

TOWN BOARD REORGANIZATION MEETING
WEDNESDAY, JANUARY 9, 2008; 7:00 P.M.
 NEW WINDSOR TOWN HALL
 NEW WINDSOR, NEW YORK

BOARD MEMBERS PRESENT: Supervisor Green, Councilwoman Mullarkey, Councilwoman Weyant, Councilwoman Biasotti, Councilman Lundstrom

OTHER OFFICIALS PRESENT: Comptroller Finnegan, Police Lieutenant Faricellia, Highway Superintendent Fayo, Town Attorney Blythe

SALUTE TO FLAG

Supervisor Green called to order the Reorganization Meeting and presided over same.

#1 On Agenda: Motion - Adopt Rules Of Procedure And Set Town Board Meetings - 2008

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor adopt the Rules of Procedure for the year 2008 pursuant to Section 43 of the Town Law and pursuant to the copy hereto attached to the Minutes, marked No. 1. Also that the Town Clerk be authorized to advertise regarding Town Board meeting dates, pursuant to the Freedom of Information Law, Public Officers Law, Article #7.

Roll Call: All Ayes

Motion Carried: 5-0

#2 On Agenda: Minutes

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor approve the Minutes of the Public Hearing regarding the New Windsor Rural Fire Protection District and the Minutes of the Town Board Meeting held on December 5, 2007, and the Minutes of the Special Town Board Meeting held on December 20, 2007, 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

HIGHWAY DEPARTMENT

#3 On Agenda: Motion - Authorization To Purchase Small Tools And Equipment

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the Highway Superintendent to make necessary purchases of small tools and equipment not to exceed \$500.00 per purchase without prior Town Board approval, pursuant to Highway Law 1A.

Roll Call: All Ayes

Motion Carried: 5-0

#4 On Agenda: Motion - Appoint Supervisor Of Refuse/Garbage And Set Salary

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor approve the appointment of ANTHONY FAYO as Supervisor of Refuse and Garbage and set salary at \$20,259.00 for the year 2008.

Roll Call: All Ayes

Motion Carried: 5-0

#5 On Agenda: Receive And File Appointment Of Deputy Highway Superintendent – 2008

Hearing no objections, the Town Board of the Town of New Windsor receive and file with the Town Clerk the appointment of SUPERVISOR GEORGE A. GREEN as Deputy Highway Superintendent for 2008.

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**#6 On Agenda: Receive And File Executed Snow and Ice Agreement
With Orange County – 2007/2008 Snow Season**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk a fully executed Snow and Ice Agreement between the Town of New Windsor and the County of Orange for various county roads for the 2007-2008 snow season.

WATER DEPARTMENT

SANITATION DEPARTMENT

GENERAL

#7 On Agenda: Receive And File Appointment - Deputy Town Clerks

Hearing no objections, the Town Board of the Town of New Windsor receive and file the appointment of the Deputy Town Clerks for 2008 as submitted by the Town Clerk:

1st Deputy (Full Time)	Cheryl L. Canfield
2nd Deputy (Part Time)	Eleanor Spreer
3rd Deputy (Part Time)	Nancy Wilkins

#8 On Agenda: Receive And File Appointment - Deputy Receiver of Taxes

Hearing no objections, the Town Board of the Town of New Windsor receive and file the Receiver of Taxes' appointment of **MICHAELE CURTIS** as Deputy Receiver of Taxes for 2008.

**#9 On Agenda: Motion - Appoint And Set Salary For Registrar
Of Vital Statistics**

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor appoint **TOWN CLERK DEBORAH GREEN** as Registrar of Vital Statistics and set the salary at \$3,380.00 as budgeted for 2008.

<i>Roll Call: Councilman Lundstrom</i>	<i>Aye</i>	<i>Motion Carried 4-0</i>
<i>Councilwoman Biasotti</i>	<i>Aye</i>	
<i>Councilwoman Weyant</i>	<i>Aye</i>	
<i>Councilman Mullarkey</i>	<i>Aye</i>	
<i>Supervisor Green</i>	<i>Abstain</i>	

#10 On Agenda: Motion - Appointment Of Foil Officer

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor appoint **TOWN CLERK DEBORAH GREEN** as FOIL Officer to handle all FOIL (Freedom of Information Law) requests for 2008.

