

AGENDA
TOWN BOARD AND WATER BOARD MEETING

May 6, 1998
Wednesday

Town Hall
7:30 P.M.

1. MINUTES

UNFINISHED BUSINESS

HIGHWAY DEPARTMENT

WATER DEPARTMENT

2. Motion-Authorize appropriation of funds-Union Ave. Water Tank Rehabilitation
3. Receive and file-Map, Plan & Study-Water System Improvements-Proposed Water District #12-Mt. Airy Mobile Home Park
4. Motion-Resolution authorizing DWSRF Application & Project Financing & Loan Agreement-Proposed Ext. #12 to the NWCWD(aka Mt. Airy Mobile Home Park)
5. Motion-Adoption of Order Calling Public Hearing-Proposed Ext. #12-NWCWD
6. Motion-Authorize Supervisor to enter into Agreements Engineering/Law Firm for Proposed Ext. #12-NWCWD

SANITATION DEPARTMENT

7. Motion-Authorize Supervisor to execute Easement Agreement-Sewage Ejection Pump SD #23
8. Motion-Approving sale of sewage capacity-STP-Scaglione Quality Builders Scaglione Subdivision 4-2-23

GENERAL

9. Motion-Authorize Supervisor to execute Drainage Easements-Phase 2A & 2B
10. Motion-Appropriate funds-Memorial Day Parade
11. Motion-Authorization-Creation of new capital project-Beautification
12. Motion-Adoption of Family Medical Leave Act Policy
13. Motion-Authorize issuance of solicitors permit
14. Motion-Award Proposals-Various Town Projects
15. Motion-Authorization to schedule Public Hearing-OC Community Development FY-99 Program
16. Receive and file-Letter and Petition (Carlton Circle)
17. Receive and file-Bids-Crestview Lake Building Boiler Replacement
18. Receive and file-Letter of Credit-Highland Operating LTD Toleman Estates Phase III
19. Receive and file-Notice of Petition
20. Motion-Authorization to advertise for sealed bids-Sale of used vehicles

21. OFFICIALS REPORTS

22. PUBLIC FORUM

23. ADJOURN

REGULAR TOWN BOARD AND WATER BOARD MEETING
WED., MAY 6, 1998; 7:30 P.M.
NEW WINDSOR TOWN HALL
NEW WINDSOR, NEW YORK

BOARD MEMBERS PRESENT: Supervisor Meyers, Councilman Finnegan,
Councilwoman Mullarkey, Councilwoman
Townsend, Councilman Green

OTHER OFFICIALS PRESENT: Police Chief Koury, Comptroller Reis,
Highway Superintendent Pullar

SALUTE TO FLAG

Supervisor Meyers introduced Tommy Yeaton from Town of New Windsor, Boy Scout Troop #55.

Supervisor Meyers called to order the Regular Town Board and Water Board Meeting and presided over same.

#1 On Agenda – MINUTES

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor approve the Minutes of the Regular Town Board and Water Board Meeting held on April 8, 1998, as per the copies posted on the Town Clerk's bulletin board in the Town Hall and same distributed to each of the Town Board Members.

Roll Call: All Ayes

Motion Carried: 5-0

UNFINISHED BUSINESS

NONE

HIGHWAY DEPARTMENT

NONE

WATER DEPARTMENT

#2 On Agenda – Motion-Authorize Appropriation of Funds-Union Ave. Water Tank Rehabilitation

Motion by Councilwoman Townsend, seconded by Councilman Green that the Town authorize appropriation of funds, appropriating \$148,030.00 from the Water Fund Surplus for the Union Avenue Water Tank Rehabilitation Project according to the following schedule:

\$139,280.00 to increase line item 30-3020-108320-4-4321 of the 1998 budget for the bid awarded to R.M. Lill, Inc.

\$8,750.00 to increase line item 30-3010-108310-4-4133 of the 1998 budget for engineering design cost.

