

SPECIAL MEETING of the CORNWALL TOWN BOARD was held on the 30<sup>th</sup> of September, 2009 in the Second Floor Conference Room, 183 Main Street, Cornwall, NY 12518

PRESENT: Supervisor  
Councilpersons

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

Also PRESENT: STEVE GABA, representing Attorney for Town, JIM LOEB, Esq.

### **Pledge**

### **Public Comments – Agenda Items – None**

**Agenda Item #1 – Resolution – Cornwall Library Grant** – Supervisor QUIGLEY explained that Nancy Calhoun was instrumental in securing a library grant for the Town of Cornwall. WHEREAS, in March 2007 Hon. Nancy Calhoun, Member of the Assembly, secured a grant in the amount of \$5,000.00 for the Cornwall Library for the purpose of digitalizing historical issues of *The Cornwall Local* and related activities, and WHEREAS, it now appears that the funds are available, and WHEREAS, it appears further that the grant is in the name of the Town of Cornwall and not the Cornwall Library as intended, and WHEREAS, Assemblywoman Calhoun has requested the Town of Cornwall to enact a resolution designating the funds for the Cornwall Library, and WHEREAS, the Town has received the voucher requesting payment in full for the eligible project costs in the amount of \$5,000.00, and WHEREAS, it would be appropriate for the Town to agree to execute the voucher and to turn over the \$5,000.00 to the Library when the Town receives it from the State of New York. NOW, THEREFORE, BE IT RESOLVED as follows: That the Town Board does hereby authorize the Supervisor to execute the voucher from the State of New York requesting payment of \$5,000.00, the eligible project cost, and to submit the same together with such other documentation as may be required, and BE IT FURTHER RESOLVED: That upon the Town of Cornwall's receipt of the \$5,000.00 from the State of New York that the said funds will be paid over to the Cornwall Library. Motion to approve was made by Councilman MAZZOCCA, seconded by Councilwoman KRAFFT.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item #2 – Blooming Grove Humane Society Proposal** – Ms. Melissa Veraldo, manager of the Blooming Grove Humane Society, presented a bid for animal control for the Town of Cornwall 2009/2010 to the Board as follows:

Dog Seizure's	\$25.00 per dog
Daily Board	\$20.00 per day – not to exceed 5 days

All redemption fees go to the Town of Cornwall Town Clerk, every Monday. On the 6<sup>th</sup> day the dog becomes the property of the Blooming Grove Humane Society, to be adopted out, and the Humane Society keeps all adoption fees.

If the dog is deemed un-adoptable, then the dog will be euthanized by a licensed vet, who will bill the Town of Cornwall directly. This will include any dogs that are seized and require an exam, due to an injury while running at large. Each dog seized will have a number assigned to it; you will be able to cross reference all bills with monthly vouchers for seizures.

We are able to provide the residents of the Town of Cornwall with Dog licensing seven days per week. On each Monday, if there were licensing done over the weekend, they will be brought to the Town Clerks office.

We are also able to provide Animal Control seven days per week. (This includes wildlife, but does not include cats) Residents are able to redeem their dogs seven days per week, and visit the shelter for those residents who want to walk dogs, or volunteer their time.

The Town of Cornwall will provide a vehicle to The Humane Society of Blooming Grove, to do Animal Control/Complaints with.

**Agenda Item # 3 – COVAC Contract** – In summary Mr. David Garwood, from Scicchitano & Pinsky, gave the Board an overview of the COVAC plan for privatization on behalf of their new attorney, Mr. Brad Pinsky. Mr. Pinsky could not attend the meeting due to surgery. Mr. Garwood explained some of the benefits to the Town and its residents of COVAC being able to bill both BLS and ALS would be a reduced tax burden to the residents by having the insurance companies pay, less liability to the Town by not owning any of the equipment, income from leasing the building to the Town, more training for the volunteers and being able to hire ALS staff with a 24/7 response. COVAC is ready to write into the agreement whatever safe guards and financial disclosure procedures the Town wants – i.e., the Town would have access to see where and how the funds received are spent. After a Q&A session between the Board and Mr. Garwood, it was determined that Mr. Pinsky would put this proposal in writing for the Board's review hopefully for the October 13<sup>th</sup> Regular Town Board Meeting.

**Agenda Item # 4 – Authorize Supervisor to Advertise for Bids for 2009 Community Development Project** – Supervisor QUIGLEY advised the Board that he was looking for authorization to advertise for bids for the Hazen/Clinton Street drainage improvements, sidewalk and curbing with the dates for the advertisement and receipt of bids to be set by the Supervisor. Supervisor QUIGLEY explained that the Town Engineer, Mark Edsall has to meet with Joanne Fazzino from the County before the dates can be set. Motion to approve was made by Councilwoman KRAFFT, seconded by Councilman CLARK.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item # 5 – Accept Highway Equipment Bid** – Supervisor QUIGLEY advised that the purchase of the Heavy Duty All Season Body, Snow Plow Hitch, Power Reversible Trip Edge

Snowplow, Patrol Wing, Liquid Calcium Set-up, Hydraulic System, Chipper Bars was previously approved and that Superintendent of Highway, Bob Conley was requesting permission to purchase from NYS OGS in the amount of \$70,713.30. WHEREAS, heretofore the Town advertised for bids on equipment described on the annexed memo from the Highway Superintendent, and WHEREAS, Showalters Equipment submitted the low bid, and WHEREAS, Showalters Equipment failed to provide the required security, NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board hereby reserves all rights and remedies it has or may have in regard to the Showalters Equipment bid as submitted.
2. That the Town Board hereby authorizes the purchase of the equipment listed on the annexed memo from the Highway Superintendent from the NYS OGS Contract for \$70,713.30, and
3. That the Town Board does hereby authorize the Supervisor to execute the purchase order for the specified equipment.

