

REGULAR MEETING OF CORNWALL TOWN BOARD was held on the 14th DAY of January, 2008 in TOWN HALL, 183 Main Street, Cornwall, N. Y. at 7:30 P.M.

PRESENT: Supervisor, D. KEVIN QUIGLEY

Councilpersons, Randolph Clark

Mary Beth Greene-Krafft

J. Kerry McGuinness

ABSENT; Councilman Alexander Mazzocca

Also PRESENT; ATTORNEY, STEVE GABA representing Attorney for Town, James R. Loeb, Esq.

Meeting was called to order by Supervisor Quigley OPENING WITH PLEDGE OF ALLEGIANCE TO FLAG.

Approval of MINUTES - MOVED by Councilman RANDOLPH CLARK seconded by Councilman J. Kerry McGuinness. Roll Call; Unanimous AYES

There being NO COMMENTS forthcoming on AGENDA ITEMS Councilwoman KRAFFT ON BEHALF OF THE BOARD advised that notice has been presented at their WORK SESSION on January 7th, that Volunteer, LINDA PARISI who televises the Board Meetings would no longer continue due to her commitment working on a documentary which consumes most of her time. The January 14th Meeting will be her last.

Requesting LINDA to COME FORWARD to RECEIVE PLAQUE ON BEHALF OF THE BOARD. Commenting that she has had the privilege of working with Linda since she started 6 years ago volunteering her services to the Community televising the Town Board Meetings. PRESENTING CERTIFICATE OF APPRECIATION AND RECOGNITION FOR DISTINGUISHED SERVICE VIDEOTAPING BOARD MEETINGS OVER THE LAST SEVERAL YEARS AND APPRECIATE HER DEDICATION AND SERVICE TO THE COMMUNITY. (APPLAUSE)

AMENDMENT to JANUARY 4TH REORGANIZATION MEETING

(Resolution – SALARIES OF OFFICERS & TOWN EMPLOYEES)

Part-time Employees - John Boyle instead of Charles Clouser \$12.72 ph bi-wkly.

(Building Inspectors) Robert Lacey instead of David Lacey \$12.72 ph

Part-time Communication) Jodi Paterson instead of Michael Trainor \$ 13.86 ph

Paula Sebasta - PT Clerk (payroll)

Linda Giardello – PT Clerk (Records Mgt.) \$10.20 ph

FT – Diane Hines - Title – Assistant to Building Inspector instead of Clerk

Councilwoman KRAFFT MOVED FOREGOING CORRECTIONS AND OMISSIONS AMENDMENT TO REORGANIZATION MEETING - JANUARY 4TH, 2008. Seconded by Councilman Randolph Clark. Roll Call: Unanimous AYES ABSENT; Councilman Mazzocca

NYS ASSOCIATION OF TOWN'S ANNUAL TRAINING CONFERENCE to be held in NYC from February 17th through February 20th, 2008.

LETTERS REQUESTING AUTHORIZATION TO ATTEND FROM THE FOLLOWING:

Councilwoman Mary Beth Greene-Krafft
Receiver of Taxes, Elizabeth Longinott
Town Clerk, Elaine Tilford Schneer
Town Justices, Francis Navarra, Joseph L. Thomson
Building Inspector, Gary A. Vinson
Councilmen Randolph Clark and Alexander Mazzocca
Supervisor D. Kevin Quigley

Councilman J. KERRY MCGUINNESS MOVED FOREGOING APPROVED. Seconded by Councilman Randolph Clark. Carried.

VOTING DELAGATE - Councilwoman MARY BETH GREENE-KRAFFT. MOVED by Councilman RANDOLPH CLARK, seconded by Councilman J. Kerry McGuinness Carried.

ALTERNATE - JAMES R. LOEB, ESQ. MOVED by Councilman RANDOLPH CLARK seconded by Councilman J. Kerry McGuinness. Carried.

TIME WARNER CABLE LETTERS informing of programming changes and additions effective, January 15th on systems in Hudson Valley and Discovery Channels 125 and 839 will be renamed Investigation Discovery, effective January 27th, 2008.