Roll Call: All Ayes *Motion Carried: 5-0*

#11 On Agenda: Motion - Appointment Of Foil Appeals Officer

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor appoint **TOWN ATTORNEY MICHAEL BLYTHE** as FOIL Appeals Officer for the year 2008.

Roll Call: All Ayes *Motion Carried: 5-0*

#12 On Agenda: Motion - Appointment Of Civil Defense Director

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor approve the appointment of **MICHAEL BIASOTTI** as Civil Defense Director for the year 2008.

Roll Call: All Aye *Motion Carried: 5-0*

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**#13 On Agenda: Motion - Retain Services - Accounting Firm –
Nugent & Haeussler, P. C.**

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor approve the retention of the accounting firm of **NUGENT & HAEUSSLER, P. C.**, 101 Bracken Road, Montgomery, New York, to conduct the annual audit for the Town of New Windsor and authorize the Town Comptroller to make the necessary arrangements as budgeted.

Roll Call: All Ayes

Motion Carried: 5-0

#14 On Agenda: Motion - Set Salary For Deputy Supervisor

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor set the salary for the Deputy Supervisor at \$2,500.00 annually as budgeted for the year 2008.

Roll Call: Councilman Lundstrom

Aye

Motion Carried 4-0

Councilwoman Biasotti

Aye

Councilwoman Weyant

Aye

Councilman Mullarkey

Abstain

Supervisor Green

Aye

#15 On Agenda: Motion - Appoint Town Historian

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor appoint **GLENN MARSHALL** as Town Historian for 2008.

Roll Call: All Ayes

Motion Carried: 5-0

#16 On Agenda: Motion - Set Mileage Rate For Town Officials

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor set the mileage rate for Town officials and employees in accordance with the Internal Revenue Service allowance.

Roll Call: All Ayes

Motion Carried: 5-0

#17 On Agenda: Motion - Designate Official Town Depositories

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor designate the following banks as the official Town depositories:

Bank of America

New Windsor

JP Morgan Chase Bank

New Windsor

Citizens Bank

New Windsor

HSBC Bank

New Windsor

Key Bank

New Windsor

Manufacturers & Traders Trust Company

New Windsor

Orange County Trust Company

New Windsor

Roll Call: All Ayes

Motion Carried: 5-0

**#18 On Agenda: Motion - Authorize Payment Of Dues -
New York State Association Of Towns**

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize the payment of \$1,650.00 for the annual Town membership dues to the New York State Association of Towns. Same to be paid from Special Items Account #A1920.4 as budgeted for 2008.

Roll Call: All Ayes

Motion Carried: 5-0

#19 On Agenda: Motion - Appoint To Ethics Board

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor reappoint **JOHN LUONGO**, 36 Spring Rock Road, New Windsor, New York to the New Windsor Ethics Board. Term to begin immediately and expire on December 31, 2012.

Roll Call: All Ayes

Motion Carried: 5-0

#20 On Agenda: Motion - Appoint To Planning Board

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Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor reappoint **GENARO ARGENIO**, 34 Sesame Street, Rock Tavern, New York to the Town of New Windsor Planning Board. Term shall begin immediately and expire December 31, 2012.

Roll Call: All Ayes

Motion Carried: 5-0

#21 On Agenda: Motion – Appoint To Zoning Board Of Appeals

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor approve the reappointment of **PATRICK TORPEY**, 200 Union Avenue, New Windsor, New York, to serve as a member of the New Windsor Zoning Board of Appeals. Term to begin immediately and expire December 31, 2012.

Roll Call: All Ayes

Motion Carried: 5-0

#22 On Agenda: Motion - Set Salary - Assessment Board Of Review Members

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor set the salary for the members of the Assessment Board of Review at \$35.00 per meeting, per member, for 2008.

Roll Call: All Ayes

Motion Carried: 5-0

#23 On Agenda: Motion - Set Salary - Planning Board Chairman

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor set the salary for the Chairman of the Planning Board at \$2,086.00 annually for the year 2008.

Roll Call: All Ayes

Motion Carried: 5-0

#24 On Agenda: Motion - Set Salary - Planning Board Members

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor set the salary for the members of the Planning Board at \$1,390.50 annually for the year 2008.

