

TOWN BOARD MEETING - FEBRUARY 12TH, 2007 AT 7:30 P.M. IN TOWN HALL, 183 MAIN STREET, CORNWALL, N.Y.

PRESENT: Supervisor, RICHARD RANDAZZO

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.

Meeting was called to order by Supervisor Randazzo, OPENING with PLEDGE of Allegiance to Flag.

Councilwoman KRAFFT MOVED APPROVAL and ACCEPTANCE OF TOWN BOARD SPECIAL MEETING MINUTES – JANUARY 8th and 24th. Seconded by Councilman Clark. Roll Call: Unanimous AYES

NO COMMENTS forthcoming from persons present on Agenda Items.
BOARD BUSINESS CONVENED:

DARE OFFICER GRADUATION - SGT. PHIL SINAGRA, OFFICER IN CHARGE OF THE CORNWALL POLICE DEPARTMENT, addressed the Board informing that Police Officer, GEORGE PATSOLAS, graduated from the Dare Training Seminar on February 9th, and he was very pleased to announce that the Town now has a CERTIFIED DARE OFFICER.

Board CONGRATULATED OFFICER PATSOLAS on his Graduation and appointment as DARE OFFICER. (applause)

HAZEN STREET DRAINAGE PROJECT PHASE II C.D.B.G. AGREEMENT 2007

Councilwoman MARY BETH GREENE-KRAFFT MOVED AUTHORIZATION to SUPERVISOR RANDAZZO to SIGN the AFOREMENTIONED AGREEMENT.

Seconded by Councilman Randolph Clark. Roll Call: Unanimous AYES

RESOLUTION BREEZE HILL ROAD (PNC SD- DEGAN HOLDINGS, LLC)

Councilman J. KERRY MCGUINNESS presented RESOLUTION which was seconded by Councilman Alexander Mazzocca. Roll Call: Unanimous AYES

Road dedication – one year maintenance bond - \$17,350. (to be made part of record)

MEMO from COVAC Captain, M. Bigg on UPDATED AGREEMENT with Scenic Hudson, owners of Snake Hill in New Windsor which is the location of COVAC repeater system and Town has an agreement with them. The new proposed agreement

will be a 10 year contract offering all the same terms and Cornwall and New Windsor will both be paying rental on yearly basis and has gone down from \$1200 to \$900. Councilwoman MARY BETH GREENE-KRAFFT MOVED AUTHORIZATION TO SUPERVISOR RANDAZZO TO SIGN THE UPDATED AGREEMENT AS SET FORTH. Seconded by Councilman Randolph Clark. Roll Call: Unanimous AYES

COVAC REQUEST to attend Annual JEMS Conference in Baltimore, Md. for 8 Members – two days – March 9&10 and utilize \$3200.00 from COVAC budget. Councilman ALEXANDER MAZZOCCA MOVED REQUEST for \$3200.00 to cover this educational conference. Seconded by Councilwoman Mary Beth Greene Krafft. Roll Call 4 AYES Councilman Randolph Clark NO

LETTER from Planning Board Attorney, Dominic Cordisco, REGARDING NEW TRAINING REQUIREMENTS for Planning Board Members effective, January 1, 2007 as required by New York Law. They must complete minimum of four (4) hours of training designed to help each member “to more effectively carry out their duties” (NY Town Law 271(7a) FOR THE RECORD. Supervisor RANDAZZO commented that the Town Board is very supportive on training and education and encouraged Planning Board Members to attend local training programs provided in Orange County, and hopefully they will take advantage of this opportunity.

PERSONNEL - Letter from COVAC Captain, M. Bigg recommending APPOINTMENT of KRISTEN SEBESTA-BOYLE as CLERK – filling position of John Boyle who is now COVAC Asst. Captain. Supervisor RANDAZZO noted she will work 6 hrs. weekly at \$9.00 per hour. MOVED by Councilwoman Krafft seconded by Councilman Clark. Carried.

MEMO from Highway Supt., Bob Conley recommending APPOINTMENT of ERIK HOERUP as Sanitation Department Driver replacing Gary Weyant (retired) who will start on Monday, Feb. 26, 2007 and starting salary will be based on the current Union Contract. Councilman J.KERRY MCGUINNESS MOVED APPOINTMENT of ERIK HOERUP As set forth. Seconded by Councilman Randolph Clark. Roll Call: Un. AYES

LETTER from KENNETH SCHAEFFER, for re-appointment to the Board of Assessment Review. Councilwoman MARY BETH GREENE-KRAFFT MOVED KENNETH SCHAEFFER RE-APPOINTED TO BAR. Seconded by Councilman Alexander Mazzocca. (Term – 5 Years – expired 9/30/06) New Term expiration 9/30/2011)

