

REGULAR MEETING of the CORNWALL TOWN BOARD was held on the 12<sup>th</sup> day of December, 2011 in the First Floor Court Room, 183 Main Street, Cornwall, NY

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, JAMES R. LOEB, Esq.

### **Pledge of Allegiance**

**Approval of Minutes** – Regular Meeting November 14<sup>th</sup> 2011; Special Meeting December 5<sup>th</sup> 2011 – Councilman CLARK asked Supervisor QUIGLEY if it would be appropriate to officially end the November 14<sup>th</sup> meeting as we never adjourned it. Attorney GABA advised that it is the comptrollers opinion that when the Board members leave they have de facto adjourned the meeting, and it can go on the record that the meeting was adjourned because there was no quorum. Motion to approve the minutes was made by Councilwoman GREENE-KRAFFT, seconded by Councilman McGUINNESS.

**ROLL CALL VOTE:** Unanimous Aye.

**Public Comment – Agenda Items** – Mr. Donald VanLeuven, Senior Plant Operator for the Cornwall Sewer Department commented that he had gone over the CAMO numbers and our 2012 Budget and was curious as to where the savings were because he could not seem to find it. Supervisor QUIGLEY advised that the savings were in salaries and operating costs and it came to about \$174,000. Councilman CLARK stated that he brought it up during our last Work Session and it was supposed to be less that \$100,000. Supervisor QUIGLEY advised that he stood corrected; it was going to be around 100,000 less for sludge removal and about \$74,000 in salaries. Councilman CLARK advised that he spent some time reviewing the report, and it looks like they are almost apples to apples; so he did not see the savings either. Councilman CLARK added that the one thing that will continue is our debt service of \$58,575 which CAMO will not pay and when you back that out of the number of the budget; that will bring us to within only \$100 to \$200. Councilman CLARK also commented that from what he read in the CAMO report, we are not retaining our two employees who will either be outsourced and retained by CAMO or retire. Councilman CLARK stated that our budget included any permit fees for SPEDES and in the CAMO report; they do not pay that either, so these fees will be on top of the CAMO bill. Councilwoman GREENE-KRAFFT advised that is a savings because we did not remove all of the staff; only one employee, and if we use CAMO, we will have two positions. Councilwoman GREENE-KRAFFT wanted to know if CAMO got back to us regarding the \$5,000 expenditures for capitol improvements. Attorney GABA advised that he placed a call and did not hear back from them as of yet. Councilman CLARK wanted to know who the designated Town representative will be for CAMO. Supervisor QUIGLEY advised that it could be a Board Member or the Town Engineer. Councilman CLARK asked if the Town is going to be obligated to replace all existing tools, equipment and vehicles when they wore out as the CAMO contract states that they get to use it all. Attorney GABA advised that it was worth checking into that.

**Agenda item #1 – Resolution – Set Public Hearing “Dogs” Law** – Supervisor QUIGLEY advised that we have come up with the fees and we need to set a date for a Public Hearing. WHEREAS, the Town Board of the Town of Cornwall has a local law before it entitled: “A Local Law Repealing and Re-enacting Town

Code Chapter 77 entitled 'Dogs', "and WHEREAS, the local law proposes to regulate the licensing and behavior of dogs and other domestic animals so to better protect the health, safety and well-being of the citizens of the Town of Cornwall, NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the movant of this resolution does hereby introduce the proposed local law entitled: " A Local Law Repealing and Re-enacting town Code Chapter 77 entitled 'Dogs'," and
2. That a public hearing on the proposed local law be set for January 9<sup>th</sup> 2012 at 7:15 o'clock P.M. and that due notice of the same is directed to be given by publication and posting.