RECEIVER OF TAXES – BONDING LETTER from Attorney, James R. Loeb to Town Board under date of January 14, 2008 wherein he advised, “in connection with the Receiver of Taxes undertaking to be filed with the Town for the Year, 2008. You have advised me that the undertaking will be less than the Receiver’s Warrant and that the insurance company will not increase the amount of the undertaking. You will recall that this problem arose for the first time in 1986 and it now appears that it will be a continuing problem. As I have advised the Town Board each year starting in 1986, Section 25 of the Town Law requires that an undertaking be filed on behalf of the Receiver for all monies and properties

coming into the Receiver's hands. However, I believe that as long as the undertaking is of a sufficient amount so that it is at least equal to the amount of money received and held by the Receiver at any one time, we have complied with the spirit of the law. There is an opinion of the State Comptroller that supports that position.

As you know, the Receiver turns over monies on a regular basis as she receives them. It is my understanding that this process insures that the Receiver will never have an amount in her account which approaches the amount of the undertaking. As long as the Receiver is careful to see that she never has on hand more monies than the amount of the undertaking, I believe the Town is in compliance with the law".

Councilwoman MARY BETH GREENE-KRAFFT MOVED TOWN CLERK BE RESPONSIBLE FOR SENDING NECESSARY INFORMATION TO THE COUNTY.

Seconded by Councilman Randolph Clark. Carried.

AUTHORIZE PAYMENT FROM SIDEWALK CAPITAL FUND to JOSEPH'S CONCRETE FOR \$10,000. 00 which Board had approved at a previous meeting regarding the 2007 Highway Department Sidewalk Project

Councilman McGuinness MOVED PAYMENT APPROVED. Seconded by Councilman Clark. Carried.

LETTERS from NUGENT & HAEUSSLER, P.C. ACCOUNTANTS regarding TWO SEPARATE AUDITS – one for the Town and one for the Courts and authorization is required to undertake audits for the year ending December, 2007.

Councilwoman MARY BETH GREENE-KRAFFT MOVED AUTHORIZATION TO SUPERVISOR QUIGLEY TO SIGN FOREGOING AGREEMENTS with Nugent & Haeussler. Seconded by Councilman J.Kerry McGuinness. Carried.

FOLLOW-UP LETTER TO SENATOR LARKIN REGARDING MEMBER INITIATIVE - GRANT TOWN RECREATION IMPROVEMENTS

"I am writing to you as a follow up to the request for Member Initiative made by former Supervisor Richard Randazzo before leaving office December 31st, 2007. On behalf of the Town we are requesting \$25,000. for improvements to our playground and swimming pool areas.

As a continuation of improvements to our recreation areas we are planning to install walkways to connect the playground and pools as well as landscaping in the area. Recent improvements have included installation of a new playground, new

picnic pavilion and access from the parking area. This Member Initiative will enable us to complete access to these facilities and enhance the landscaping for the benefit of our residents. We appreciate your consideration of this request.

Signed: Kevin Quigley, Supervisor

Councilwoman KRAFFT MOVED APPROVAL ON FOREGOING . Seconded by Council man Randolph Clark. Carried.

CERTIORARI PROCEEDINGS - TM#31-1-18 Kirwan vs. Town of Cornwall Under date of 1-11-2008 from Ron Fiorentino, Sole Assessor - "Fee Proposal" from independent appraisal company that is required for the above noted court proceedings. Appraisal is for Years, 2004, 2005 and 2006. I would recommend approval of Mr. Morin's proposal based on other work he has done for the Town. Councilwoman MARY BETH GREENE-KRAFFT MOVED FOREGOING RECOMMENDATION OF ASSESSOR FIORENTINO. Seconded by Councilman J. Kerry McGuinness. Carried.

RESOLUTION DAN Z Cornwall Holdings Corp. LETTER OF CREDIT #245 will Expire – 2-1-2008 maintenance security -\$27,277.00 (to be made part of official record)

Councilwoman MARY BETH GREENE-KRAFFT presented RESOLUTION which was seconded by Councilman J.Kerry McGuinness. Roll Call: 4 AYES Absent: Councilman Mazzocca.

