of Ethics requires two affirmative votes.

B. Membership.

1. Members of the Board of Ethics shall serve without compensation, but shall be entitled to reimbursement of reasonable expenses and for mileage, in accordance with rules established by the Board of Trustees. Members of the Board of Ethics shall be construed under this Local Law as policy-making officials, and thus be subject to all of the appropriate ethics and disclosure requirements.

2. The members of the Board of Ethics shall serve staggered three-year terms. Members shall not serve more than two (2) full three-year terms.

C. Removal. In addition to penalties defined specifically for violation of this Ethics Law and other pertinent sections of local, state and federal law, members of the Board of Ethics may be removed for cause by the Board of Trustees. Prior to removal, the Board of Ethics member shall be given written notice of the grounds for removal and an opportunity to reply.

D. Powers and duties.

1. The Board of Ethics shall possess all powers and duties authorized by section 808 of General Municipal Law.

2. The Board of Ethics shall be the repository for completed annual statements of financial disclosure, pursuant to section 808, subdivision 5, of the General Municipal Law and section 9-4 herein and such written instruments, affidavits and disclosures as required under this Local Law.

3. The Board of Ethics shall possess, exercise and enjoy all the rights, powers and privileges necessary and proper to the enforcement of the Code of Ethics and completion and filing by reporting officers, employees and appointed officials of the Village of annual statements of financial disclosure required by this act.

4. The Board of Ethics shall promulgate rules and regulations in furtherance of its powers and duties enumerated herein. Said rules and regulations shall include rules governing the conduct of adjudicatory proceedings and appeals relating to the assessment of the civil penalties herein authorized. The Board of Trustees may empower the Board of Ethics to subpoena any individual, whether or not a Village officer, employee or appointed official, and any document or thing which the Board of Ethics deems necessary to the resolution of any pending adjudicatory proceeding or matter.

5. Opinions.

a. The Board of Ethics shall render advisory opinions, in writing, regarding specific matters pertaining to filings and reporting categories, to officers, employees and appointed officials of the Village with respect to this Local Law and article 18 of the General Municipal Law. Such opinions shall be rendered only upon written request by the officer, employee or appointed official concerning only the subject of the inquiry as it pertains to the requesting individual's own filing requirements.

b. Such opinions shall not be made public or disclosed unless required by the Freedom of Information Law (Public Officers Law article 6) or required for use in a disciplinary proceeding or proceeding under section 9-7 of this Local Law involving the officer, employee or appointed official who requested the advisory opinion. Whenever a request for access to an advisory opinion herein is received, the officer, employee or appointed official who requested the opinion shall be notified of the request within forty-eight (48) hours of the receipt of the request.

6. The Village Attorney or his or her deputy shall serve as counsel to the Board of Ethics.

7. The Board of Ethics shall be empowered to request support staff assistance from the chief elected official in furtherance of its duties and responsibilities.

Section 7. Appeals

An appeal may be taken by the filing of a written petition in opposition to such designation within thirty (30) days from the date that the designation was filed with the Village Board of Ethics. Upon receipt of the petition, the Board of Ethics shall make a determination upon the merits of the application within thirty (30) days.

Section 8. Penalties for Offenses

A. A reporting individual who knowingly and willfully fails to file an annual statement of financial disclosure or who knowingly and willfully with intent to deceive makes a false statement or gives information which such individual knows to be false on such statement of financial disclosure filed pursuant to this Local Law shall be assessed a civil penalty in an amount not to exceed ten thousand dollars (\$10,000). Assessment of a civil penalty hereunder shall be made by the Village Board of Ethics.

B. For a violation of this Local Law, other than for conduct which constitutes a violation of section 73, subdivision 12, of the Public Officers Law, the Village Board of Ethics may, in lieu of a civil penalty, refer a violation to the County District Attorney and, upon such conviction but only after such referral, such violation shall be punishable as a Class A misdemeanor. A civil penalty for false filing may not be imposed hereunder in the event that a category of value or amount reported hereunder is incorrect, unless such reported information is falsely understated.

