

SPECIAL MEETING of the CORNWALL TOWN BOARD was held on the 12th day of July, 2010 in the Second Floor Conference Room, 183 Main Street, Cornwall, NY 12518

REGULAR MEETING of the CORNWALL TOWN BOARD was held on the 12th day of July, 2010 in the First Floor Court 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: ATTORNEY STEVE GABA, representing Attorney for Town, JAMES R. LOEB Esq.

SPECIAL MEETING:

The Board convened in the Second Floor Conference Room at 7:00 P.M. prior to the Regular Meeting, to hold a Special Meeting. Motion to go into Executive Session to discuss personnel and to seek legal counsel was made by Councilman MAZZOCCA, seconded by Councilman CLARK.

ROLL CALL VOTE: Unanimous Aye.

A motion to end Executive Session and to adjourn the Special Meeting was made by Councilman McGUINNESS, seconded by Councilman CLARK. Special Meeting adjourned at 7:38 P.M.

REGULAR MEETING:

Pledge

Councilman MAZZOCCA took a moment to thank Alex Ellick for volunteering his time, equipment and efforts to do the videography of all the Board Meetings without receiving a dime. Councilman MAZZOCCA stated that Alex did a wonderful job and raised his hopes for today's youth by setting such an example. Alex will be attending college shortly.

Approval of Minutes – June 14, 17, 25, 28, July 7, and Clinton Street Improvement Project – Phase 2 Bid Opening: Motion to approve was made by Councilman CLARK, seconded by Councilman MAZZOCCA.

ROLL CALL VOTE: Unanimous Aye.

Public Comment – Agenda Items – None

Agenda Item #1 – Resolution – Drainage Easement Robert Road – Supervisor QUIGLEY advised that this is an old drainage easement that dates back to the 50's behind some houses on Robert Road, and we need to determine where the easement actually is so that we stay on our property. In order to do this, we need to hire a surveyor. WHEREAS, a drainage easement in favor of the Town of Cornwall runs through Lots 21, 22, 23 and 24 on Filed Map No. 1618 in the Robert Road section of the Town, and

WHEREAS, residents have requested that the Town perform work on the drainage premises including clearing of trees and other debris, and WHEREAS, the Town's Highway Superintendent has requested that the Town Board authorize the expenditure of \$450.00 for survey work to be performed by Steven P. Drabick to correctly mark and identify the easement premises. NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board does hereby authorize the Highway Superintendent to sign the annexed Steven P. Drabick letter proposal, and
2. That the Highway Superintendent is further authorized to proceed with the proposed work on the drainage premises.

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

ROLL CALL VOTE: Unanimous Aye.

Agenda Item #2 – Resolution – Clinton Street Improvement Project – Phase 2 – Supervisor QUIGLEY advised that we have chosen not to do the additional work at this time and therefore need to go to Re-bid . WHEREAS, heretofore the Town Board has authorized going to public bid for the Clinton Street Improvements Project – Phase 2, and WHEREAS, the bids were returnable and opened on the afternoon of July 7, 2010, and WHEREAS, THE Town's Consulting Engineer has recommended rejection of all of the bids, and WHEREAS, THE Town is anxious to complete the necessary repairs as expeditiously as possible, NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board does hereby reject all of the bids submitted in connection with the Clinton Street Improvements Project – Phase 2, and
2. That the Town Board does hereby authorize the re-advertisement of bids for the said project in accordance with the specifications prepared by the Town's Consulting Engineer, and
3. That the Town Board does hereby authorize the Town Supervisor to set such date and time when the bids will be publicly opened and read aloud.
4. That the Town Clerk is directed to publish and post the notice to bidders

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

ROLL CALL VOTE: Unanimous Aye.

Agenda Item #3 – Resolution – NYS Retirement System – Elected or Appointed Town Officials – Supervisor QUIGLEY advised that the NYS Retirement System is requesting that we log our hours. Attorney GABA advised that this will be done for a three-month period that once it has been established, it can be renewed for seven years. WHEREAS, certain elected or appointed Town officials are members of the New York State and Local Employees' Retirement System, and WHEREAS, the Office of New York State Comptroller has adopted reporting and record-keeping requirements in regard to participation in the New York State and Local Employees' Retirement System, and WHEREAS, the Town of Cornwall is enacting this resolution in order to comply with the said requirements of the New York State Comptroller; NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town of Cornwall hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained by these officials:

<u>Title</u>	<u>Name</u>	<u>Standard Work Day</u>	<u>Term of office</u>
Supervisor	Kevin Quigley	8 hrs/day	1/1/10-12/31/11
Clerk	Elaine Tilford Schneer	8 hrs/day	1/1/10-12/31/11
Deputy Supervisor	Mary Beth Greene-Krafft	20 hrs/week	1/1/10-12/31/13
Receiver Of Taxes	Elizabeth Longinott	20 hrs/week	1/1/08-12/31/11
Justice	Joseph Thomson	20 hrs/week	1/1/08-12/31/11

Motion to approve was made by Councilwoman GREENE-KRAFFT, seconded by Councilman McGUIINNESS.

