

REGULAR MEETING OF THE CORNWALL TOWN BOARD was held on the 14th day of July, 2008 at 7:15 P.M. in the 1st Floor Courtroom of Town Hall, 183 Main Street, Cornwall, N.Y.

PRESENT: Supervisor	D. KEVIN QUIGLEY
Councilpersons,	ALEXANDER MAZZOCCA
	RANDOLPH CLARK
	MARY BETH GREENE-KRAFFT
Absent	J. KERRY McGUINNESS

Also PRESENT: ATTORNEY, STEVE GABA, representing Attorney for Town, JAMES R. LOEB, Esq.

Pledge

Supervisor Quigley called for a Motion to suspend the regular order of business and go into Executive Session to discuss Personnel and Litigation. Motion was made by Councilman MAZZOCCA, seconded by Councilwoman KRAFFT.

Vote:

Councilwoman KRAFFT	Aye
Councilman MAZZOCCA	Aye
Councilman CLARK	Aye
Councilman McGUINNESS	Absent
Supervisor QUIGLEY	Aye

Motion carried. The Board went into Executive Session at 7:17 P.M.

The Board reconvened the Regular Meeting at 8:00 P.M.

Supervisor QUIGLEY requested a motion to approve the Minutes for the June 9th, 18th, 23rd and 30th 2008 meetings. Motion was made by Councilwoman KRAFFT, seconded by Councilman CLARK.

Vote:

Councilwoman KRAFFT	Aye
Councilman MAZZOCCA	Aye
Councilman CLARK	Aye
Councilman McGUINNESS	Absent
Supervisor QUIGLEY	Aye

Motion carried.

Public Comments – Agenda Items – None

Agenda Item #1 – Resolution – Fraud – Supervisor QUIGLEY read a Resolution basically stating that fraud, waste and abuse of Town resources is unacceptable and intolerable and that the Town is prepared to take action against any perpetrators. Motion to adopt Resolution was made by Councilman CLARK, seconded by Councilman MAZZOCCA.

Vote:

Councilwoman KRAFFT	Aye
Councilman MAZZOCCA	Aye
Councilman CLARK	Aye
Councilman McGUINNESS	Absent

Supervisor QUIGLEY Aye
Motion carried.

Agenda Item #2 – Resolution – Suarez Letter of Credit – The Resolution was read by Supervisor QUIGLEY stating that Edward K. Suarez has presented to the Town a Letter of Credit (No. 68008197), issued by the Bank of America, in the amount of \$61,815.00. This Letter of Credit will expire on the 29th day of July, 2008, and it is necessary for the Town Board to authorize said draw unless prior to the date of the expiration of the letter of credit the said Letter of Credit is extended in an amount satisfactory to the Town. BE IT FURTHER RESOLVED: That the Supervisor is authorized and directed to take such steps as may be necessary to draw against the Letter of Credit. Motion to adopt Resolution was made by Councilman MAZZOCCA, seconded by Councilman CLARK.

Vote:

Councilwoman KRAFFT Aye
Councilman MAZZOCCA Aye
Councilman CLARK Aye
Councilman McGUINNESS Absent
Supervisor QUIGLEY AYE
Motion carried.

Agenda Item #3 – Resolution – Chadeayne Woods Letter of Credit – According to both the Town Highway Superintendent and the Town’s Consulting Engineers, there is no reason to retain any security on this project. Motion to authorize the Supervisor to surrender the Letter of Credit was made by Councilwoman KRAFFT, seconded by Councilman CLARK.

Vote:

Councilwoman KRAFFT Aye
Councilman MAZZOCCA Aye
Councilman CLARK Aye
Councilman McGUINNESS Absent
Supervisor QUIGLEY Aye
Motion carried.

Agenda Item #4 – Resolution – Intermunicipal Water Agreement – Supervisor QUIGLEY read the Resolution wherein the Town will formally authorize the Supervisor to execute the Inter-Municipal Water Agreement between the Town of New Windsor and the Town of Cornwall for the benefit of the Firthcliffe Heights Water District. Motion to approve by Councilman MAZZOCCA, seconded by Councilman CLARK.

