

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

July 13, 2009

The Special Meeting of the Board of Trustees was called to order at 7:00 P.M., at 325 Hudson St., Cornwall-on-Hudson, N.Y.

The following Board Members were in attendance:

Mayor Joseph J. Gross
Trustee Barbara J. Gosda
Trustee Mark J. Edsall
Trustee Douglas Vatter

Absent Was: Trustee Richard Gioia

Also present were: Deputy Village Attorney Jeffrey Sculley, and Village Clerk Jeanne Mahoney.

SPECIAL MEETING

Trustee Edsall made a motion to schedule a special meeting on Monday, July 27th at 7:00 PM in order to hold a public hearing on a proposed local law regarding eligibility requirements for non elected officials to hold office in the Village of Cornwall-on-Hudson which was seconded by Trustee Vatter and carried by a vote of 4 ayes and 0 nays.

ELIGIBILITY FOR OFFICE: RESIDENCY – INTRODUCTORY LOCAL LAW

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

PLEASE TAKE NOTICE that there has been laid upon the desk of each member of the Board of Trustees of the Village of Cornwall-on-Hudson in the County of Orange and State of New York, proposed Local Law No. 3 of the Year 2009 entitled “A Local Law to Amend Article I Entitled “Eligibility for Office: Residency” of Chapter 15 Entitled “Officers and Employees” of the Code of the Village of Cornwall-on-Hudson.” The purpose and effect of the Local Law is to amend the Village Code to provide that the Village Clerk, Deputy Clerk, Treasurer and Deputy Treasurer must reside either in Orange County or an adjoining county within the State of New York.

PLEASE TAKE FURTHER NOTICE, that pursuant to Municipal Home Rule Law Section 20, a public hearing shall be held to receive comments concerning the enactment of said Local Law on July 27, 2009 at 7:00 o’clock p.m. at the Board Room of the Village Office, located at 325 Hudson Street, Cornwall-on-Hudson, New York, at which time and place all interested parties will be heard.

PLEASE TAKE FURTHER NOTICE that the Clerk shall give notice of such public hearing specifying the time when and the place where such public hearing will be held by publication in the official newspaper of the Village of Cornwall-on-Hudson at least five (5) days prior thereto and by posting in accordance with the Municipal Home Rule Law.

The Village will make every effort to assure that the hearing is accessible to persons with disabilities. Anyone requiring special assistance and/or reasonable accommodations should contact the Village Clerk.

The foregoing motion was seconded by Trustee Gosda and opened for discussion.

Trustee Edsall suggested that the Village Board consider amending the above introductory local law by establishing a maximum mileage distance rather than county of residence restriction for eligibility consideration. His reasoning is that there are residences closer in distance but located in Dutchess County than residences in Orange County (i.e. Port Jervis).

Having no further discussion, the motion was duly put to a vote and carried by a vote of 4 ayes and 0 nays.

WATERFRONT REVITALIZATION COMMITTEE

Committee Chairman Simon Gruber stated that the committee has reviewed all the proposals received and interviewed three (3) consulting firms for the development of a “use and access plan at Donahue Memorial Park”. They are now ready to make a recommendation for the Board’s consideration.

After some discussion, Trustee Vatter made a motion authorizing Committee Chairman Gruber to enter into negotiations for scope of work, fees, and to draft a contract with their selected firm, subject to review by the Deputy Village Attorney, prior to any Board final acceptance and award which was seconded by Trustee Edsall and carried by a vote of 4 ayes and 0 nays.

ORANGE COUNTY WATER AUTHORITY

Committee Chairman Simon Gruber advised the Board of Orange County Water Authority’s possible recent adoption of a formal policy for their consideration of funding requests from municipalities and other organizations.

Mayor Gross stated that he and Trustee Gosda recently attended a meeting regarding the draft water master plan and heard many people speak critically about the Water Authority. He published a letter in the Times Herald Record regarding the management of our water system and read the response he received today from Marcia Jacobowitz, Chairperson of the Water Authority. Discussion followed.

