

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

May 19, 2008

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 Mark J. Edsall
Trustee William T. Fogarty
Trustee Barbara J. Gosda
Trustee Richard Gioia

Also present were: Police Chief Charles Williams, DPW Superintendent David Halvorsen, SKEC #2 Fire Chief Jeffrey Armitage, Interim Deputy Village Attorneys Charles Frankel and Mr. Jeff Scully, and Village Clerk Jeanne Mahoney.

Trustee Fogarty moved for the acceptance of the April 21, 2008 Regular Meeting, May 5, 2008 and May 12, 2008 Special Meeting Minutes as presented, on a motion seconded by Trustee Gosda. Trustee Edsall asked that the May 12, 2008 minutes be amended from “transfer monies (approximately \$440.00) donated to the bandstand committee into their expense line” to “transfer monies (minimum \$440.00/not to exceed \$700.00)...” The minutes, as amended, were approved 5 ayes and 0 nays.

TREASURER’S REPORT

Mayor Gross stated that a treasurer’s report has been prepared through April and distributed to the Village Board for review.

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

Village water, sewer, garbage & penalties	\$ 174,054.80
Town water & penalties	187,212.04

Which included 3 finals/adjustments for the Village and 8 for the Town.

The following claims were approved for payment:

General Fund claims in the amount of	\$ 259,572.07
Water Fund claims in the amount of	545,379.27
Sewer Fund claims in the amount of	5,274.58
Trust & Agency claims in the amount of	7,895.97

COMMITTEE REPORTS

Summer Playground-Trustees Gosda and Gioia met with William Hall, the Program Director and were impressed by his experience and maturity. He is an asset to the program and we are fortunate to have him. This year the program will return to Cornwall-on-Hudson Elementary School. A proposed revised fee schedule was introduced - \$75.00 per child (Village resident), \$150.00 per child (non Village resident), \$200.00 maximum family (Village residents). St. Thomas children will be charged the Village rate, in appreciation of the School's sponsorship of the program over the last two (2) years. There will be a maximum of 250 children in the program.

Susan Ostrander of Grandview Avenue stated that her children benefited from the program. She is sorry to see fees imposed. She recommends that birth certificates and residency be checked at registration.

Carol O'Keefe of Payson Road asked how much was in the Village budget last year for the program. Trustee Gioia replied approximately \$19,000.00.

Trees & Beautification Trustee Fogarty stated that trees will be planted within the next couple of weeks.

DEPARTMENT REPORTS

The Police Department reported 11 COVAC assists; 3 calls were covered for/assisted to Town Police; 16 responses to burglar alarms; 5 E-911 hangups; 0 domestic incidents; 9 crimes were committed; 6 arrests were made; 1 vehicle lockout; 4 accidents were investigated; 72 moving violations; 13 parking tickets; and 39 vehicle and traffic stops with warning were made. Total patrol miles = 4,883, not including mileage on Chief's vehicle.

Chief Williams reported that Sergeant Christopher Park continues investigation of five (5) active open cases and seven (7) cases open but inactive. In addition, the department conducted TASER training of all officers; TASER's are now deployed on every shift. Sgt. Park, P.O.'s Terwilliger, Nye, Lug and Bailey attended S.T.O.P. DWI training conference. Sgt. Park and P.O. Pena attended "Verbal Judo" training.

Chief Williams stated that a bid opening was held on May 16, 2008 for the 1996 Ford Explorer (Old 424) with no bids received. He has contacted Propertyroom.com to pick up the vehicle and was told that the Village will receive 95% of the sale value.

Chief Williams further stated that his department has been working on "Buckle Up N.Y." a state funded program of seat belt enforcement. A total of 83 tickets, for seat belt violations, were issued in the first week.

The Department of Public Works reported completion of bulk clean up with a total tonnage of 83.87, blacktopping and patching of Village roadways, correction of flooding conditions on Taylor Place, grading and fill of flooding issues on Lafayette Street, repairs to boat docks, removal of tree stumps and roots-placement of top soil and seed on Stillman and Meadow Avenue, replacement of old storm sewer in rear of Village Hall, maintenance and repairs of Village equipment, and implementation of new recycling program.

