

REGULAR TOWN BOARD MEETING was held on the 11<sup>th</sup> DAY of JUNE, 2007 at 7:00 P.M. in Town Hall, 183 Main Street, Cornwall, N.Y.

PRESENT: Supervisor, RICHARD RANDAZZO  
Councilpersons, Randolph Clark  
Councilwoman, Mary Beth Greene-Krafft  
Councilman, Alexander Mazzocca  
Councilman, J. Kerry McGuinness

Also PRESENT: Attorney, STEVE GABA representing Attorney for Town,  
James R. Loeb, Esq.

First Order of Business: SEALED BID OPENING on SURPLUS POLICE VEHICLE #406 –1999 JEEP CHEROKEE VIN #14FF68S4XL675094.

Legal Notice and Affidavit of Publication calling for sealed bids for this date, time and place was read by Supervisor Randazzo. (to be made part of official record)

Thereafter, asked for any bids to come from floor? NO RESPONSE, Councilwoman KRAFFT MOVED BID CLOSING seconded by Councilman Randolph Clark. Carried.

Supervisor opened and read aloud the following sealed bid:

YANNONE'S AUTO REPAIR, INC.

2894 Rt. 9W

New Windsor, N.Y. 12553

Bid for 1999 Jeep Cherokee Police Vehicle #406

\$1,500.00

Check #8143 - \$150.00 enclosed.

At 7:10 P.M. SEALED BID OPENING on SURPLUS HIGHWAY VEHICLE.

Legal Notice and Affidavit of Publication was read by Supervisor Randazzo calling for sealed bids for this date, time and place. (to be made part of official record)

Thereafter, asked for any bids to come from floor. NO RESPONSE, Councilwoman KRAFFT MOVED BID CLOSING.

Supervisor OPENED and READ ALOUD the following sealed bids:

YANNONE'S AUTO REPAIR, INC.

2894 Rt. 9W

New Windsor, N.Y. 12553

Bid for 1991 FORD F-450

VIN #2FDLF47MXMCA37286

\$1,000.00 Check #8144 enclosed... \$100.00

HERBERT ROACH

47 Frost Lane

Cornwall, N.Y. 12518

I bid \$400.00 on '91 FORD F-450

VIN #2FDLF47MXMCA37286

Bank of America Money Order #0270109

\$40.00 enclosed.

AT 7:15 P.M. SEALED BIDS on ANGOLA ROAD PARK PAVILION PROJECT LEGAL NOTICE and AFFIDAVIT of PUBLICATION was read by Supervisor calling for sealed bids for this date, time and place. (to be made part of official record) Thereafter asked or any bids to come from the floor? NO RESPONSE – Councilman J. Kerry McGuinness MOVED CLOSING OF BIDS seconded by Councilman Alexander Mazzocca. Carried. Supervisor OPENED and READ ALOUD following sealed bids:

|   |   |
|---|---|
| LONGINOTT & SONS<br>69 Jacqueline St.<br>New Windsor, N.Y.<br>12553 | For complete construction of 40ftx30ft. wooden open Pavilion structure on Angola Road Park site and for complete construction of facility in accordance with requirements noted herein and in the detailed specifications attached hereto. Complete |
|---|---|

NON COLLUSION  
STATEMENT ACCOMPANIED

|     |  |
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| BID | Lump Sum Bid:           \$46,914.00<br>Official Check #935415040 accompanied Bid in the Amount of \$2,345.70 |
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ONE WAY CONSTRUCTION SERVICES

Ken VanHouten, President  
10 Commercial Avenue  
Highland N.Y. 12528

For complete construction of 40ftx30ft wooden open Pavilion structure on Angola Road Park site, and for complete construction of the facility in accordance with requirements noted herein and in the detailed specification attached hereto. Complete.

Lump Sum Bid:           \$84,400.00

NON-COLLUSION STATEMENT and 5% Bid Bond included

At 7:30 P.M. REGULAR BOARD BUSINESS CONVENED;

Meeting was called to order by Supervisor RANDAZZO, OPENING with PLEDGE of ALLEGIANCE to FLAG.