RESOLUTION – DECLARING FRIDAY, JANUARY 18TH, 2008 - RICHARD RANDAZZO DAY IN TOWN OF CORNWALL.

WHEREAS, RICHARD RANDAZZO has served the citizens of the Town of Cornwall as its Supervisor for 20 years, and

WHEREAS, this Town Board on behalf of all of the citizens of the Town of Cornwall wishes to express its thanks and appreciation to RICHARD RANDAZZO For his years of tireless service to the community as Supervisor of the Town of Cornwall, and

WHEREAS, it is fitting and proper that this Town Board does so by the adoption of a resolution and the presentation of a plaque honoring his years of service to be placed on the picnic pavilion at the playground on Town Hall grounds.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board of the Town of Cornwall on behalf of all the Citizens of the Town of Cornwall hereby expresses its appreciation to RICHARD RANDAZZO for his many, many years of service to the Community as the Supervisor of the Town of Cornwall.
2. That RICHARD RANDAZZO has set the standard for all men and women to try to meet in service to their community.
3. That the Town Board hereby declares Friday, January 18th, 2008 as RICHARD RANDAZZO DAY in the Town of Cornwall, Orange County, New York.
4. That the Town Board is pleased to adopt this resolution in recognition of the service of RICHARD RANDAZZO and directs that a certified copy of this resolution be presented to RICHARD RANDAZZO in his honor on January 18th, 2008.
5. That the members of this Town Board are pleased to present a plaque to RICHARD RANDAZZO in honor of his many years of service which plaque will be placed on the picnic pavilion at the playground on Town Hall grounds.

Councilman J. KERRY MCGUINNESS presented the foregoing resolution which was seconded by Councilwoman MARY BETH GREENE-KRAFFT.

The vote on the foregoing resolution was as follows:

Councilwoman Mary Beth Greene-Krafft	AYE
Councilman Randolph S. Clark	AYE
Councilman J. Kerry McGuinness	AYE
Councilman Alexander Mazzocca	ABSENT
Supervisor D. Kevin Quigley	AYE

REGARDING PURCHASE of POLICE VEHICLE Councilwoman KRAFFT MOVED AUTHORIZATION TO POLICE CHIEF HAZARD TO PURCHASE THROUGH STATE BID. Seconded by Councilman Randolph Clark. Carried.

RESOLUTION – VAILS GATE BUSINESS CENTER, L.L.C.

WHEREAS, heretofore Vails Gate Business Center, L.L.C. has applied to the Planning Board for site plan approval, and

WHEREAS, on May 7, 2007 the Planning Board adopted a resolution of site plan approval conditioned upon the Developer’s Agreement with the Town setting forth certain obligations which shall run with the land and bind heirs, successors and assigns of the Developer, and

WHEREAS, the Attorney for the Town has reviewed the proposed Developer’s Agreement and finds it satisfactory.

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby approve the proposed Developer’s Agreement between Vails Gate Business Center, L.L.C. and the Town of Cornwall and the Supervisor be and he hereby is authorized to execute any and all documents necessary to effectuate the Agreement on behalf of the Town of Cornwall.

That the original Developer’s Agreement will be recorded in the Orange County Clerk’s Office at the sole cost and expense of the Developer.

Councilman J. KERRY MCGUINNESS presented the foregoing resolution which was seconded by Councilwoman MARY BETH GREENE-KRAFFT. The vote on the foregoing resolution was as follows:

- Councilman Randolph S. Clark AYE
- Councilwoman Mary Beth Greene-Krafft AYE
- Councilman Alexander Mazzocca ABSENT
- Councilman J. Kerry McGuinness AYE
- Supervisor D. Kevin Quigley AYE

RESOLUTION - BASSETT DEVELOPMENT COMPANY, LLC

WHEREAS, Bassett Development Company, LLC has provided a Letter of Credit in connection with the dedication of DENNISTON DRIVE to the Town, and

WHEREAS, the Town Highway Superintendent and the Town’s Consulting Engineers have advised there is no reason to retain any security on this project.

