

## THE VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

April 6, 2009

Joseph J. Gross (Mayor), Mark J. Edsall and Douglas Vatter (Trustees) were sworn in for two year terms after signing the Oath of Office book.

The Reorganizational Meeting of the Board of Trustees was called to order at 7:00 PM 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 Barbara J. Gosda  
Trustee Richard Gioia  
Trustee Douglas Vatter

Also present were: Charles Williams, Police Chief, Robert June, Water Superintendent, David Halvorsen, DPW Superintendent, Jeffrey Armitage, Fire Chief, and Jeanne Mahoney, Village Clerk.

### MEETINGS OF THE VILLAGE BOARD OF TRUSTEES

Mayor Gross announced that the Regular monthly meeting of the Village Board of Trustees will be held on the third (3rd) Monday of each month at 7:30 PM in the Board Room of the Village Hall, 325 Hudson Street, Cornwall-on-Hudson, N.Y. In addition, the regular work session of the Board of Trustees will be held the second Monday of each month at 7:00 PM. A 2nd work session of the month, if deemed necessary, will be held either on the fourth Monday of the month at 7:00 PM or on a Saturday.

### OFFICIAL NEWSPAPER

Mayor Gross declared The Cornwall Local to be the official weekly newspaper for the Village during the fiscal year 2009/10.

Mayor Gross stated that the Village, at times, requires a daily newspaper. He then declared The Times Herald Record as the official daily newspaper of the Village for the fiscal year 2009/10.

## ATTORNEY

After some discussion, Trustee Gioia made a motion to table this appointment until the April 20<sup>th</sup> Regular Meeting. He further directed that Rider, Weiner and Frankel, LLP provide a written proposal for services which was seconded by Trustee Gosda and carried by a vote of 5 ayes and 0 nays.

## MAYORAL APPOINTMENTS

Upon the recommendation of Mayor Gross, Trustee Edsall moved for the following appointments:

Assessor	Joseph J. Gross
Deputy Mayor	Barbara Gosda
Deputy Village Attorney	Mark Taylor, Jeffrey Sculley
Village Clerk	Jeanne Mahoney
Tax Collector/Records Custodian	Jeanne Mahoney
Village Treasurer	
Assistant Treasurer	Paula Sebesta
Deputy Clerk	MaryEllen Dennett
Deputy Tax Collector	MaryEllen Dennett
Water Superintendent	Robert June
Superintendent of Public Works	David Halvorsen
Code Enforcement Officer/Building Inspector	William Lee
Fire Inspector	William Lee
Village Historian	Colette Fulton
Chairperson Planning Board	Jeffrey Small
Chairperson Zoning Board of Appeals	Horst Hoffmann
Village Engineer	
Disaster Control Officer	
Assistant Disaster Control Officer	

The foregoing appointments were seconded by Trustee Gosda, and upon a vote of 5 Ayes and 0 Nays, they were approved.

## BOARD APPOINTMENTS

Trustee Edsall moved for the following appointments:

Vital Statistic Registrar	Jeanne Mahoney
Deputy Vital Statistic Registrar	MaryEllen Dennett

The foregoing appointments were seconded by Trustee Gioia, and upon a vote of 5 Ayes and 0 Nays, they were approved.

PLANNING BOARD & ZONING BOARD APPOINTMENTS

Trustee Gioia moved for the appointment of Michael Kelly to the Zoning Board and Andrew Argenio, Maryanne Rose-O’Dell and James Patch to the Planning Board for terms to be established at the April 20<sup>th</sup> Regular Meeting. The motion was seconded by Trustee Edsall and carried upon a vote of 5 Ayes and 0 Nays.

COMMITTEE APPOINTMENTS

Trustee Edsall moved for the following committee appointments, noting the first name listed is chairperson.

Water Committee	Mayor, Board of Trustees
Assessment Board Review	Barbara Gosda, Thomas Peterson, Susan Ostrander
Police Committee	Gross, Gosda
Fire Committee	Gioia, Edsall
Personnel Committee	Vatter, Gosda
Audit Committee (Vouchers)	Mayor, Board of Trustees
Disaster Control	Gross, Vatter
Insurance Committee	Gosda, Vatter
Labor Relations	Vatter, Gosda
Street Committee	Gross, Edsall
Buildings & Grounds	Edsall, Gross
Records/Vital Statistics	Vatter, Gioia
Trees/Beautification/Parks	Gross, Gioia
Cable TV Liaison	Gioia, Edsall
Museum Liaison	Gross, Gioia
Fixed Asset Accounting	Vatter, Edsall
Recycling	Gioia, Gross
Summer Youth Program	Gosda, Gioia
Equal Opp/Access Off.	Gioia, Gosda

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

RIVERFRONT REVITALIZATION COMMITTEE

Trustee Gosda moved for the following re-appointments:

Simon Gruber	Chairperson
Richard Gioia	Board Liaison
Robert Anderson	
Colette Fulton	
Melissa Stoffa	

Andrew Maroney  
Mary Donahue  
Ron Salvatore  
Warren Mumford  
John Wenz  
Karen Schaack  
Andrew Argenio

The motion was seconded by Trustee Vatter and upon a vote of 5 Ayes and 0 Nays it was carried.