C. Upon an appropriate determination and vote, the Village Board of Ethics may file a written recommendation with the chief elected official or other disciplinary body, establishing grounds for removal for cause, in accordance with other provisions of the Village Law pertaining to officers, officials and employees and rules governing conduct.

D. Notwithstanding any other provision of law to the contrary, no other penalty, civil or criminal, may be imposed for a failure to file or for a false filing of such statement, except that the Board of Trustees may impose disciplinary action as otherwise provided by law.

E. The Board of Ethics shall adopt rules governing the conduct of adjudicatory proceedings and appeals relating to the assessment of the civil penalties herein authorized. Such rules shall provide for due process procedural mechanisms substantially similar to those set forth in article 3 of the State Administrative Procedure Act, but such mechanisms need not be identical in terms of scope.

F. Assessment of a civil penalty shall be final unless modified, suspended or vacated within thirty (30) days of imposition and, upon becoming final, shall be subject to review at the instance of the affected reporting individual in a proceeding commenced against the Board of Ethics pursuant to article 78 of the Civil Practice Law and Rules.

Section 9. Statement

The Board of Trustees hereby designates the form, as attached,^{*1*} as the official annual statement of financial disclosure for the purposes of fulfilling the requirements of section 9-4C, D and E, respectively, of the Village Ethics and Disclosure Law.

Section 10. Repeal

Any ordinance or local law inconsistent with the foregoing be and the same hereby is repealed.

Section 11. Effective Date

^{1*}See disclosures form set forth in General Municipal Law § 812(5).

This Local Law shall take effect with its filing with the New York State Secretary of State.

The aforementioned resolution was seconded by Trustee Miller and carried by a vote of 5 ayes and 0 nays.

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

BE IT RESOLVED that an introductory Local Law entitled “Ethics and Disclosure Law” be and it hereby is introduced before the Board of Trustees of the Village of Cornwall-on-Hudson in the County of Orange and State of New York, and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law be laid upon the desk of each member of the Board, and

BE IT FURTHER RESOLVED that the Board hold a public hearing on said proposed local law at the Village Hall, 325 Hudson Street, in the Village of Cornwall-on-Hudson, New York at 7:30 o'clock PM on January 28, 2008, and

BE IT FURTHER RESOLVED that the Clerk publish or cause to be published a public notice in the official newspaper of the Village of Cornwall-on-Hudson of said public hearing at least five (5) days prior thereto.

The aforementioned resolution was seconded by Trustee Miller, and upon a vote of 5 ayes and 0 nays, the Mayor declared this resolution adopted.

INTRODUCTORY LOCAL LAW I-7 of 2007-PROHIBITION OF ILLICIT DISCHARGES, ACTIVITIES AND CONNECTIONS TO SEPARATE STORM SEWER SYSTEM – RESOLUTION OF ADOPTION

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

WHEREAS, an Introductory local law entitled “PROHIBITION OF ILLICIT DISCHARGES, ACTIVITIES AND CONNECTIONS TO SEPARATE STORM SEWER SYSTEM” was introduced before the Board of Trustees of the Village of Cornwall-on-Hudson on November 19, 2007 and upon notice duly published and posted, a hearing was held on December 17, 2007 before the Board of Trustees; and

WHEREAS, public discussion was heard at such hearing concerning the merits and environmental significance of said introductory local law;

NOW, THEREFORE, BE IT RESOLVED, that the adoption of the Introductory Local Law is hereby determined not have a significant effect on the environment.

BE IT FURTHER RESOLVED, that the Introductory Local Law entitled “PROHIBITION OF ILLICIT DISCHARGES, ACTIVITIES AND CONNECTIONS TO SEPARATE STORM SEWER SYSTEM” of the Village of Cornwall-on-Hudson be and hereby is adopted as Local Law #6 of 2007 of the Village of Cornwall-on-Hudson on December 17, 2007.

The foregoing resolution was seconded by Trustee Edsall and carried by a vote of 5 ayes and 0 nays.