Approval of Minutes; There being no additions, corrections or deletions to Board Meetings during month of May, Councilwoman KRAFFT MOVED Minutes ACCEPTED and APPROVED AS READ. Seconded by Councilman Randolph Clark. Roll Call; Unanimous AYES

No public comments forthcoming on Agenda Items, Regular Board Business Convened

Councilman RANDOLPH CLARK MOVED BID RECEIVED from YANNONE AUTO REPAIR on '99 Jeep Cherokee – Surplus Police Vehicle for \$1,500 ACCEPTED. Seconded by Councilman J. Kerry McGuinness. Un. AYES

Councilwoman KRAFFT MOVED BID from YANNONE on 1991 Ford F-450 in the amount of \$1,000 ACCEPTED. Seconded by Councilman J. Kerry McGuinness. Unanimous AYES

Regarding ANGOLA ROAD PARK PAVILION – on which there were two bids received, Councilman ALEXANDER MAZZOCCA MOVED REFERRAL TO ENGINEERS ON THEIR RECOMMENDATIONS WITH REPORT MADE BACK TO THE TOWN BOARD. Seconded by Councilman Randolph Clark. Roll Call: Unanimous AYES

2008 COMMUNITY DEVELOPMENT BLOCK GRANT - Schedule Public Hearing

Councilman ALEXANDER MAZZOCCA MOVED PUBLIC HEARING scheduled for JUNE 25<sup>TH</sup>, 2007 at 7:00 P.M. Seconded by Councilwoman Marybeth Greene-Krafft. Roll Call: Unanimous AYES

Supervisor noted that it was previously scheduled for this evening, but due to advertising deadline, the public hearing had to be scheduled for the 25<sup>th</sup> of June, at 7:00 P.M. for public comments.

Councilwoman MARYBETH GREENE-KRAFFT presented RESOLUTION authorizing and retaining McGoey, Hauser and Edsall, Consulting Engineers P.C. to Prepare and file the application. Seconded by Councilman Alexander Mazzocca. Roll Call: Unanimous AYES (resolution to be made part of official record)

4<sup>th</sup> JULY APPLICATION for PERMIT for Public Display of Fireworks from Harry Houlis, Grounds Committee, Cornwall Independence Day Committee to be held on Town Hall property – LEGION FIREWORKS with all pertinent information and diagram of grounds on which display is to be held etc, and Insurance Certificate. Councilman ALEXANDER MAZZOCCA MOVED APPROVAL on 4<sup>th</sup> JULY FIREWORKS PERMIT. Seconded by Councilman J. Kerry McGuinness. Roll Call: Unanimous AYES

REGARDING YOUTH BUREAU, ORANGE COUNTY LETTER was noted received indicating that meeting had been held with Councilwoman Krafft and Supervisor Randazzo; which has 100% funding for this GRANT Program for various summer programs for youth of the community. Requesting AUTHORIZATION TO SIGN THE AFOREMENTIONED AGREEMENT FOR \$4,700.00 COUNTY GRANT.

Councilman J. KERRY MCGUINNESS MOVED AUTHORIZATION TO SUPERVISOR RANDAZZO TO SIGN THE AFOREMENTIONED AGREEMENT WITH COUNTY OF ORANGE. Seconded by Councilman Clark. Roll Call: Un. AYES

ORANGE COUNTY LANDFILL SITE SETTLEMENT LETTER from Attorney, STEVE GABA to Supervisor RANDAZZO under date of May 24, 2007 and enclosing copy of executed and filed Consent Decree in regard to litigation over Orange County Landfill. As you know the Town has consented to settlement of \$24,297.32 payable in

two-year installments. First installment of \$12,148.66 must be paid within 30 days after entry of the Consent Decree with the Court. Since the Consent Decree was entered on May 16, 2007, the Town's payment is due no later than June 15, 2007. Payment is to be made by wire transfer, certified check, or cashier's check made payable to the State of New York and delivered or directed to following Address:

Robert Emmet Hernan, Esq.  
Assistant Attorney General  
New York State Department of Law  
Environmental Protection Bureau  
120 Broadway-26<sup>th</sup> Fl.  
New York, N.Y. 10271

The Town's final payment of \$12,148.66 is to be remitted on or before January 31, 2008 in the manner and to the address set forth above.

