

REGULAR MEETING of CORNWALL TOWN BOARD was held on the 10th DAY of MARCH, 2008 at 7:30 P.M. in Town Hall, 183 Main Street, Cornwall, N.Y.

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

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

Supervisor QUIGLEY called meeting to order OPENING WITH PLEDGE OF ALLEGIANCE TO FLAG.

APPROVAL of MINUTES:

SPECIAL MEETINGS Feb. 26th & 27th, and March 3rd, 2008. Councilwoman KRAFFT MOVED MINUTES ACCEPTED and APPROVED AS READ. Seconded by Councilman CLARK. Carried.

PUBLIC COMMENTS on AGENDA ITEMS:

ITEM #14:

GERALD JACOBOWITZ: I represent Cornwall Commons and would like to talk about Item #14. The suggestion is that we have an opportunity to meet with representatives of the Town Board, representatives of the Planning Board and the Town's Consultants to discuss some issues in connection with Cornwall Commons—issues which will be your decision to make. We thought the timely thing to do would be to get some input from your side at this stage in the process. We're just finalizing the Supplemental Environmental Impact Statement, and finalizing details on the Site Plan, and there are some issues that we need to get some input on from your Board (Town Board). We thought the best way to do it would be to have a meeting with someone from your Board (Town Board) (whomever and whatever the number is up to you), some Representatives from the Planning Board (which would be up to them), and your (Town) Consultants. I mentioned this to both Steve (Gaba) and Dominic (Cordisco) this morning by voice mails and then I sent a letter over, and I guess that Steve is on his way out for vacation tomorrow, and won't be back until the 24th (March). That creates a bit of a time problem because we have to have our re-submission to the (Town) Planning Board by the 26th in order to (have it on) April 7th. So if it's possible to

have a meeting preferably sometime before the end of this week, that would be great. Dominic (Cordisco) is fully familiar with the whole situation of the issues that we need to discuss with you, so if he could be present at that meeting instead of Steve that would help make it happen and we'd appreciate very much in trying to get a schedule that tight put together.

We're not looking for anyone to make decisions at that meeting, it's really an opportunity to explain what the issues are that need your (the Town Board's) consideration and then after you've had the chance to digest and discuss it at your next meeting then we'll make some decision—it may not be a total decision, but may just be a consensus of the (Town) Board: YES we would do something like this or NO we wouldn't do something like this. So that's the type of input we need. Thank you.

ANY MORE COMMENTS ON THE AGENDA ITEMS? No response.

STONE HOLLOW PERFORMANCE BOND RESOLUTION:

Moved by Councilman MAZZOCCA. Seconded by Councilman CLARK. Carried.

ORANGE COUNTY MUNICIPAL PARKS RESOLUTION:

Moved by Councilwoman KRAFFT. Seconded by Councilman MAZZOCCA. Carried.

DISCUSSION:

KRAFFT: (For the record) this grant—what the town will be applying for—is a request that has been made in the past—it's for refurbishing some of our existing recreation facilities: the tennis courts, the basketball courts, there will be some fencing done, also a retaining wall built for the tennis courts. It will also pertain to and include the requirement that we have from Scenic Hudson in regard to completing the hiking trails at the Angola Road property. So we will be requesting all of those expenses also and including them in the grant application.

LOCAL LAW #1 VEHICLE AND TRAFFIC RESOLUTION:

Amend Section 143 of Code "V&T". PUBLIC HEARING APRIL 14, 2008 at 7:15 P.M. (HEARING DATE WAS ADVERTISED ON MARCH 28th in Cornwall Local). Moved by Councilman MAZZOCCA. Seconded by Councilwoman KRAFFT.

LETTER FROM ATTORNEY:

QUIGLEY: In reference to creating the establishment of Drainage Districts. In past history, if a project or some development comes before the Board, there's a

need to form a (Drainage) District. This looks like it would be a policy of forming a District with a format that will be somewhat like a boiler plate; something we can roll with on every Drainage District.

STEVE GABA: This would give you an informal procedure that would be presented to you and adopted by the Board.

QUIGLEY: ...and that would be a one-time thing to set up...

