

SPECIAL TOWN BOARD MEETING AND WORK SESSION was held on the 7th day of December, 2009 in the Second Floor Conference Room, 183 Main Street, Cornwall, NY 12518

PRESENT: Supervisor
Councilpersons

D. KEVIN QUIGLEY
ALEXANDER MAZZOCCA
J. KERRY McGUINNESS
RANDOLPH CLARK
MARY BETH GREENE-KRAFFT

Also PRESENT: STEVE GABA, representing Attorney for Town, JIM LOEB, Esq.

Supervisor QUIGLEY opened the Work Session at 7:00 P.M.

Councilman MAZZOCCA called for a moment of Silence for all those who died at Pearl Harbor.

A motion to go into Special Meeting was made by Councilman McGUINNESS, seconded by Councilman CLARK at 7:35 P.M.

ROLL CALL VOTE: Unanimous Aye.

Supervisor QUIGLEY advised that we received the findings and recommendations from hearing officer, Peter Korn, regarding an employee of the Town, and that we are now ready to take action on the recommendations. WHEREAS, Todd M. Hazard, Town of Cornwall Police Department Chief of Police, proffered two (2) Charges of Misconduct (the "Charges") against employee Frances Loughlin ("Respondent"); AND WHEREAS, the Town Board of the Town of Cornwall (the "Board") duly appointed Peter A. Korn (the "Hearing Officer") to preside over a hearing on the Charges proffered against Respondent held pursuant to Section 75 of the Civil Service Law; AND WHEREAS, the Hearing Officer held a hearing on August 11, 2009 attended by Respondent and her counsel at which both sides were given the opportunity to present evidence and fully examine and cross examine witnesses; AND WHEREAS, the Hearing Officer prepared a Report and Recommendations for the Board regarding the Charges; AND WHEREAS each member of the Board has received and read the Report and Recommendations of the Hearing Officer, AND WHEREAS the Hearing Officer sustained in full the Charges proffered against Respondent and recommended that Respondent's employment with the Town be terminated; THEREFORE BE IT RESOLVED that the Board hereby accepts the Hearing Officer's Report and Recommendations, and imposes the Hearing Officer's recommended penalty that Respondent's employment with the Town be terminated, effective immediately. Motion to approve was made by Councilman MAZZOCCA, seconded by Councilman CLARK.

ROLL CALL VOTE: Unanimous Aye.

Supervisor QUIGLEY advised that the Town has not received any responses to the Request for Proposals for Dog Shelter/Control. As such, he has reached an agreement with Superintendent of Buildings and Grounds, Albert Conley to take over the responsibility of Dog Control Officer at an annual stipend of \$2,500.00. Supervisor QUIGLEY further advised that the Town will shelter the dogs with Blooming Grove Humane Society at the agreed upon rate of \$20.00 per day and will extend the number of days the dogs be held from the standard time of five days to ten business days. This measure gives the dog owners extra time to retrieve their pet. WHEREAS, heretofore the Town Board of the Town of Cornwall prepared and published a Request for Proposals for Dog Shelter Operation and Dog Control Services, and WHEREAS, no proposals were submitted on the RFP; and WHEREAS, The Town Board of the Town of Cornwall determines that it is necessary to enter into an agreement for provision of dog shelter services

at this time; and WHEREAS, The Humane Society of Blooming Grove has expressed a willingness to provide such services at a cost of \$20.00 per day per dog; NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board does hereby authorize the Town Supervisor to enter into a contract on behalf of the Town with The Humane Society of Blooming Grove for provision of dog shelter services; and
2. That the said contract shall substantially conform in format and terms to the draft agreement annexed hereto.

Motion to approve was made by Councilman McGUINNESS, seconded by Councilman CLARK.

ROLL CALL VOTE: Unanimous Aye. Attorney, STEVE GABA advised that the contract is terminable at will by either side and that the Town is entitled to two weeks notice in regards to termination by the Humane Society particularly if there were circumstances where the Town was required to take the dogs back, thereby giving the Town notice, and an opportunity to do so.

A motion to close the Special Meeting and continue with Work Session was made by Councilwoman KRAFFT, seconded by Councilman MAZZOCCA.

ROLL CALL VOTE: Unanimous Aye.

A motion to go into Executive Session to discuss Personnel and pending litigation was made by Councilman CLARK at 8:50 P.M., seconded by Councilman McGUINNESS.

ROLL CALL VOTE: Unanimous Aye.

Renata McGee
Stenographer/Deputy Town Clerk
(Transcribed from recording)

Elaine Tilford Schmeer
Town Clerk