

VILLAGE OF CORNWALL-ON-HUDSON BOARD OF TRUSTEES

November 16, 2009

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 Richard Gioia
- Trustee Douglas Vatter

Also present were: Water Superintendent Robert June, DPW Superintendent David Halvorsen, Police Chief Paul N. Weber, Deputy Village Attorney Jeffrey Sculley, and Village Clerk Jeanne Mahoney.

Absent was: Trustee Barbara J. Gosda

Trustee Vatter moved for the acceptance of the October 19, 2009 Regular Meeting Minutes as written, on a motion seconded by Trustee Gioia and carried by a vote of 4 ayes and 0 nays.

Trustee Edsall moved to table acceptance of the October 12, 2009 Special Meeting Minutes because changes requested by Trustee Gosda are still pending, on a motion seconded by Trustee Gioia and carried by a vote of 4 ayes and 0 nays.

TREASURER’S REPORT

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

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

Village water, sewer, garbage & penalties	\$ 249,555.31
Town water & penalties	253,160.99

Which included 2 finals/adjustments for the Village and 5 for the Town.

The following claims were approved for payment:

General Fund claims in the amount of	\$189,091.60
Water Fund claims in the amount of	160,163.55
Sewer Fund claims in the amount of	9,677.28

COMMITTEE REPORTS

Trees & Beautification – Trustee Gioia reported that thanks to a generous grant from the NYS Department of Environmental Conservation, 40 additional bushes have been planted along Dock Hill Road. There are now 60 bushes in the “test area”.

Board of Assessment Review – Mayor Gross reported that the board will meet for their annual grievance day on November 17, 2009 from 4:00-7:00 PM.

DEPARTMENT REPORTS

The Water Department reported an average daily production of 1,007,000 gallons with all bacteria samples passing N.Y.S. Standards. The required monthly and quarterly samples were collected (a total of 41). It was also reported that 31 utility locations were made, 11 meters were repaired or replaced, 2 special readings were taken, and meter reading was completed. In addition to routine property maintenance, curb boxes were repaired on Ridge Rd., 22 Elm St., 18 Payson Rd., and 2 First St., curb boxes were located at 97 Weeks Ave., and 46 Maple St., and a water main break was repaired on Robert Rd. Further, the department began flushing of town fire hydrants, fire hydrants were painted, seasonal water services were turned off, assisted the DPW with fall clean up, and prepared snow plows for winter season.

Water Superintendent June further indicated that Black Rock plant remained offline in October. Repairs were made to 3 valves and 2 valve actuators, and the plant was brought back online November 1st. It is producing approximately 500,000 to 600,000 daily.

The Department of Public Works reported weekly yard waste collection, blacktop patching, roadway sweeping, fall bulk clean up, repairs and maintenance of Village vehicles, leaf removal from gutters, preparation of Village equipment for winter, and installation of new doors at DPW facility.

DPW Superintendent Halvorsen further reported that a minor electrical problem was repaired at the Village bandstand. Some lights are not working and extension cords used last year are frayed. In the event the Village Board agrees to light the Christmas tree this year, he recommends everything be stripped from the tree and replaced with more efficient low voltage lights which would cost approximately \$500.00. Trustee Vatter stated that repairs were recently done on the ladder truck. He is concerned about the amount of man hours spent and cost for repairs year to date, along with further wear and tear from 16 hours on the swivel to decorate the tree (which is currently leaking under the turntable). Trustee Edsall stated that the size of our tree is unparalleled by any other in the area and he would like to keep it as long as possible. He is willing to donate the first \$100 toward the necessary cost. Discussion followed.

Trustee Edsall made a motion to undertake redecoration of the large tree, noting that if any Village residents wish to contribute toward the “rebirth” of the tree we will gladly accept them. The motion was seconded by Trustee Vatter and carried by a vote of 4 Ayes and 0 Nays.