Vote:

Councilwoman KRAFFT Aye
Councilman MAZZOCCA Aye
Councilman CLARK Aye
Councilman McGUINNESS Absent
Supervisor QUIGLEY Aye
Motion carried.

Agenda Item #5 – MS4 Permit Annual Report – The Resolution was read advising that the Town Board does hereby determine to hold a Public Presentation and Comment Meeting on the Town’s MS4 Permit Report on August 11, 2008, at 7:00 P.M., and that Legal Notice advising the public of the Presentation

and Comment Meeting will be published in *The Cornwall Local*. Motion to adopt Resolution was made by Councilwoman KRAFFT, seconded by Councilman MAZZOCCA.

Vote:

Councilwoman KRAFFT	Aye
Councilman MAZZOCCA	Aye
Councilman CLARK	Aye
Councilman McGUINNESS	Absent
Supervisor QUIGLEY	Aye

Motion carried.

Agenda Item #6 – Resolution -Variant Audiolog System – Supervisor QUIGLEY read a Resolution whereas it was necessary for the Town Board to enter into a five-year lease for a Variant Audiolog Pro 12-channel Voice Recorder at a cost of \$403.56 per month, plus a one-time documentation fee of \$95.00, which costs include a warranty covering 100% of all parts requiring replacement, all labor and all travel. Motion to authorize contract was made by Councilman MAZZOCCA, seconded by Councilwoman KRAFFT.

Vote:

Councilwoman KRAFFT	Aye
Councilman MAZZOCCA	Aye
Councilman CLARK	Aye
Councilman McGUINNESS	Absent
Supervisor QUIGLEY	Aye

Motion carried.

Agenda Item #7 – Resolution – Third-Party Lease & Service Agreement for Senior Bus – Supervisor QUIGLEY read a letter from the County Executive’s office requesting that we sign and return the Service Agreement between the Town of Cornwall and the County in regards to the Senior Bus. The total cost is \$93,750.00. The source of funds is as follows:

\$75,000.00	Federal Government (Grant)
\$ 9,375.00	State Government (Grant)
\$ 9,375.00	Town of Cornwall

Motion to approve was made by Councilwoman KRAFFT, seconded by Councilman MAZZOCCA.

Vote:

Councilwoman KRAFFT	Aye
Councilman MAZZOCCA	Aye
Councilman CLARK	Aye
Councilman McGUINNESS	Absent
Supervisor QUIGLEY	Aye

Motion carried.

Agenda Item #8 – Member Initiative – American Legion – American Legion Post 353 was recently awarded \$2,500.00 from the Department of State, which will be used to make necessary repairs to the Hall. In order to receive these funds, the Town needs to authorize the Supervisor to sign and submit the proper contracts. Motion to approve was made by Councilwoman KRAFFT, seconded by Councilman CLARK.

Vote:

Councilwoman KRAFFT	Aye
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Councilman MAZZOCCA Aye
Councilman CLARK Aye
Councilman McGUINNESS Absent
Supervisor QUIGLEY Aye

Motion carried.

Agenda Item #9 – Cornwall Independence Day Committee – The Supervisor received a letter from Greg Whalen, Fundraising Coordinator for the Independence Day Committee, requesting a donation of \$1,000 to help offset some of the expenses for the July 4th Celebration. The donation would go to the Cornwall American Legion Post 353. Motion to approve was made by Councilwoman KRAFFT, seconded by Councilman MAZZOCCA.

Vote:

Councilwoman KRAFFT Aye
Councilman MAZZOCCA Aye
Councilman CLARK Aye
Councilman McGUINNESS Absent
Supervisor QUIGLEY Aye

Agenda Item #10 – Road Race/Orange Runners Club – Road Closure – Supervisor QUIGLEY read a letter from The Orange Runners Club requesting permission to close the following road sections on December 7th 2008:

Otter Kill Rd. between Clove Rd. and Jackson Ave. from approximately 10:00 am to 10:45 am.
Orrs Mills Rd. between Jackson Ave. and Clove Rd. from approximately 10:15 am to 11:15 am.