HUDSON-FULTON 2009 QUADRICENTENNIAL COMMITTEE REPORT

Mayor Gross stated that there is nothing new to report on this item.

ST. LUKES/CORNWALL HOSPITAL GALA – SEPTEMBER 6, 2008

Mayor Gross stated that estimated cost to the Village for the proposed Hospital Gala is \$2,300.00 (\$1,800 in police coverage, and \$500 in DPW maintenance).

Trustee Edsall made a motion to authorize the Mayor or Deputy Mayor to sign a gala permit, to be prepared by the Deputy Village Attorney, which was seconded by Trustee Miller and carried by a vote of 5 Ayes and 0 Nays.

Trustee Miller left the meeting at 9:15 PM.

SHORE ROAD PARKING

Trustee Edsall stated that Acting DPW Superintendent Halvorsen spoke with a CSX Representative to request limited use of their property (60'W by 30'D) for non permanent residential parking on Shore Road. We are now awaiting their decision.

ORANGE COUNTY EMERGENCY MANAGEMENT – SHARED MUNICIPAL AGREEMENT

Trustee Edsall made a motion authorizing Mayor Gross to sign a 5 year Mutual Aid and Assistance Agreement with the Orange County Department of Emergency Management which was seconded by Trustee Hahn and carried by a vote of 4 Ayes and 0 Nays.

KIRYAS JOEL FEDERAL BUDGET REQUEST FOR PIPELINE

Mayor Gross stated that he met with the Water Superintendent, Simon Gruber and a representative from Senator Schumer's office to discuss the Village's desire to ward off any future detriment to our well fields. This item will be addressed later this evening during Executive Session to discuss legal counsel.

DPW SURPLUS EQUIPMENT – BID AWARD

Mayor Gross stated that a bid opening was held on December 14, 2007. A total of 3 bids were received.

Upon the recommendation of Acting DPW Superintendent Halvorsen, Trustee Fogarty made a motion to award the 1992 Dodge Power Ram 350 (VIN 1B6MM3602NS585351) to Mark T. Bernicker, in the amount of \$2,500.00; the John Deere 3 Point Hitch Sickle Bar to Phils Service Station in the amount of \$70.00; and the 1983 Ford F-250 Recycling Truck 4X4 diesel engine (VIN 2FTHF2618DCA85715) to James Sebesta in the amount of \$21.00. The motion was seconded by Trustee Edsall and carried by a vote of 4 Ayes and 0 Nays.

NEW BUSINESS

ASSESSMENT BOARD OF REVIEW – RECOMMENDATIONS

Trustee Edsall stated that the Assessment Board of Review met on November 20, 2007 to hear grievances. Two subsequent meetings took place to finalize application review. He thanks Tom Petersen and Susan Ostrander for their time and effort put forth during the review process.

Trustee Fogarty made a motion to compensate Thomas Petersen and Susan Ostrander for their time spent at the rate of \$50.00 per meeting which was seconded by Trustee Hahn and carried by a vote of 4 Ayes and 0 Nays.

Upon their recommendations, Trustee Fogarty made a motion to approve the following changes to full market value as shown below.

Hornman	105-9-7	No Change	M&D Duncan	107-1-16	\$295,000
Hazirjian	104-1-55	\$595,000	266 Hudson	102-12-15	No Change
Land	118-1-3	\$1,400,000	Krom	102-13-28	\$1,000,000
Klein	106-3-25.1	No Change	Reid	102-6-9	\$475,500
Von Estorff	118-14-2	\$950,000	Wenz	106-3-35.1	\$490,000
Mathews	102-13-17	No Change	Moulton	105-9-6	\$1,000,000
Rosenthal	116-1-1.2	\$725,000	Neuman	102-9-22	\$725,000
Mathies	119-1-8&11	No Change	Kellog	102-13-43	\$305,000

Trustee Hahn seconded the motion and upon a vote of 4 ayes and 0 nays, the motion was carried.