VERIZON FIOS

John Carrington of a telecommunications insight group introduced himself as consultant to Verizon who is leading their franchise negotiations with the Village. He then introduced Pamela Goldstein, Verizon counsel, and John Butler, of Verizon external affairs.

Mr. Butler stated that he has been working with the DPW Superintendent to correct “issues” brought forth by the Village Board, and most are now resolved. One unresolved issue involves two (2) poles owned by Central Hudson at Dock Hill Road and Route 218 which are positioned too far apart. Verizon cannot remove their lines and place on Central Hudson poles unless they bring them closer together.

Trustee Edsall suggested that Verizon look into installation of a suspension cable to hang their conductors from.

In addition a signed authorization for the Village to remove public signs from poles is forthcoming. The refrigeration boxes on poles can only be moved upward because of the electronic equipment inside.

Mr. Carrington stated that a revised draft franchise agreement for cable service has been forwarded to the Deputy Village Attorney for review. He hopes it will be ready for the Board to review by next week's regular meeting.

2009 ORANGE COUNTY PLANNING GRANT

Mayor Gross stated that he was advised against submitting an application for grant money to redraft our Comprehensive Plan. Instead an application was submitted for energy conservation issues.

DRAFT COMPREHENSIVE PLAN

Mayor Gross invited comments from the Board.

Trustee Vatter has some concerns regarding future development on small building lots, and suggests that "we drop back, find out what the minimum lot size requirements are, and generate a plan to that extent".

Trustee Gosda stated that the draft plan addresses important issues. The Zoning and Planning Boards came to the Village Board because they feel zoning changes are necessary to go forward with their work. The plan, as presented, has never been reviewed by a certified planner and it should be before the Board makes any decision.

Mayor Gross stated that a "fair amount of money" has already been spent by the Village on the draft plan. Without funding, he is "at a loss to where we can go with this". He appreciates the work that went into creating the draft plan and he wants to "deal with it".

Trustee Edsall stated that he is still awaiting clarification as to who determined the grant application approved by the Board was not "one that would rank highly" based on specific criteria being used by the Orange County Planning Department. He agrees with Trustee Gosda that a plan is a very important element and needs to be updated in an appropriate manner. The Board should step back and continue to look for grant money to hire a planning firm to compile a plan that addresses all concerns. Nothing prevents the Board from enacting local laws to address the planning and zoning boards concerns as long as they comply with the current comprehensive plan.

NEW YORK STATE PENSION FUND RATE INCREASE

Trustee Vatter advised the Board and members of the public of a 4% rate increase the Village will need to pay the NYS pension fund per employee beginning in fiscal year 2011. This translates to an approximate 3% Village tax increase just to cover this one item.

CSX

Mayor Gross and Trustee Gosda attended a meeting with CSX representatives who are promoting/maintaining legislation for a “Staggered Rail Act” (for the deregulation of railroad freight rates). He asked the Deputy Village Attorney to review a suggested letter text provided by CSX prior to signing.

In addition, he met with CSX representatives regarding another grade crossing into the ten (10) acres owned by the Village which is currently landlocked by the railroad tracks. Discussion followed regarding public crossings, quad crossings, and “GO21” which will increase rail traffic.

CARNEY FLOODING – CURIE ROAD

Mayor Gross stated there has been an ongoing flooding problem at the Carney residence off Curie Rd. The engineer for the Town of Cornwall designed a plan but it couldn’t move forward because of easement issues. The Village has no money in the current budget to partner with the Town to complete this project. Discussion followed.

Having concluded the business set before them, Trustee Vatter moved to adjourn the meeting into Executive Session to discuss Treasurer and Police personnel issues, legal matters relative to the sale of Maple Avenue property, and Verizon which was seconded by Trustee Edsall and upon a vote of 4 Ayes and 0 Nays the meeting was adjourned at 8:25 PM.