ROLL CALL VOTE: Unanimous Aye.

Agenda Item #4 – Fitness in the Park Program – Sportsplex – Supervisor QUIGLEY advised that they had sent us a letter for a schedule but there was a conflict with the Court and so they switched it to a new date. Sportsplex would love to help get the Cornwall community moving, and will offer a four-week “Fitness in the Park” series; beginning on Saturday July 24, 31, August 7, and 14 from 9:00 to 10:00 A.M. Motion to approve was made by Councilwoman GREENE-KRAFFT, seconded by Councilman CLARK.

ROLL CALL VOTE: Unanimous Aye.

Agenda Item #5 – Police Department Vehicles – Supervisor QUIGLEY read a request from Chief HAZARD asking the Town Board to authorize the purchase of a 2010 Ford Explorer Four Wheel Drive vehicle at the State Contract price of \$24,696.50, and a 2011 Ford Crown Victoria at the State Contract price of \$23,661.20. Supervisor QUIGLEY stated that we lost a car due to fire and the insurance will cover the cost of one of these vehicles and the other funds are available in the budget. Motion to approve purchase was made by Councilman McGUIINNESS, seconded by Councilman MAZZOCCA.

ROLL CALL VOTE: Unanimous Aye.

Agenda Item #6 DCJS Federal 2009 Byrne JAG Recovery Grant – License Plate Reader Equipment – Supervisor QUIGLEY announced that we received a \$17,500.00 grant from Federal 2009 Byrne JAG Recovery Grant Funds to support the purchase of License Plate Reader equipment for use by the Cornwall Town Police Department. This award will be for 1-year of project funding with a contract start date of October 1, 2010. Motion to accept the grant was made by Councilwoman GREENE-KRAFFT, seconded by Councilman CLARK.

ROLL CALL VOTE: Unanimous Aye.

Agenda Item #7 – NYCOMCO – Radio Lease – Sanitation/Highway – Supervisor QUIGLEY read a request from Superintendent of Highways, Robert Conley, requesting authorization to sign a 5-year lease (60

months) for radio communications for the Highway and Sanitation Departments. Sanitation lease is \$618.00 per month and Highway is \$1,184.00 per month. Motion to approve was made by Councilman CLARK, seconded by Councilman MAZZOCCA.

ROLL CALL VOTE: Unanimous Aye.

Agenda Item #8 – Chip Seal 2010 Road Maintenance Schedule – Councilwoman GREENE-KRAFFT made a motion to accept the 5-year plan, seconded by Councilman McGUINNESS. A copy of the Schedule will be made a permanent part of the Minutes. Councilwoman GREENE-KRAFFT congratulated the Highway Department on an excellent job.

ROLL CALL VOTE: Unanimous Aye.

Agenda Item #9 – Striping Quaker Avenue – Supervisor QUIGLEY advised that Quaker Avenue needed to be striped for safety reasons. Councilman McGUINNESS advised that this will be bead striping – crushed beads which make it reflective. Councilwoman GREENE-KRAFFT reminded the Board that as per the Work Session, there are funds available in the budget for this process. Motion to award the contract to A Plus Striping in the amount of \$9,690.00 was made by Councilman McGUINNESS, seconded by Councilman MAZZOCCA.

ROLL CALL VOTE: Unanimous Aye.

Agenda Item #10 – COVAC – Request Purchase Radio/Pagers -- Supervisor QUIGLEY advised that COVAC was looking to purchase eight (8) pagers for a total of \$2,544.00. Councilwoman GREENE-KRAFFT asked if there were any other quotes or was this particular type for their system. Supervisor QUIGLEY advised that this coordinated with their system. Motion to approve was made by Councilman MAZZOCCA, seconded by Councilman CLARK.

ROLL CALL VOTE: Unanimous Aye.

Agenda Item #11 – Comprehensive Update Plan Committee– Supervisor QUIGLEY advised that there was a meeting of the Board right before tonight’s meeting to fill in the slots for the Town Comprehensive Update Plan Committee. Supervisor QUIGLEY added that we need to fill five (5) positions, one being our Town Board member as the Chairman, KERRY McGUINNESS. Councilwoman GREENE-KRAFFT publicly thanked Mr. McGUINNESS for agreeing to Chair the Committee. The applicants were as follows:

Jim McGee – Motion to appoint was made by Councilwoman GREENE-KRAFFT, seconded by Councilman CLARK.