WORKERS COMPENSATION – AUTHORIZE CLERK TO EXIT COUNTY POOL-ENTER INTO CONTRACT WITH PERMA

Clerk Mahoney met with our representative from Marshall & Sterling on this date regarding the current status of the Village with the Orange County Workers Compensation Pool. The County expects the Village’s share to increase from \$80,000 to \$140,000 starting January 1st. Due to the number of existing claims, it would cost the Village over \$900,000 to “buy out” of the pool. Our representative from Marshall & Sterling has been able to negotiate a zero “buy out” from the County pool, and a contract with PERMA for a total of \$81,000 starting January 1st. The Village will have to pay a premium for any existing workers compensation claim prior to January 1st.

Upon her recommendation, Trustee Fogarty made a motion to authorize the Village Clerk to exit the Worker’s Compensation Pool and sign an agreement with PERMA effective January 1, 2008 which was seconded by Trustee Edsall and carried by a vote of 4 Ayes and 0 Nays.

APPROVAL OF 2008 SKEC #2 LINE OFFICERS

Trustee Edsall made a motion to adopt the Storm King Engine Co. #2 2008 Line Officers as follows:

Jeffrey Armitage, Chief
Kurt Hahn, Assistant Fire Chief
Tom Smith – Captain
Bob Lynch – 1st Lieutenant
Robert Vought – 2nd Lieutenant

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

Having concluded the business set before them, Trustee Edsall moved to adjourn the meeting into Executive Session at 9:40 PM in order to discuss Cornwall Yacht Club Assessment, KJ-counsel, and Willow Woods which was seconded by Trustee Fogarty and upon a vote of 4 Ayes and 0 Nays, the meeting was adjourned.

The meeting was recovered at 10:15 PM.

CORNWALL YACHT CLUB – TAX CERTIORARI CLAIM

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

WHEREAS, Cornwall Yacht Club, has commenced a tax certiorari proceeding against the Village of Cornwall-on-Hudson in the Supreme Court of the State of New York, County of Orange for review of the Village's 2007 tax assessment year bearing Orange County Index #0865/07; and

WHEREAS, it appears from the recommendation of the Village Clerk, the Village's appraiser, and John H. Thomas, Jr., Esq., of Jacobowitz & Gubits, counsel for the Village of Cornwall-on-Hudson in the aforesaid proceeding, upon a thorough investigation of the claims that further proceedings and litigation by the Village would involve considerable expense with the attendant uncertainty of the outcome and that the settlement of the above matter as more fully set forth below is reasonable and in the best interests of the Village; and

WHEREAS, Cornwall Yacht Club is willing to settle these proceedings without interest, costs or disbursement, in the following manner;

1. That the proceeding for the 2007 tax year be discontinued with no change in the assessment of \$1,295,600 and with no refunds;
2. That the 2008-09 tax year be compromised and settled by the assessment being reduced to a total amount of \$198,700 (the prior 2006 assessment);
3. That the provisions of RPTL §727 be applied herein;

NOW, BE IT THEREFORE RESOLVED, that the proposed settlement as set forth and described above is hereby accepted pursuant to §68 of the Village Law, and it is further;

RESOLVED, that Jeanne Mahoney, Village Clerk of the Village of Cornwall-on-Hudson and John H. Thomas, Jr., Esq. on behalf of Jacobowitz & Gubits, LLP be and they hereby are designated as the officers of the Village who shall apply for such approval pursuant to the aforesaid section and law and be it further;

The aforementioned resolution was seconded by Trustee Fogarty.

Upon Roll Call Vote:

Mayor Gross AYE
Trustee Edsall AYE
Trustee Fogarty AYE

Trustee Hahn AYE
Trustee Miller ABSENT

The Resolution carried by a vote of 4 to 0.

Having concluded the business set before them, Trustee Edsall moved to adjourn the meeting which was seconded by Trustee Fogarty and upon a vote of 4 Ayes and 0 Nays, the meeting was adjourned at 10:20 PM.