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town of Cornwall does hereby authorize the Supervisor to surrender the Letter of Credit issued by Provident Bank on behalf of Bassett Development Company, LLC in connection with the dedication of Denniston Drive.

That the Town Clerk be directed to return the original Letter of Credit to Provident Bank.

Councilman J. KERRY MCGUINNESS presented the foregoing resolution which was seconded by Councilman RANDOLPH S. CLARK .

The vote on the foregoing resolution was as follows:

AYES; Mr. Clark, Mrs. Krafft, Mr. McGuinness,
Supervisor, D. Kevin Quigley

ABSENT: Mr. Mazzocca

RECREATION DEPARTMENT - PURCHASE ORDER for FESTIVE HOLIDAYS TOUR of Southern ITALY -ESTIMATED TOTAL \$135,681.00

Councilwoman KRAFFT MOVED AUTHORIZATION on foregoing. Seconded by Councilman Randolph Clark. Carried.

She noted that the trip to ITALY will be in October or November. Other trips will be advertised. More information available through Cornwall Recreation Department.

PERSONNEL – APPOINTMENTS Assessor Ron Fiorentino recommended MARGARET SLOWIK, be appointed FULL TIME ASSESSOR’S CLERK , EFFECTIVE, JANUARY 14, 2008 at annual salary, \$29,317.29. She will be available to start work on February 1, 2008.

Councilwoman KRAFFT MOVED FOREGOING APPOINTMENT of Margaret Slowik. Seconded by Councilman Randolph Clark. Carried.

Assessor recommended that DONNA HENDERSON continue filling the Temporary full-time position until February 1, 2008 after which she will fill the part-time ASSESSOR’S CLERK POSITION provided for in the budget. Salary \$12.14 per hour.

PLANNING BOARD - RE-APPOINTMENT - 5 Years - JOSEPH GRABE- Term expires December 2012

CORNWALL CONSERVATION ADVISORY COUNCIL – 2 YEARS –Bernard Sussman, Sally Faith Dorfman-Sirota – RE-APPOINTMENTS - both expire in December, 2009.

Councilman CLARK MOVED FOREGOING RE-APPOINTMENTS. Seconded by Councilman J.Kerry McGuinness. Carried.

MEMO – POLICE CHIEF TODD HAZARD Requesting Board approval of PART TIME DISPATCHER-MATTHEW STACK, EFFECTIVE, JANUARY 15,2008 He will be available to meet with Board at any time and appointment will be contingent on fingerprint completion from DCJIS. Councilwoman KRAFFT MOVED FOREGOING APPOINTMENT of Matthew Stack. Seconded by Councilman J. Kerry McGuinness. Carried.

PERMISSION to PURCHASE THROUGH NEW YORK STATE BID the following:

- ONE Police Patrol Vehicle
- ONE Police Chief’s Vehicle

Cost not to exceed 2008 Budget allotment of \$63,000.00.

Councilwoman KRAFFT MOVED AUTHORIZATION to CHIEF HAZARD on foregoing. Seconded by Councilman Randolph Clark. Carried. Abs. Councilman Mazzocca

LIBRARY – REQUEST for ONE VOTING MACHINE on for ANNUAL LIBRARY BUDGET VOTE on TUESDAY, APRIL 8TH and assistance in transporting it to the Cornwall Public Library.

Councilwoman KRAFFT MOVED foregoing. Seconded by Councilman Clark. Carried.

Recognition of Lynda Parisi – Already entertained at start of meeting.

Supt. Of Highways, Bob Conley REQUEST for authorization to execute purchase orders on subject equipment. Funds are available in FY appropriations . Equipment will be installed on Highway Department 2000 Chevrolet 1 Ton Dump Truck PURCHASED FROM HUDSON RIVER TRUCK & TRAILER;

- 1 Down Easter 8’Stainless Steel Sander w/Honda engine and long chute
Installed \$5,695.00
- 1 FSHD – Fisher 9’HDMinute Mount 2Snow Plow complete \$4,195.00
- 1 F27100 Steel Snow foil Assy.RD/HD M 332.85

FOREGOING PURCHASE ORDER WAS MOVED APPROVED BY COUNCILMAN J. KERRY MCGUINNESS SECONDED BY COUNCILMAN RANDOLPH CLARK. CARRIED.

