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**TOWN BOARD MEETING**  
 WEDNESDAY, JULY 5, 2006; 7:00 P.M.  
 NEW WINDSOR TOWN HALL  
 NEW WINDSOR, NEW YORK

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

**OTHER OFFICIALS PRESENT:** Town Attorney Blythe, Deputy Police Chief Hovey, Comptroller Reis, Highway Superintendent Fayo, Information Technology Officer McDonald

Supervisor Green called to order the Town 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 Town Board meeting held on June 7, 2006 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**

**#2 On Agenda: Receive And File Bids - 2007 Truck Chassis And 31 Cubic Yard Loader Refuse Body**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk bids received and publicly opened June 29th, 2006 for a 2007 truck chassis and cubic yard loader refuse body.

**#3 On Agenda: Motion - Award Bid - 2007 Truck Chassis And 31 Cubic Yard Loader Refuse Body**

Motion by Councilwoman Mullarkey, seconded by Councilman Finnegan that the Town Board of the Town of New Windsor award the bid for one (1) 2007 Truck Chassis and 31 cubic yard loader refuse body to the lowest bidder, Arkel Motors, 70 Windsor Highway, New Windsor, New York, per the bid received and publicly opened on June 29, 2006.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**WATER DEPARTMENT**

**#4 On Agenda: Receive and File Bids - Water Meters, Radio Read Meter Transceiver and Related Equipment**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk bids received and publicly opened June 29, 2006 for water meters, radio read meter transceiver and related equipment.

**#5 On Agenda: Motion - Award Bid Water Meters, Radio Read Meter Transceiver And Related Equipment**

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor award the bid for water meters, radio read meter transceiver and related equipment to the lowest bidder, EJ Prescott, 198 Ushers Road, Round Lake, New York, per the bid received and publicly opened June 29, 2006.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

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**SANITATION DEPARTMENT**

**GENERAL**

**#6 On Agenda: Motion - Authorize Transfer From Parkland Funds To General Fund - Mt. Airy Park Recreation Center**

Motion by Councilwoman Weyant, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize the transfer of \$50,000.00 from the Parkland Fund to the General Fund.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#7 On Agenda: Motion - Authorize Reduction in Performance Bond - Fox Meadows Subdivision (Planning Board Project #01-51)**

Motion by Councilwoman Mullarkey, seconded by Councilman Finnegan that the Town Board of the Town of New Windsor authorize the reduction of the performance bond for the Fox Meadows Major Subdivision (Planning Board Project 01-51) from \$688,950.00 to \$158,885.00 as recommended by McGoey, Hauser and Edsall Consulting Engineers, P.C. via correspondence dated June 15, 2006.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#8 On Agenda: Motion - Approve Outside User Agreement - David's Advance Subdivision - Sewer District #23**

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the Town Supervisor to execute an Outside User Agreement with Michael and Mira Blythe as owners and developers of David's Advance Subdivision in the Towns of New Windsor and Cornwall, to provide New Windsor sewer service to that subdivision containing Town of New Windsor SBL 57-1-33.2 & SBL 57-1-33.4 and Town of Cornwall SBL 1-1-25 as presently or hereinafter configured and that said Outside User Agreement be approved by the Engineer for the Town of New Windsor and the Town of Cornwall.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#9 On Agenda: Motion - Authorize Increase Of Hours Of Town Attorney And Modify Position From Independent Contractor To Full-Time Department Head Position**

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

**WHEREAS**, at the January 11, 2006 Town Board meeting, a motion was carried appointing Michael Blythe as Town Attorney to represent the Town of New Windsor in legal matters at an annual salary of \$75,000.00, for sixteen hours worked per week, and \$125.00 per hour for each additional hour worked; payable in equal monthly amounts upon submission of a voucher for the year 2006, commencing January 1, 2006; and

**WHEREAS**, it has come to the attention of the Town Board that each week since his appointment, it has been necessary for Town Attorney Blythe to work in excess of the appointed sixteen hours in order to fulfill his duties; and

**WHEREAS**, the Town Board desires to increase the hours of Town Attorney to a full-time position defined as thirty-two hours worked per week at an annual salary of \$110,000.00 for the year 2006, commencing immediately; and