The Police Department reported 10 COVAC assists; 5 calls were covered for/assisted to Town Police; 14 responses to burglar alarms; 7 E-911 hang-ups; 6 domestic incidents; 0 major crimes were reported; 28 crimes/petty offenses were reported; 25 non criminal activities were reported; 5 arrests were made; 5 vehicle lockouts, 9 accidents were investigated; 34 moving violations; 31 vehicle and traffic stops with warning; and 5 parking tickets were issued. Total patrol miles = 3,282, not including mileage on Chief’s vehicle.

Chief Weber also reported that Officer Terwilliger is attending Crime Scene Investigation School, and the Fall Harvest Runs were covered.

Chief Weber further warned residents against engaging a suspicious individual. Instead they should monitor and follow the situation until a police officer arrives.

The Building Inspector/Code Enforcement Office reported 25 on site inspections, 1 fire inspection, 5 building permits, 1 property maintenance violation, and 9 certificate of occupancy/certificate of compliance were issued.

Mayor Gross again thanked William Lee, who retired on November 13th for his many years of service to the Village.

APPOINTMENT OF NEW PART-TIME CODE ENFORCEMENT OFFICER

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

WHEREAS, William Lee retired as Code Enforcement Officer for the Village of Cornwall-on-Hudson, effective November 13, 2009; and

WHEREAS, the Board of Trustees of the Village of Cornwall-on-Hudson desires to appoint Bruce J. Yankewicz to serve as non-competitive, part-time Village Code Enforcement Officer, as described in County of Orange Job Classification, Title No. 1823 (“Code Enforcement Officer”) and Mr. Yankewicz desires to accept such appointment; and

WHEREAS, pursuant to a certain June 4, 2009 Resolution entitled, “A Resolution Establishing Duty Hours and Setting Policy and Procedures for Compensatory Leave Accrual for Part-Time Employees of the Village of Cornwall-on-Hudson” the Mayor of the Village of Cornwall-on-Hudson has determined that it is in the best interests of the Village to establish a daily shift period for Mr. Yankewicz in excess of four (4) hours.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Cornwall-on-Hudson does hereby appoint Bruce J. Yankewicz as part-time Code Enforcement Officer for the Village of Cornwall-on-Hudson, subject to the negotiation and execution by the Mayor of the Village of Cornwall-on-Hudson and Mr. Yankewicz of an Agreement setting forth the terms and conditions of such service; and

BE IT FURTHER RESOLVED, that the Mayor of the Village of Cornwall-on-Hudson is hereby authorized to negotiate and execute the Agreement between the Village and Bruce J. Yankewicz contemplated herein, provided that said Agreement shall incorporate the following terms:

- a. Mr. Yankewicz shall be compensated for his services at a rate of \$25.00 per hour;
- b. Mr. Yankewicz shall serve no more than twenty (20) hours per week, unless authorized to serve in excess of twenty (20) hours in a week as provided for in a certain June 4, 2009 Resolution entitled, “A Resolution Establishing Duty Hours and Setting Policy and Procedures for Compensatory Leave Accrual for Part-Time Employees of the Village of Cornwall-on-Hudson”;
- c. Mr. Yankewicz shall receive no other compensation or benefits from the Village of Cornwall-on-Hudson for his services other than the wages described herein.

The foregoing resolution was seconded by Trustee Vatter and carried by a vote of 4 Ayes and 0 Nays.

The Fire Department report indicated 48 events, including 4 emergency medical service (EMS) calls, for a total of 431 volunteer man hours in October.

CORRESPONDENCE

Mayor Gross is in receipt of a letter from Ronald Arthurs of 4 Shore Road requesting permission to top off brush on Village owned property across the street from his residence.

DPW Superintendent Halvorsen reported that this property lies within the View Preservation District and he would recommend that Mr. Arthur go before the Planning Board for approval.

Mayor Gross is in receipt of the final DCJS report. It will be distributed to the Village Board for review and discussion at a future meeting.

Mayor Gross is in receipt of correspondence from Turner Miller Group regarding hazard mitigation. This item will be discussed later in tonight's agenda.

