

REGULAR MEETING of CORNWALL TOWN BOARD was held on the 13th DAY of AUGUST, at 7:30 P.M. in Town Hall, 183 Main Street, Cornwall, N.Y. 12518

PRESENT: Supervisor, RICHARD RANDAZZO  
Councilpersons, Marybeth Greene-Krafft  
J. Kerry McGuinness  
ABSENT: Councilpersons, Randolph Clark  
Alexander Mazzocca

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

Meeting was called to order by SUPERVISOR RANDAZZO, OPENING WITH PLEDGE of ALLEGIANCE TO FLAG.

There being NO ADDITIONS, CORRECTIONS or DELETIONS to Special Meeting 7-2-07 and Regular Board Meeting 7-9-07, Councilman McGuinness MOVED APPROVED and ACCEPTED as read. Seconded by Councilwoman Krafft. Carried.

PUBLIC COMMENTS on AGENDA ITEMS:

Visitor, ANNE KEEGAN addressed Supervisor on Agenda #8 - Rt.9W turning lanes commenting she would make her comments when it is discussed.

STORM KING GOLF CLUB PROJECT LETTER from Vice President, DAN MAHONEY to Cornwall Town Board under date of August 6, 2007 requesting Town Approval to begin construction on New Clubhouse before demolishing the existing structure so that Club can continue operations during construction period. We understand that the old building must be razed before a Certificate of Occupancy can be issued for the new building and further that the Town requires assurance that funds are available for the demolition. Therefore, we will issue the Town a check in the amount of \$18,150.00 so that funds can be held in escrow for that purpose. Gary Vinson, Building Inspector has received copy of estimate from Nannini & Callahan Excavating. Thank you for your consideration.

RESOLUTION (Storm King Golf Club) presented by Councilwoman MARYBETH GREENE-KRAFFT seconded by Councilman J. Kerry McGuinness. Roll Call: 3 AYES 2 ABSENT. Carried. (to be made part of official record)

MINE HILL ROAD DRAINAGE PROJECT Supervisor RANDAZZO brought to Board's attention that the Engineer, Patrick Hines from McGoey, Hauser & Edsall has written to the State Emergency Management Office in Albany requesting a ninety (90) day extension beyond completion date of August 31, 2007. Advising that the Bid has been awarded and contract signed and probability is that the contractor will start work within the next week or two and all construction will be completed by October, 2007.

LEGACY RIDGE DEVELOPMENT - VILLAGE of WOODBURY  
LETTER from STUART TURNER & ASSOCIATES, Planning and Development  
Consultants to Supervisor Randazzo RE: Re-establishment of SEQR Lead Agency –  
Legacy Ridge, Village of Woodbury wherein they advised “The attached Resolution and  
Notice of Intent to Re-establish Lead Agency is sent to you at the direction of the Village  
Board of the Village of Woodbury.

As you are aware, the proposed re-zoning and request for designation as a Conservation  
Cluster has been proceeding through the SEQR process under the jurisdiction of the  
Town of Woodbury. With the establishment of the Village of Woodbury the Town no  
longer has jurisdiction over planning and zoning matters. Thus, it is appropriate for the  
Board of Trustees of the Village of Woodbury, which assumed jurisdiction over planning  
and zoning matters on June 1, 2007, to establish itself as Lead Agency.

The comment period on the Draft EIS has been concluded and the applicant is preparing  
a draft of the Final EIS.

If your agency needs any of the previously produced and distributed documents, please  
contact the applicant through its attorney, Gerald Jacobowitz, Esq. Thank you.  
Signed: Stuart Turner & Associates, Planning Consultant to the Village of Woodbury  
Stuart Turner, FAICP,PP, Principal

After reading foregoing , Supervisor RANDAZZO advised that this was a proposed  
development in Woodbury, and the Town of Cornwall expressed their concerns at a  
public hearing because of the size and location of the development as well as the impact  
it would have on the Cornwall Community involving the Cornwall Central School  
District.

Inquiring of Attorney GABA if there were any response that could be forwarded to the  
Village of Woodbury expressing the concerns of the Town?

