

**TOWN BOARD MEETING**  
 WEDNESDAY, FEBRUARY 1, 2006; 7:00 P.M.  
 NEW WINDSOR TOWN HALL  
 NEW WINDSOR, NEW YORK

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

**OTHER OFFICIALS PRESENT:** Comptroller Reis, Police Lieutenant Faricellia, Highway Superintendent Fayo, Town Attorney Blythe, Assessor Wiley

**ABSENT OFFICIALS:** Councilwoman Mullarkey

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

**#1 On Agenda: Minutes**

Motion by Councilman Finnegan, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor approve the Minutes of the Organizational Town Board Meeting held on January 11, 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: 4-0*

**UNFINISHED BUSINESS**

**HIGHWAY DEPARTMENT**

**#2 On Agenda: Receive and File Permit Bond - Mulé Excavating**

Hearing no objections, the Town Board of the Town of New Windsor receive and file with the Town Clerk a License and Permit Bond #43161370, submitted by Bob Mulé Excavating, 10 Maurice Lane, PO Box 565, Vails Gate, New York, in the amount of \$20,000.00 effective January 27, 2006 and expiring January 27, 2007. 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 Attorney for the Town and the Highway Superintendent.

**#3 On Agenda: Motion - Dedication of Roads - Old Hemlock Drive (Portion) And Red Maple Way (Portion) --Windsor Woods Subdivision**

Motion by Councilman Finnegan, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor accept portions of the roads known as Red Maple Way and Old Hemlock Drive in the Town of New Windsor as public highways and in regard to such dedication:

- (1) File an Order of the Town Highway Superintendent;
- (2) Authorize the execution of a Town Board Consent with the Engineer's signature; and
- (3) Accept a Deed from Windsor Woods, LLC to the Town of New Windsor which deed shall be without liens and taxes paid, accepted by the Town Board, and returned to the Attorney's Office for recording in the Orange County Clerk's Office, which deed provides for the conveyance of lands relative to portions of the municipal highways known as Red Maple Way and Old Hemlock Drive; and
- (4) Accept an Easement from Windsor Woods, LLC dated September 22, 2005 covering sewer easements, drainage easements, and a water quality pond deed (Drainage District #2).

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(5) Accept a Certificate and Report of Title dated December 22, 2005 from National Granite Title Insurance Agency, Inc. in the sum of \$35,000.00 naming the Town of New Windsor as party insured, and the related title policy; and

(6) Accept a Maintenance Bond which amount represents ten (10%) percent of the original Performance Bond as recommended by the Town Engineer; and

(7) In consideration of the receipt of the Maintenance Bond from the surety company, the Performance Bond shall be released from any liability under the Performance Bond relative to the roads now accepted for dedication; and

(8) The Engineer for the Town and Chief Information Technology Officer are directed to add the highways and easements to the Official Town Map; and

(9) This resolution is subject to a closing to be held at the Office of the Attorney for the Town of New Windsor, at which time a Title Insurance Policy shall be tendered and the instruments taken for recording in the Orange County Clerk's Office.

(10) Subject to complete as-builts to be furnished at closing.

*Roll Call: All Ayes*

*Motion Carried: 4-0*

**WATER DEPARTMENT**

**SANITATION DEPARTMENT**

**GENERAL**

**#4 On Agenda: Motion - Authorize The Signing Of Certificate Of Insurance**

Motion by Councilwoman Weyant, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize the signing of the Certificate of Insurance for a period from December 24, 2005 to December 24, 2006, Public Employees Dishonesty Bond #B198747, with reference to the Receiver of Taxes.

*Roll Call: All Ayes*

*Motion Carried: 4-0*

**#5 On Agenda: Motion - Adopt Resolution Reaffirming And Approving The Creation Of Three Deputy Town Clerk Positions**

Motion by Councilman Finnegan, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the adoption of the following Resolution:

**WHEREAS**, the Town of New Windsor at their regularly scheduled meeting of March 20, 1974 as item 4D-5 on the Agenda, pursuant to New York State Town Law Section 30, subdivision 10, created three (3) positions of Deputy Town Clerk; and

**WHEREAS**, the appointments to said Deputy Town Clerk positions have occurred on an annual basis from that date to present; and

**WHEREAS**, it is necessary that the staff of the Town Clerk's Office be empowered to perform the duties of the Town Clerk during his/her absence; and

**WHEREAS**, that certain duties of the Town Clerk may not be delegated to anyone other than a Deputy Town Clerk; and

**WHEREAS**, the workload of the Town Clerk's Office requires that the Town Clerk or a duly appointed Deputy be available at all regular hours of business;

**NOW THEREFORE BE IT RESOLVED** that the Town Board of the Town of New Windsor reaffirms and approves the creation of three (3) positions of Deputy Town Clerk when such positions are in the exempt class under New York Civil Service Law.