#### ADVANCED APPROVAL OF CLAIMS

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

BE IT RESOLVED, the Village Treasurer and/or Deputy Treasurer be authorized to make payment in advance of audit of claims for the following recurring charges: public utility services, postage, principal and interest on bond anticipation and bond notes, monthly lease agreements, Village credit card bills, and petty cash reimbursements.

The foregoing was resolution was seconded by Trustee Vatter and upon a vote of 5 Ayes and 0 Nays, the motion was carried.

#### MILEAGE ALLOWANCE

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

WHEREAS that Board of Trustees of the Village of Cornwall-on-Hudson has determined to pay a fixed rate for mileage as reimbursement to officers and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village:

#### NOW THEREFORE BE IT RESOLVED:

Section 1. That the Board of Trustees shall approve reimbursement to such officers and employees at the same rate as authorized by the Internal Revenue Service, currently .55 per mile.

Section 2. That this resolution shall take place immediately.

The foregoing resolution was seconded by Trustee Vatter, and upon a vote of 5 Ayes and 0 Nays, the motion was carried.

#### ATTENDANCE OF SCHOOLS

Trustee Edsall offered the following resolution and moved for its adoption:

WHEREAS there is to be held during the coming official year a) the Annual Meeting conducted by the New York State Conference of Mayors and Other Municipal Officials for

municipal officials; b) the Training School for Fiscal Officers and Municipal Clerks, conducted by the New York State Conference of Mayors; c) Orange County Conference of Villages; and

WHEREAS it is determined by the Board of Trustees that attendance by certain municipal officials and employees at one or more of these meetings, conferences or schools benefits the municipality;

NOW THEREFORE BE IT RESOLVED:

Section 1. That the following officers and employees are hereby authorized to attend the foregoing schools; Mayor, Trustees, Clerks, Treasurer, Department of Public Works Superintendent, Water Superintendent, and Chief of Police.

Section 2. That this resolution shall take effect immediately.

The foregoing resolution was seconded by Trustee Vatter, and upon a vote of 5 Ayes and 0 Nays, the motion was carried.

SIGNATURE CARDS

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

The Treasurer and Assistant Treasurer are hereby authorized from time to time, for and on behalf of the Village, to make and sign checks, agreements relating to any of the accounts maintained by the Village with the Bank.

That the Treasurer and Assistant Treasurer of the Village be and hereby are authorized and directed to certify to the Banks the names, of the present officers of the Village authorized to sign for it, and the offices respectively held by them.

That the Treasurer and Assistant Treasurer are authorized and directed to certify to the Banks that this resolution has been duly adopted, is in full force and effect and is in accordance with the provisions of the laws of the Village.

The foregoing resolution was seconded by Trustee Vatter, and upon a vote of 5 Ayes and 0 Nays, the motion was carried.

DEPARTMENT OF PUBLIC WORKS GOALS

DPW Superintendent Halvorsen stated that his department goal for the 2009-10 year is to maintain services under the current budget. In addition, he would like the ability to make improvements to roadways and infrastructure.

WATER DEPARTMENT GOALS:

The goals for the 2009-10 year were stated as follows:

Replace 260' of water main on Mill St

Install back up generator system at Riley Road station  
Upgrade chemical feed system for the wells  
GPS map all valve and hydrant locations  
Replace Well controls  
Replace fencing at Jackson Avenue wellfield

#### POLICE DEPARTMENT

Police Chief Williams stated that his department goal for the 2009-10 year is to maintain services presently provided, work closely with the Department of Criminal Justice Services with regard to the administrative study, and to fill a department vacancy by hiring a full time police officer under the “Universal Hiring Program” who will be paid by federal government for a 3 year period.

#### FIRE DEPARTMENT

Fire Chief Armitage stated that his department goal for the 2009-10 year is to provide same services that the volunteer department has for the past 125 years and try to work within the budget.

#### PROCUREMENT RESOLUTION

Trustee Edsall moved to readopt our procurement policy in order to set forth policies and procedures to meet the requirements of General Municipal Law, Section 104-b.

WHEREAS goods and services which are not required by law to be procured pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public moneys, in the best interests of the taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption. To further these objectives, the governing board is adopting internal policies and procedures governing all procurement of goods and services which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law, Section 103 or of any other general, special or local law.

