

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

July 27, 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 Richard Gioia

Absent Was: Trustee Douglas Vatter

Also present were: Deputy Village Attorney Jeffrey Sculley, DPW Superintendent David Halvorsen, and Village Clerk Jeanne Mahoney.

PUBLIC HEARING INTRODUCTORY LOCAL LAW #3 OF 2009 - "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". Proof of Notice, Affidavit of Posting and Publication having been furnished, and copies of the text having been given to each Board Member on July 14, 2009, the Public Hearing on Eligibility for Office: Residency was called to order at 7:31 PM by Mayor Gross.

Deputy Village Attorney Sculley provided an overview of the proposed local law to expand the residency requirement for non-elected Village officers from "within the County of Orange" to a 30 mile linear radius of the Village of Cornwall-on-Hudson.

Trustee Edsall stated that the change of residency requirement from county to 30 mile linear radius is appropriate.

Trustee Gosda stated that this change allows the Village Board to "reach out for the best candidate".

Trustee Gioia stated that this law is limited to positions of Village Clerk, Village Deputy Clerk, Village Treasurer and Deputy Village Treasurer.

Having no one further speak for or against said amendment, Trustee Edsall made a motion to close the public hearing at 7:09 PM which was seconded by Trustee Gioia and carried by a vote of 4 ayes and 0 nays.

RESOLUTION OF ADOPTION

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

WHEREAS, 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 was first introduced before the Board of Trustees of the Village of Cornwall-on-Hudson in the County of Orange and State of New York on July13, 2009; and

WHEREAS, a notice of Public Hearing was duly advertised on July 17, 2009 in The Cornwall Local; and

WHEREAS, the Public Hearing was duly held on July 27, 2009 at 7:00 o’clock p.m., at the Board Room of the Village Hall, located at 325 Hudson Street, Cornwall-on-Hudson, New York and all parties in attendance were permitted to speak on behalf or in opposition of the proposed Local Law or any part thereof; and

WHEREAS, the adoption of said Local Law amending the Village Code provisions regarding the residency requirements for certain appointed officers constitutes a legislative action pertaining to routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment, and accordingly is a Type II Action under the State Environmental Quality Review Act; and

WHEREAS, the Board of Trustees of the Village of Cornwall-on-Hudson, after due deliberation, finds it in the best interest of the Village to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the Village of Cornwall-on-Hudson hereby adopts said Local Law #3 of 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”; and

BE IT FURTHER RESOLVED that the Village Clerk is hereby directed to enter this resolution and said Local Law in the minutes of this meeting and 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 and to the public.

The foregoing resolution was seconded by Trustee Gosda and carried by a vote of 4 ayes and 0 nays.

VILLAGE TREASURER POSITION

Trustee Edsall stated that the Village Board worked hard to find a replacement for the Village Treasurer. A candidate must be qualified in municipal regulations and accounting. He is pleased to connect with this person and looking forward to receiving more organized expenditure reports with “real numbers”.

Trustee Gosda stated that the Board “listened to the staff” and interviewed four (4) candidates. Only one has a municipal background.

Trustee Gioia stated that this candidate is “fluent in general software accounting packages”.

After some discussion, Trustee Edsall made a motion to approve the employment contract and appoint Jennifer A. Brown as Village Treasurer, effective upon the filing of local law #3 of 2009 with the NYS Department of State, which was seconded by Trustee Gosda and carried by a vote of 4 ayes and 0 nays.

Trustee Gioia then made a motion thanking Ralph Walters for his years of service to the Village as Treasurer, which was seconded by Trustee Edsall and carried by a vote of 4 ayes and 0 nays.

RESOLUTION REQUESTING ASSISTANCE FROM ORANGE COUNTY WATER AUTHORITY

After some discussion and revisions, Trustee Gioia made a motion to introduce the following resolution and move for its adoption.

WHEREAS, the Village of Cornwall-on-Hudson owns, operates and maintains a municipal water system which provides water to the Village and significant areas of the Town of Cornwall, including the Town's Firthcliffe Water District; and

WHEREAS, the Village's water system relies on three sources of water: a tap on New York City's Catskill aqueduct, reservoirs in Black Rock Forest and two wells on property off Taylor Road in the Town of Cornwall and the Village is accordingly one of the few principal water suppliers in Orange County which is identified as relying on both surface and ground water supplies; and

WHEREAS, the Village has made significant recent investments in its water supply infrastructure, including the construction of a new microfiltration treatment plant for its reservoir water; and

WHEREAS, the Orange County Water Authority ("OCWA") is "Orange County's water supply agency" and "is responsible for the overall provision of water to the County's populace through the municipal water districts within the County, as well as any facilities the County may develop; and

WHEREAS, OCWA is governed by a five member board appointed by the County Executive and confirmed by the County Legislature; and