Moved by Councilman McGUINNESS. Seconded by Councilman CLARK.

KRAFFT: And this would be in place for both and Town and Planning Boards?

STEVE GABA: It's basically a statement of policy as far as how to recommend...we'd like to have these formed in the context of applications instead of waiting until the absolute final outcome...with the filing of a SEQR application on subdivisions. You'll see the draft before you make the adoption...

QUIGLEY: It will be helpful to the Planning Board...

TIME WARNER CABLE CHANNEL CHANGES:

The following channel additions and changes on our system in Hudson Valley will be effective March 12th. Encore WAM will change from Channel 131 to 258.

REELZ will now be Channel 131.

(Correspondence received from Time Warner Cable also mentions that the Chinese Channel, currently a part-time service, will become a full premium service on Channel 582. Also, AZN will be discontinued as of April 9, 2008.)

BRIDGE STREET BRIDGE:

QUIGLEY: The Bridge Street Bridge is coming up, and some preliminary numbers are involved on what it might cost to do that. This is a familiar topic with the Board Members who are all familiar with the Bridge. It's looking like it (repairs) could exceed, at this point, \$750,000. So I think we'll still take time to look at that a little further and see where we're going (needs to be researched further before investing that amount of money for the repair of the Bridge). That Bridge is heavily traveled, or needs to be, actually, and we'll see if that is something that the Board will be interested in pursuing.

LETTER FROM VILLAGE MAYOR, JOE GROSS:

QUIGLEY: This is in reference to a water bill...(regarding payment of a water bill). We had a leak, it seems, (in the Town pool) and they seem to have resolved it to a point, and we have a pretty good (high) water bill. It looks like it's time to pay the

bill and they didn't seem to want to reduce a lot of it, so it's looking like \$11,000 at this point.

KRAFFT: Did we send him a letter, asking him, because that would be my...

QUIGLEY: This is it. This is the letter that Dick (RANDAZZO) had sent requesting a reduction in the (water) bill. I (QUIGLEY) spoke to him (the Mayor) afterwards. The answer I got was...no. That's it...that's where we are. (We should discuss this with him.)

KRAFFT: I'm curious...they looked at it...Buildings and Grounds actually did a daily reading, and in three weeks time, we (the Town) used 8,000 gallons. And in the same three weeks time from the bill before, it was (a million?) gallons, to equal the \$11,000. And nothing was done. Everything was checked, and there weren't any leaks and we didn't have any problems. I know they checked the meter...they were looking into the meter, but I just want to know more information about the reading...

QUIGLEY: We certainly need to know more about this.

KRAFFT: ...and what the exact dates are as to what the reading was before we had that on the bill as per what our reading was on a daily basis. And John Wood had recorded the information...

QUIGLEY: He recorded a daily log? He recorded the...usage?

KRAFFT: Correct. And then the pool closed three weeks later.

QUIGLEY: We probably should sit down with him and a couple of Board Members, one on one, and try to resolve this. We obviously have to pay something...but that's a pretty stiff bill, and we need to see whether we can work it out...we need a little more information...

KRAFFT: I mean it affects all the tax payers of the Town...because the Town and the Village both have use of the pool and it's an expense that's taxed in both to all residents...

QUIGLEY: ...we can ask if we can have a healthy reduction...

BREEZE HILL ROAD E-MAIL FROM MARK EDSALL, our Engineer:

There has been a field review of the roadway made by Bob Conley and Mike Kelly, and their observations are that all public improvements (in reference to Breeze Hill Road) which are subject to the Maintenance Bond are in acceptable condition. As such, it is our recommendation that the Maintenance Bond be permitted to expire. Moved by Councilman McGUINNESS. Seconded by Councilwoman KRAFFT.

MUNGER COTTAGE PIANO:

We (currently) have a piano that was probably a gift from someone way back, and now we have an option to have a piano donated to us. We have to get it here, of course. We have a bill from a local, Don Winslow, who is a musician, and very competent, who will get this piano moved for \$50. He's going to double-tune the piano (including pitch), for \$85. There is a set of dollies that the piano will rest on, which make this piano moveable, to take it in and out of the room. It will need a final tune-up at a later date, but right now (the cost) is at \$325 complete. It will be in the Munger Cottage Senior Center. They really love it, and it is a nice item for us to get at pretty much a low cost. Moved by Councilwoman KRAFFT. Seconded by Councilman McGUINNESS.