#### THEREFORE BE IT RESOLVED:

Section 1. Competitive bidding is mandatory for all purchase contracts (goods and equipment) \$10,000 and over and \$20,000 for all Public Works contracts (service, labor and construction) which are not required by law to be publicly bid.

Section 2. When contracting for purchases and services under the above stated limits all departments should use NYS Bid prices where possible. Written quotes should be obtained except when not feasible or lower limit orders are being requested in which case verbal

quotes may be obtained instead. The number of which is dependent upon the dollars value of the intended purchase(s) and the availability of Suppliers. Except when no possibility of competition (sole source items - GML 103) exists and for very small procurement for which solicitations of competition would not be cost effective.

Section 3. Except for procurement made pursuant to General Municipal Law, Section 103(3) - through county contracts; or Section 104 - through State contract; State Finance Law, Section 175-b - from agencies for the blind or severely handicapped; Correction Law, Section 186 - articles manufactured in State Correction Institutions, or except where a local public emergency is involved which requires immediate action and is governed under GML 103(4). In addition, solicitation of bids need not be obtained when procuring professional services which because of the confidential nature of the services, do not lend themselves to procurement through solicitation.

Section 4. Second hand Equipment from Other Governments may be obtained without competitive bidding (State, Federal or Other political Subdivisions or public benefit corporations within the State) as per GML Section 104-b.

Section 5. Awards to Other Than Lowest Responsible Dollar Offerer - Whenever any contract is awarded to other than the lowest responsible dollar offer the reasons for such an award must be documented.

Section 6. This policy also requires the adequate documentation of actions taken. The planning, gathering and execution of which should consider the costs versus benefit rule. Documentation which may be required include Board resolutions, memoranda, written quotes, telephone logs (for verbal quotes), requests for proposals, contracts and other appropriate forms of documentation including checklists and flowcharts.

Section 7. The unintentional failure to fully comply with the provisions of these provisions shall not be grounds to void action taken or give rise to a cause of action against the Village or any officer or employee thereof.

Section 8. The Board of Trustees shall annually review these policies and procedures.

Trustee Gioia seconded the foregoing resolution and upon a vote of 5 Ayes and 0 Nays, the motion was carried.

## **OLD BUSINESS**

## **WORK SESSIONS**

Trustee Edsall restated that he would like a list of work session agenda items circulated to Board members in advance so everyone is prepared.

## **NEW BUSINESS**

### **INTRODUCTION – LOCAL LAW #1 OF 2009 FLOOD DAMAGE PREVENTION**

Upon the recommendation of Deputy Village Attorney Sculley this item was tabled for additional research.

### **INTRODUCTION – LOCAL LAW #2 OF 2009 AMENDING HOURS OF OPERATION OF CORNWALL LANDING AND PAGENSTECHEPARK**

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

**BE IT ENACTED** by the Village Board of the Village of Cornwall-on-Hudson as follows:

#### **SECTION 1 - TITLE**

This Local Law shall be referred to as “A Local Law to Amend the Hours of Operation of Cornwall Landing and Pagenstecher Park.”

**SECTION 2** - Chapter 122 of the Code of the Village of Cornwall-on-Hudson, entitled “Riverfront and Park Rules and Regulations”, is hereby amended in the following manner:

- A. Section 122-1 entitled “Definitions” is hereby amended by deleting the definition of “Dusk” set forth there in its entirety.
- B. Section 122-5 entitled “Hours of operation; minors to be accompanied by adults” is hereby amended at subsection “A” to read as follows:

“Cornwall Landing and Pagenstecher Park are open to the public only during the hours from sunrise until ~~dusk~~ 10:00 p.m. of any one day.”

#### **SECTION 3 - VALIDITY**

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

#### **SECTION 4 - EFFECTIVE DATE**

This Local Law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

The aforementioned resolution was seconded by Trustee Gioia 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 “A Local Law to Amend the Hours of Operation of Cornwall Landing and Pagenstecher Park” 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 April 20, 2009, 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 Gioia, and upon a vote of 5 ayes and 0 nays, the Mayor declared this resolution adopted.

#### DREWS ON THE SQUARE

Trustee Edsall made a motion to extend the one year license agreement with Drews on the Square to permit outdoor dining, as per the amended layout dated March 12, 2009, which was seconded by Trustee Gosda and carried by a vote of 5 ayes and 0 nays.

Having no further formal business to come before the Board, Trustee Edsall moved to adjourn the meeting in Executive Session to discuss professional service matters at 8:05 PM, which was seconded by Trustee Gioia and upon a vote of 5 Ayes and 0 Nays, the meeting was declared adjourned.