Roll Call: All Ayes

Motion Carried: 5-0

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#3 On Agenda – Receive and File-Map, Plan & Study-Water System Improvements-
Proposed Water District #12-Mt. Airy Mobile Home Park

Hearing no objection, the Town Board of the Town of New Windsor receive and file a Map, Plan and Study dated January 27, 1998 entitled, "Map, Plan and Study – Water System Improvements for Proposed Water District No. 12 to Serve Lands of MOUNT AIRY MOBILE HOME PARK, Town of New Windsor, Orange County, New York," having been prepared by McGoey, Hauser and Edsall Consulting Engineers P.C., to be referred to Attorney's Office for forwarding to bond counsel.

#4 On Agenda – Motion-Resolution Authorizing DWSRF Application & Project
Financing & Loan Agreement-Proposed Ext. #12 to the NWCWD
(aka Mt. Airy Mobile Home park)

Motion by Councilman Green, seconded by Councilwoman Townsend that the Town Board of the Town of New Windsor adopt the attached Resolution authorizing the execution and filing of an application and execution and delivery of a Project Financing and Loan Agreement and other documents necessary for DWSRF assistance, regarding Proposed Extension #12 to the New Windsor Consolidated Water District (aka Mt. Airy Mobile Home Park).

Roll Call: All Ayes

Motion Carried: 5-0

#5 On Agenda – Motion-Adoption of Order Calling Public Hearing-Proposed Ext. #12-
NWCWD

Motion by Councilwoman Mullarkey, seconded by Councilman Finnegan that the Town Board of the Town of New Windsor authorize the adoption of an Order Calling Public Hearing entitled, "In the Matter of the Proposed Extension No. 12 to the New Windsor Consolidated Water District, in the Town of New Windsor, in the County of Orange, New York pursuant to Article 12-A of the Town Law", the public hearing to be held on the 3rd day of June, 1998 at 7:30 p.m. in the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York and that the Town Clerk, be authorized to publish the Order in accordance with Town Law. The Order Calling Public Hearing is annexed hereto and marked #1.

Roll Call: All Ayes

Motion Carried: 5-0

#6 On Agenda – Motion-Authorize Supervisor to Enter Into Agreements Engineering/
Law Firm for Proposed Ext. #12-NWCWD

Motion by Councilwoman Townsend, seconded by Councilman Green that the Town Board of the Town of New Windsor authorize Supervisor Meyers to enter into an Engineering Agreement for Engineering Services in connection with the Proposed EXTENSION #12 TO THE NEW WINDSOR CONSOLIDATED WATER DISTRICT with the engineering firm of McGoey, Hauser and Edsall Consulting Engineers P.C. in an amount not to exceed the estimated amount in the Map, Plan and Study; and

A further Agreement for legal fees be entered into with the law firm of Duggan, Crotty & Dunn P.C. also at an amount not to exceed the estimated amount set forth in the Map, Plan and Study dated January 27, 1998.

Roll Call: All Ayes

Motion Carried: 5-0

SANITATION DEPARTMENT

#7 On Agenda – Motion-Authorize Supervisor to Execute Easement Agreement-Sewage
Ejection Pump SD #23

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Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the Supervisor to execute the following Easement Agreements in connection with the maintenance of sewage ejection pumps within Sewer District #23:

- | | | |
|-----|--------------------------------|-----------|
| (1) | Hopkins, George M. | 67-4-11 |
| (2) | Mule', Robert & Victoria | 67-5-10.2 |
| (3) | Janatsch, Edward W. & Margaret | 62-8-15.1 |

That the executed and sealed easement agreements and Real Property Transfer Gains Tax Affidavits be returned to the Attorney's Office for recording.

