

**TOWN BOARD MEETING**

WEDNESDAY, AUGUST 6, 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 Farbent, Highway Superintendent Fayó, Town Attorney Blythe

Supervisor Green called to order the Town Board meeting and presided over same.

**#1 On Agenda: Minutes**

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor approve the minutes of the Public Hearing regarding a Local Law to amend Chapter 263, Partial Tax Exemption to Certain Cold War Veterans, and the minutes of the Town Board meeting both held on July 2, 2008, 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****WATER DEPARTMENT****#2 On Agenda: Motion – Adopt Resolution Establishing Water Rate**

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

**WHEREAS**, effective July 1, 2008, the rate for water sales which do not exceed the allowance quantities of water authorized to each municipal corporation or water district pursuant to Section 24-360 of the Administrative Code of the City of New York increased from \$798.62 per million gallons to \$900.31 per million gallons, a net increase of 13%; and

**WHEREAS**, the current water consumption rate for the Town of New Windsor is \$3.198 per 100 cubic feet; and

**WHEREAS**, the Town Board of the Town of New Windsor has determined that it is necessary to increase the water consumption rate charged to residents of the Town of New Windsor in order to maintain the financial integrity of the Consolidated Water District and the individual water districts;

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of New Windsor, pursuant to Section 287.35 of the Town Code hereby amends the Standard Schedule of Fees and establishes a new water consumption rate in the amount of \$3.61 per 100 cubic feet; and

**BE IT FURTHER RESOLVED** that this amendment to the Standard Schedule of Fees will become effective September 1, 2008.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#3 On Agenda: Receive And File Inter-Municipal Water Agreement – Firthcliffe Heights**

Hearing no objection, the Town Board of the Town of New Windsor receive and file Inter-Municipal Agreement between Town of New Windsor and Town of Cornwall, dated July 14, 2008, increasing the capacity of the water supply to the Firthcliffe Heights Water District in an amount up to 80,000 gallons per day.

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**SANITATION DEPARTMENT****GENERAL**

**#4 On Agenda:      Motion - Authorization To Advertise Public Hearing –  
Proposed Sewer Assessment Roll - 2009**

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom that the Town Board of the Town of New Windsor authorize the Town Clerk to advertise pursuant to law, calling for a Public Hearing to be held on the 3<sup>rd</sup> day of September 2008 at 7:00 P.M. in the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York, to hear all persons of the Town of New Windsor in all Sewer Districts interested in the proposed Sewer Assessment Roll for the year 2009.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#5 On Agenda:      Motion – Adopt Resolution In Support And Concurrence  
With Newburgh Stewart Empire Zone Regionally  
Significant Project Application (Fifty Door Partners)**

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

**WHEREAS**, New York State has created the Economic Development Zone Program, now known as the Empire Zones Program, to encourage industrial and commercial development in select municipalities across the State; and

**WHEREAS**, the Town of New Windsor, as an eligible municipality in conjunction with the County of Orange, received designation of an Empire Zone and was re-designated as distinct and separate contiguous areas pursuant to Section 957 (d) of the General Municipal Law; and

**WHEREAS**, New York State has amended the Zones program to increase benefits and allow additional areas to be deemed as Regionally Significant Projects; and

**WHEREAS**, the County of Orange and the Town of New Windsor intend to amend the Newburgh-Stewart Empire Zone boundaries to encourage industrial and commercial development and to allow for the designation of lands in the Town of New Windsor for a Regionally Significant Project; and

**WHEREAS**, *Fifty Door Partners, LLC*, located at 509 Temple Hill Road in the Town of New Windsor, New York meets the criteria of 957 (d) of the General Municipal Law as a regionally significant project by creating 50 new manufacturing jobs for inclusion within the Newburgh-Stewart Empire Zone in an area outside the distinct and separate contiguous areas; and

**WHEREAS**, the Town of New Windsor wishes to support and concur with the Empire Zone designation of Section 4, Block 3, and Lot 10.4 and portions thereof, as a Regionally Significant Project on behalf of *Fifty Door Partners, LLC*;

**NOW, THEREFORE, BE IT RESOLVED THAT** the Town Board of the Town of New Windsor, in its capacity as governing body of the Town of New Windsor, does hereby support and concur with the County of Orange to include a manufacturing facility for *Fifty Door Partners, LLC*, to be located at 509 Temple Hill Road in the Town of New Windsor, New York (SBL 4-3-10.4) as described within the attached Orange County Local Law 3 of 2008.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

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**#6 On Agenda: Motion – Adopt Transitional Duty Program and Policy**

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

**WHEREAS**, the Town Board of the Town of New Windsor has determined that it is a benefit to both the Town of New Windsor (“Town”) and employees of the Town to bring injured employees back to work as soon as practical following an injury; and

**WHEREAS**, the Town Board has determined that the creation of a Transitional Duty Program is an effective and efficient way to allow the rapid return of an injured employee to full duty status through a program of coordinated Town – Physician review;

**NOW THEREFORE BE IT RESOLVED THAT**, the Town Board of the Town of New Windsor hereby adopts the Transitional Duty Program and Policy in accordance with the guidelines, forms and procedures attached hereto.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#7 On Agenda: Receive And File Letter Agreement – Mt. Airy Sports Complex Fencing**

Hearing no objection, the Town Board of the Town of New Windsor receive and file Letter Agreement between Town of New Windsor and New York State Office of Parks, Recreation & Historic Preservation, dated June 18, 2008, for Legislative Initiative Grant in the sum of \$35,000.00 for fencing at Mt. Airy Sports Complex.