Upon the DPW Superintendent's recommendation, Trustee Edsall made a motion authorizing two (2) DPW employees to attend Class A CDL 16 hour training preparation course followed by testing at \$895.00 each which was seconded by Trustee Fogarty and carried by a vote of 5 ayes and 0 nays.

The Fire Department reported 52 responses, including 6 emergency medical service (EMS) calls, for a total of 563.5 volunteer man hours. The department will conduct the annual mutual aid drill at Cornwall-on-Elementary School on May 28th.

Fire Chief Armitage stated that the 1973 Mack Ladder Truck is experiencing hydraulic and water problems. He further reported that a new brush truck has been ordered through a grant received from Senator Larkin.

In addition, Chief Armitage thanked the Village Department of Public Works and Police for their assistance at the April 23rd brush fire on Deer Hill Road and the Hazmat call of May 18th which turned out to be gear oil on tracks and cleaned by a private contractor.

Trustee Edsall stated that several years ago, the Village Board requested five (5) and ten (10) year plans outlining the age and condition of their apparatus as well as steps needed to bring the equipment into compliance. It was noted at that time the 1973 tower ladder truck needed to be replaced at a cost today between \$800,000 and \$1,200,000. He commends Chief Armitage for his patience and making repairs to keep the vehicle in service.

Trustee Fogarty was not aware of the Hazmat call of May 18th and would appreciate being notified through a telephone chain. Discussion followed regarding development of a proper type and implementation of a notification plan.

The Building Inspector reported 50 site inspections, 2 fire inspections, 8 building permits, and 8 municipal searches were issued.

The Code Enforcement Officer reported 4 certificates of occupancy/compliance were issued.

The Water Department reported an average daily production of 1.240 million gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 72). It was also reported that 73 utility locations were made, 20 meters were repaired or replaced, and 6 special readings were taken. In addition to routine maintenance, a leak was repaired on Main St and McCanns Lane, 7 water main valves were repaired, and a new pressure reduction valve (PRV) was installed at the traffic circle.

Black Rock Plant - Water Superintendent June reported that a relief valve was cleaned and rebuilt.

Trustee Edsall stated that he is concerned about the output of the Black Rock Plant. He would like to see more water produced from that Plant so if there are any warranty issues we find out sooner rather than later.

Trustees Gosda and Gioia received a tour of water department properties and infrastructure by the Water Superintendent. The Village is fortunate to have a diverse system and staff to be proud of.

Mayor Gross announced that the Village is seeking applicants for a summer attendant at Donahue Memorial Park and to fill a vacancy in the Planning Board.

CORRESPONDENCE

Mayor Gross is in receipt of an announcement regarding an Orange County Planning Grant.

Mayor Gross is in receipt of a letter from Tom Petersen of Duncan Avenue indicating the second annual “Duncan Avenue Block Party” will take place on Saturday, June 14th.

Mayor Gross is in receipt of a letter from David Reiss of 15 Washington Street regarding an erosion problem at his residence. He is requesting a black top curb to keep water from running off the road and onto his lawn.

Mayor Gross is in receipt of a letter dated May 12th from Betsy Turner of Hudson Street requesting that she be kept informed of any plans for Dock Hill Extension.

Mayor Gross is in receipt of a letter dated May 9th from Philomena Ross of 34 Grandview Avenue indicating her concerns over the proposed closure of Dock Hill Extension.

Mayor Gross is in receipt of a letter dated May 12th from William Krattinger of the N.Y.S. Office of Parks, Recreation and Historic Preservation regarding his recent field visits of the Village. The Quaker Chapel and several stone bridges were inspected for historical preservation purposes.

Mayor Gross is in receipt of a draft outline from David Collens of the 2009 Hudson Fulton Celebration.

PUBLIC COMMENT

Barbara Farabaugh of Cornwall Avenue read a prepared statement in which she requests replacement of 2 “street trees” across from her property which were taken down along with others throughout the Village.

Trustee Fogarty replied that he wants permission from the property owner before planting of trees.

Frank Vogel of Holts Lane stated there are dead trees throughout the Village that need to be removed.