Attorney GABA noted having made mention of this at the Board work session as it is a  
very unusual situation where the Town of Woodbury relinquished status as lead agency  
when they had already done the DEIS and now the Village Board has stepped in and  
completing it in mid stream, and this is an extraordinary step to be taking with this  
development when they have had public hearings. He suggested that letter be written to  
Village of Woodbury that they hold further public hearings on the EIS.

Councilman MCGUINNESS MOVED ATTORNEY WRITE LETTER TO VILLAGE  
OF WOODBURY EXPRESSING CONCERNS OF THE TOWN RELATIVE TO  
LEGACY RIDGE DEVELOPMENT. Seconded by Councilwoman Krafft. Roll Call:  
3 AYES ABSENT: Councilmen Clark and Mazzocca

MEMO from POLICE CHIEF HAZARD Requesting Police Unit #408 – 2003 Ford  
Crown Victoria – VIN #2FAFP71WX3X140537 be declared SURPLUS – mileage:  
approximately, 113,425.

Councilwoman KRAFFT MOVED FOREGOING POLICE VEHICLE DECLARED “SURPLUS” and SOLD TO HIGHEST BIDDER and SEALED BIDS ADVERTISED FOR OPENING on SEPTEMBER 10th, 2007 at 7:15 P.M.. Seconded by Councilman J. Kerry McGuinness.

Roll Call: 3 AYES ABSENT; Councilmen Clark and Mazzocca  
(Town Clerk will advertise)

REQUEST from Chief Hazard to PURCHASE RADAR UNIT (genesis II dual KA ) – at State Bid for \$1,636.00 from Decatur Electronics Orange County Stop DWI will reimburse Town \$750.00 of purchase price and remaining \$886.00 will come from \$1,250.00 allotted under capital purchase line item. Supervisor RANDAZZO noted that money has been budgeted for said purchase.

Councilman J. Kerry McGuinness MOVED FOREGOING REQUEST. Seconded by Councilwoman Marybeth Greene-Krafft. Roll Call: 3 AYES ABSENT; Councilmen Clark and Mazzocca. Carried.

Supervisor RANDAZZO brought to Board’s attention that POLICE CHIEF HAZARD has been selected to participate in the U.S. DEPT. of JUSTICE LAW ENFORCEMENT TECHNOLOGY .INSTITUTE from August 26<sup>th</sup> to August 31st, in Annapolis, MD at NO COST to the Town. Lodging and meals are paid for by the National Institute of Justice.

Councilwoman KRAFFT MOVED FOREGOING REQUEST APPROVED. Seconded by Councilman J. Kerry McGuinness. Roll Call: 3AYES ABSENT; Councilmen Clark and Mazzocca. Carried.

PERSONNEL: APPOINTMENT - Catherine Fiorello, Assistant Assessor (provisionally) Supervisor Randazzo noted that she has been working in the Assessor’s Office for long period of time and has been certified by Orange County .

Councilwoman MARYBETH GREENE-KRAFFT MOVED foregoing appointment as of August 13, 2007. Seconded by Councilman J.Kerry McGuinness. Roll Call: 3 AYES ABSENT; Councilmen Clark and Mazzocca. Carried.

REQUEST from Justice Court Clerks to ATTEND the Annual Conference - NYState Association of Magistrates’ Court Clerks on October 1st and 2<sup>nd</sup>, 2007 in Elmsford, N.Y. FEE for the conference is \$25.00 each . Clerks will travel by car each day and will not stay over. This is a training and educational conference.

Councilman J. KERRY MCGUINNESS MOVED FOREGOING REQUEST APPROVED. Seconded by Councilwoman Marybeth Greene-Krafft. Roll Call: 3 AYES ABSENT; Councilmen Clark and Mazzocca. Carried.