Motion to set the date for January 9<sup>th</sup> 2012 at 7:15 P.M. was made by Councilwoman GREENE-KRAFFT, seconded by Councilman MAZZOCCA.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #2 – Resolution – Building Inspector Fees** – Supervisor QUIGLEY advised that the majority of the fees can be done by Resolution and one by local law. WHEREAS, the Town Building Inspector regularly provides inspection and permit services, and WHEREAS, the Town annually incurs expenses in regard to provision of these services by the Building Inspector, and WHEREAS, fees are charged for such services in order to partially defray payment of such expenses through taxation and to more equitably allocate the expense to those making use of the Building Inspector's services, and WHEREAS, the Town Building Inspector has reviewed the fees presently being charged by the Town for Building Inspector services and has recommended that certain adjustments be made to the Town's schedule of fees, NOW, THEREFORE, BE IT RESOLVED as follows:

1. That effective immediately the Town Board adopts the Schedule of Fees attached hereto.

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

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #3 – Resolution – Receiver of Taxes Fees** – WHEREAS, the Receiver of Taxes regularly receives multiple requests for duplicate or additional photocopies for tax bills and receipts, and WHEREAS, the Town annually incurs expenses in regard to processing these requests and providing duplicate or additional photocopies of tax bills and receipts, and WHEREAS, the Town Board finds that it is necessary and appropriate to impose a charge to defray the cost of providing such services to the public. NOW, THEREFORE, BE IT RESOLVED as follows:

1. That effective immediately there shall be a fee of \$5.00 per bill or receipt on requests for duplicate or additional copies of tax bills and receipts, and
2. Such fees shall be collected by the Receiver of Taxes and shall be paid into the Town's general fund.

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

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #4 – Resolution – Streetlight on Clinton Street** – Supervisor QUIGLEY advised that Central Hudson required a resolution before they will put in the work order. WHEREAS, the Town has received a Street Lighting Authority Order from Central Hudson in response to a request from Supervisor QUIGLEY

for the installation of a streetlight on Clinton Street, and WHEREAS, Central Hudson is prepared to install the streetlight upon receipt of the completed Street Light Authority Order annexed hereto and made a part of this resolution, NOW, THEREFORE, BE IT RESOLVED as follows: That the Town Board does hereby authorize the Supervisor to sign and complete the annexed Street Light Authority Order and to forward the same to Central Hudson.

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

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #5 – Resolution – CAMO Pollution Control** – Councilman CLARK sated again that he did not see the savings. Councilwoman GREENE-KRAFFT advised that she was wondering that maybe we should wait until we hear from the attorney in regards to the questions on the contract or does he advise that we move forward and possibly address these items at a later time. Attorney GABA advised that it was up to the Board. He stated that he would get in touch with CAMO to have discussions regarding the terms of the contract, and then report to the Board, but if they wanted to they could press ahead now. A motion to table and revisit the budget to see what the impacts are was made by Councilman McGUINNESS, seconded by Councilman MAZZOCCA.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #6 – Cornwall Warehouse Building Code Violation – Legal Representation** – Supervisor QUIGLEY advised that we needed to authorize legal representation on code violations for a building on Mill Street. Motion to approve was made by Councilwoman GREENE-KRAFFT, seconded by Councilman CLARK.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item 7 – Renew Workmen’s Compensation Insurance –(PERMA)** Motion to approve was made by Councilwoman GREENE-KRAFFT, seconded by Councilman CLARK.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #8 – Replacement of Taylor Road Bridge – Public Information Meeting** – Supervisor QUIGLEY read a letter from Orange County Principal Engineer Ronald J. Meyer as follows: Attached please find a copy of the notice for the Public informational Meeting for the Replacement of the Taylor Road Bridge. Please post this notice in the Town Hall and it would be appreciated if you could make an announcement during your next Town Board meeting. We will publish this notice in both the Orange County and Town of Cornwall official newspapers. The date set is for Wednesday, December 21<sup>st</sup> 2011 in the Court Room of the Town of Cornwall Town Hall at 7:00 P.M.

**Agenda Item #9 – Authorize End of Year Budget Adjustments** – Motion that we have the bookkeeper complete the adjustments for this quarter was made by Councilwoman GREENE-KRAFFT, seconded by Councilman CLARK.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #10 – Set Date Reorganization Meeting** – Supervisor QUIGLEY suggested that we hold the meeting at our next Work Session scheduled for January 3<sup>rd</sup> 2012, at 7:00 P.M. The Board concurred.