Roll Call: All Ayes

Motion Carried: 5-0

#25 On Agenda: Motion - Set Salary - Zoning Board Of Appeals Chairman

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor set the salary for the Chairman of the Zoning Board of Appeals at \$2,086.00 annually for the year 2008.

Roll Call: All Ayes

Motion Carried: 5-0

#26 On Agenda: Motion - Set Salary - Zoning Board Of Appeals Members

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor set the salary for the members of the Zoning Board of Appeals at \$1,390.50 annually for the year 2008.

Roll Call: All Ayes

Motion Carried: 5-0

#27 On Agenda: Motion - Appointment Of Court Officers

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor approve the appointments of **DOMINICK LUCERA, ANTHONY D'ANGELO, JOHN LOPEZ, ANTHONY JACKLITSCH** and **PAUL THORSDEN** to serve as Court Officers for the two Justice Courts and **WILLIAM SHARP** to serve as an alternate, for the year 2008.

Roll Call: All Ayes

Motion Carried: 5-0

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#28 On Agenda: Motion - Approve Clerical Help - Town Board Meetings And Set Salary

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor approve clerical assistance at Town Board meetings and set the salary at \$60.00 per meeting attended and that said salary shall be paid from General Fund, Town Hall Expense.

Roll Call: All Ayes

Motion Carried: 5-0

#29 On Agenda: Motion - Appointment Of Night Court Clerks

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor approve the appointment of **ELEANOR LECH** and **STEPHANIE HEFT** as the Night Court Clerks for the two Justice Courts and set salary at \$60.00 each, per court night.

Roll Call: All Ayes

Motion Carried: 5-0

#30 On Agenda: Motion - Appointment Of Justice Court Stenographers

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor approve the appointment of **GERRI MASTEN, CINDY MONCHINO** and **CLARA TRIPODO**, as Court Stenographers and set salary at \$60.00 each, per court night.

Roll Call: All Ayes

Motion Carried: 5-0

#31 On Agenda: Motion - Set Stipend For Deputies

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor set the stipend for 1st Deputy Town Clerk, Deputy Receiver of Taxes and Deputy Highway Superintendent at \$175.00 per month, for 2008.

Roll Call: All Ayes

Motion Carried: 5-0

#32 On Agenda: Appoint To Records Advisory Board

Supervisor Green appoints the following to serve on the Records Advisory Board:

Glenn T. Marshall, Town Historian
Cheryl L. Canfield, Deputy Town Clerk

#33 On Agenda: Motion - Sign And Countersign Town Checks

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the **TOWN SUPERVISOR GEORGE A. GREEN** to sign all checks and **COMPTROLLER JOHN FINNEGAN** to countersign same and permit said Supervisor and Comptroller to use a facsimile signature when necessary.

Roll Call: All Ayes

Motion Carried: 5-0

#34 On Agenda: Motion - Open Time Deposit Accounts

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor authorize the Town Supervisor and Town Comptroller to open Time Deposit Accounts and Day of Withdrawals with the Town's official depositories for the purpose of investing idle funds.

Roll Call: All Ayes

Motion Carried: 5-0

#35 On Agenda: Motion - Name Official Newspaper

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor name **THE SENTINEL** as the official Town newspaper for the year 2008.

Roll Call: All Ayes

Motion Carried: 5-0

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#36 On Agenda: Motion - Name Official Radio Stations

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor name the following radio stations as the official radio stations for 2008: WGNV (Newburgh) and WBNR (Beacon).

Roll Call: All Ayes

Motion Carried: 5-0

#37 On Agenda: Motion - Adopt Investment Policies And Guidelines

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor adopt the Investment Policies and Guidelines document as exhibited herein, marked No. 2.

Roll Call: All Ayes

Motion Carried: 5-0

#38 On Agenda: Motion – Appoint Supervisor Of Buildings And Grounds And Set Salary

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor approve the appointment of **MICHAEL BABCOCK** as Supervisor of Buildings and Grounds and set the salary at \$20,259.00 as budgeted for the year 2008, effective January 1, 2008.

