

Amthor Welding 1041 Rt. 52 Walden, NY 12586	Same as Above Options: Spray Guard Moldboard Shoes Curb Shoes	\$72,134.00 \$184.00 \$136.00 \$72.00
Showalter Equipment 55 Maple Avenue Florida, NY 10921	Same as Above	\$78,300.00
Showalter Equipment 55 Maple Avenue Florida, NY 10921	Heavy Duty Dump Body, Snow Plow Hitch, Power Reversible Trip Edge Snow Plow, Patrol Wing, Liquid Calcium Set-up, Hydraulic System & Chipper Bars -- Installed on 7500 International 4x2 Cab/Chassis supplied by Town of Cornwall	\$66,800.00
Showalter Equipment 55 Maple Avenue Florida, NY 10921	Super Duty Regular Cab 4x4 Chassis W/Dump Body & Snow Plow Hitch	\$46,995.00
Showalter Equipment 55 Maple Avenue Florida, NY 10921	Super Duty Regular Cab 4x4 Chassis W/Dump Body Central Hydraulics & V Plow & Frame	\$58,995.00

There being no more sealed bids, a motion to close the process was made by Councilman MAZZOCCA, seconded by Councilwoman KRAFFT.

ROLL CALL VOTE: Unanimous Aye.

A motion to forward all bids to the Superintendent of Highways, Robert Conley, for review and his recommendation to the Board was made by Councilwoman KRAFFT, seconded by Councilman McGUINNESS.

ROLL CALL VOTE: Unanimous Aye.

Pledge

Public Comment on Agenda Items -- Graham Kelder commented on Agenda Item #3 and read the following letter into the minutes:

Cornwall Town Board, I am requesting to address the Board and the public that attends, about the problems with the ruling against the Assessor.

As you well know, I was one of the first property owners that was in the five-year assessment program, the Building permit replacing an old roof on my front porch, passed on the Assessor and was the only reassessed on Mailler Avenue, so much for the five year plan. I complained, evidently on deaf ears. With the insert on the notice that I was under assessed for the neighborhood, with no back up of the

other assessments and my house was worth one heck of a lot and still is over assessed for what the price would be for a sale of the property.

How many lawsuits were lost and how much did the cost of lawyering cost the taxpayers, I will be requesting the information under the Freedom of Information Act. It seems like the Town Board is not in control of acts that the Assessor has taken and now a judge has ruled in favor of a plaintiff that had the money to take him to court along with all the other suits that are pending. I for one am tired of getting hit at all sides, higher assessment, and paying with my taxes for the lawyers, defending acts that should have not taken place, as the ruling pointed out.

More suits will take place after this judge's ruling. What is a senior living in the Town for 52 years paying taxes, living on a pension and Social Security supposed to do? He cannot afford a lawyer to act in his behalf.

Time for a clean sweep with a large broom, illegal acts should not be tolerated.

Graham Kelder

Agenda Item #1 – Amend Town Board Minutes from June 1st 2009 – Superintendent Buildings & Grounds Salary – Supervisor QUIGLEY advised that Albert Conley was appointed on June 1, 2009 as the new Superintendent of Buildings & Grounds at a salary of \$48,858 per year. Motion to accept amendment was made by Councilwoman KRAFFT, seconded by Councilman McGUINNESS.

ROLL CALL VOTE: Unanimous Aye.

Agenda Item #2 – Resolution -- Appoint Hearing Officer – A motion to table until the Board was given the opportunity to discuss this personnel and pending litigation issue during Executive Session was made by Councilwoman KRAFFT, seconded by Councilman McGUINNESS.

ROLL CALL VOTE: Unanimous Aye.

Agenda Item #3 – Resolution – Litigation – Assessor's Office – Motion to table until after Executive Session was made by Councilwoman KRAFFT, seconded by Councilman McGUINNESS.

ROLL CALL VOTE: Unanimous Aye.

Agenda Item #4 – Resolution – Sewer Plant Generator – Out to Bid – Supervisor QUIGLEY explained that the current generator is manually operated and needs to be physically restarted. This causes many problems and is not an efficient system. Also two motors are at least 45 years old and are also inefficient. Supervisor QUIGLEY read the Resolution as follows: WHEREAS, heretofore the Town Board has determined that the sewage treatment plant owned and operated by Cornwall Sewer District located on Shore Road requires the acquisition and installation of a new natural gas standby generator, and WHEREAS, the Consulting Engineer for the Town has prepared a bid spec for the new generator, and WHEREAS, the funds for the purchase of the generator are included in the present year's budget for operation of the plant, NOW, THEREFORE, BE IT RESOLVED as follows: That the Town Board does hereby authorize advertisements for bids for the generator project, and BE IT FURTHER RESOLVED that the dates for advertisement of the notice to bidders and receipt of bids to be coordinated by the Town Supervisor and the Town Consulting Engineer. Motion to approve was made by Councilman McGUINNESS, seconded by Councilman MAZZOCCA.