Signed: Stephen J.Gaba

Attorney Gaba gave short explanation on circumstances involved in the Orange County Landfill site litigation informing that the Federal Government requirements governing materials dumped at the site be taken away by haulers which has to be paid for and what happened with the number of Municipalities and private haulers using the site which in the State of New York is a liability on having it cleaned and trucked away and that is the reason for the Town's share settling the litigation.

Supervisor Randazzo advised that it will be included in the budget, and the second payment will be made on or before January 31, 2008 noting the time elapse over the years and originally it was \$53,000 and most of the Municipalities were treated fairly, and the dollars involved over the years on the clean up with litigation would be far more costly to the Municipalities.

OCCD – FY-2006 HAZEN STREET DRAINAGE PROJECT – PHASE I

LETTER was noted received from Orange County Community Development enclosing Amendment to the FY-2006 Agreement increasing the amount of CDBG funding from \$41,000.00 to \$113,175.00

Supervisor RANDAZZO advised that the original Grant was \$ 41,000.00 and Town received additional funding of \$8,275.00 due to costs as well as the fact that there is a problem on Main Street which has been solved and will benefit the Town of Cornwall as well as the County and County Grant has provided an additional \$63,900.00 and most of the HAZEN STREET PROJECT PHASE I has been funded.

Noting that the Town is presently working on PHASE II of the DRAINAGE PROJECT.

Councilwoman MARYBETH GREENE-KRAFFT AUTHORIZED SUPERVISOR RANDAZZO TO SIGN THE AMENDMENT TO THE 2006 MUNICIPAL AGREEMENT ON HAZEN STREET DRAINAGE PROJECT, PHASE I. Seconded by Councilman Alexander Mazzocca. Roll Call: Unanimous AYES

LOCAL LAW #1-2007 Supervisor brought to Board's attention that this proposed local law on zoning was referred to the Planning Board for their REPORT back to the Town Board.

LETTER from James R. Loeb, Attorney for Town to Town Board under date of June 11, 2007 in connection with proposed amendment to the Zoning Code of Town of Cornwall relating to the GC District and other parking for non-residential uses. I am forwarding to you the report of the Planning Board which recommends specific modifications to the proposed Local Law including : a more "current " and flexible description of "hospitals and sanitoriums"; a mandatory 3 year performance bond for both shadow parking and parking offset; amending Section 158-16(A)(5) "dustless surface".

Planning Board REPORT from Planning Consultant, Leslie Dotson was noted received Supervisor RANDAZZO inquired of Attorney GABA on 3 Year Mandatory Performance Bond for shadow parking and parking offset-Sections 4 and 5?

Mr. GABA advised on what happens where there are a certain number of parking spaces depending on type and size of building proposed and lot size and Planning Board does not feel that much space is needed and gives the flexibility to use it later on and developer would be required to post a mandatory performance bond for later development.

Supervisor Randazzo commented if the parking works out satisfactorily during that 3 year period but if it is inadequate it will be guaranteed by the performance bond. Commenting based on the Planning Board recommendations in their REPORT as well as redrafting of Local Law #1-2007 and engineer's recommendations on two other items the Board will be holding Public Hearing on Community Development at 7:00 PM on JUNE 25<sup>TH</sup> and public hearing will be scheduled for Local Law #1-2007.

MEMO from Police Chief Hazard under date of 5-31-2007 REQUESTING AUTHORIZATION to purchase four (4) new workstations, two (2) monitors and Office small business licenses for computers from DELL Total: \$4,858.98. Informing that the Police Department has received a Legislative Initiative Grant from Senator Larkin's Office for \$30,000.00 and money spent on computer upgrades would be recovered under that Grant. The above quote covers computers, warranty and software. It does not include any installation costs. Councilman ALEXANDER MAZZOCCA MOVED APPROVAL on FOREGOING REQUEST. Seconded by Councilwoman Marybeth Greene-Krafft. Roll Call: Unanimous AYES

4<sup>th</sup> JULY - PARADE INVITATION TO BOARD to participate in 58<sup>th</sup> Annual Independence Day Parade which will assemble in Village of Cornwall on Hudson between 4:15 and 4:45 PM on Wednesday, July 4<sup>th</sup> and will step off at 5:00 P.M. Supervisor RANDAZZO EXPRESSED APPRECIATION and THANKS TO THE COMMITTEE on behalf of the Town Board for their work throughout the year involving the community in many celebrations and events.