*Roll Call: All Ayes*

*Motion Carried: 4-0*

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**#6 On Agenda: Receive And File Notice Of Resignation - Steve Rivera From Town Of New Windsor Zoning Board**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Notice of Resignation from Zoning Board of Appeals member STEVE RIVERA, effective January 14, 2006.

**#7 On Agenda: Motion - Appoint To Zoning Board Of Appeals**

Motion by Councilman Finnegan, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor appoint ERIC LUNDSTROM, 303 Hickory Avenue, New Windsor, New York to the Town of New Windsor Zoning Board of Appeals, to fill the unexpired term of Steve Rivera. Term shall begin immediately and expire December 31, 2006.

*Roll Call: All Ayes*

*Motion Carried: 4-0*

**#8 On Agenda: Motion - Adopt Resolution Authorizing Supervisor To Advertise For Requests For Proposals - Professional Municipal Planner**

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

WHEREAS, the Master Plan of the Town of New Windsor was last revised and adopted on January 1975; and

WHEREAS, the Town Board of the Town of New Windsor is desirous to update and revise said Plan to more accurately reflect the current conditions of development within the Town; and

WHEREAS, the Town Board desires to provide a comprehensive guideline for the future growth of the Town of New Windsor;

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of New Windsor authorize the Supervisor to advertise for Requests for Proposals for a professional municipal planner for the purpose of revising the Town of New Windsor Comprehensive Master Plan; and

BE IT FURTHER RESOLVED, that upon the revision and adoption of said Plan, the revision of the zoning map of the Town of New Windsor and any applicable Zoning Laws.

*Roll Call: All Ayes*

*Motion Carried 4-0*

**#9 On Agenda: Motion - Rescind Motion Entitled "Appoint Supervisor Of Buildings And Grounds And Set Salary", Item #53 On Town Board Agenda Dated 1/11/2006**

Motion by Councilman Finnegan, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor rescind the motion entitled "Appoint Supervisor of Buildings and Grounds and Set Salary," #53 on the Town Board agenda, Town Board Meeting held on January 11, 2006.

*Roll Call: All Ayes*

*Motion Carried: 4-0*

**#10 On Agenda: Motion - Appoint Supervisor Of Buildings And Grounds And Set Salary**

Motion by Councilwoman Weyant, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor approve the appointment of MICHAEL BABCOCK as Supervisor of Buildings and Grounds and set salary at \$19,096.00 as budgeted for the year 2006, effective January 1, 2006.

*Roll Call: All Ayes*

*Motion Carried: 4-0*

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**#11 On Agenda: Motion – Adopt Benefits For Fulltime Employee Not Covered By Labor/Management Contract**

Motion by Councilman Finnegan, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor adopt the following resolution regarding employee benefits for one (1) Town of New Windsor full time employee not covered by labor/management agreements or individual employment contracts.

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

Comptroller's Clerk

**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: 4-0*

**#12 On Agenda: Motion - Amend 2006 Standard Schedule Of Fees**

Motion by Councilwoman Weyant, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize the following amendments to the 2006 Standard Schedule of Fees:

**P. WATER RATES AND FEES**

**#8) Hydrant Use Permits.** To connect to and take water from any fire hydrant within any water district of the Town of New Windsor or any distribution main connected thereto, subject to the following rules:

- a) Operation of any fire hydrant shall be performed only by an employee of the Town of New Windsor or its designated representative.
- b) Hydrant use may only take place between the hours of 8:00 a.m. and 3:30 p.m. Monday through Friday.
- c) It is at the sole discretion of the Town as to what valid use may be permitted.
- d) The Town of New Windsor assumes no liability for damage caused by the use of any hydrant.
- e) The Town of New Windsor reserves the right to discontinue any permitted use at any time without prior notification.
- f) The total volume for any single commercial permit may not exceed 20,000 gallons.
- g) All permits are valid for a period of one year from the date issued.