This is the 27th annual event for the Orange Runners Club, with proceeds going to a charity to be named later. The entry fee for this year's race will be approximately \$18.00 pre-entry and \$20.00 the day of the race. Motion to approve road closures was made by Councilwoman KRAFFT, seconded by Councilman MAZZOCCA.

Vote:

Councilwoman KRAFFT Aye
Councilman MAZZOCCA Aye
Councilman CLARK Aye
Councilman McGUINNESS Absent
Supervisor QUIGLEY Aye

Motion carried.

Agenda Item #11 – Approve Potential Certiorari Settlements – Ira Levy – The Board had previously discussed the potential settlements – Motion to approve was made by Councilwoman KRAFFT, seconded by Councilman CLARK.

Vote:

Councilwoman KRAFFT Aye
Councilman MAZZOCCA Aye
Councilman CLARK Aye
Councilman McGUINNESS Absent
Supervisor QUIGLEY Aye

Motion carried.

Agenda Item #12 – Approve SCAR Appraiser – Wohl Appraisals submitted their professional qualifications for the Board's review, along with references and a format sample and fee schedule. After

reviewing the proposal, the Board still had some questions. Motion to Table was made by Councilman MAZZOCCA, seconded by Councilwoman KRAFFT.

Vote:

Councilwoman KRAFFT	Aye
Councilman MAZZOCCA	Aye
Councilman CLARK	Aye
Councilman McGUINNESS	Absent
Supervisor QUIGLEY	Aye

Motion carried.

Agenda Item #13 - Personnel: Appointments/Termination

Personnel – Supervisor QUIGLEY read a memo from Chief of Police, Todd Hazard, requesting the appointment of James J. Lennon as a part-dispatcher, effective July 15th, 2008. Motion to approve was made by Councilman MAZZOCCA, seconded by Councilwoman KRAFFT.

Vote:

Councilwoman KRAFFT	Aye
Councilman MAZZOCCA	Aye
Councilman CLARK	Aye
Councilman McGUINNESS	Absent
Supervisor QUIGLEY	Aye

Motion carried.

Personnel – Chairman of the Town of Cornwall’s Ethics Committee, John Hussey, submitted a letter informing Supervisor QUIGLEY of his upcoming deployment to Iraq. Mr. Hussey requested that he be allowed to carry out his duties to the Committee via e-mail as he has done in the past, or if this was not acceptable, to be reinstated upon his return. Motion to continue the same policy as was previously in effect for Mr. Hussey during his last deployment (duties performed via e-mail) was made by Councilwoman KRAFFT, seconded by Councilman CLARK.

Vote:

Councilwoman KRAFFT	Aye
Councilman MAZZOCCA	Aye
Councilman CLARK	Aye
Councilman McGUINNESS	Absent
Supervisor QUIGLEY	Aye

Motion carried.

Termination – Supervisor QUIGLEY read a letter from Senior Activity & Transportation Coordinator, Valerie Cordero, advising the termination of substitute bus driver Irene Colandrea. This termination was due to the lack of response from Ms. Colandrea, despite our repeated efforts/messages. Motion to approve was made by Councilwoman KRAFFT, seconded by Councilman CLARK.

Vote:

Councilwoman KRAFFT	Aye
Councilman MAZZOCCA	Aye
Councilman CLARK	Aye
Councilman McGUINNESS	Absent
Supervisor QUIGLEY	Aye

Motion carried.

Personnel – Resolution - 3rd Sergeant Position – Supervisor QUIGLEY read the Resolution stating that the Town does hereby create a third position of Sergeant (originally budgeted for in 2007) and the

compensation for the said position shall be as per the collective bargaining agreement. Motion to approve was made by Councilwoman KRAFFT, seconded by Councilman CLARK.