Mayor Gross is in receipt of an announcement from Orange County Association of Towns, Villages and Cities for their November 24, 2009 meeting.

Mayor Gross is in receipt of a letter from Salvatore J. DiFede, Executive Director of National Electrical Contractors Association (NECA), Hudson Valley Chapter regarding a new electrical license law.

Mayor Gross is in receipt of a letter and resume from Daniel Poindexter expressing interest to serve on the Zoning Board.

Mayor Gross is in receipt of correspondence from Raymond Yannone and counsel regarding the Missere litigation.

Mayor Gross is in receipt of a letter dated November 5, 2009 from Francis D. Phillips, II, Orange County District Attorney encouraging the Village Board to consider police consolidation.

Mayor Gross is in receipt of an email from Stephan Wilkinson regarding a building lot below his on Grandview Avenue.

Mayor Gross is in receipt of a letter from Jackie Gaillard, Race Director Cornwall Lions Club thanking the Mayor, Village Board and Village Police Department for their help with the second annual "Fall Harvest and Scenic Challenge" races.

Mayor Gross is in receipt of a copy of a letter from Joseph Cornish to Walter Moran, Superintendent of Buildings and Grounds for Cornwall Central School District regarding recent replacement of exterior auditorium doors at the Cornwall-on-Hudson Elementary School.

Mayor Gross is in receipt of a letter dated November 6, 2009 from New York State Office of Parks, Recreation and Historic Preservation regarding the Stone Arch Bridge on Lower Dock Hill Road.

Mayor Gross is in receipt of a copy of “Workplace Violence Prevention Program” guidelines from the Village Clerk for consideration from the Village Board.

Mayor Gross is in receipt of a letter dated November 2, 2009 from Kevin F. Murray, of the NYS Comptroller’s Office regarding recent changes to plan coverage provisions of the Retirement and Social Security law.

Mayor Gross is in receipt of a copy of a letter dated November 1, 2009 from Jeffrey Small to Walter Moran, Superintendent of Buildings and Grounds for Cornwall Central School District regarding recent replacement of exterior auditorium doors at the Cornwall-on-Hudson Elementary School.

Mayor Gross is in receipt of a copy of the 2009 Water Rents relevy list sent by Deputy Village Clerk Dennett to the Town of Cornwall Supervisors Office.

Mayor Gross is in receipt of an email from Justin Rider, Deputy Village Counsel for Planning and Zoning Board to Peter Osinski, Zoning Board Chairman regarding a “conflict of interest” in representing the Village on the Edgar Area Variance application. Mr. Robert Fink, Esq. has since been retained.

Mayor Gross is in receipt of a letter dated October 16, 2009 from Thomas Lane, Director of Orange County Office of Community Development regarding the draft Orange County Housing and Community Development Plan.

PUBLIC COMMENT

Carol O’Keefe of 2 Payson Road stated that she would like the Village Board to proceed with amendments to the Dog Ordinance law that will require pet owners to pick up after their animals. Discussion followed. Chief Weber will provide a copy of the section of code from the City of Newburgh regarding enforcement of dog nuisance violations for the Board’s consideration.

OLD BUSINESS

WATERFRONT REVITALIZATION COMMITTEE REPORT

Mayor Gross stated that he is in receipt of the proposal from McLaren Engineering which is currently being reviewed by Village Counsel.

DEER MANAGEMENT TASK FORCE

Chief Weber reported that his department has handled one complaint regarding hunting on a neighboring property. The department investigated the complaint and found that the homeowner had given permission for the hunting. Discussion followed regarding complaint procedures through dispatch.

DCJS STUDY

This item was addressed earlier in tonight’s agenda.

MAPLE AVENUE PROPERTY

Clerk Mahoney stated that a local realtor has expressed interest in showing the property.

TRANSITIONAL DUTY POLICY

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

ANNUAL SUPPLY BIDS – AWARD

Clerk Mahoney stated that a bid opening was held in the Village Office on November 13, 2009.