Route 9W – TURNING LANES ANNE KEEGAN, VISITOR addressed the Board and Supervisor commenting - Going South on 9W and going into Chadeayne Avenue where I reside – it is a single lane and if someone is going to make that turn and vehicle behind you is speeding and if they do not see the yellow lines there will be a catastrophic accident , and there will still be a problem, and it should be moved further up or down Chadeayne. That is a bad area. No stop signs. There never has been any on Jaeger Drive

or Smith Road and now that Jaeger Drive has been made a main thoroughfare, one has to go up that street in order to get back onto 9W to be able to go North. Commenting that she has experienced a driver coming out of Jaeger and going North cut right in front of her and that area should definitely have a STOP SIGN. Jaeger is now a thoroughfare and people are parking in front of their homes and it is dangerous.

Supervisor RANDAZZO advised that the Town will take another look at that area on signage, etc. and a Local Law will be enacted on the V&T Laws regarding traffic. Commenting that he would like to discuss very briefly the DOT and 9W and work that has been done. #1 About three years ago after requesting for approximately 20 years, the Town found out that the State was going to install a traffic signal at the intersection of 9W and Laurel Avenue and it was probably in 1990 and after several years of discussions with the State, we finally convinced them to reduce the speed limit from 55 MPH to 45 MPH due to the severity and number of accidents and after many months they agreed to do it but only on a 3 month trial basis and it has been there ever since. We have seen a decrease in the number and severity of accidents as a result of having the speed limit reduced, and we will continue to work on the Traffic Laws. About three years ago, the Town finally heard from the State that the traffic light was approved, and we waited almost one year when that traffic light came up again, and in conversation with a Mr. Cotton of the DOT who indicated at that time that the traffic light had been approved, and it will be installed but not until the turning lane was constructed at which time I specifically asked him if the lines were going to be painted as those at Forge Hill and 9W or were they actually going to construct turning lanes. He informed me that turning lanes were going to be constructed because the way it was done at Forge Hill Road and 9W is not the way it should be done. Common sense does not take a four-lane highway and narrow it down to two lanes, and now it has created a major problem at that intersection. However, we are happy about the light and that finally DOT is moving, and it is a State Road, and we cannot tell them what has to be done but it concerns the Town and in the interest of public safety, the Town should forward a letter expressing the Town's concerns and the failure on the part of the DOT having not constructed real turning lanes to maintain the flow of traffic safely. Noting having received a letter from a resident in that area who felt that having a single lane north and south would slow the traffic down, and he is probably right. But the truth is that it is a four lane State Highway and forcing vehicles to weave in and out of painted lines will create major problems. Advising having been informed in the past and as of last year, that the painted lines to Forge Hill Road was a temporary solution, and whenever the State implements their twenty million dollar project rebuilding 9W from Angola Road to Newburgh which has been on the drawing board since 1998, and is being pushed back, and Cornwall has 3 overpass bridges which are all being proposed for replacement and they are very deteriorated. Commenting that the Town of Cornwall is being shortchanged by the State not paying particular attention to this area and with the commuter traffic on 9W in the morning and evening will only create additional problems.

Supervisor RANDAZZO RECOMMENDED TO THE BOARD THAT LETTER BE FORWARDED TO THE DOT EXPRESSING CONCERNS OF THE TOWN ON PUBLIC SAFETY ON THE PAINTED TURNING LANES INSTALLED BY DOT IN

THAT AREA OF 9W which was MOVED by COUNCILWOMAN MARYBETH GREENE-KRAFFT. Seconded by Councilman J. Kerry McGuinness. Roll Call: 3 AYES ABSENT; Councilmen Clark and Mazzocca Carried.

Supervisor Randazzo will send letter to DOT, and V&T Laws will be reviewed and updated.

BUDGET ADJUSTMENTS - MAJOR ADJUSTMENT - MUNGER COTTAGE – Environmental Contractual INCREASED \$15,000.00 from Appropriated Funds into Environmental

To cover cost of work done on fuel tanks. Also some minor adjustments – copy of which has been provided to the Board Members.

Councilwoman MARYBETH GREENE-KRAFFT MOVED FOREGOING BUDGET ADJUSTMENTS APPROVED. Seconded by Councilman J. Kerry McGuinness. Roll Call: 3 AYES ABSENT; Councilmen Clark and Mazzocca. Carried.