ROLL CALL VOTE: Unanimous Aye.

Douglas Land – Motion to appoint was made by Councilman CLARK, seconded by Councilman McGUINNESS.

ROLL CALL VOTE: Unanimous Aye.

Mark Cote – Motion to appoint was made by Councilman McGUINNESS, seconded by Councilman CLARK.

ROLL CALL VOTE: Unanimous Aye.

Kerry McGuinness– Motion to appoint was made by Councilwoman GREENE-KRAFFT, seconded by Councilman CLARK.

ROLL CALL VOTE: McGUINNESS – Abstained, MAZZOCCA, CLARK, GREENE-KRAFFT, QUIGLEY – Aye.

Lorraine Bennett – Motion to appoint was made by Councilwoman GREENE-KRAFFT, seconded by Councilman McGUINNESS.

ROLL CALL VOTE: MAZZOCCA and CLARK – NAY, McGUINNESS, GREENE-KRAFFT, QUIGLEY – Aye.

Committee Reports:

Police Training: Councilman MAZZOCCA advised that Sgt. Sinagra attended a course sponsored by the New York State Department of Criminal Justice Services on legal issues relating to street encounters.

Police Department News: Councilman MAZZOCCA advised that on June 1, 2010, the Orange County Department of Emergency Services began dispatching for the Town of Cornwall on the midnight – to 8:00 A.M. shift; to date it has been a smooth transition with no issues to report.

Community News: Any resident who is planning on being out of Town for vacation should take steps to make sure that their residence is safe while away. Residents can do so by leaving a light on a timer, having their mail stopped, and newspaper picked up. If there is no friend or family member in the area to check on their residence while away, residents should stop by the police station and fill out a vacant house check form. Councilman MAZZOCCA advised that five years ago the Town of Cornwall Police Department underwent a very thorough examination by a panel of experts from the State of New York which reviewed every phase of its operation. This includes 132 professional standards in areas of administration, operations, training, etc. Councilman MAZZOCCA stated that he was proud to say that we passed with flying colors and became one of the very few Police Departments in the State of New York to achieve accreditation. However, accreditation is only good for five years and then we must go through the whole process again. Once again Councilman MAZZOCCA stated that he was very proud to announce that recently the panel was here and were pleased with their findings, and are going to recommend to the State Board of Accreditation that we be re-accredited for another five years. Councilman MAZZOCCA spoke on behalf of the whole Town Board congratulating Chief Hazard, Sgt. Phil Sinagra who acted as the program manager, and each and every Police Officer and civilian employee in the Cornwall Police Department for a job well done.

Sewer: Councilman CLARK advised that the Sewer Department which works at the Beaver Dam pump station have advised that it has been completely rebuilt and should be good for the next 10- - 15 years.

Greater Cornwall Chamber of Commerce: Councilman CLARK advised that the new “Welcome to Cornwall” signs have been put up. These signs were provided by the Chamber in connection with a grant that Mary Beth was instrumental in obtaining through the Quadricentennial program. Helen Bunt was very instrumental in getting them up before July 4th so thanks to both Mary Beth Greene-Krafft and Helen Bunt. Councilwoman GREENE-KRAFFT thanked Helen and Wynn Gold and Randy for coming forward and helping with the grant.

Farmers Market: Councilman CLARK advised that the Market got off to a sweltering start and he heard lots of positive comments; some of which already want to expand it. The Economic Development Committee are supporting the Market, the Chamber is supporting it, and hopefully the Cornwall Community will also support it. The Economic Development Committee will be helping to fund advertising for the Market in the amount of \$320, which is approximately 1/3 of the cost as the Chamber and the Market will be paying the other 2/3's. Motion to allow the Economic Development

Committee to purchase an add for \$320 in the Cornwall Local to support the Farmers Market was made by Councilwoman GREENE-KRAFFT, seconded by Councilman McGUINNESS.

ROLL CALL VOTE: Unanimous Aye.

Councilwoman GREENE-KRAFFT added a public service announcement to the public reminding them to park in the main parking lot, the Market will be taking the parking lot close to the tennis courts and pool to set up.