Roll Call: All Ayes

Motion Carried: 5-0

#39 On Agenda: Motion - Appoint To Bureau Of Fire Prevention

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor reappoint **THOMAS PRENDERGAST** to represent the Quassaick Bridge Fire Department, **JOSEPH RETCHO** to represent Salisbury Mills Fire Department and **ROBERT SCHULZE** to represent the Vails Gate Fire Department on the Bureau of Fire Prevention. Terms begin immediately and expire December 31, 2010.

Roll Call: All Ayes

Motion Carried: 5-0

#40 On Agenda: Motion - Appoint To New Windsor Rural Fire Protection Board

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor reappoint **RICKY CAMERON**, **MATTHEW THORPE** and **FRANCIS BEDETTI III** to the New Windsor Rural Fire Protection Board. Terms to begin immediately and expire December 31, 2010.

Roll Call: All Ayes

Motion Carried: 5-0

#41 On Agenda: Motion - Authorize Execution Of Agreement - New Windsor Volunteer Ambulance Corps, Inc.

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the Supervisor to execute the attached Agreement between the Town of New Windsor and New Windsor Volunteer Ambulance Corps, Inc., for the provision of ambulance services and pre-hospital emergency treatment. Said Agreement will be effective from January 1, 2008 to December 31, 2008.

Roll Call: All Ayes

Motion Carried: 5-0

#42 On Agenda: Motion – Adopt Benefits For Full Time Employees Not Covered By Labor/Management Contract

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor adopt the following Resolution regarding employee benefits for seven (7) Town of New Windsor employees not covered by labor/management agreements or individual employment contracts.

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BE IT RESOLVED that the same benefits set forth in the current CSEA contract shall apply in full to the following employees:

Clerk to Supervisor	Comptroller's Clerk
Deputy Highway Superintendent	Deputy Town Clerk
Police Chief's Secretary	Supervisor's Secretary
Secretary/Paralegal to Town Attorney	

AND BE IT FURTHER RESOLVED that this resolution supersedes all previous resolutions including but not limited to the resolutions dated January 5, 1972; February 1, 1978; and June 21, 1978.

Roll Call: All Ayes

Motion Carried: 5-0

#43 On Agenda: Appoint Liaison Officers/Deputy Supervisor

Supervisor Green appoints Liaison Officers as follows:

Ambulance	Supervisor Green
Highway Department	Councilman Lundstrom
Justice Court	Councilwoman Weyant
Planning/Zoning Boards	Councilwoman Biasotti
Police Department	Supervisor Green
Recreation Department	Councilwoman Mullarkey
Senior Citizens	Councilwoman Biasotti
Sewer Department	Councilman Lundstrom
Social Services	Councilwoman Mullarkey
Water Department	Councilwoman Weyant

Pursuant to Section 42 of the Town Law of the State of New York, I appoint Patricia Y. Mullarkey to the Office of Deputy Supervisor, to serve from January 2008 through December 31, 2008.

Roll Call: All Ayes

Motion Carried: 5-0

#44 On Agenda: Motion – Reappoint Town Comptroller – 2008/2009

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor reappoint **JOHN FINNEGAN** to the position of Town Comptroller for the years 2008 and 2009.

Roll Call: All Ayes

Motion Carried: 5-0

#45 On Agenda: Motion – Adopt 2008 Standard Schedule of Fees

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor adopt the Standard Schedule Of Fees for 2008 as attached.

In order to provide for a consolidated schedule of fees and to allow for annual review and modification of fees involving the administration of town ordinances and regulations, the Town Board deems it in the public interest to establish the Standard Schedules of Fees for the Town of New Windsor for the year 2008.

The fees as adopted may be viewed in the Town Clerk's office during normal business hours.

Roll Call: All Ayes

Motion Carried: 5-0

#46 On Agenda: Motion – Authorize Signing Certificate of Insurance

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor authorize the signing of the Certificate of Insurance for a period from December 24, 2007 to December 24, 2008, Public Employees Dishonesty Bond, #B6010158, with reference to the Receiver of Taxes.

Roll Call: All Ayes

Motion Carried: 5-0

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#47 On Agenda: Motion – Appoint Engineering Firm And Set Fee

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the adoption of the following resolution:

WHEREAS, the Town of New Windsor requires certain engineering work to be performed, namely:

General Town Engineering Services as outlined in a proposal from McGoey, Hauser and Edsall Consulting Engineers P. C. dated December 27, 2007.