CORNWALL VOLUNTEER AMBULANCE CORPS: Letter from COVAC read:

"Pursuant to the need for Continuing Medical Education, the ambulance corps is requesting to utilize \$3,355 from the corps' budget. This would be used for registering eleven (11) members to attend the 26th Annual JEMS (Journal of Emergency Medical Services) EMS Today Conference. The conference is held in Baltimore, Maryland, from March 25th through March 29th 2008. However, we anticipate sending our members for the last two days of the program (March 28th and 29th). The two-day fee for this conference is \$305 per person."

It goes into accreditation..."The JEMS conference that is held on the east coast of the U.S. every other year is the cornucopia of education seminars. Each member will be able to earn 7.5 hours of CME Credits in a vast array of subjects, from trauma care and learning state-of-the-art curriculum. The members scheduled to attend..." (are on your list).

DISCUSSION:

CLARK: With that kind of money, wouldn't (it) best be served by hiring an agency for \$3,000 to come and teach the whole corps to get certified? It just seems like a lot of money and we could get the whole corps certified with a one-day class.

McGUINNESS: I think it's multiple classes and they're choosing two of them.

QUIGLEY: It looks like they've done this in the past...in 2007...with 8 members, and now they're looking for 11 members to attend.

KRAFFT: Actually, this is from what I've been advised, they've raised \$8,000 to pay for the rest of their expenses (transportation, etc.), and this is the Town's portion that they would be looking for...the corps would be paying for the other expenses.

CLARK: They're just asking the Town...

QUIGLEY: For the registration...

Moved by Councilman MAZZOCCA. Seconded by Councilman CLARK.

BUILDING DEPARTMENT:

I have a letter from the Code Enforcement Office: "Dear Board Members: I respectfully request permission for both Assistant Building Inspector John Brown and myself to attend the 21st annual Hudson Valley Code School. The school will be held at the Poughkeepsie Grand Hotel on April 16th, 17th, and 18th, 2008, from 8:00 A.M. to 5:00 P.M. In that the school is in Poughkeepsie, there will be no need for overnight accommodations. The student registration fee is \$250 and includes all conference materials. Total registration fee is \$500. Unlike previous years' seminars, there are no single day registrations. Your consideration of this request would be greatly appreciated. Respectfully, Gary A. Vinson, Building Inspector."

Moved by Councilwoman KRAFFT. Seconded by Councilman McGUINNESS.

ASSOCIATION OF TOWNS EXPENSE:

QUIGLEY: We went down to the Association of Towns...I got a lot of benefit from it...it was understood or implied that there would be \$50 allowance for meals. I forgot to include that in the motion, and now we're kind of retrofitting that in to cover it. What we did was everybody who went or attended received this in their mail in Town Hall so we all were aware of it. We need to clear it for the record that this is part of it. (Reading from memo) "Please be advised, as in the past, registration, accommodations and \$50 per diem will be paid by the Town for Association of Towns meeting expenses. Transportation and parking fees will also be reimbursed. Receipts must be submitted for all expenses." This went out to everybody...the Town Council, the Justice Dept. and the Town Clerk.

Councilwoman KRAFFT made a Motion to pay those expenses and have the \$50 per day meal expenses the same as last year to continue for 2008. Seconded by Councilman McGUINNESS. Roll Call: Unanimous AYES.

LETTER FROM POLICE CHIEF TODD HAZARD:

"I respectfully request the following items be added to the Monday, March 3rd, 2008, agenda for discussion and possible addition to the Board Meeting Agenda on Monday, March 10, 2008, on behalf of the Town of Cornwall Police Department:

1. Authorization from the Town of Cornwall Town Board to terminate probation period for full-time police officer Joseph Gebert. Officer Gebert's eighteen-month probationary period will end on March 5, 2008.

2. Submission to the Town of Cornwall Town Board of requested Vehicle and Traffic Law changes (of which we will be dealing with later).