**Residential Rate**

\$100.00

**Commercial Rate**

\$250.00

**Q. EMERGENCY MEDICAL SERVICE FEES:**

<b>SERVICE CODE</b>	<b>MEDICARE RATE</b>	<b>NON-MEDICARE RATE</b>
BLS Emergency	\$339.62	\$540.00
ALS Emergency	\$403.30	\$640.00
ALS-2 Emergency	\$555.60	\$667.20
Mileage (per loaded mile)	\$6.11	\$9.60

*Roll Call: All Ayes*

*Motion Carried: 4-0*

**#13 On Agenda: Motion - Authorize Supervisor To Reopen The Bargaining Agreement - Town Of New Windsor And PBA**

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the Town Supervisor to reopen the bargaining agreement between the Town of New Windsor and the Town of New Windsor Policeman's Benevolent Association for the purpose of wage negotiations.

*Roll Call: All Ayes*

*Motion Carried: 4-0*

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**#14 On Agenda: Motion - Appoint Town Supervisor As Designee For Step Two Grievance Procedures**

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor appoint Supervisor George A. Green as their designee for all Step Two Grievance Procedures pursuant to Appendix A, Section III of the Collective Bargaining Agreement between the Town of New Windsor and the Civil Service Employees Association, Inc. Local 1000.

*Roll Call: All Ayes*

*Motion Carried: 4-0*

**#15 On Agenda: Receive And File Certificate Of Results Of The Canvas Of Ballots Cast - Annual Election - Quassaick Bridge Fire District**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk the Certificate of Results of the canvass of the ballots cast at the annual election of the Quassaick Bridge Fire District. Said election was held on the 13th day of December 2005.

**#16 On Agenda: Receive And File Deed - Joyce C. Orr To Town Of New Windsor**

Hearing no objection, the Town Board of the Town of New Windsor receive and file a Deed entitled "Joyce C. Orr, 770 Jackson Avenue, New Windsor, New York 12553 to the Town of New Windsor" referencing SBL 32-2-76 and 77 for a portion of Jackson Avenue as more particularly described in Schedule A.

**#17 On Agenda: Receive And File Letter Of Resignation From Former Planning Board Chairman James Petro**

Hearing no objection, the Town Board of the Town of New Windsor receive and file a letter of resignation written by former Planning Board Chairman James Petro dated January 10, 2006.

**#18 On Agenda: Motion - Adopt Resolution - Real Property Tax Relief For Funding Of Primary And Secondary Education**

Motion by Councilwoman Weyant, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorizes the adoption of the following Resolution:

**WHEREAS**, this Town Board is concerned about the ever increasing cost of primary and secondary education which must be borne by the owners of real property in the Town of New Windsor, and

**WHEREAS**, this Town Board recognizes that although the members of the Boards of Education throughout the State of New York try to keep the tax rates within bounds, escalating costs of education are often not easily controllable and certainly result in tax rates which are rapidly becoming unreasonably burdensome, and

**WHEREAS**, it is apparent to this Town Board that the continued reliance on real property taxes to fund all or substantial portions of the costs of public primary and secondary education is a condition which cannot be permitted to continue, and

**WHEREAS**, this Town Board believes that the time for action on this problem is now,

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. That by this resolution the Town Board of the Town of New Windsor calls upon our elected leaders in Albany, the Governor, the New York State Senate and the New York State Assembly, together with other State officials to address this problem once and for all and to develop a solution which would provide adequate funds for public primary and secondary education for all school districts in the State of New York without relying in whole or in substantial part on real property taxation.

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2. That this Town Board directs that certified copies of this resolution be forwarded to the Governor, the Majority Leader of the New York State Senate, the Speaker of the New York State Assembly, together with such other public officials and bodies as may be appropriate under the circumstances.

*Roll Call: All Ayes*

*Motion Carried: 4-0*

**#19 On Agenda: Officials Reports**

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

Police Department	Month of December 2005
Recreation Department	Month of December 2005
Recreation Department	Month of January 2006
Town Clerk	Month of January 2006
Town Justice Suttlehan	Month of January 2006
Town Justice Thorpe	Month of January 2006

**#20 On Agenda: Public Forum**

Supervisor Green, "Before I open it up to the public, are there any comments from the board? Okay we will now open under public forum. Anyone who wants to speak please state your name and address."