DPW Superintendent Halvorsen replied that the Village hires an outside contractor to remove trees. He anticipates that contractor will work two (2) days within the next week to remove dead trees slated to be taken down.

Mayor Gross stated that Robert Wilson of Grandview Avenue, a professional arborist, has offered his assistance with tree removal along Dock Hill Road in return for harvest of the dead walnuts in Pagenstacher Park.

Edward Flynn of Andrews Street stated that the Town of Cornwall has a tree warden and asked if the Village could ask that person to evaluate Village trees.

Mayor Gross replied that he has contacted Mrs. Goodspeed the tree warden, but she is unable to assist the Village at this time.

OLD BUSINESS

WATERFRONT REVITALIZATION COMMITTEE REPORT

Committee Chairman Simon Gruber stated that the Committee is completing paperwork necessary to accept the grants and qualifications request. John Wenz has secured Vassar College's donation offer of used floating dock sections.

Mayor Gross stated that he has a meeting scheduled with representatives from Senator Shumer's office and Congressman Hall's office on May 29th to discuss the CSX crossing and possible cleanup of the coal dock property.

Frank Vogel stated his objection to using any taxpayer money to fund a project that will only benefit boat owners.

VILLAGE SQUARE IMPROVEMENTS COMMITTEE REPORT

Committee member Robert Kirshner reported that the committee recommends extension of the curb opening across from the municipal lot at the walkway to a width of 6 feet. This modification has been discussed with the DPW Superintendent. By including this with curb work already planned in the Village, a cost savings will be realized. The curb will meet all construction and ADA requirements and the cost will be covered by a NYS grant. This will improve handicap access.

Trustee Fogarty made a motion to authorize the curb cut as described to specifications outlined – approximately 6 feet from edge of walkway toward Hudson Street side and Maple Avenue Extension across from municipal lot (in back of bandstand). Trustee Gioia seconded the motion and opened for discussion.

Trustee Edsall asked for assurance that this action will not pre-dispose the next step in the improvement project. He is concerned that there will be less flexibility and does not want to commit to a design at this time.

Having no further discussion, the motion carried upon a vote of 5 ayes and 0 nays.

HUDSON-FULTON COMMITTEE REPORT

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

INTRODUCTORY LOCAL LAW I-6 OF 2007 – ETHICS LAW

Interim Deputy Village Attorney Taylor has reviewed the introductory local law and will provide written comments. If the Village Board decides to make any changes, a new public hearing will be necessary.

Trustee Edsall made a motion to table action on this item until the written comments are received and reviewed at the next work session which was seconded by Trustee Gosda and carried by a vote of 5 ayes and 0 nays.

STORM KING ENGINE Co. #2 – ROOFING BIDS

Mayor Gross stated that bids to repair the roof at Storm King Engine Co. #2 were forwarded to the Village Engineer for review and recommendation. He is in receipt of a memo dated May 19th with their findings.

Upon the recommendation of the Village Engineer, Trustee Edsall made a motion to award the bid to Hollenbeck & Dailey in an amount not to exceed \$3,500.00, provided that contract documents as signed reflect a ten (10) year warranty and the scope of work includes the entire roof. The motion was seconded by Trustee Fogarty and carried by a vote of 5 ayes and 0 nays.

NEW BUSINESS

STORM WATER MANAGEMENT PLAN

Trustee Fogarty made a motion to set a public hearing on the Village of Cornwall-on-Hudson Storm Water Management Plan for June 16, 2008 at 7:30 PM which was seconded by Trustee Edsall and carried by a vote of 5 Ayes and 0 Nays.

Trustee Edsall made a motion to authorize the Village Engineer to prepare the submittal, less the minutes of the public hearing, obtain necessary signatures, and forward prior to the deadline which was seconded by Trustee Fogarty and carried by a vote of 5 ayes and 0 nays.

CONSOLIDATION ISSUES

Mayor Gross stated that many municipalities are discussing consolidation issues. Before he initiates discussions with the Town, he asks each Board member to provide their opinion on the issues.