Vote:

Councilwoman KRAFFT	Aye
Councilman MAZZOCCA	Aye
Councilman CLARK	Aye
Councilman McGUINNESS	Absent
Supervisor QUIGLEY	Aye

Motion carried. Special meeting to be held on July 21, 2008 at 7:00 P.M. to interview possible candidates.

Committee Reports

Recreation – Councilwoman KRAFFT reported the following: The new telephone number for the Recreation Department is 534-2070. This is a direct line where you can get all the updated info on upcoming trips. The Atlantic City Trip is scheduled for August 11th 2008. Trip to Italy is in the fall. Free Senior Citizen trip is scheduled for August. A special Thank you to the Conservation Committee for all their assistance on our Town projects.

Police Department/Dog Kennel/Community – Councilman MAZZOCCA reported that Spring Firearms Training was conducted. In-service training for the crime of “Human Trafficking” was completed. The “Not One More” Safe Teen Driving Forum was held at the High School and was attended by over 500 students. The Junior Police Academy Program, held in conjunction with the Recreation Department, was just successfully completed and was attended by 16 juveniles from Cornwall. The Town Dog Kennel had 1 dog in the kennel as of July 10th, 2008 and residents are urged to look the dog over if they are considering a pet for their family. Vacation season becomes a prime opportunity for criminals – leave lights on timers, have a friend or neighbor check your residence while you are away. If that is not an option, contact the Police Department to have your house checked while you are away.

Sewer Department/Projects/Personnel – Councilman CLARK noted that there was nothing to report.

Warrant #7 – Supervisor QUIGLEY called for a motion to approve Warrant 7 – Motion to approve was made by Councilwoman KRAFFT, seconded by Councilman MAZZOCCA.

Vote:

Councilwoman KRAFFT	Aye
Councilman MAZZOCCA	Aye
Councilman CLARK	Aye
Councilman McGUINNESS	Absent
Supervisor QUIGLEY	Aye

Motion carried.

Public Comment – Designated spokesperson Gerry Wagner addressed the Board on an ongoing issue with a property on Cherry Hill. The property in question belongs to Mr. Paul Kane, who in turn has had the property rented out to tenants. In summary, issues of noise, foul language and threats, possible criminal activity, lack of police action in a timely fashion, improper permits/code violations and in general an abuse of the quality of life in the neighborhood. The group requests that more action be taken, clarification from the Building Inspector’s office on permits and/or violations - quicker response time from the Police Department and more Police presence, and the creation of a possible disorderly property ordinance. Mr. Wagner read an excerpt of the Town of Brunswick Disorderly Property Ordinance as follows: The purpose of the Ordinance is to protect the health, safety, and welfare of the residents of the Town of Brunswick by eliminating the proliferation of properties harboring occupants who disturb the

peace and tranquility of their neighborhoods. Mr. Wagner suggested that the Town of Cornwall should be proactive and adopt such an ordinance.

In addition to spokesperson Wagner and his wife Patricia, the following is a list of persons in the group:

Brandon & Samantha Hoffman
1 Cherry Hill

Frank & Janice Condello
2 Cherry Hill

Ted & Jane Harries
7 Cherry Hill

Karen Lee
8 Cherry Hill

Not Present but in support:

Lydia Strawbridge
3 Cherry Hill

Stephen & Christine Rhodes
9 Cherry Hill

There being no further business to conduct, the Supervisor called for a motion to adjourn. Motion to adjourn was made by Councilman MAZZOCCA, seconded by Councilman CLARK.

Vote:

Councilwoman KRAFFT	Aye
Councilman MAZZOCCA	Aye
Councilman CLARK	Aye
Councilman McGUINNESS	Absent
Supervisor QUIGLEY	Aye

Motion carried. Meeting adjourned at 8:55 P.M.

Renata McGee
Stenographer/Deputy Town Clerk

Elaine Tilford Schneer
Town Clerk