Roll Call: All Ayes

Motion Carried: 5-0

#8 On Agenda – Motion-Approving Sale of Sewage Capacity-STP-Scaglione Quality Builders Scaglione Subdivision 4-2-23

Motion by Councilman Green, seconded by Councilwoman Townsend that the Town Board of the Town of New Windsor adopt the following Resolution:

WHEREAS, sewage capacity exists at the New Windsor Sewage Treatment Plant which is owned by Moodna Creek Development Ltd: and

WHEREAS, Cornwall Warehousing Inc. is an additional party in interest in the sewage capacity; and

WHEREAS, both Moodna Creek Development Ltd. and Cornwall Warehousing Inc. have executed a letter concurring with the sale of 1,050 gpd. to Scaglione Quality Builders to be used in connection with the construction of three (3) single-family homes in the Scaglione Subdivision on Union Avenue in the Town of New Windsor.

NOW, THEREFORE, BE IT RESOLVED that the Town of New Windsor authorize the sale of the sewage capacity from Moodna Creek Development Ltd. to Scaglione Quality Builders for 1,050 gpd. To be used in connection with the construction of three (3) single-family homes in the Scaglione Subdivision on Union Avenue in the Town of New Windsor, as indicated by letters dated April 13, 1998 and March 11, 1998 to the Town of New Windsor; and

BE IT FURTHER RESOLVED that the Attorney for the Town be authorized to forward a letter to Scaglione Quality Builders informing it of the Town Board action.

Roll Call: All Ayes

Motion Carried: 5-0

GENERAL

#9 On Agenda – Motion-Authorize Supervisor to Execute Drainage Easements – Phase 2A & 2B

Motion by Councilwoman Mullarkey, seconded by Councilman Finnegan that the Town Board of the Town of New Windsor authorize Supervisor Meyers to execute the following easement (s) for the Drainage Project:

- | | | |
|-----|--------------------------------------|---------|
| 2A: | (1) Schatz, Susan | 45-1-42 |
| 2B: | (2) Rolfs, James S. & Linda J. | 49-6-7 |
| | (3) Zgrodek, Clara, Stanley & Jeanne | 49-6-8 |

Roll Call: All Ayes

Motion Carried: 5-0

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#10 On Agenda – Motion-Appropriate Funds – Memorial Day Parade

Motion by Councilwoman Townsend, seconded by Councilman Green that the Town Board of the Town of New Windsor authorize the appropriation of One Thousand (\$1000) Dollars for expenses incurred for the Memorial Day Parade.

Roll Call: All Ayes

Motion Carried: 5-0

#11 On Agenda – Motion-Authorization-Creation of New Capital Project-Beautification

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the creation of a new capital project entitled "Beautification Project" and appropriate \$2,000 from the General Fund Surplus as seed money to begin the project.

Roll Call: All Ayes

Motion Carried: 5-0

#12 On Agenda – Motion-Adoption of Family Medical Leave Act Policy

Motion by Councilman Green, seconded by Councilwoman Townsend that the Town Board of the Town of New Windsor adopt the attached policy as the Town of New Windsor Family Medical Leave Act under the provisions of the Federal Statutes; and that a copy of the Town-adopted policy be forwarded to the Unions a representing employees in the Town of New Windsor to be incorporated into the next Labor-Management Agreement; and that the Town Supervisor be authorized to procure suitable notices for positioning in conspicuous places throughout the Town buildings.

Roll Call: All Ayes

Motion Carried: 5-0

#13 On Agenda – Motion-Authorize Issuance of Solicitors Permit

Motion by Councilwoman Mullarkey, seconded by Councilman Finnegan that the Town Board of the Town of New Windsor authorize the issuance of a solicitors permit submitted by Douglas P. Niemcyk (Chilly Willy's Ice Cream), 4 Old State Road, Wappingers Falls, New York to sell packaged ice cream from an ice cream truck throughout the Town of New Windsor. Permit to be obtained from the Town Clerk.