**#8 On Agenda: Receive And File Letter Of Credit – Kings Road LLC**

Hearing no objection, the Town Board of the Town of New Windsor receive and file Key Bank National Association Letter of Credit #S313808 dated June 30, 2008, for Kings Road LLC, (PB #03-16) in the sum of \$6,474.00.

**#9 On Agenda: Receive And File Fully Executed Agreement – NYS DOS – Purchase Of A Defibrillator**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk a fully executed agreement with New York State Department of State for Community Projects Appropriation Agreement #TM08560, in the amount of \$2,000. for the purchase of a Defibrillator.

**#10 On Agenda: Receive And File Fully Executed Agreement – NYS DOS – Purchase Of Godwin Light Tower**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk a fully executed Agreement with New York State Department of State for Community Projects Appropriation Agreement #TM08561, in the amount of \$10,000. for the purchase of a Godwin Light Tower.

**#11 On Agenda: Motion – Adopt Workplace Violence Prevention Policy**

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

**WHEREAS**, the Town Board of the Town of New Windsor has determined that the safety of employees of the Town is of paramount importance and that an effective way to ensure that safety is for the Town to employ a zero tolerance policy toward workplace violence; and,

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**WHEREAS**, the Town Board of the Town of New Windsor has further determined that an effective way to implement this zero tolerance policy is to establish, for the Town, a Workplace Violence Prevention policy;

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of New Windsor, hereby adopts the attached Workplace Violence Prevention policy; and,

**BE IT FURTHER RESOLVED** that this Workplace Violence Prevention policy shall become effective immediately.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#12 On Agenda: Motion – Authorization To Advertise For Sealed Bids – Sale Of Used Town Vehicles**

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom 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 town equipment. The bids to be received and publicly opened at 10:30 A.M. in the Town Clerk's office in Town Hall, 555 Union Avenue, New Windsor, New York on the 27<sup>th</sup> day of August 2008. The Town Board reserves the right to reject any or all bids.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#13 On Agenda: Motion – Authorize Solicitor's Permit – J & D Concessions, Inc.**

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the issuance of a solicitors permit submitted by Daniel J. Nanni, J & D Concessions, Inc., 26 Ellison Drive, New Windsor, New York, to sell various snack food items at Windsor Motel, 2976 Route 9W, New Windsor, New York. Permit shall be obtained from the Town Clerk's Office.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#14 On Agenda: Motion – Authorize Supervisor To Sign Agreement With PSHRC To Develop An Employee Handbook**

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize the Supervisor to sign an Agreement with Public Sector HR Consultants, LLC to develop and implement an Employee Handbook for the Town of New Windsor.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#15 On Agenda: Motion Authorize Supervisor To Sign 2008 Justice Court Assistance Program Application**

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the Supervisor to sign the 2008 Justice Court Assistance Program Application for the purchase of various equipment to be used in Justice Court.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#16 On Agenda: Receive And File 2008 Municipal Parks Grant – Playground Equipment At Mt. Airy Sports Complex**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk 2008 Municipal Parks Grant with Orange County in the amount of \$30,000.00, for the purchase of playground equipment at Mt. Airy Sports Complex.

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**#17 On Agenda: Officials Reports**

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

Fire Prevention	Month of June 2008
Building Department	Month of July 2008
Justice Court – Richard W. Thorpe	Month of July 2008
Justice Court – Donald J. Suttlehan	Month of July 2008
Receiver of Taxes – Water-Sewer-Garbage	Month of July 2008
Recreation Department	Month of July 2008
Town Clerk	Month of July 2008

**#18 On Agenda: Public Forum**

Before opening up the meeting for public comment, Supervisor Green made an announcement that September's workshop meeting will be held on Tuesday, September 2, due to Labor Day falling on September 1.

Daniel Nanni thanked the Town Board and the Town Clerk's office for all their help with the solicitor's permit which was just approved for J & D Concessions.

Frank Bedetti said he wanted to go on record as saying that with reference to the Public Hearing, he had no ulterior motives, he was speaking only for himself and as a participating member of the Master Plan Committee, his comments were strictly his own and he is not running for office, he has no intentions of running for office in the future and he just wanted the Board to be aware of that.

Leo Braun thanked Town Attorney Blythe for clarifying the exhibited map showing the proposed zoning changes.

Hearing no one else wishing to speak, the Supervisor entertained a motion to close the public forum.

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant 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*

**#19 On Agenda: Adjourn**

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor adjourn the Town Board meeting at 8:20 p. m.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

Respectfully submitted,

**DEBORAH GREEN**  
**TOWN CLERK**

/clc