Planning Board Engineering Services as outlined in a proposal from McGoey, Hauser and Edsall Consulting Engineers P. C. dated December 27, 2007.

BE IT RESOLVED, that the Engineering firm of **MCGOEY, HAUSER AND EDSALL CONSULTING ENGINEERS, P.C.**, 33 Airport Center Drive, Suite 202, New Windsor, New York, be retained as Engineers for the Town for the year 2008 and to be compensated according to the proposal dated December 27, 2007, and attached standard fee schedule submitted by the said consulting engineers.

Roll Call: All Ayes

Motion Carried: 5-0

#48 On Agenda: Motion – Adopt Order Calling Public Hearing Increasing Income Limit – Low Income Senior Citizen Exemption

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor adopt an Order Calling Public Hearing to be held on February 6, 2008, at 555 Union Avenue, New Windsor, New York at 7:00 o'clock p.m. to amend Section 263 of the Town Code of the Town of New Windsor to increase the income limit for the low income senior citizens exemption.

Roll Call: All Ayes

Motion Carried: 5-0

#49 On Agenda: Motion – Authorize Special Use Permit – New Windsor Senior Housing (PB 07-01)

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor adopt the following Resolution:

WHEREAS, an application was made to the Town Board of the Town of New Windsor for Special Use Permit by Warwick Properties (the “applicant”) for a project described as the “New Windsor Senior Housing” development to be located off of New York State Route 32 in Vail’s Gate in the Town of New Windsor (the “action”); and

WHEREAS, the subject site consists of 4.1 acres of land and is comprised of one tax map parcel in the Town of New Windsor identified as section 46, block 1, lot 46 (SBL 46-1-46) located near Route 32 in the Town of New Windsor, New York; and

WHEREAS, the action involves a request for a Special Use Permit and site plan approval for ninety (90) one-bedroom housing units to be restricted as totally affordable senior housing, one caretaker’s apartment and related site improvements pursuant to Town of New Windsor Town Code Sections 300-18 and 300-18.1; and

WHEREAS, the applicant has also applied to the Planning Board for site plan approval; and

WHEREAS, the proposed development is subject to the Town of New Windsor Zoning Code §300-18(J) setting forth the procedures applicable for Senior Citizen Housing Special Use Permits, and further, subject to New Windsor Zoning Code §300-18.1 regarding totally affordable senior housing developments; and

WHEREAS, on June 28, 2007 the Town Board referred the application to the Planning Board for its consideration and report pursuant to Zoning Law § 300-18(J)(3); and

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WHEREAS, on July 25, 2007 the Planning Board issued its report in response to the Town Board's request, which report found that the proposed location is appropriate for a senior citizen housing development, given its location to nearby businesses in Vail's Gate, and further that there is a need for housing for senior citizens in the Town of New Windsor; and

WHEREAS, the Planning Board declared its intent to serve as lead agency under SEQRA at the July 25, 2007 meeting, and recommended to the Town Board that any decision to issue or deny the Special Use Permit be deferred until the Planning Board completes its SEQRA review; and

WHEREAS, the Planning Board conducted a coordinated SEQRA review, and, on December 16, 2007, adopted a Negative Declaration finding that there would be no significant adverse impacts associated with this action; and

WHEREAS, New York General Municipal Law §239 requires the referral of both the special use permit and site plan applications to the Orange County Planning Department ("OCPD") for its review and comment, which referral was made by letter dated November 8, 2007 and OCPD responded on December 13, 2007 recommending approval subject to certain comments; and

WHEREAS, the proposed site plan required certain variances from the Town of New Windsor Zoning Law, which variances were considered by the Town of New Windsor Zoning Board of Appeals, and which were granted, following a public hearing, by the Zoning Board of Appeals on November 5, 2007; and

WHEREAS, the Town Board now wishes to make certain determinations and grant the Special Use Permit;

NOW, THEREFORE, the Town Board resolves as follows:

1. The Town Board hereby concurs with the Planning Board's SEQRA Negative Declaration for this action;
2. The comments made by OCPD relate to site plan issues and not Special Use Permit issues. The Town Board defers consideration of OCPD's comments to the Planning Board as part of its review of the site plan;
3. The Town Board hereby grants a Special Use Permit to the applicant for an age-restricted senior housing development consisting of ninety (90) one-bedroom housing units to be permanently age-restricted as totally affordable senior housing, one caretaker's apartment and related site improvements pursuant to Town of New Windsor Town Code Sections 300-18 and 300-18.1, which approval is conditioned on the applicant's compliance with the requirements of the Town of New Windsor Town Code and the receipt of site plan approval from the Planning Board.