Councilwoman KRAFFT MOVED following LIST of Summer Playground Counselors and Kindercamp and Lifeguards as received from James Kent, Recreation Department Coordinator. Seconded by Councilman J. Kerry McGuinness. Roll Call: Un. AYES (to be made part of record)

Councilwoman KRAFFT MOVED APPOINTMENT OF CONNIE FREEMAN as CAMP DIRECTOR for both AM and PM Sessions at Salary of \$6,500.00. Seconded by Councilman Randolph Clark. Roll Call: Un. AYES

Supervisor RANDAZZO informed that Police Chief Todd Hazard met with Board to discuss performance and progress and probationary period has ended. Councilman ALEXANDER MAZZOCCA MOVED POLICE CHIEF HAZARD PERMANENTLY APPOINTED. Seconded by Councilman J. Kerry McGuinness. Roll Call; Unanimous AYES (applause)

Supervisor EXPRESSED THANKS to Chief Hazard for the smooth transition and new start for the Police Department, and Board is looking forward to working with Chief Hazard.

REQUEST from Police Chief Hazard to attend NYS Police Chief's Conference Training Session on July 15th – 18th in Jefferson County, N.Y. and authorization for cost of REGISTRATION - \$100, 4 Nights Lodging, \$516.00. Meals and incidentals will be my responsibility. Funds are available in Police Budget - Conference line. TOTAL; \$616.00 Councilman ALEXANDER MAZZOCCA MOVED Police Chief's request as set forth APPROVED. Seconded by Councilwoman Krafft. Roll Call: Unanimous AYES

SPEED REDUCTION STUDY – PLEASANT HILL RD. & OTTERKILL ROAD

Supervisor brought to Board's attention that over the years numerous attempts have been made to NYSDOT to authorize reduction of speed limits on both roads and presently, the speed limit on Pleasant Hill Road is 55MPH and Otterkill Road is 40MPH but it is a very curvy road and usually takes the State a lengthy time to undertake a study; Town follows the procedure with resolution to the County which is forwarded to the DOT, but the Town has not been very successful. He advised that the DOT has finally realized that the local municipalities should have more jurisdiction and are now authorizing the local municipalities to conduct their own traffic study on speed reductions.

Councilman MAZZOCCA MOVED AUTHORIZATION TO CONDUCT A TRAFFIC SPEED REDUCTION STUDY ON PLEASANT HILL and OTTERKILL ROADS AND REPORT BACK TO THE BOARD ON FINDINGS. Seconded by Councilman J. Kerry McGuinness. Roll Call: Unanimous AYES

(To be discussed with Police Chief, Highway Supt., Bob Conley and Engineers)

MINE HILL ROAD DRAINAGE PROJECT

Supervisor RANDAZZO brought to Board's attention that date for bid opening has been changed to JUNE 21<sup>ST</sup> at 3:00 P.M. as the engineers need more time.

Councilman J. KERRY MCGUINNESS MOVED FOREGOING. Seconded by Councilwoman Marybeth Greene-Krafft. Roll Call: Unanimous AYES

JUSTICE COURT ASSISTANCE - 2007 GRANT RESOLUTION presented by Councilman RANDOLPH CLARK seconded by Councilman Alexander Mazzocca Roll Call: Unanimous AYES (“JCAP” application) (to be made part of record) Supervisor advised that the Town applied to the Court Administration for an audit to be conducted on the court security facilities, and this will be an opportunity to meet with their representatives.

2008 CORNWALL CENTRAL SCHOOL DISTRICT REFUSE AGREEMENT

WHEREAS, heretofore the Town Board has entered into an agreement with the Cornwall Central School District for the pick up and collection of refuse and garbage, and

WHEREAS, it is appropriate for the Town to enter into a formal agreement for the period July 1, 2007 through June 30, 2008, and

WHEREAS, such agreement is before the Town Board.

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby approve entering into an agreement with the Cornwall Central School District for the pick-up and collection of refuse and garbage for the Year July 1, 2007 through June 30, 2008 and authorizes the Supervisor to execute the same.