Recreation: Councilwoman GREENE-KRAFFT advised that the Department will be running a Junior Police Academy August 9 – 13, 2010, at \$110 per cadet from ages of 12 -15 years old. There are only 20 spots available. Lunch Bunch – Councilwoman GREENE-KRAFFT advised that this is starting this coming week for toddlers, parents and guardians, (no charge to Cornwall residents) at the Town Hall where you can bring your lunch, a chair and a blanket, and have fun socializing with other youngsters. The Lets Paint workshop will be running from July 26 – 29 for ages 6 – 10 at \$45 per person. Art in the Town Hall presented by the Cornwall Photography Show July 6 – 24, phenomenal pictures – all are invited to attend free from 8:30 A.M. – 4:30 P.M., Monday through Friday.

Highway: Councilman McGUINNESS advised that the Department has been clearing dangerous trees from Otterkill Road, Harold Avenue and Russell Street. They are also prepping for the oil and chip program. Big clean up after July 4th. Also on the work list are miscellaneous road repairs and catch basin repairs in anticipation of the oil and chip program and crack filling of Waterview Terr., Wyngate Dr., Fox Meadow Ct., Blossom Terr., Amy La., Ryan Ct., Hidden Glen, Longhill Rd., Gayton Dr. and Windsor Ln. Councilman McGUINNESS added that both Robert Conley and Albert Conley did a fabulous job of cleanup after the 4th. Councilwoman GREENE-KRAFFT also added her thanks for putting up the sign at Laurel Crest Park. Thanks to everyone past and present for all the hard work in creating a beautiful park.

Warrant #7: Supervisor QUIGLEY called for a motion on Warrant #7, motion to approve was made by Councilman CLARK, seconded by Councilman McGUINNESS.

ROLL CALL VOTE: Unanimous Aye.

Public Comment: Mr. Peter Neuman addressed the Board regarding the NYMA property stating that it is a problem. He understood that there are two people who have come forward to save NYMA, one of whom is Wayne Corts, who has a history of flipping properties, like Ace Farms, to the Hasidic community. Mr. Neuman also advised that he has heard that the Hasidim are talking to the other property owner on the other side of 9W, and he believes we should worry about this. Mr. Neuman said that this Board would be remiss if it did not follow-up on what it was going to do; if it doesn't follow-up on the appraisals, doesn't follow-up on looking into eminent domain, because the people of Cornwall do not want the Hasidic community to come in and take over that property. Mr. Neuman advised that he will be addressing the Village Board next week, and he understood that NYMA would have to approve annexation, but if they do not approve it, then that tells us something. Mr. Neuman stated that the Board has to stay vigilant, worry about what might happen, and not let the ball drop just because two people have come forward and said that they will save NYMA. Mr. Neuman believes that the people of this Town, if it ever came to a bond vote, would overwhelmingly vote for whatever this Board did in order to save that property from turning into another Kiryas Joel.

Graham Kelder wanted to know what the status was of the appeal of the Supreme Court Judges ruling on Leone. Supervisor QUIGLEY advised he would look into it and let him know. Mr. Kelder stated that the lawyers were getting paid very well. Mr. Kelder also commented that the Board of Assessment Review has made it their work that everybody that applied would get no deal. He heard that there are a

couple of them that are going to court which means that the lawyers are going to court and we have to pay them. Mr. Kelder advised that a house was recently sold for \$213,000.00 with two baths and about 2,000 square feet, and if you compare that to a house with only 1,000 square feet that is assessed at almost \$40,000.00 higher; then something needs to be done. Mr. Kelder further stated that every home in this Town needs to be market price and he believes that the Assessor is not dealing with market price.

Dick Randazzo asked the Board to follow-up on the commitment that was made by NYMA to agree to allow the Town and Village to annex the property into the Village of Cornwall-on-Hudson. Mr. Randazzo stated that for the efforts that the Board has done on behalf of the community and for the support that the community has shown, about a month ago in this room, they talked about having a signed agreement, and that part of that agreement would be annexation. Mr. Randazzo further stated that we have not seen that agreement, and that he believes that they made a commitment to this Town Board and to the residents and taxpayers of Cornwall, that if in fact the Town did not wind up purchasing the property, that they would agree to annexation. He urged the Board to send a letter to NYMA with a draft agreement that they can execute and return back to the Town and the Village with a commitment that they will agree to annexation if sometime in the future the Town and the Village choose that route. We should not let them off the hook for that, because annexation is very important and can prevent the creation of another village. He believes that the best way to prevent that, beyond purchasing the property by the Town, is to have that property annexed by the Village of Cornwall-on-Hudson

There being no further business to conduct, a motion to adjourn was made by Councilman McGUINNESS, seconded by Councilman CLARK.

ROLL CALL VOTE: Unanimous Aye. Meeting adjourned at 8:25 P.M.

Renata McGee
Stenographer/Deputy Town Clerk

Elaine Tilford Schneer
Town Clerk