Letter from Attorney LOEB that LOCAL LAW #6-2007 has been filed in Secretary of State's Office on December 24, 2007 and is now in full force and effect.

RECORDS MANAGEMENT GRANT Letter of Request from Town Clerk, as Records Management Officer for permission to pursue GRANT through Local Government Records Management Improvement Fund for the purpose of establishing an electronic record-keeping system for maps currently stored in the third floor records room. Grant would fund purchase of 13 rolled tube steel shelving boxes, as well as salary and benefits of the Records Clerk for recording maps into the State Archives database. Estimated amount of Grant request is approximately \$6,348. (salary \$2232, benefits, \$216., steel tube shelving boxes \$3,900). Grant application must be submitted by February 1, 2008. Thank you for your consideration.

Councilman J. KERRY MCGUINNESS MOVED AUTHORIZATION ON FOREGOING REQUEST IN APPLYING FOR THE RECORDS MANAGEMENT GRANT. Seconded by Councilman Randolph Clark. Carried.

LIQUOR LICENSE RENEWAL SHAMROCK TAVERN –DBA E&T Trennes, Inc. at 247 Main St., Cornwall, N.Y.-Pres. Tresa Trennes per ABC Sec. 64Sub.Div.2A State Liquor Authority (for the record)

WARRANT #1 ACCEPTED and APPROVED by Councilman RANDOLPH CLARK Seconded by Councilman J. Kerry McGuinness. Carried.

COMMITTEE REPORTS: Councilman CLARK reported on SEWER PLANT EXPENSIVE PROBLEM which will be followed up. Presently working on insurance and quotes should be available by next week and Workers Comp information will be available as soon as possible.

Councilman MCGUINNESS reported on SANITATION and personnel is short in Highway Department due to illness. COVAC has elected new Officers for the Year, 2008.

Councilwoman KRAFFT reported on RECREATION relative to Youth Funding, Youth Programs and Senior Volunteers and program for toddlers up to six years of age. Also noted Physical Fitness Program for individuals at \$50 per person as well as several trips that will be advertised and information available through recreation department. Trip to ITALY will be scheduled for October or November.

Detailed information will be forthcoming on all trips through the recreation department and will be advertised.

Supervisor QUIGLEY informed BOARD MEMBERS that there would be an INSURANCE MEETING on the 24th at 7:00 P.M to discuss the Town's Insurance Coverage.

PUBLIC COMMENTS; MR. J. LENNON, 3 TAMARA LANE, CORNWALL addressed the Supervisor on the number of residents registered and planning to vote on the school budget at the Library? Are there any numbers? Do you have them?

Ans. The school district is an entity on their own and as I understand it they are not involved with the Board of Elections.

Councilwoman KRAFFT commented one has to be registered through the Orange County Board of Elections. But the number of people voting we do not have that information. But one can also register through the school district. The Town supplies the voting machine.

MR LENNON: My reason for asking is on the number of machines needed for the school district and the library is requesting only one machine?

When there are two or three thousand people voting what happens if the machine breaks down?

Councilwoman KRAFFT gave lengthy explanation commenting that if the problem cannot be rectified by the voting machine custodian they would then have to resort to paper ballots. Noting that the Library has requested only one machine.

Mr. CHRIS EACHEAUS, Orange County Legislator addressed the Board informing that the absence of Councilman Mazzocca was due to an emergency operation involving his wife and on behalf of the Board, wished both he and his wife well and that she will have a speedy recovery.

There being NO FURTHER BUSINESS to come before the Board and no additional public comments, Councilwoman KRAFFT MOVED TOWN BOARD MEETING CLOSED. Seconded by Councilman J. Kerry McGuinness. Carried.

Constance Triolo,
Deputy Town Clerk-Stenog.

Elaine Tilford Schmeer
Town Clerk