**WHEREAS**, the position of Town Attorney has historically been one of an independent contractor; and

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**WHEREAS**, the Town Board desires to make the position of Town Attorney a full-time department head position commencing immediately; and

**NOW THEREFORE, BE IT RESOLVED** that commencing immediately, the Town Board hereby increases the hours of Town Attorney to thirty-two hours worked per week at an annual salary of \$110,000.00 for the year 2006; and

**BE IT FURTHER RESOLVED** that commencing immediately, the position of Town Attorney shall be a full-time department head position.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#10 On Agenda: Motion - Authorize Town Board To Declare Its Intent To Become Lead Agency For SEQRA Purposes In The Discontinuation Of The Use Of Certain Parklands**

Motion by Councilwoman Weyant, 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 a desire to discontinue the use of certain parklands consisting of portions of Section 9, Block 1, Lot 55.23 and Section 9, Block 1, Lot 108 in the Little Falls section of New Windsor, consisting of approximately 34.72 acres, which are no longer necessary as a public park; and

**WHEREAS**, the property appears to require Type I classification under the SEQRA review process; and

**NOW THEREFORE BE IT RESOLVED**, that the Town Board of the Town of New Windsor intends to declare itself lead agency for all SEQRA review determinations; and

**BE IT FURTHER RESOLVED**, that the Town will circulate the appropriate Letter of Intent to other affected agencies; and

**BE IT FURTHER RESOLVED**, that in the event no response is received within thirty calendar days, the Town Board of the Town of New Windsor will assume the role of lead agency.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#11 On Agenda: Receive And File Fifth Amendment Of Lease - Verizon New York, Inc. For 1004 Breunig Road (a/k/a Building 1004, Stewart International Airport)**

Hearing no objection, the Town Board of the Town of New Windsor receive and file a Fifth Amendment of Lease dated April 25, 2006 between the Town of New Windsor and Verizon New York, Inc., for 1004 Breunig Road (a/k/a Building 1004, Stewart International Airport) extending the term of the lease for a period of one year beginning on June 1, 2006 and ending on May 31, 2007.

**#12 On Agenda: Receive And File Petition - Discontinuance Of Two Portions Of World Trade Way**

Hearing no objection, the Town Board of the Town of New Windsor receive and file Petition dated June 13, 2006 for the Discontinuance of two portions of World Trade Way.

**#13 On Agenda: Receive And File Order For Discontinuance Of A Portion Of World Trade Way**

Hearing no objection, the Town Board of the Town of New Windsor receive and file Order dated June 14, 2006 for the Discontinuance of one thousand (1,000') feet of road known as World Trade Way.

**#14 On Agenda: Receive And File Irrevocable Offer Of Dedication For Drainage Easement - Valley Fields Estates Subdivision**

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Hearing no objection, the Town Board of the Town of New Windsor receive and file an Irrevocable Offer of Dedication dated April 26, 2006 for the thirty (30') foot wide Drainage Easement #3, a part of Valley Fields Estates Subdivision (a/k/a Sawyer Subdivision).

**#15 On Agenda:     Receive And File Executed Stipulation Agreement With New York State DEC Regarding Spill No. 0600961 At The Town Highway Garage**

Hearing no objection, the Town Board of the Town of New Windsor receive and file fully executed Stipulation Agreement between New York State DEC and Town of New Windsor pursuant to Section 17-0303 of the Environmental Conservation Law and Section 176 of the Navigation Law regarding Spill No. 0600961 at the Town of New Windsor Highway Garage.

**#16 On Agenda:     Receive And File Executed Inter Municipal Agreement For Pavement Markings - 2006 Season**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk the inter-municipal agreement for pavement markings on non-county roads for the 2006 season.

**#17 On Agenda:     Receive and File Executed Supplemental Consultant Agreement - Hudson Valley Engineering Associates, P.C. For Final Design Regarding Jackson Avenue Reconstruction**

Hearing no objection, the Town Board of the Town of New Windsor receive and file a fully executed Supplemental Consultant Agreement for final design of Jackson Avenue Reconstruction in connection with a federal-aid project funded through the New York State Department of Transportation and supplementing Preliminary Design Agreement received and filed by this Board on April 6, 2005.