Roll Call: All Nays

Motion Lost: 5-0

#14 On Agenda – Motion-Award Proposals-Various Town Projects

Motion by Councilwoman Townsend, seconded by Councilman Green that the Town Board of the Town of New Windsor award the proposals for the following Town projects:

Stairs at the Plum Point Park to Melcar Construction – Cost \$1250.00

Erect 12' x 20' sign at the intersection of Route 300 and Route 207 to Michael D. Lucas-
Cost \$3820.00

Repair exit door at the Marasco Center to Melcar Construction-Cost \$650.00

Roll Call: All Ayes

Motion Carried: 5-0

#15 On Agenda – Motion-Authorization to Schedule Public Hearing-OC Community
Development FY-99 Program

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the Town Clerk to advertise pursuant to law, calling for a Public Hearing for input concerning the various improvement projects listed in the FY-99 application, through the Orange County Community Development

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Grant Program, said hearing to be held on the 3rd day of June 1998 at the Town Hall, 555 Union Avenue, New Windsor, New York.

Roll Call: All Ayes

Motion Carried: 5-0

#16 On Agenda – Receive and File-Letter and Petition (Carlton Circle)

Hearing no objections, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Letter and Petition submitted by the residents of Carlton Circle expressing their objection to No Parking Signs on Carlton Circle.

#17 On Agenda – Receive and File-Bids-Crestview Lake Building Boiler Replacement

Hearing no objections, the Town Board of the Town of New Windsor receive and file Bids received and publicly opened on April 30, 1998 regarding the Crestview Lake Building Boiler Replacement Project.

#18 On Agenda – Receive and File-Letter of Credit-Highland Operating LTD. Toleman Estates Phase III

Hearing no objection, the Town Board of the Town of New Windsor receive and file an Irrevocable Standby Letter of Credit No. 98-022 in the amount of \$37,637.50 from Pawling Savings Bank, 1301 Route 52, P.O. Box 7000, Fishkill, New York 12524, dated April 7, 1998 in favor of **HIGHLAND OPERATING LTD.** In behalf of the **TOLEMAN ESTATES-PHASE III SUBDIVISION.**

#19 On Agenda – Receive and File-Notice of Claim

Hearing no objections, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Notice of Petition to the Supreme Court of the State of New York County of Orange in the matter of the Application of the Town of New Windsor P.B.A. and the New York State Union of Police Associations, Inc., Local 8, Petitioners for a Judgement pursuant to Section 7511 of the Civil Practice Law and Rules against the Town of New Windsor.

#20 On Agenda – Motion-Authorization to Advertise for Sealed Bids-Sale of Used Vehicles

Motion by Councilman Green, seconded by Councilwoman Townsend that the Town Board of the Town of New Windsor authorize the Town Clerk to advertise pursuant to law, calling for sealed bids for the sale of Used Vehicles, said bids will be received and publicly opened on May 28, 1998 at 3:00 P.M., in the Town Clerk's Office in Town Hall, 555 Union Avenue, New Windsor, New York. The Town Board of the Town of New Windsor reserves the right to reject and and/or all bids.

Roll Call: All Ayes

Motion Carried: 5-0

#21 On Agenda – OFFICIALS REPORTS

The following reports were received, recorded and filed with the Town Clerk:

Fire Prevention Report	Month of February 1998
Fire Prevention Report	Month of March 1998
Recreation Department Report	Month of April 1998
Town Justice Suttlehan's Report	Month of April 1998
Town Clerk's Report	Month of April 1998
Tax Receiver's Report	Month of April 1998
Town Justice Thorpe's Report	Month of April 1998
Building Department Report	Month of April 1998

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#22 On Agenda – PUBLIC FORUM

Hearing no one wishing to speak, Supervisor Meyers entertained a motion to close the Public Forum portion of the Agenda.

Motion by Councilwoman Townsend, seconded by Councilman Green that the Town Board of the Town of New Windsor close the Public Forum portion of the meeting.

Roll Call: All Ayes

Motion Carried: 5-0

#23 On Agenda – ADJOURN

Motion by Councilwoman Mullarkey, seconded by Councilman Finnegan that the Town Board of the Town of New Windsor adjourn the Regular Town Board and Water Board Meeting at 7:47 P.M.

Roll Call: All Ayes

Motion Carried: 5-0

Respectfully submitted,



DOROTHY H. HANSEN
TOWN CLERK

DHH:sh