Presented by Councilman ALEXANDER MAZZOCCA seconded by Councilman Randolph Clark.

The vote on the foregoing resolution was as follows:

Councilman Randolph Clark    AYE  
Councilwoman Marybeth Greene-Krafft    AYE  
Councilman Alexander Mazzocca    AYE  
Councilman J. Kerry McGuinness    AYE  
Supervisor Richard Randazzo    AYE

Carried. Adopted as read

PROPOSAL – GREEN ACRES LANDSCAPING,  
P.O. Box 21  
Cornwall, N.Y. 12518

Replacement of wall and walk and planter in vicinity of Police Department additional cost TOTAL; \$1,975.00

Councilman RANDOLPH CLARK MOVED FOREGOING PROPOSAL APPROVED.  
Seconded by Councilman J. Kerry McGuinness. Unanimous AYES

COMMITTEE REPORTS Councilman Randolph Clark reported nothing of consequence on his committees.

Councilman McGuinness reported Highway Department is contemplating road resurfacing program at the end of this month.

Councilwoman Krafft presented Recreation Department report and registration is continuing for Summer Playground possibly on Saturday to make it easier for parents. Kindercamp for ages 3-5 sessions July 9<sup>th</sup> through 27<sup>th</sup> and July 30<sup>th</sup> through August 17<sup>th</sup> and Cost \$125. per child, per session. Also Atlantic City Trip August 7<sup>th</sup> \$33.00 and Trip to Las Vegas, Nov. 15 through 19<sup>th</sup> \$840. per person-double occupancy and Line Dancing every Monday evening at Munger Cottage w/minimal fee as you attend. Also ADVENTURE CAMP for ages 11-14 six Friday mornings 9:00 AM to 12 NOON July 13 through August 17<sup>th</sup> Ages 14-17 Wednesday mornings, July 11<sup>th</sup> through August 15<sup>th</sup> – 9:00 AM to 12 NOON or Wednesday afternoons 1:00 to 4:00 PM Cost \$165 per camper This is thru Storm King Adventure Tours with kayaking, hiking, and mountain biking – depending upon weather conditions. Also Scenic Hudson River Outings – kayaking along the Hudson River for Seniors – 55 and older. \$30.00 per person - For more details contact the Cornwall Recreation Department.

Councilman MAZZOCCA presented Police Department REPORT - 8 Auxiliary Officers worked 53 hours on various assignments including COVAC Emergency Medical Service Day, Memorial Day Parade, Kenridge Farm Hike in addition to attending their monthly training seminar. Officer OGDEN attended course on Commercial Vehicle Laws and enforcement. Chief Hazard attended seminar on school violence sponsored by the Town's Insurance Carrier, NYMIR.

Town Dog Shelter as of May 31st. had 6 dogs, two were adopted. Urging residents to visit the kennel and consider adopting a dog.

Town Court Officers worked 70 hours during May. Officer Schofield continues on light duty until his physician okays his return to regular duty.

Police Chief Hazard, Supervisor Randazzo and School Supt., Rehm met with owner of Maplehurst Inn to discuss community concerns.

Chief Hazard and Sgt. Dixon met with residents of Maplehurst Inn to discuss community problems and answer their questions. The newly appointed Police Officer, Hansen has begun her field training. Police Officer Lucchesi has completed his training and can work regular tours of duty.

WORD OF CAUTION – Pool Season is here and urged everyone having a pool to make sure the pool is enclosed with self-closing and self-locking gates to keep unsupervised children away from the pool.

WARRANT #6 MOVED APPROVED by Councilwoman KRAFFT seconded by Councilman Clark. Carried.

Public Comments: Q. from floor as to when the Public Hearing on the 2008 Community Development Program will be held?

Supervisor Randazzo noted June 25, 2007 at 7:00 PM and Legal has been advertised in the Cornwall Local.

There being NO FURTHER BUSINESS to come before the Board, Councilwoman KRAFFT MOVED BOARD MEETING CLOSED. Seconded by Councilman Randolph Clark. Carried.

Constance Triolo,  
Deputy Town Clerk-Stenog.

Elaine Tilford Schneer,  
Town Clerk