**#18 On Agenda:     Receive and File Bids - Mt. Airy Sports Complex Lighting**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk the bids received and publicly opened June 29, 2006 for the Mt. Airy Sports Complex Lighting project.

**#19 On Agenda:     Receive and File Financial Statement-Year Ended December 31, 2005**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk the financial statement of Town of New Windsor, New York; year ended December 31, 2005.

**#20 On Agenda:     Officials Reports**

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

Justice Court (Donald J. Suttlehan)	Month of June 2006
Justice Court (Richard W. Thorpe)	Month of June 2006
Recreation Department	Month of June 2006
Tax Receiver	Month of June 2006
Town Clerk	Month of June 2006

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**#21 On Agenda:      Public Forum**

Supervisor Green, "Before I open up the public forum, is there anything from the board? Tonight we will have a presentation from John Egitto, our consulting engineer from the firm operating our water plant, to explain what is going on with the water."

John Egitto began by explaining that last Wednesday he received word that due to heavy rainfall for the past few weeks in upstate New York, the turbidity in the Ashokan Reservoir began to rise very rapidly and was soon at unacceptable levels. The Ashokan Reservoir enters into the Catskill Aqueduct which is the source of the Town of New Windsor's water supply. He explained that turbidity levels are a measure of the clarity of the water, not a measure of bacteria or contamination present. Our water treatment plant can effectively treat water with turbidity measuring in the low twenties and the measurement of turbidity from the Ashokan Reservoir was between one hundred to one hundred and fifty. There is so much dirt in the reservoir water right now that it clogs the water plant filters and they must be constantly cleaned and backwashed and the incident of dirt passing through the filters increases. Late Wednesday afternoon the Town changed over to our emergency water source, the Silver Stream Reservoir, locally known as Brown's Pond. The Orange County Department of Health was then notified of the changeover.

Brown's Pond is only about eight feet deep and even though the water is pulled from the pond at a depth of about six feet, sunlight which penetrates all the way to the bottom of the pond causes out of control weed and algae growth.

On Thursday, a request was submitted to the Orange County Health Dept. requesting permission to add potassium permanganate to the water at Brown's Pond in an attempt to control the weed and algae growth and as a taste and odor control. Permission was received to add this chemical and we began applying it immediately. We also began applying granulated activated carbon to the filters. The water is continuously monitored for bacteria and these results have been sent to the Board of Health. There has been no bacteria found in any monitoring results. The Board of Health is responsible for making the decision to lift the drinking water advisory.

On Thursday, we also applied for and received permission from the Health Department to open a temporary emergency interconnection to the water system of the Town of Newburgh from which we can draw about 800,000 gallons of water per day. On Friday, we applied to open an emergency interconnection to the City of Newburgh water supply from which we can draw about 500,000 gallons per day. This water will relieve some of the burden on the filtration plant, allowing the filters to work more efficiently and reducing our demand on Brown's Pond.

John Egitto visited the Ashokan Reservoir on July 4 and took photographs which clearly showed the muddy condition and flood damage to the reservoir water.

When the presentation was over, residents were able to ask questions. Several people wanted to know if the water was safe to drink. Supervisor Green replied that no bacteria was present in the tests that were taken, the water just has a bad smell and very poor clarity, neither of which has any health effects. John Egitto added that the samples which had been taken over the past three days show no bacteria present in the water.

The taste and smell is a result of the large amount of weeds and algae in Brown's Pond. Brown's Pond is owned by the City of Newburgh and Newburgh does not currently treat the pond to control weeds and algae. The Town of New Windsor is in the process of working out a written agreement with the City of Newburgh which will allow us to chemically treat Brown's Pond with copper sulphate, but until that agreement is in place, the Town of New Windsor cannot treat the water.

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A resident wanted to know why only New Windsor has this problem with their water. Supervisor Green said that New Windsor is the only community in the county which has a tap into the Catskill Aqueduct and that is because it runs right through the Town of New Windsor. The City of Newburgh gets its water from Washington Lake and the Town of Newburgh has a tap into the Delaware Aqueduct which does not have a turbidity issue at this time.