Jean Antonelli, "First of all I would like to say that it is very nice to see so many people here and I hope that it continues. A question, a senior had asked me if any of the fees for the seniors, for the different activities that they participate in, have they been reduced or done away with. Or do you have plans on doing that?"

Supervisor Green, "Jean, as you know we are going to form a Recreation Advisory Committee. We have discussed that and every committee is a Supervisor's appointment. We are going to take a representative from all different sports in Town including the seniors. Alice, I know we have eliminated the dance fee already."

Councilwoman Biasotti, "Yes, they have all been eliminated and for non-residents also."

Jean Antonelli, "So for right now, it's just the dance fee?"

Supervisor Green, "There is another one There has been a couple that have been eliminated. They are such a miniscule, they are almost a bothersome fee, they were a dollar, they were such miniscule fee, and it was ridiculous to even collect it. We are going to look at all the fees associated with Recreation, we are going to take recommendations from the seniors and from everybody and hopefully we are going to restructure a lot of them."

Jean Antonelli, "Have all the seats on the different boards been filled? Your Planning Board, your zoning board, the board of assessment review?"

Supervisor Green, "There is one alternate in zoning, no, one in planning, and two in zoning and that's it at this point. There are going to be committee appointments, there are going to be several committees made - the Citizens Advisory Board, the Master Plan Committee, Recreation Committee, the Senior Housing Committee. I am very interested in affordable senior housing."

Jean Antonelli, "I know you have been very busy taking over the reins, so I know everything you are planning will come to be."

Supervisor Green, "We are moving forward at breakneck speed. I didn't think I would be able to get the resolution on the master plan done this quick, but with the board's help, we got it done, we are going forward. We are going to get the RFP out, hopefully within the week the engineer will have the RFP drafted, we'll get it out, we'll get it published, we'll get it back. As I said I want to do this very quickly, I want to move very quickly on the master plan, I think it is needed and I think every day that we procrastinate in doing it is detrimental to the Town."

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Jean Antonelli, "Can I have one more question? This is for the audience. I just want everyone here tonight to know the New Windsor Volunteer Ambulance Corps is back in business and Mr. Green was very instrumental, was the force behind bringing us back together, and I would like to thank him and I would like the audience to give him a round of applause for his support in this."

Supervisor Green, "Thank you Jean, it was a labor of love. And just so everybody knows, we have already answered, to my knowledge, at five o'clock when I was down to the corps last, four calls and one transport involved a stroke victim going all the way to Arden Hill Hospital. I am very, very pleased they are back. Is there anybody else?"

Maureen Schjorring, "I know that you have mentioned the traffic here on Union Avenue, I make a left hand sometime between eight thirty and twenty minutes to nine every morning. I used to make a right hand turn before I retired and that was difficult enough, left hand turns are near impossible. And even at that time when most people have gotten where they are going, I have to be in the City of Newburgh at nine a few mornings a week, it's near impossible to get out on the street with the traffic, sometimes it's actually backed up for whatever reason, because somebody was probably trying to make a left hand turn into the Y or something and I am really concerned about the amount of traffic and when I am home the number of trucks that I hear going by because I am not that far in from the highway, is considerable, so I would like to ask you to look into that."

Supervisor Green, "I agree the traffic is, I made a mistake the other day rush hour going down Park Hill and trying to get back out onto Union Avenue to get back to town hall at five o'clock in the afternoon and it was tremendous. You have to remember that it is a county road and eventually it's going to have to be addressed, it's going to have to be widened. I will most certainly have to talk to the County Executive, I don't know how receptive he's going to be to that right now. The thing I would really like to see is the County support us in getting the speed limit reduced to thirty miles per hour. I would love to see to the County support us, I would hope that they would, I have talked to Ed Fares. Our county legislator, Chris Eachus, just walked in, I know he would be more than happy to support reducing the speed limits down to thirty miles per hour on a county road. Is there anyone else?"

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

Motion by Councilman Finnegan, 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: 4-0*

**#21 On Agenda: Adjourn**

Motion by Councilman Finnegan, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor adjourn the Town Board Meeting at 7:43 P. M.

*Roll Call: All Ayes*

*Motion Carried: 4-0*

Respectfully submitted,

**DEBORAH GREEN**  
TOWN CLERK

/clc