Roll Call: All Ayes

Motion Carried: 5-0

#50 On Agenda: Motion – Authorize Execution of Lease – Xerox Copier

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor authorize Supervisor to execute a sixty (60) month lease (Contract #072171400) with Xerox for copier W564PT for the Town of New Windsor Police Department.

Roll Call: All Ayes

Motion Carried: 5-0

**#51 On Agenda: Motion – Authorize Reduction of Performance Bond
Middle Earth Major Subdivision**

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize reduction of the performance bond for Middle Earth Major Subdivision from \$1,254,430.00 to \$183,147.00 as recommended by McGoey, Hauser and Edsall Consulting Engineers, P.C. via correspondence dated December 17, 2007.

Roll Call: All Ayes

Motion Carried: 5-0

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#52 On Agenda: Motion – Adopt Negative Declaration and Water Authorization – Meadowbrook Estates

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

WHEREAS, heretofore Land Master Community Developers, LLC and the Town entered into a Developer’s Agreement dated November 8, 2007, for the purpose of recording and memorializing the mutual consents, obligations and conditions necessary to permit the project to be included in Water District No. 14; and,

WHEREAS, attached to this resolution is a short Environmental Assessment Form and Negative Declaration; and,

WHEREAS, it is now appropriate for the Town Board to consider and conclude the SEQRA review of the project;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board as Lead Agency following its review of the annexed documents determines that this action will not have a significant environmental impact and that a Draft Environmental Impact Statement will not be prepared and further directs as the Lead Agency that a Negative Declaration and Notice of Determination of Non-Significance be issued and circulated as required and that the Supervisor be and he hereby is authorized to sign the Short Environmental Assessment Form.
2. That the waiver of water moratorium is granted to Land Master Community Developers, LLC in connection with the proposed Meadowbrook Estates project.
3. That the Supervisor is hereby authorized to sign any and all documents necessary to effectuate the waiver of water moratorium.

Roll Call: All Ayes

Motion Carried: 5-0

#53 On Agenda: Motion – Adopt Negative Declaration and Water Authorization – Covington Estates

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor adopt the following resolution:

WHEREAS, heretofore RRMGNWH, LLC and the Town entered into a Developer’s Agreement dated November 8, 2007, for the purpose of recording and memorializing the mutual consents, obligations and conditions necessary to permit the project to be included in Extension No. 2 of Water District No. 5; and,

WHEREAS, attached to this resolution is a short Environmental Assessment Form and Negative Declaration; and,

WHEREAS, it is now appropriate for the Town Board to consider and conclude the SEQRA review of the project;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board as Lead Agency following its review of the annexed documents determines that this action will not have significant environmental impact and that a Draft Environmental Impact Statement will not be prepared and further directs as the Lead Agency that a Negative Declaration and Notice of Determination of Non-Significance be issued and circulated as required and that the Supervisor be and he hereby is authorized to sign the Short Environmental Assessment Form.
2. That the waiver of water moratorium is granted to RRMGNWH, LLC, in connection with the proposed Covington Estates project.
3. That the Supervisor is hereby authorized to sign any and all documents necessary to effectuate the waiver of water moratorium.

Roll Call: All Ayes

Motion Carried: 5-0

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#54 On Agenda: Motion – Authorize Execution of Quit Claim Deed – Covington Estates

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor authorize the Supervisor to execute the attached Quitclaim Deed and any related documents necessary to convey certain interests or rights, if any, possessed of the Town of New Windsor in portions of Town of New Windsor Tax Map Nos.: 65-2-1.1; 65-2-1.2 and 65-2-3 (Covington Estates) to RRMGNWH, LLC as recommended by the Town Attorney.