Moved by Councilwoman KRAFFT. Seconded by Councilman MAZZOCCA. Roll Call: Unanimous AYES.

CORNWALL COMMONS COMMITTEE:

QUIGLEY: Regarding Mr. Jacobowitz's earlier comments. We will form a committee of two people from the Town Board, to be determined before the meeting. We're looking to form a committee. I don't know when we're going to hold that meeting; it's going to come up soon because we want to deal with it. It's probably going to be during the day I would think, only because we're going to have every player on the block there, basically, the attorneys, the planners, everybody. ...

Let me find out; your office Gerry, is coming back with a formulation...we'll set an agenda for it, probably. We'll have to get everybody; so at this point I'd like to say that there will be at least two of the Town Board to attend this meeting, the Planning Board and others...

It's going to be next week, but still we have to get everybody tuned up and ready to go because there's a lot of people that have to be there; it will take time to contact everyone involved. Mr. GABA will not be back until the 24th...we can't set a date yet because we don't have a clue as to who's ready to go with such short notice...We need a motion...

KRAFFT: I motion that a committee be formed with all the above people to meet on the Cornwall Commons project, with everyone involved to attend the meeting. Date to be announced...

QUIGLEY: I would like to be there, certainly, it's an important thing...

KRAFFT: Of course...

QUIGLEY: The Supervisor will appoint one other Board Member and myself to attend the upcoming meeting with Cornwall Commons and all of the other participants.

Motion made by Councilwoman KRAFFT. Seconded by Councilman CLARK. Roll Call: Unanimous AYES.

COMMITTEE REPORTS:

CLARK: Re: releasing of the Police Officer from his probation...no negative reports.

McGUINNESS: Things are going smoothly with the Highway Dept. and Sanitation. They're obviously busy with the recent storms and weather this spring. Will attend COVAC meeting tomorrow.

KRAFFT:

Re: RECREATION: They are planning two trips. A trip to Atlantic City on April 7th, \$44 per person, leaving Town Hall at 8:45 A.M. returning at approximately 9:00 P.M. Big trip this year to southern Italy, Nov. 6th-16th, 11 days 10 nights, with cost per person to be double rate \$3,090, single rate \$3,474, with a guided tour of Rome, Capri, and Palermo. Deposit is \$200.

Re: VIDEOTAPING OF BOARD MEETINGS: I contacted the High School about videotaping the Town Board meetings; the High School does not currently have a program that we can collaborate with. I was willing to even try to start one, but right now they're unable to try and put that together. If there are any volunteers from the community to come and tape, they can actually call Town Hall, leave a message for me, and I'd be happy to go over one or two requirements and work with them to try and tape the meetings.

Re: LETTER FROM UNIFIED COURT SYSTEM OF NY STATE. I am so excited! I wrote a grant last year, myself, Buildings and Grounds, Supervisor Randazzo, the Chief, we met with the Commission when they came in, submitted it back in August, and we have received our entire grant request! We will have a metal detector delivered to us for courtroom security, we are receiving a new computer, multi-function, medium-speed scanner, printer/copier to be here in the Courtroom, for our meetings and all of our court sessions, and we are also in receipt of \$24,800 for Courtroom renovations, a new bench, a new PA, and all of those wonderful things!

MAZZOCCA: Police report for the month of February:

TRAINING: Part-time dispatchers Matthew Stack and Michael Saylor have completed their training and are now available for work.

DOGS: As of February 29th, there were five (5) dogs in the Town Kennel. Again, I urge anyone interested in adding a dog to their family to come in and take a look at those we have available. All dogs could use a good home.

SEMINARS: The majority of Town employees have attended seminars outlining the Town's Workplace Violence policy and procedures. The classes are conducted by Police Chief Todd Hazard.

COMMUNITY NEWS: Identity theft is a huge problem that can affect anyone. Residents are urged to check and monitor all credit reports. Anyone needing more information is encouraged to stop by the Police Station where you will be given the latest literature available from the Federal Trade Commission.

WARRANT #3:

Moved by Councilwoman KRAFFT. Seconded by Councilman MAZZOCCA. All responded AYE.

PUBLIC COMMENT:

GRAHAM KELDER: Is a copy of that Local Law available?