Water Treatment Chemicals Trustee Edsall made a motion to award the bid for items #1-4 to Surpass Chemicals, subject to the execution of an acknowledgement by the Village Clerk and Village Attorney, and award the bid for item #5 to Shannon Chemical, which was seconded by Trustee Vatter and carried by a vote of 4 ayes and 0 nays.

Water Meters Trustee Vatter made a motion to award to the sole bidder, Ti-Sales, which was seconded by Trustee Edsall, and upon a vote of 4 ayes and 0 nays, the motion was carried.

Fuel Oil #2 and "Off-Road" Diesel Trustee Edsall made a motion to award to the sole bidder, Porco Energy Corp., subject to receipt of the appropriate bond, which was seconded by Trustee Vatter and upon a vote of 4 ayes and 0 nays, the motion was carried.

Alum Sludge Removal Services Trustee Edsall made a motion to award the bid to Fred A. Cook, Jr., Inc., the low bidder, which was seconded by Trustee Vatter and upon a vote of 4 ayes and 0 nays, the motion was carried.

NEW BUSINESS

GRIEVANCE DAY

Clerk Mahoney announced that the annual Village Grievance Day will be held on Tuesday, November 17, 2009 from 4:00 - 7:00 P.M. in the Village Hall Board Room.

ZONING BOARD APPOINTMENT

Mayor Gross stated he has received a letter and resume from Daniel Poindexter. In addition, Thomas Petersen expressed a verbal interest in serving on the Zoning Board. The Village Board agreed to conduct interviews with each candidate.

PART-TIME POLICE APPOINTMENT

Upon the recommendation of Chief Weber, Trustee Vatter made a motion to appoint George M. Patsalos a part-time police officer in accordance with terms of the current contract which was seconded by Trustee Edsall and carried by a vote of 4 Ayes and 0 Nays.

I.T. CONSULTANT APPOINTMENT

Upon the recommendation of Chief Weber, Trustee Gioia made a motion to appoint Vincent Keller an independent I.T. Consultant for the Village, on an “as needed basis”, at a rate of \$30.00 per hour which was seconded by Trustee Edsall and carried by a vote of 4 Ayes and 0 Nays.

WEBSITE CONSULTANT APPOINTMENT

Trustee Gioia made a motion to appoint Robin Hastey an independent website consultant for the Village, at a rate of \$50.00 per hour, not to exceed the budgeted amount of \$5,000, which was seconded by Trustee Edsall and carried by a vote of 4 Ayes and 0 Nays.

DISASTER MITIGATION PLAN

Trustee Edsall reported that he is working with the Town of Cornwall to develop a hazard mitigation plan, and as such will abstain on any Village decision. A hazard mitigation plan must be in effect to be eligible for FEMA disaster money. In addition, eligibility for other grants will be affected without a plan in place. The Turner Miller Group has provided a proposal for professional services to include the Village in the Town’s Hazard Mitigation in Plan the amount of \$7,000. This will provide an opportunity to save money and create an efficient plan.

Trustee Gioia made a motion to accept the proposal for professional services to jointly develop a Hazard Mitigation Plan with the Town of Cornwall from Turner Miller Group in an amount not to exceed \$7,000.00, and authorize the Mayor to enter into a formal agreement, which was seconded by Trustee Vatter and carried by a vote of 3 Ayes, 0 Nays, 1 Abstain (Edsall).

TREE LIGHTING

Chief Weber stated that he will donate \$100.00 toward the tree lighting.

BUDGET FREEZE

Discussion took place regarding the current cash shortfall problem in the general fund, steps to reduce spending, and a potential borrowing.

Having concluded the business set before them, Trustee Edsall moved to adjourn the meeting into Executive Session in order to discuss Police and Water personnel issues, and litigation which was seconded by Trustee Vatter and upon a vote of 4 Ayes and 0 Nays, the meeting was adjourned at 9:30 PM.