**Agenda Item #11 – Liquor License** – Supervisor QUIGLEY advised that Annarella’s Restaurant Inc. at Storm King Golf Club was applying for a liquor license, and that the Mountainville Manor was renewing their liquor license.

**Agenda Item #12 – Personnel:** Supervisor QUIGLEY advised that he received a letter of resignation from part-time Dispatcher Emily Smith. Motion to accept with thanks was made by Councilwoman GREENE-KRAFFT, seconded by Councilman CLARK.

**ROLL CALL VOTE:** Unanimous Aye.

**Appointment:** Erin O’Dell, Deputy Receiver of Taxes: Supervisor QUIGLEY advised that we will hold off on this until the reorganization meeting.

**Committee Reports:**

**Police Department:** Councilman MAZZOCCA advised that four officers were recertified in the use of the breathalyzer. Officers were able to take the recertification course on-line instead of the four hour classroom course.

**Police Department News:** Councilman MAZZOCCA advised that the Cornwall Police Department was recently notified that it received funding for three in car computers under a State Terrorism Grant that is administered by the Orange County Sheriffs Office.

**Community News:** Councilman MAZZOCCA advised that residents are urged to prepare their vehicles for winter driving. Please take the time to check tires for wear and proper inflation, make sure wipers are in good condition and that your vehicle has plenty of washer fluid. If it is necessary to drive during a snow storm please take it slow and allow extra time to reach your destination.

**Insurance:** Councilman CLARK stated that we took care of PERMA at tonight’s meeting.

**Sewer Department:** Councilman CLARK advised that the Sewer Department is looking forward to discussions with CAMO to straighten out their contract.

**Highway Department:** Councilman McGUINNESS advised that the department is busy doing a little bit of everything. They are doing storm cleanup and branches, salting roads in the higher elevations and clearing drainage in preparation for winter.

**Recreation:** Councilwoman GREENE-KRAFFT took a moment to thank the Recreation Department, Recreation Committee and Town Employees on behalf of the Board for all they have done this year. Councilwoman GREENE-KRAFFT stated that we couldn’t do all the events, trips and senior programs without these wonderful people. Cornwall High School Photography Art Exhibit is going on now at the Town Hall from 8:30 A.M. to 4:30 P.M. until December 31<sup>st</sup> 2011 – please come and enjoy.

**Cable:** Councilwoman GREENE-KRAFFT advised that Time Warner has sent us another email on all of their contracts. A copy of the email will be on file in the Town Clerk’s office for public review.

**Warrant #12:** Supervisor QUIGLEY called for a motion on Warrant #12 – motion to approve was made by Councilwoman GREENE-KRAFFT, seconded by Councilman MAZZOCCA.

**ROLL CALL VOTE:** Unanimous Aye.

Supervisor QUIGLEY advised that before we went to public comment, he would like to take a moment to thank Councilman KERRY McGUINNESS for all his services to the Town in various areas such as Highway, COVAC, Planning Board and Chair of the Comprehensive Plan Update Committee.

Councilman McGUINNESS stated that it has been a pleasure and a privilege these many years to serve with his fellow Board members, Town Consultants, Town Employees, and Elaine's Office. Councilman McGUINNESS added that it's been a very important part of his life and that he is very thankful for it.

**Public Comment:** Ms. Victoria Kartis from COVAC advised that she had contacted the insurance company and was strongly advised not to get another insurance policy as it could be detrimental to the Town. Supervisor QUIGLEY advised that our counsel will contact William A. Smith insurance and work it out. Ms. Kartis also commented that COVAC really does struggle with the budget. She advised that they currently have many members without jackets, boots, radios, pagers etc. Ms. Kartis advised that they work very hard to stay within the budget.

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

**ROLL CALL VOTE:** Unanimous Aye. Meeting adjourned at 8:15 P.M.

Renata McGee  
Stenographer/Deputy Town Clerk

Elaine Tilford Schneer  
Town Clerk