ROLL CALL VOTE: Unanimous Aye.

Agenda Item #5 – Resolution – Munger Cottage – Repair Floor – Supervisor QUIGLEY advised that the floor in the new room has started dropping and is not structurally sound due to drainage issues. The floor must be addressed as well as piping and a small catch basin added to take care of the drainage. The Supervisor further advised that we received two bids. Yankee Construction submitted a bid of \$6,850.00 – this includes fixing the floor and the drainage. The other bid was from Burns & Whalen in the amount of \$6,100.00 but does not include the draining problem; this would have to be done by our own crew. Due to time/scheduling constraints with the Town’s Building and Grounds department, as well as confined space issues, the Supervisor recommended that we allow Yankee Construction to do the complete project. WHEREAS, heretofore the Town Board solicited proposals for certain repair work at Munger Cottage, and WHEREAS, after reviewing the proposals received, the Town Board does hereby make the following determination, NOW, THEREFORE, BE IT RESOLVED as follows: That the Town Board does hereby accept the proposal of Yankee Construction Co. of N.Y., Inc., Taylor Road, Mountainville, New York 10953, in the amount of \$6,850.00 to perform the necessary repairs and replacements in Munger Cottage as set forth in their proposal to the Town dated June 24th 2009. Motion to approve was made by Councilman MAZZOCCA, seconded by Councilwoman KRAFFT.

ROLL CALL VOTE: Unanimous Aye.

A motion to close the Special Meeting and go into Executive Session to discuss personnel and litigation issues was made by Councilwoman KRAFFT, seconded by Councilman McGUINNESS.

ROLL CALL VOTE: Unanimous Aye. The Board went into Executive Session at 7:35 P.M.

A motion to close Executive Session and re-convene the Special Meeting was made by Councilman McGUINNESS, seconded by Councilman MAZZOCCA.

ROLL CALL VOTE: Unanimous Aye. Special Meeting re-convened at 7:57 P.M.

Agenda Item #2 – Resolution – Appoint Hearing Officer – Supervisor QUIGLEY read the Resolution as follows: WHEREAS, heretofore on June 29th 2009 Police Chief Todd M. Hazard filed Charges of Misconduct against employee #2, and WHEREAS, in accordance with Section 75 of the N.Y. Civil Service Law a Hearing Officer must be appointed to conduct a Hearing regarding the Charges of Misconduct, NOW, THEREFORE, BE IT RESOLVED as follows: That this Town Board does hereby appoint Peter A. Korn as Hearing Officer to conduct the Hearing scheduled for August 11th 2009 to review the Charges of Misconduct against Employee #2 filed on June 29th 2009 by Police Chief Todd M. Hazard. That following the Hearing the duly appointed Hearing Officer will present his recommendations to the Town Board for review and decision. Motion to approve was made by Councilman MAZZOCCA, seconded by Councilman McGUINNESS.

ROLL CALL VOTE: Unanimous Aye.

Agenda Item #3 – Resolution – Litigation – Assessor’s Office – WHEREAS, heretofore Leone Properties, LLC has brought an action against the Board of Assessors for the Town of Cornwall and the Town of Cornwall pursuant to Real Property Tax Law Article 7 challenging the assessment by the Town of a parcel of land owned by Leone, and WHEREAS, the Supreme Court of the State of New York has ruled in favor of Leone, and WHEREAS, the attorney representing the Town in the Article 7 Litigation, Ira S. Levy, has recommended several steps including a motion for renewal and/or re-argument and filing a notice of appeal, and WHEREAS, these steps must be taken on or before September 1st 2009, and WHEREAS, the Town Board has considered this matter and has determined to proceed, NOW, THEREFORE, BE IT RESOLVED as follows: That the Town Board does hereby authorize the Attorney for the Assessor, Ira S. Levy, to file a notice of appeal from the decision and order of the court and to submit a motion for

renewal and/or re-argument in the Leone Properties matter. Motion to approve was made by Councilman McGUINNESS, seconded by Councilwoman KRAFFT.

ROLL CALL VOTE: Councilpersons McGUINNESS & KRAFFT – Aye, Councilman MAZZOCCA – Nay, Supervisor QUIGLEY – Aye. Motion carried.

Public Comment: Gerry Wagner asked for the status of the Noise Ordinance – He was advised that it would be discussed during Work Session.

There being no further business to conduct during the Special Meeting, a motion to adjourn was made by Councilwoman KRAFFT, seconded by Councilman McGUINNESS.

ROLL CALL VOTE: Unanimous Aye. Special Meeting adjourned at 8:02 P.M.

Renata McGee
Stenographer/Deputy Town Clerk

Cecilia J. Iovine
Deputy Town Clerk