Roll Call: All Ayes

Motion Carried: 5-0

#55 On Agenda: Motion – Adopt Order Calling Public Hearing – Installation Of Wireless Communication Facility– Vails Gate Fire House

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor adopt an Order Calling Public Hearing to be held on February 6, 2008, at 555 Union Avenue, New Windsor, New York at 7:00 o'clock p.m. to consider installation of wireless communication facility at the Vails Gate Fire Department (SBL: 65-2-28 & SBL: 65-2-25.2).

Roll Call: All Ayes

Motion Carried: 5-0

#56 On Agenda: Receive And File Dismissal and Notice of Rights – Antonucci vs. Town of New Windsor

Hearing no objection, the Town Board of the Town of New Windsor receive and file Dismissal and Notice of Rights in the matter of “Primo Antonucci vs. Town of New Windsor” (EEOC Charge No.: 520-2006-03605).

#57 On Agenda: Receive And File Permit Bond – Spagnoli Excavating, Inc.

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Continuation Certificate for Permit Bond #B158063, submitted by Spagnoli Excavating, Inc., P. O. Box 4288, New Windsor, New York, in the amount of \$20,000.00, effective December 5, 2007 and expiring December 5, 2008. The purpose of the Permit Bond is to secure a permit from the Town of New Windsor to perform street openings within the Town. Same being referred to the Town Attorney and the Town Highway Superintendent.

#58 On Agenda: Receive And File Consent Judgment – Mt. Airy Estates, Inc.

Hearing no objection, the Town Board of the Town of New Windsor receive and file Consent Judgment in the matter of “Mt. Airy Estates, Inc. vs. Board of Assessors for the Town of New Windsor, et al” (Index Nos.: 4858/01, 4661/02, 4557/03, 4731/04, 4654/05, 5637/06).

#59 On Agenda: Receive And File Directive Appointing Coordinator For Preparedness Funding For Implementation Of National Incident Management System

Hearing no objection, the Town Board of the Town of New Windsor receive and file directive appointing the Town Attorney as Coordinator for all preparedness funding for the implementation of the National Incident Management System (NIMS).

#60 On Agenda: Receive And File Contract – Stuart Turner & Associates – BRAC Reuse Plan

Hearing no objection, the Town Board of the Town of New Windsor receive and file contract between Town of New Windsor and Stuart Turner & Associates for preparation of BRAC Reuse Plan.

TOWN BOARD REORGANIZATION MEETING
WEDNESDAY, JANUARY 9, 2008; 7:00 P.M.

**#61 On Agenda: Receive And File Results Of Canvass Of Ballots -
Annual Election - Quassaick Bridge Fire District**

Hearing no objections, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Certificate of Results of the canvass of ballots cast for Fire Commissioner at the annual election of the Quassaick Bridge Fire District held on December 11, 2007.

**#62 On Agenda: Receive And File Results Of Canvass Of Ballots -
Annual Election - Salisbury Mills Fire District**

Hearing no objections, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Certificate of Results of the canvass of ballots cast for Fire Commissioner at the annual election of the Salisbury Mills Fire District held on December 11, 2007.

**#63 On Agenda: Receive And File Results Of Canvass Of Ballots -
Annual Election – Vails Gate Fire District**

Hearing no objections, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Certificate of Results of the canvass of ballots cast for Fire Commissioner at the annual election of the Vails Gate Fire District held on December 11, 2007.

#64 On Agenda: Receive And File Annual Reports - 2007

Hearing no objection, the Town Board of the Town of New Windsor receive and file the 2007 Annual Reports of the Town Clerk, Fire Prevention and Recreation Department.

**#65 On Agenda: Receive And File Executed Contract –
Partners in Safety - 2008**

Hearing no objections, the Town Board of the Town of New Windsor receive and file an executed Agreement with Partners in Safety for the year 2008 Drug and Alcohol Testing Program at a cost of \$45.00 per driver annually for random drug and alcohol testing.

**#66 On Agenda: Receive And File Third Party Agreement – 5307 Federal
Operating Assistance for 2004 – Dial a Bus**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk the fully-executed third party Agreement with Orange County for 5307 Federal Funding Operating Assistance for New Windsor-Cornwall Dial-A-Bus - Calendar Year 2004.

