

PUBLIC HEARING AND SPECIAL MEETING OF THE CORNWALL TOWN BOARD was held on the 21st day of October, 2008 at 6:45 P.M. in the 2nd Floor Conference Room of Town Hall, 183 Main Street, Cornwall, N.Y.

PRESENT: Supervisor
Councilpersons

D. KEVIN QUIGLEY
ALEXANDER MAZZOCCA
RANDOLPH CLARK
*J. KERRY McGUINNESS
MARY BETH GREENE-KRAFFT

Also PRESENT: ATTORNEY, STEVE GABA, representing Attorney for Town, JAMES R. LOEB, Esq.

Public Hearing – Proposal Local Law – Supervisor QUIGLEY opened the Public Hearing at 6:45 P.M. with a reading of the Legal Notice regarding proposed Local Law entitled: A local law amending Chapter 143 Section 143-31 of the Code of the Town of Cornwall entitled “Vehicle and Traffic”. The Proposed local law would amend Sections 143-31 Schedule VIII entitled “Parking Prohibited Certain Hours/Parking or Standing Prohibited in Designated Locations” by adding No Parking Monday through Friday 8:00 A.M. to 4:00 P.M. on both sides of Maple Street between Canterbury Avenue and Laurel Avenue. A copy of the proposed local law is on file in the office of the Town Clerk and available for inspection by interested persons during Town Clerk’s business hours. Supervisor QUIGLEY asked if there were any comments and/or questions from the public. There being no comments, a motion to close the Public Hearing was made by Councilman MAZZOCCA, seconded by Councilwoman KRAFFT.

VOTE:

Councilman MAZZOCCA	Aye
Councilman CLARK	Aye
Councilman McGUINNESS	Absent
Councilwoman KRAFFT	Aye
Supervisor QUIGLEY	Aye

Motion carried. Public Hearing closed at 6:50 P.M.

Motion to re-open the Public Hearing (new arrivals to the meeting) was made by Councilwoman KRAFFT, seconded by Councilman MAZZOCCA.

VOTE:

Councilman MAZZOCCA	Aye
Councilman CLARK	Aye
Councilman McGUINNESS	Absent
Councilwoman KRAFFT	Aye
Supervisor QUIGLEY	Aye

Motion carried. Public Hearing re-opened at 6:51 P.M.

Mr. Peter Loger, a resident who lives on Maple Street, advised that he hoped we passed this law as he has had problems with people parking on his property in the past. Ms. Kathi Ellick, asked how the Town will enforce this law. Chief Todd Hazard advised that it will be enforced through the usual process such as issuing tickets and towing. Chief Hazard feels that just passing the law and putting up signs will be the biggest deterrent. Councilman MAZZOCCA added that passing the law is an added safety feature as emergency vehicles have a hard time passing when people park on both sides of the street. There being

no further comment, a motion to close the Public Hearing was made by Councilman MAZZOCCA, seconded by Councilwoman KRAFFT.

VOTE:

Councilman MAZZOCCA	Aye
Councilman CLARK	Aye
Councilman McGUINNESS	Absent
Councilwoman KRAFFT	Aye
Supervisor QUIGLEY	Aye

Motion carried. Public Hearing closed at 6:54 P.M.

Public Hearing – Building Department Fees Resolution – Supervisor QUIGLEY opened the Public Hearing at 6:55 P.M. with a reading of the Legal Notice advising of the proposal from the Building Department to revise the present fee schedule for building permits, miscellaneous Building Department fees, Zoning Board of Appeals application fees, Planning Board application fees and related permit fees as well as park and recreation fees. Supervisor QUIGLEY asked if there were any comments from the Public. Mr. Hector Torres wanted to know how the increase in fees benefits the Town. Supervisor QUIGLEY advised that it keeps the department functioning and that the fees have not been raised since 1995, and yet we have grown and hired two more inspectors as well as a full-time clerk. Supervisor QUIGLEY summed it up by stating that it generally comes down to the cost of operation as most times fee increases are. There being no further comments, a motion to close the Public Hearing was made by Councilwoman KRAFFT, seconded by Councilman CLARK.

VOTE:

Councilman MAZZOCCA	Aye
Councilman CLARK	Aye
Councilman McGUINNESS	Aye * (Arrived at 6:55 P.M.)
Councilwoman KRAFFT	Aye
Supervisor QUIGLEY	Aye

Motion carried. Public Hearing closed at 6:59 P.M.

SPECIAL MEETING

Pledge

Agenda Item #1 – Adopt Local Law – Supervisor QUIGLEY advised that this is the adoption of Local Law No. 3, Chapter 143 Section 143-31 of the Town Code entitled “Vehicle and Traffic”. This law is in reference to the parking problem on Maple Street from Laurel to Canterbury. The Supervisor advised that the parking on Maple has increased due to the growth of the hospital and became a safety hazard. Supervisor QUIGLEY further stated that we received complaints from the residents about people parking on their lawns. This was brought to the Board’s attention. The Chief of Police, Todd Hazard, as well as the Superintendent of Highways, Robert Conley, reviewed the problem and came up with a solution. There will be no parking from 8:00 A.M. to 4:00 P.M. on Monday through Friday. Councilwoman KRAFFT just wanted to comment that perhaps we should have looked at a different solution such as one side of the street parking or no parking from here to the curb. Councilwoman KRAFFT requested that in future we charge the Planning Board, if there is any construction of large parking lots or any other type of construction that involves parking, that they consider an interim parking solution until the project is completed. Councilman MAZZOCCA stated that any solution short of no parking at all would serve no purpose. Supervisor QUIGLEY stated that while he understands the reason for the increased parking, it should not be at the resident’s expense. Supervisor QUIGLEY read the Resolution as follows: NOW,

THEREFORE, BE IT RESOLVED that the Town Board does hereby adopt Local law amending Chapter 143-31 of the Code of the Town of Cornwall entitled "Vehicle and Traffic", which said local law, shall be effective upon publication, posting and filing in the Office of the Secretary of State in Albany. Motion to adopt was made by Councilman McGUINNESS, seconded by Councilman MAZZOCCA.