Trustee Gioia stated a cost benefit analysis is needed to determine any savings consolidation of services could bring the Village. In addition, it is important to know the Town's position before moving forward and union contracts must be considered. He supports saving money; however, a clear vision is needed so the Village does not become neglected. A study was conducted by the State in 1984 regarding police services and their recommendation was consolidation. No study on any other departmental consolidation has been done. He sees value in all Village Departments, likes having control over our services, and feels there is more sensitivity to Village resident issues than there would be with consolidation; however suggests we explore police consolidation to satisfy general public concerns.

Police Chief Williams added that the report also noted that consolidation would result in increased fees for police services.

Trustee Fogarty stated that he would like to "hone in on the police". He has concerns regarding our department and asked Chief Williams why the Board should not consider police consolidation.

Police Chief Williams replied that he understands the concerns that youth should be able to approach every police officer and the police chief should be visible and known; however he would argue that his department is already all that and more. He has been in this community for 20 years, actively involved in our schools and local sports. He has been to many people's homes to help in their time of need. If people don't know who he is by now what more could he possibly do. The Village Board and residents should have a police force because they want one. If he needs to justify their existence then "we're already in trouble". It is his job to assure residents are safe and follow the law and sometimes that is not a popular thing.

Trustee Edsall stated that benefits for overlapping services must be a consideration for consolidation. Other than Firthcliffe Heights, the town does not operate any water system so that is not an issue. The sewer departments would be worthwhile to evaluate. The fire department is a "different animal" because the town has a separate fire district with its own board of commissioners. He has read the 1984 DCJS report and was surprised that it indicated no need for a Village police patrol post. The Village would not be safe without a patrol zone (i.e. assigned police car). The report then concludes that although it would be more efficient to combine police forces it is not more cost effective. He would support commission of a new DCJS study so that the public could have the opportunity to see an updated report. The department of public works already shares equipment with local municipalities so the Board should not get involved, since there is already an overlap in efficiency there; however, he would support more structured organization through the issuance of annual agreements for sharing of major equipment.

Trustee Gosda supports a study on consolidation of the police department to determine what the savings would be. Public safety and our quality of life is a "treasure" and she would not sacrifice that for anything. Last October, she chaired the Village Square Improvement Committee and the issues considered were traffic "calming" and pedestrian safety. Police enforcement and presence is an expectation of our community and the #1 topic residents speak with her about. The police budget is a large part of our overall budget. She feels that the community wants the board to pursue consolidation with a solid plan for 24/7 coverage and expects accountability.

Mayor Gross hears complaints across the board but mostly about the police. Residents want order in the Village and laws must be enforced. He is trying to keep an open mind and thanks all Village employees who do their job well. He appreciates what our police department does for our community. There is an assessment issue and he isn't sure we have the resolution residents are looking for. He would suggest one item be addressed at a time and consolidation discussion start with the police; however this is not an indictment on that department.

PUBLIC COMMENT

Barry Gruber of 2 Bayview Terrace stated that information should be available on other municipalities who have consolidated services both successfully and unsuccessfully. "If it's not broke, don't try to fix it".

Trustee Edsall responded that the Village of Warwick recently consolidated services with the Town of Warwick, and the Board should consider speaking with them after an updated DJCS study is done.

Trustee Gioia added that the presence of technology has created more barriers then it breaks down. For example police vehicles in lieu of foot patrols, computer work rather than making personal connections.

Chief Williams stated that policing is different now than it was 20 years ago. His role as an administrator takes precedent over being a patrolman. Village departments are so burdened with paperwork, mandates and regulations it is difficult to balance that with getting out into the community. In his opinion, ours is the safest Village in Orange County.

Trustee Gosda stated that she often walks in the Village and doesn't feel safe crossing our streets.

VASSAR DOCKS – RESOLUTION OF ACCEPTANCE

Trustee Edsall made a motion to accept the offer the donation of docks from Vassar College subject to our ability to successfully transport them to the Village which was seconded by Trustee Fogarty and carried by a vote of 5 ayes and 0 nays.

Having concluded the business set before them, Trustee Gioia moved to adjourn the meeting into Executive Session to discuss legal matters pertaining to Kiryas Joel, C.S.E.A., a police memo, and litigation which was seconded by Trustee Fogarty and upon a vote of 5 Ayes and 0 Nays, the meeting was adjourned at 9:50 PM.