N.Y.S LIQUOR LICENSE RENEWAL Letter from MEADOWBROOK LODGE renewal of Liquor License for 10-01-2007 to 9-30-2009 – 12 Cavalari Drive, New Windsor, N.Y. 12553 (for the record)

WIND POWER PLANTS - Supervisor RANDAZZO commented that the Association of Towns brought to Board's attention this issue regarding siting of wind turbines and the State Law involving all New York State Towns and changes in the Law reverts back to where local governments will lose control on site locations.

LETTER to Town Board from Attorney, James R. Loeb, under date of August 13, 2007 wherein he advised "The Association of Towns of the State of New York has brought to the Town's attention the fact that there is Joint Legislative Conference Committee currently reviewing changes to Article X of Public Service Law. This Article governs the Issuance of State Permits for the siting of power plants. Local Government involvement in plant siting will be lessened and may even be preempted in the case of wind farms. The Association suggests that towns across the State adopt resolutions expressing concern that local land use regulations will be ignored and that local government will have at best very limited input into power plant siting.

I have prepared and enclose herein a resolution expressing the concern of the Town and suggest that if it is adopted that it be sent to our State Senator and Assemblywoman as well as the Governor and Legislators on the Joint Committee".

RESOLUTION PRESENTED by Councilwoman MARYBETH GREENE-KRAFFT seconded by Councilman J. Kerry McGuinness ABSENT; Councilmen Clark and Mazzocca Carried. (to be made part of official record) Article X Public Service Law.

CHADEAYNE WOODS SUBDIVISION RESOLUTION presented by Councilman J. KERRY MCGUINNESS seconded by Councilwoman Mary Beth Greene-Krafft. Roll Call: 3 AYES ABSENT; Councilmen Clark and Mazzocca. Carried. (dedication of road (Orr-Hatch Drive) - 1 year maintenance security )

COMMITTEE REPORTS; Highway Department REPORT presented by Councilman McGuinness – noting the department is in the process of maintaining and up-grading of Town Roads which should be completed in Fall.

Councilwoman KRAFFT presented RECREATION DEPARTMENT REPORT - Teen night at Town Hall tomorrow evening with DJ, refreshments and activities, August 31st continuation of Battle of Bands at Basketball Court w/refreshments, Sept. 6<sup>th</sup> Senior Trip to Boscobel and Cold Spring Tour, Sept. 22<sup>nd</sup> start of Toddler Time at Munger Cottage. For more information contact Town Recreation Department.

WARRANT # 8 MOVED APPROVED by Councilwoman KRAFFT seconded by Councilman McGuinness. Carried.

Supervisor RANDAZZO brought to Board's attention and persons present, that the Court Justices had attended Court Administration in Albany on Court Security Audit involving the Cornwall Court Facilities, and the audit had been conducted on this past Wednesday, and the Town just submitted a GRANT for several items under the Court Administration Security Program for maximum amount of \$30,000.00 through the State, and the Town will be looking forward to receiving the reports from Court Administration on Security Program for the Cornwall Court Facilities.

NO COMMENTS FORTHCOMING from persons present, Supervisor RANDAZZO advised that the Board will go into EXECUTIVE SESSION TO MEET WITH COUNSEL ON EMPLOYEE PERSONNEL MATTER IN THE HIGHWAY DEPARTMENT .

Councilwoman KRAFFT MOVED BOARD INTO EXECUTIVE SESSION. Seconded by Councilman J. Kerry McGuinness. Roll Call: 3AYES ABSENT; Councilmen Clark and Mazzocca. Carried 7:58 P.M.

BOARD RETURNED from EXECUTIVE SESSION at 8:23 P.M. Supervisor RANDAZZO advised that Board had taken action on the matter in Executive Session and Minutes will be forthcoming from Attorney GABA.

Councilman J. KERRY MCGUINNESS MOVED TOWN BOARD MEETING CLOSED. Seconded by Councilwoman Marybeth Greene- Krafft. Carried.

Constance Triolo  
Deputy Town Clerk-Stenog.

Elaine Tilford Schneer  
Town Clerk .