HIGHWAY and SANITATION DEPARTMENTS - Declare following vehicles SURPLUS and ADVERTISE SURPLUS SEALED BIDS for OPENING on MARCH 12th at 7:30 P.M. Highway Department – 1989 Ford Backhoe 555C Serial #A402727D223145JPCMMMD061 Lic#NY2985,4947.7 Hours Minimum Bid: \$13,500.00

8ft.2-2Rugby Dump Body DY8-3LT - Minimum Bid: \$500.00

2 Hinker V Box 10 ft. Material Spreaders – Declared Surplus for scrap value.

SANITATION DEPARTMENT

1991 Ford F-450 w/dumpable rack body, 73 Diesel Engine,,13,401 Miles Lic#54159
VIN #2FDLF47MXMCA3 - Minimum Bid \$2,500.

1991 International Tandem Cab & Chassis w/25 yd.Heil Body L-10 Engine
VIN #IHTGLGCTOMH47231 Lic.# L61675 – Minimum Bid \$10,000.

Aluminum Recyclable Collection Body – Minimum Bid \$7500.00

25 Yd.Heil Packer Model #615-3178 Serial #FP-5109817 Declared Surplus for Scrap
Value.

Councilman J.Kerry McGuinness seconded foregoing MOTION TO DECLARE
FOREGOING, VEHICLES SURPLUS w/SEALED BID OPENING ON MARCH 12TH
AT 7:30 p.m. Roll Call: Unanimous AYES
(Town Clerk will advertise)

REQUEST – HIGHWAY DEPARTMENT TO PURCHASE FOLLOWING;

V PLOW for 2007 FORD F250	\$4,750.
GRATES for 2006 4x2 Dump	\$993.
SNOW SHIELD for 11ft. Tenco Plow	\$425.
20ft.Long Trailer for Bob Cat & Equipment	\$5,545.

Supervisor RANDAZZO informed that the funding will come from BONDING on
vehicle and equipment, and there is enough money with the EXCEPTION of \$37,721.27
Requesting Board Authorization to PURCHASE OUT OF CAPITAL FUNDING THIS
ADDITIONAL AMOUNT OF \$37,721.27 ON HIGHWAY EQUIPMENT.

Councilman ALEXANDER MAZZOCCA MOVED FOREGOING REQUEST OF
SUPERVISOR RANDAZZO. Seconded by Councilman Randolph Clark. Roll Call:
Unanimous AYES

U.S. DEPARTMENT OF COMMERCE – CENSUS BUREAU – 2010 CENSUS

Supervisor noted that in the past the Building Inspector has been the contact person,
and meeting had been held this past week relative to the preparation for the 2010 census,
and there is additional information available. Noting FOR THE RECORD that the Town
is receiving information, and it is up to the Town to verify and make certain on the census
information.

Councilwoman MARY BETH GREENE-KRAFFT MOVED CONTACT PERSON
BUILDING INSPECTOR, GARY VINSON for 2010 CENSUS. Seconded by
Councilman J.Kerry McGuinness. Roll Call: Unanimous AYES

COMMITTEE REPORTS Councilman CLARK reported on the SEWER
DEPARTMENT experiencing emergency repairs at the Howard Street Pump Station and
received call from Andy Masten on Thursday, and A-1 Plumbing had undertaken repairs

and no major damage had occurred . Also, made reference to letter from DEC which will be followed up, and everything is going along smoothly with I&I, and the insurance should be reviewed by March 1st. As nothing has come to his attention, inquiring on the NYMIR Contract – Insurance.

Supervisor RANDAZZO advised that in all probability there will be a meeting before the end of the month as the Agent is seeking quotes from other companies.

Councilman MCGUINNESS REPORTED on HIGHWAY DEPARTMENT has been doing some up-grading at the Highway Garage as well as maintenance of the facility.

Councilwoman KRAFFT REPORTED ON RECREATION and many residents go on Scheduled trips and would like this to be opened to everyone in the community. Noting there will be a trip to the AMISH COUNTRY, WILDWOOD, N.J., LAS VEGAS as well as trips to the WEST POINT CONCERTS 3/11, 4/15, and 5/20 with transportation and donation of \$5.00. Line Dancing at Munger Cottage on Monday evenings March 5th to April 23rd, 7:00 PM for \$8.00 per lesson as well as trips to MOHEGAN SUN and ATLANTIC CITY CASINOS.

For any persons interested please contact the Cornwall Recreation Department.

Councilman MAZZOCCA REPORTED on POLIC DEPARTMENT - Officer George Patsolas graduated from DARE TRAINING on Feb. 9th, 2007 and is now a certified DARE Officer, and is qualified to conduct DARE PROGRAMS at Cornwall Schools.

Officer Gebert graduated from O.C.Police Academy on January 26th and is now completing his Field Training on tours of duty and is being supervised.