Motion to approve was made by Councilman McGUINNESS, seconded by Councilman MAZZOCCA.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item # 6 – American Legion Hall Use by Boy Scouts** – Supervisor QUIGLEY advised that Venture Scouts, Crew 353 are requesting the use of the Legion Hall during the time period that Munger Cottage is being repaired. Jim, Klein from the American Legion Post 353 has already given his permission. Motion to approve was made by Councilwoman KRAFFT, seconded by Councilman MAZZOCCA.

**ROLL CALL VOTE:** Unanimous Aye.

**Agenda Item # 7 – Liquor License** – Councilwoman KRAFFT made a motion to table until the October 13<sup>th</sup> meeting, seconded by Councilman McGUINNESS.

**ROLL CALL VOTE:** Unanimous Aye.

**Public Comment:**

Lorraine Bennett commented on the COVAC proposal stating that when 911 is called, her understanding was that the call goes directly to Mobile Life; under this plan would that change? Supervisor QUIGLEY advised that he believed it would change. Ms. Bennett asked for clarification of the \$150,000 that Councilman CLARK mentioned earlier, and wanted to know why we are giving them the money since it's our building. He further advised that the \$150,000.00 is what was budgeted last year and in order for them to get up and running and hire a third party administrator to get the billing in, he stated that we cannot leave them high and dry without some seed money. Councilman CLARK also stated that they might not use all of the \$150,000.00 but it will be there in the budget, and we are not busting the budget because most other ambulance corps are being subsidized a whole lot more than the Town of Cornwall is. Councilman CLARK further stated that if we do not change the budget process, it is going to increase. Councilman CLARK expressed the need to find a solution for the best possible worlds for both COVAC and the taxpayers. Councilman CLARK believes that we should

start them off with the \$150,000.00, which is in the budget because they are not going to be billing on January 1<sup>st</sup> 2009. Ms. Bennett stated that it is alright to give them seed money to start up but if they buy the building from us, they shouldn't do it with taxpayer money. Councilman McGUINNESS agreed and stated that we would insist on some form of transparency with how the finances are handled until their billing catches up so that we can keep track of taxpayer money. Councilman CLARK stated that in a perfect world they are bringing in through billing insurance companies, a half million dollars and buying the building from the Town taxpayers. Councilman CLARK stated that COVAC was using a five-year working up projection, but he believes they can do it in less than that, and he agreed that Lorraine is 100% right is saying that to use taxpayer money to buy a building that the taxpayers already own is wrong and illegal. Ms. Bennett commented that she doesn't see why COVAC would have to bill somebody for the additional money (co-pay) if we are still giving COVAC money at all. Councilwoman KRAFFT advised that she would normally not discuss what was negotiated, but that Mr. Garwood mentioned earlier that it is illegal not to bill for the co-pays, and that he would be responding to this law in writing. She advised that it was originally proposed by the Board that only ALS would be billed. The average of the volunteer corps and the every day calls would not be billed for. Mr. Graham Keldor is concerned for the time period of January 1<sup>st</sup> through April 1<sup>st</sup> of each year. He pointed out that all of your deductibles, no matter what kind of insurance you have, is during this time period, and every year they are going up. "You're talking about charging a senior for transportation to the hospital and they don't have the money because of the deductibles and what are they doing? They are sending these bills out to the bill collectors, and the collectors are beating on the door to collect from somebody from Cornwall that is not being charged now." Supervisor QUIGLEY agreed that this was one of his concerns and well as the other Board members. Mr. Kelder is concerned that too many seniors do not read their bills and are not always aware of changes. As an example, he mentioned the recent increase from Central Hudson, which clearly states that the increase goes to the State of New York and not to them. However, when he spoke to some of his senior friends about this, they did not know what he was speaking of. Councilwoman KRAFFT stated that luckily he wrote to The Cornwall Local and let the people know.

Mr. Eugene Peck advised the Town Board that Blooming Grove Humane Society is a kill-shelter, "five days and they kill a dog". Mr. Peck also stated that the facility is filthy and smelly. Supervisor QUIGLEY advised that before any decisions were made, the Board would inspect the shelter. Councilman CLARK advised that the five-day and then kill theory is incorrect. Sharron Keary, the Executive Director of the SPCA that the Town currently uses, and also a part-time dog control officer for the Town of Cornwall, expressed her displeasure with the operations, policies and procedures of the Blooming Grove Humane Society. Ms. Keary believes they have sent their dogs out to the Wallkill Shelter to have them euthanized, and she believes that there are eight dogs missing. Supervisor QUIGLEY asked if both the SPCA and Blooming Grove were supplying a similar service, and was told that the services are very different. Supervisor QUIGLEY stated that his understanding of the contract received from the SPCA is that they were to provide the same services as Blooming Grove is offering except for a lot more money – to the amount of \$32,000.00 per year. Ms. Keary stated that her contract was not specific enough and should be revisited. Emile Labantic, former President of the Blooming Grove Humane Society

advised the Board that there are only twelve runs inside and four outside at the Shelter. Mr. Labantic stated that the \$25 per call method never worked while he was there because sometimes the calls came in few and far between so that the staff would quit. There was much discussion over fees, contracts, and policies from a large portion of those attending the meeting with differing views. Councilman MAZZOCCA suggested that the Board puts out a proposal of what the Town needs and then accept bids from those who are interested. There being no further public comments, a motion to adjourn was made by Councilwoman KRAFFT, seconded by Councilman MAZZOCCA.

**ROLL CALL VOTE:** Unanimous Aye.

Renata McGee  
Stenographer/Deputy Town Clerk  
(Transcribed from recording)

Elaine Tilford Schmeer  
Town Clerk