#67 On Agenda: Officials Reports

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

Fire Prevention	Month of December 2007
Receiver of Taxes (utility)	Month of December 2007
Recreation Department	Month of December 2007
Town Clerk	Month of December 2007
Town Justice Suttlehan	Month of December 2007
Town Justice Thorpe	Month of December 2007

#68 On Agenda: Public Forum

Supervisor Green opened the public forum portion of the meeting by asking if any of the Board had any comments. He then asked if anyone else had any comments or questions.

TOWN BOARD REORGANIZATION MEETING
WEDNESDAY, JANUARY 9, 2008; 7:00 P.M.

Eric Rafael handed some material relating to cell towers to the Supervisor and asked that copies be given to each of the Town Board members. He said that he would like the Town Board to look at a new wireless communication law, a copy of which is included in his materials together with a copy of the town's current law. He feels that the town is legally obligated to act against putting in a cell tower at the Vails Gate Fire House as it is against the public interest. He said he wants the Town Board to understand what his position is and part of the documentation he handed in explains how the law works. He said he spoke to the Planning Board secretary and she said that no fees have been paid yet for this project. He said he has submitted a FOIL request for the application but he feels that some of the required paperwork seems to be missing from their application. He said that tomorrow he would be in to file a new FOIL request.

Sam Vriesma wanted to know if he could still submit materials to the Supervisor relating to the cell tower even though a public hearing has been called for. The Supervisor replied that he could still send materials in. Mr. Vriesma said that he has seen the Nextel application and he feels that paperwork that should be part of the application was missing in the papers he saw. He also wanted to know if Nextel has gone through zoning already and paid their fees.

Supervisor Green said he wasn't sure about the fee although it was not unusual in the case of a special permit not to pay until the permit was ready to be issued. Supervisor Green also said that the Town Board will hold a public hearing on the project and make a decision and depending on what they decide, it will be referred to the Planning Board.

Mr. Vriesma asked what the Association of Towns is. The Supervisor replied that it is an organization that most of the towns in New York State belong to, it lobbies for them and provides information and training. Mr. Vriesma wanted to know who trains people in zoning, and Supervisor Green said that their training is mandated by the State, and usually the individual county planning departments provide the required training courses for them.

Bill Steidle has a list of issues that he would like the Town Board to consider for 2008 which includes adopting a town wide 30 mile per hour speed limit; adopting the new draft master plan; developing watershed protection measures for Brown's Pond and Washington Lake; applying for open space funding from the county; and he would like the Highway Department to reduce the amount of salt that is put down on the roads. He also congratulated council members Eric Lundstrom and Pat Mullarkey on their election.

Supervisor Green thanked him and said his suggestions were well meaning and well taken.

Diane Newlander asked where the St. Anne well is located and Supervisor Green said it is off of Hudson Drive in the wooded area between St. Anne and Hudson Drives. She also wanted to know if there were any changes to the newly adopted Standard Schedule of Fees. Supervisor Green said that a new fee of \$25,000 had been added relative to senior housing.

Sam Vriesma wanted to know about the 30 mile per hour speed limit and which roads were state roads. The Supervisor said that we can only set the speed limit on the roads we own, some of the state roads include Route 9W, Route 32 and Route 94. Supervisor Green said that the state is now requiring a traffic study be submitted with each petition to lower a speed limit. The Supervisor said that he is hoping to assess some type of fee on each new developer to fund these traffic studies. Mr. Vriesma also wanted to know if the Town was going to be hiring an engineer to verify ... to get an overview of the whole town.

Supervisor Green said they have had discussions about that and they are going to be holding a public hearing and he anticipates that following that public hearing, there will be no particular decision made that night.

TOWN BOARD REORGANIZATION MEETING
WEDNESDAY, JANUARY 9, 2008; 7:00 P.M.

Hearing no one else wishing to speak, Supervisor entertained a motion to close the Public Forum.

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti 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

#69 On Agenda: Adjourn

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor adjourn the Town Board Reorganization Meeting at 7:55 P. M.

Roll Call: All Ayes

Motion Carried: 5-0

Respectfully submitted,

DEBORAH GREEN
TOWN CLERK

/clc