Someone asked how the Town plans to resolve our future water issues. Supervisor Green said that we need to look for groundwater supplies and the town had hired a firm several months ago to investigate possible sources of groundwater in New Windsor; by having agreements in place with the City and Town of Newburgh; possibly getting a tap into the Delaware Aqueduct and by expanding our filtration plant. He also stated that water problems were not only a local issue but had to be addressed regionally, especially since in a couple of years there would be a long term shutdown of both the Catskill Aqueduct and the Delaware Aqueduct for repairs.

Another resident inquired how long Brown's Pond has been our emergency supply and why no agreement been put in place before this. Supervisor Green said that we have been using Brown's Pond since the early 90's. As for no agreement being in place, it is a subject that has been talked about many times but never came to fruition, and it was never a major issue until last year .

Someone asked how the residents were notified of the drinking water advisory and Supervisor Green said that the information was immediately placed on the website, local newspapers were notified as well as local radio stations. Local schools, day care centers, nursing homes, restaurants and businesses who might be affected by the water advisory received telephone calls to let them know what was going on as soon as we found out. One resident asked why one local paper had the advisory placed at the bottom of the page instead of in the headline and was advised to contact the newspaper in question.

Another resident suggested getting a water truck to provide free water for residents and the Supervisor said that after tonight's meeting the Town Board would discuss the possibility of getting a water tanker in place.

Several residents had suggestions for alternate ways to notify people besides the methods currently in use. One resident suggested using a banner ad on the Weather Channel, or the Community Bulletin Board on another local cable channel. Someone suggested using the signs out in front of the Town Hall and the Recreation Department to advise residents of any current town issues. Another suggestion was to use automatic recorded dialing and to do a townwide mailing.

One resident stated that her water has smelled for the past week and what was being done to alleviate our water problem. Supervisor Green said that meetings have been held with both the City and Town of Newburgh since January to discuss water problems and come up with permanent taking agreements.

Another resident inquired as to whether the water can be used for washing dishes and doing laundry and was told that there should be no problems using the water for non- drinking purposes.

Someone wanted to know how much water the town used on a daily basis right now. The Supervisor replied that the Town drew about 3.2 million gallons per day.

A resident asked if the town could use a system of storage tanks to store water for emergencies. John Egitto explained that the town does have many storage tanks but they supply the pressure to the town's water system. They are used and refilled continuously, if all the water was taken from them and used for an emergency, the entire system would lose pressure in about a day and a half.

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Rebecca Jones said that she felt residents were notified this year in a much more timely manner than during last year's emergency shutdown.

Cathy Plumstead thanked the Supervisor for having the water issues explained.

Barney Bedetti questioned whether the original water moratorium was still in effect or if this was an emergency moratorium. Supervisor Green said that since no permanent taking agreement had been signed by the City of Newburgh yet, the original moratorium was still in effect.

Diane Newlander asked about the planned location of a cell tower being located in the Willow Lane area, which matter was before the Planning Board. Supervisor Green said he was not happy with that location and has suggested several alternate locations. She inquired if there was local legislation on cell phones and the supervisor replied that we do have legislation in place.

A resident of Windsor Crest condominiums said that there are problems with the developer who seems to have abandoned the project without cleaning the area up. He has spoken to the fire inspector about the erosion problems, grass coming up in the road, and construction debris left lying around. He brought photographs of the area for the Town Board to look at. Supervisor Green suggested that he call later in the week and an appointment would be set up with the resident, the Supervisor and the Building Inspector to tour the site.

Rebecca Jones asked for clarification of several items on the agenda relating to an outside user agreement, the discontinued parklands and the discontinuance of portions of World Trade Way, which were all explained by the Supervisor.

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

Motion by Councilwoman Weyant, 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*

**#22 On Agenda:      Adjourn**

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor adjourn the Town Board Meeting at 8:45 P. M.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

Respectfully submitted,

**DEBORAH GREEN**  
TOWN CLERK

/clc