Police Department has been reviewing required training course update on Domestic Violence Incidents and majority of Officers have completed the course.

Sgt. Sinagra and Deborah Jersey, Clerk attended an upstate Seminar for Administrators and Terminal Agency Coordinators on requirements, implementation and resources available through the Center.

Civil Service List has been canvassed, and current list has expired. New List will be requested from OCCS Dept. and persons interested will be interviewed in an attempt to fill the vacancies in the Police Department.

There are 4 dogs in the Town Kennel awaiting adoption and Dog Control Officer and Dog walking Volunteers deserve a vote of thanks, and I speak on behalf of the Board Thanking these volunteers for donating their time and effort to this good cause.

Last but not least, implored the public to get involved if they witness anything out of the ordinary or anything suspicious and report it to the Cornwall Police at 534-8100.

WARRANT #2 was MOVED APPROVED and ACCEPTED by Councilwoman KRAFFT seconded by Councilman Randolph Clark. Roll Call: Un. AYES

PUBLIC COMMENTS: Mr. Iancano, Cornwall: I think one of the most important Persons in the Town is the Police Chief, and I personally feel that it should be someone within the Department, and it would be wrong to have someone from outside because they do not know anything about the Town or the area surrounding the Town. I suggest that the Town look for a Police Chief qualified, and he should be on one years probation before becoming permanent, and Board should get some kind of commitment from the individual that he will have to stay with the Town for X number of years, and he will have to move into Town.

Councilman CLARK brought to the Board's attention and persons present that only last week the Board took some heat for the process they were pursuing in selecting a new Police Chief and in my personal opinion the publication (Cornwall Local) reporting on this made the Board look incompetent and untrustworthy. At this time I would like to request that the Board RESCIND making the Cornwall Local the Official Paper for the Town which was done at our Re-Organizational Meeting in January, 2007. We do not have any control over what they report or how they report, but we definitely do not have to support them monetarily. I MOVE THE FOREGOING. NO SECOND.

Councilman MAZZOCCA commented on LEGALITIES INVOLVED AS THE TOWN MUST USE LOCAL NEWSPAPER (Cornwall Local) FOR ALL TOWN BUSINESS.

Supervisor RANDAZZO interjected recommended this be tabled until the Attorney can research the issue and advise the Board.

Councilwoman KRAFFT commented she is in agreement with Councilman Clark as there have been instances where the facts have been misleading on how the Board is doing their job when the Board is conducting business and following an involved procedural process. MOVED MATTER TABLED UNTIL BOARD CAN FURTHER RESEARCH THE INFORMATION FOR MORE DETAILED FACTS AS THE BOARD DOES ON ANY MATTER COMING BEFORE THE TOWN BOARD; THEY MAKE EVERY EFFORT AND TAKE TIME TO MAKE SURE THAT THAT IS DONE. Seconded by Councilman Mazzocca. Roll Call: Unanimous AYES

Councilman CLARK: While the Attorney is researching this matter, I would like to have him research the possibility of MERGING POLICE DEPARTMENTS since the Town is having difficulties attempting to find a Police Chief, and this may open up some dialogue between the Village of Cornwall on Hudson and the Town of Cornwall.

Supervisor RANDAZZO: MAYOR MOULTON has already made statements on this issue, and there is no way he will support merging the Village with the Town.

Councilman CLARK: Why can't it be on an equal basis? Merging the two departments.

Councilman MCGUINNESS: There has to be a Town Police Department due to fact that the Village is within the Town and Town has the jurisdiction.

Supervisor RANDAZZO: If the Village decided to disband their Department, the Town would automatically provide Police Services. However, the Mayor has always made his position on this matter very clear, and I believe we have to continue on. But if the Attorney wishes to do some research and advise the Board on what combination of issues might occur, it might be helpful.

At this point, Supervisor advised that the Board will be going into Executive Session at the close of the meeting to meet with Counsel and discuss personnel matters in the Police Department.

NANCY LEWITT, Cornwall addressed the Board inquiring what do you do about the Town Newspaper?

Supervisor RANDAZZO advised that the Cornwall Local and News of Hudson Highlands are basically one and the same except one is published in Cornwall and circulates in Cornwall, and News of the Highlands circulates in Highland. However, the CORNWALL LOCAL IS THE LEGAL NEWSPAPER FOR CORNWALL.

Editor, Margaret Menge:

News of the Highlands is a corporation that publishes the two newspapers; one is for Village of Highland Falls and the other is for Cornwall. I would like to say in matters before the Board; they consider how they are going to take this kind of action to cut the local Town Newspaper which has been the local Town Newspaper since 1888 because of an opinion they felt they were being too severely criticized.

I think you would want representatives elected by the people to think how that might appear when going to vote for them every two years, and I hope there will be written comments in the Cornwall Local.