WHEREAS, OCWA is empowered to meet its responsibility both through the development and operation of water infrastructure, and through study, coordination and planning for water supply within the County; and

WHEREAS, OCWA has published a Water Master Plan and proposed Orange County Comprehensive Plan Amendment dated July, 2009, which includes among its key water supply initiatives geared at addressing the County's water supply inadequacies and the County's overall water supply needs: the development of new water sources, the enhancement of existing sources, source water/watershed protection and interconnections between water districts; and

WHEREAS, OCWA's Water Master Plan states:

"interconnections would help to establish regional supplies that the Water Authority could own outright, develop and turn over to participating municipalities or plan and design for construction

by participating municipalities, depending upon the institutional framework selected by the Authority”; and

WHEREAS, OCWA’s authority under enabling State law includes the power to

“ acquire by purchase, gift, grant, transfer, contract or lease or by condemnation pursuant to the eminent domain procedure law within the district, lease as lessee, hold, and use any real or personal property or any interest therein, as the authority may deem necessary, convenient or desirable to carry out the purposes [of the OCWA]”; and

WHEREAS, the membership of OCWA’s board presently lacks municipal representation from Orange County’s villages, towns and cities; and

WHEREAS, among other things, OCWA’s Water Master Plan identifies the Village as having a surplus of water, based upon the completion of the new treatment plant, and proposes an interconnection with the Village of Washingtonville, which is identified as a municipality with a projected water deficit, reaching 90% of its current water supply by 2018, as a viable and critical project; and

WHEREAS, the Village of Cornwall-on-Hudson’s active water supply wells are located in an area presently having a relatively low population density, but with four dormant wells on neighboring property which previously supplied water to the Star Expansion Co. plant and related and successor facilities on the only significant identified groundwater aquifer in the Town of Cornwall; and

WHEREAS, the last issued New York State Department permits for the dormant wells limited their production to no more than 300,000 gallons per day, but their daily production could be much greater and would likely effect the Village’s wells; and

WHEREAS, although the Board of Trustees of the Village of Cornwall-on-Hudson disagrees strongly with the Water Master Plan’s findings that the Village and Town of Cornwall have and will in the future have a surplus of water, those findings nevertheless damage the Village’s ability to protect and enhance its current groundwater supplies and acquire or develop new water supplies, including the dormant wells, unless it is in conjunction with OCWA in meeting the County’s water needs; and

WHEREAS, the County of Orange proposes to adopt the Water Master Plan as a component of the County’s Comprehensive Plan giving further credence to its findings and imposing County mandated planning considerations on future water capital project plans of the County’s municipalities.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York, hereby requests that the OCWA, the Orange County Legislature, County Executive Diana and the Orange County Planning Department provide assistance to the Village of Cornwall-on-Hudson in studying and planning for its water system, including its water supplies, and its role in meeting community and regional water needs; and

BE IT FURTHER RESOLVED, that the Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York, hereby requests that the OCWA undertake or provide financial assistance and cooperation in a capital project which includes the acquisition of the dormant wells for the ownership and purposes of the Village of Cornwall-on-Hudson, and Town of Cornwall Water

District, in order to protect and enhance a current essential water source and, potentially, as a new source for municipal water to meet current and future requirements and to cure deficits, potentially to provide service to other adjoining municipalities as referenced in the Orange County Master Water Plan or as deemed appropriate by the Village of Cornwall-on-Hudson; and

BE IT FURTHER RESOLVED, that the Board of Trustees of the Village of Cornwall-on-Hudson hereby requests that the County Executive and Legislature assure that an individual who will represent the interests of the Orange County's constituent municipalities be appointed to the governing board of the OCWA; and

BE IT FURTHER RESOLVED, that the Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York, authorizes the Mayor to communicate these requests to the County Executive, officers of the County Legislature and the OCWA and to take all actions necessary to effectuate and carry out the intent of the foregoing Resolution; and

BE IT FURTHER RESOLVED, by the Board of Trustees of the Village of Cornwall-on-Hudson, Orange County, New York, that the aforesaid resolution shall take effect immediately.

The foregoing resolution was seconded by Trustee Gosda and carried on a vote of 4 ayes, 0 nays.

VERIZON WIRELESS

Trustee Edsall made a motion to authorize a change in cell phone provider from Nextel to Verizon Wireless, subject to an approved and duly executed contract signed by Mayor Gross, which was seconded by Trustee Gioia and carried by a vote of 4 ayes and 0 nays.

Discussion followed regarding a purchase/lease agreement obtained by DPW Superintendent Halvorsen for a new FWD dump truck. The Board would like the newly appointed Treasurer to review the agreement and the Village's finances before proceeding.

Having concluded the business set before them, Trustee Edsall moved to adjourn the meeting at 8:00 P.M. which was seconded by Trustee Gosda and upon a vote of 4 Ayes and 0 Nays the meeting was adjourned.