QUIGLEY: Yes.

KELDER: I happened to notice driving around Cornwall that I see a big spout of stop signs. Is that true?

QUIGLEY: Maybe the Police Chief can answer that.

POLICE CHIEF HAZARD: The ones you're seeing now are the ones out there in the fall, probably that the County installed, that intersect the County roads...

KELDER: O.K. ... At the end of Mailler Avenue going on 218 used to be a ...

HAZARD: ...that was probably in that batch also.

KELDER: ... and that's a new stop sign.

HAZARD: ...from the fall...whether that be County or a State...

KELDER: What's this new law about?

(DISCUSSION BETWEEN POLICE CHIEF HAZARD AND MR. KELDER...)

MAZZOCCA: You can stop at the Town Clerk's office and view the new Local Law on V&T...

COUNTY LEGISLATOR EACHUS:

PIANO: If the Town Historical Society would like to take that piano, we just increased the County Historical Society Grant fund, and that's exactly what that money should be used for, if they can find storage for it, the grant fund monies could be used. You were making reference to them to try and save the piano, also please refer them to the County for monies there.

MAIN STREET:

I wanted also to inform the entire Board: There's been an issue for a while out there in Cornwall. About a 200-foot piece of Main Street, which is Town Road that intersects three (3) County roads...I don't have good news on that, yet, sorry, but both the legislature side and myself...I demanded a written response both from the County executive and our DPW representative and I expect to get

that...and I will pass that onto you...and they've got to have a good explanation on what's going to happen.

SAFE ROUTES TO SCHOOLS GRANT:

Lastly, I'm going to start with an apology because perhaps my level of government works no better than any other. I had called your office and you had left already, so I wasn't able to get to you Kevin, I apologize for that. There is a grant out there from the New York State DOT called Safe Routes to School, and this is a fully reimbursable grant, available now to municipalities, and I was just made aware of it because nobody seems to be applying for them. This grant is fully reimbursable to both sidewalks and trails for kids to schools. I didn't want Cornwall to miss the opportunity. Now here's the bad part: The application date is by April 1st, so if I had known about this before Friday I assure you I would have called people on that and brought it to your attention. But I will leave this booklet/brochure, obviously it's fully reimbursable, which creates a bit of a problem: we would have to approve the money up front before you got reimbursed, but there is an opportunity here.

We might do a little campaigning here in Town...I'm sure many of you...there were a couple of places that were asked relative to schools about the possibility of installing sidewalks...I went to the County, I asked the County way back when, if they put in sidewalks...they don't do that. In other words, County road or not, so this is the type of opportunity, unfortunately, that we have to wait for to try and get reimbursed for. So I'd like to leave that for your consideration...thank you.

And again I apologize one more time...

JACOBOWITZ:

SEWER EASEMENT: There's a letter I'd like to bring to the Board's attention. There is an opportunity to connect to one of the sewer mains...we're not asking the Board to do anything tonight because we need to get input from your attorney and from engineers. To briefly explain, you have a sewer main that's an intersector that goes from Firthcliffe Heights down through Town into New Windsor, into Knox Village and around Haight Street or Haight Avenue and there goes into the New Windsor Sanitary Sewer System and from there it goes to their plant. You have a contract between your District and the Town of New Windsor for that service. That sewer line goes through Knox Village property, which is in New Windsor, but it's your line and they want the right to connect to that line for their expansion of Knox Village. There's engineering issues, there's legal issues, and what we would like for your Board to do is make it O.K. for your attorneys

and engineer to look into this and meet with representatives of the owner to see how to make that work. There's an advantage for the Town there because so far we haven't been able to find any easement for that line, so the owners will give the Town easement for that sewer line. We've looked in the County Clerk's office, I think some folks at your office have looked in records, Jim (LOEB) was involved in trying to find something and I don't know if he contacted the Town Clerk's office to see if you had found the easement but there's none of record in Goshen so far. So it goes through the Knox Village property, they're willing to give an easement for you, they're not looking for money, they just want the right to connect to that sewer line.

Constance Triolo
Deputy Town Clerk-Stenog.

Elaine Tilford Schmeer
Town Clerk