Supervisor RANDAZZO: It is a hometown newspaper, and you are entitled to your opinion and you are the editor and basically own the newspaper because you are free to write whatever you want to, and we totally respect Freedom of the Press. There were some factual errors in the article which you wrote. But the truth is, that this Town Board is elected by the People, and they have as a Board been operating over three years, making hundreds of good decisions, and we as a Board take offense to the statement made by you that half of the community trusts this Board to make good decisions in the future. That was your opinion, and you are entitled to your opinion on this one specific issue, it could have been a general statement in search of a Police Chief. Noting that Council-woman Krafft's statement that the Board had worked very diligently and hard in their search for a Police Chief, and Mr. Iancanno pointed out that individuals may have their minds made up where the next Police Chief should come from, we all have heard from people that it should be someone from within the Department, or at least a person from the community or someone not in the community or the Police Department but from the outside.

That is only one of the factors that the Town Board has been dealing with while we are searching for a Police Chief. We will continue the search, and the process and the

Community should have confidence in any decision made by the Board. There were issues surrounding the offer made which was withdrawn four days later, and the Board did not vote to make the hire, and it did not interrupt the search because we met many nights conducting interviews. WE, as a Board, are committed to find the best and most qualified to serve as Police Chief in the Cornwall Police Department for this community because that is our obligation. The Board has weighed all of the pros and cons some favorable and some not, and based on what we feel should be the criteria for the next Police Chief for the Town of Cornwall, and we will continue to do what we were elected to do, and that is to find the person best suited to serve as Police Chief for the Town of Cornwall.

Referring to Councilman CLARK'S comment to not shut down the Cornwall Local. I think he is exercising the option of looking at the Official Newspaper, and you can still write your editorials which does not interfere with your job as a journalist. This is America, and we support the Constitution and the right of a free press. We will continue and eventually everything will come together. I have to say, that I had a conversation with the PBA President and the PBA is on board with the Town Board in searching for a Police Chief, and they are confident that the Town Board will do the job the community and PBA expect that the right person is chosen under the right circumstances for this very important position.

AL SECORE, Cornwall: I have always sided with Cornwall but I think you are wrong, and this might look spiteful, and nothing would have been said but I have a list of this guys disciplinary charges which you probably have also. She wrote her opinion and you are punishing her for her opinion.

Supervisor RANDAZZO: We did not take any position with her reporting but she made a mistake and that is her opinion.

Mr. Secore: I think you made a mistake, and the lady is being punished, and I am going to go out and circulate that all over Town.

Supervisor RANDAZZO: You spread news all over Town whether or not it is true.

Mr. Secore: Very irate – you did not investigate the guy and you are punishing her.

Supervisor RANDAZZO: You do not know the telephone calls made and conversations had with other Officials. I have news for you. You have a lot of homework to do.

Mr. SECORE: He is a bozo . Why did you pick him?

Supervisor Randazzo: We had a request from a Councilperson to look into something that did not sound or look right and request made to remove the Cornwall Local as the Official Town Newspaper and that the Attorney review it and that is going to be done, and the Board has not taken any action. (inaudible remarks)

Councilman CLARK; I am looking at the best interests of the Cornwall Community for a publication printed twice weekly getting timely information to the public vs. that it is done once weekly. I said that three years ago, and I am restating that that is the reason I would consider the SENTINEL as the Official Publication for Cornwall and having information disbursed in a timely fashion and not having to wait until Friday and it would be twice weekly.

NANCY LEWITT: We need to get back to open Government, and I appreciate what Margaret Menge is writing in the Local and we need to prove it.

Supervisor RANDAZZO: We do have open Government and you have to prove to me that we do not. You always ask the same questions and they are always answered. But you choose not to accept the answers given to you. Your opinion is always welcome and we respect that.

MR. IANCANNO: I speak from a personal opinion and you all do not recall or know that the Supervisor was instrumental working on the Woodbury situation at that time which was quite sometime ago, and the matter was resolved amicably due to Supervisor Randazzo's diligent work pursuing the issue. I am sure the Board will be able to straighten out the issue with the Cornwall Local.

Supervisor RANDAZZO thanked Mr. Iancanno for his comments.

There being NO ADDITIONAL BUSINESS TO COME BEFORE THE BOARD and NO MORE PERSONS WISHING TO BE HEARD, Councilwoman KRAFFT MOVED BOARD MEETING CLOSED in order to CONVENE EXECUTIVE SESSION TO MEET WITH COUNSEL on PERSONNEL MATTER IN POLICE DEPARTMENT.

Seconded by Councilman Randolph Clark. Roll Call: Un. AYES 8:20 P.M.

Constance Triolo,

Deputy Town Clerk-Stenog.

Elaine Tilford Schneer

Town Clerk