VOTE:

Councilman MAZZOCCA	Aye
Councilman CLARK	Aye
Councilman McGUINNESS	Aye
Councilwoman KRAFFT	Nay
Supervisor QUIGLEY	Aye

Motion carried.

Agenda Item #2 – Adopt Building Department Fees –Supervisor QUIGLEY advised that the increase is to offset the cost of doing business and that the fees have not been increased since 1995. Supervisor QUIGLEY read the Resolution adopting the revised fees as well as the Resolution stating that this is an action subject to SEQR, and determining that the adoption of the new fee schedule will not result in any significant adverse environmental impacts and does hereby issue this Negative Declaration and authorize that the appropriate box in Part III of the short EAF be checked and the short EAF be signed by the Supervisor. WHEREAS, the Town Board has conducted a public hearing on the proposed revised fee schedule and heard all persons interested in the subject matter of the same, NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS: That the Town Board does hereby adopt revisions to the Town’s fees schedule for building permit fees, miscellaneous Building Department fees, Zoning Board of Appeals application fees, Planning Board application fees and related permit fees as well as park and recreation fees which fees shall be effective immediately. Motion to adopt resolution, effective immediately, was made by Councilwoman KRAFFT, seconded by Councilman MAZZOCCA.

VOTE:

Councilman MAZZOCCA	Aye
Councilman CLARK	Aye
Councilman McGUINNESS	Aye
Councilwoman KRAFFT	Aye
Supervisor QUIGLEY	Aye

Motion carried.

Agenda Item #3 – New Primary Election – Supervisor QUIGLEY advised that Elaine Schmeer, the Town Clerk, received a fax from the Orange County Board of Elections advising the possibility of holding a new Primary Election before the General Election. The Supervisor advised that the matter was pending a court decision and that the Board of Elections would let us know as soon as possible. Motion to grant permission to the Orange County Board of Elections, to hold another scheduled primary election at Town Hall, was made by Councilwoman KRAFFT, seconded by Councilman MAZZOCCA.

VOTE:

Councilman MAZZOCCA	Aye
Councilman CLARK	Aye
Councilman McGUINNESS	Aye
Councilwoman KRAFFT	Aye
Supervisor QUIGLEY	Aye

Motion carried.

Agenda Item #4 – Sewer Billing – Supervisor QUIGLEY explained that this is an issue with billing in the Sewer Department, which caused overtime. The Supervisor advised that this could probably be done through the finance department more cost effectively. After much discussion, a motion to table until the next meeting was made by Councilwoman KRAFFT, seconded by Councilman CLARK.

VOTE:

Councilman MAZZOCCA	Aye
Councilman CLARK	Aye
Councilman McGUINNESS	Aye
Councilwoman KRAFFT	Aye
Supervisor QUIGLEY	Aye

Motion carried.

Executive Session – A motion to go into executive session to discuss litigation with the Chief of Police, Todd Hazard, was made at 7:20 P.M. by Councilwoman KRAFFT, seconded by Councilman CLARK. An amended motion to include Ron Fiorentino, was made by Councilman CLARK, seconded by Councilman MAZZOCCA.

VOTE:

Councilman MAZZOCCA	Aye
Councilman CLARK	Aye
Councilman McGUINNESS	Aye
Councilwoman KRAFFT	Aye
Supervisor QUIGLEY	Aye

Motions carried.

Executive Session – adjourned at 7:43 P.M. with no action taken.

A motion to reconvene the Special Meeting was made by Councilwoman KRAFFT, seconded by Councilman CLARK.

VOTE:

Councilman MAZZOCCA	Aye
Councilman CLARK	Aye
Councilman McGUINNESS	Aye
Councilwoman KRAFFT	Aye
Supervisor QUIGLEY	Aye

Motion carried. Meeting re-convened at 7:44 P.M.

Agenda Item #5 – PBA MEMO – A motion to have Supervisor QUIGLEY sign the memo of agreement to enter with the PBA into contract negotiations was made by Councilwoman KRAFFT, seconded by Councilman CLARK.

VOTE:

Councilman MAZZOCCA	Aye
Councilman CLARK	Aye
Councilman McGUINNESS	Aye
Councilwoman KRAFFT	Aye
Supervisor QUIGLEY	Aye

Motion carried.

There being no further items on the agenda for the Special Meeting, the Board went into Budget Work Session at 7:50 P.M.

Executive Session – A motion to go into executive session consecutively to discuss contract negotiations, meet with assessor’s office staff, and Diane Hines was made by Councilwoman KRAFFT, seconded by Councilman MAZZOCCA.

VOTE:

Councilman MAZZOCCA Aye

Councilman CLARK Aye

Councilman McGUINNESS Aye

Councilwoman KRAFFT Aye

Supervisor QUIGLEY Aye

Motion carried.

Executive Session adjourned at 11:15 P.M. with no action taken.