

SPECIAL TOWN BOARD MEETING
 WEDNESDAY, MAY 17, 2006, 10:00 A.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, Highway Superintendent Fayo

Supervisor Green called to order a Special Meeting and presided over same.

1 ON AGENDA: WAIVE NOTICE OF SPECIAL MEETING

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor call a Special Meeting of the Town Board at 10:00 a.m. on Wednesday, May 17th, 2006 and waive the notice provision of Section 62 of Town Law.

Roll Call: All Ayes

Motion Carried: 5-0

2 ON AGENDA: MOTION – ADOPT EMERGENCY RESOLUTION TO AUTHORIZE SUPERVISOR GREEN TO MAKE REMEDIATION EXPENDITURES FOR ACCIDENTAL DISCHARGE AT HIGHWAY GARAGE SITE AT 857 UNION AVENUE, NEW WINDSOR, NEW YORK, 12553

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

WHEREAS, the Supervisor has been made aware that a petroleum based discharge has occurred at or near the Town of New Windsor Highway garage at 857 Union Avenue , New Windsor, New York, 12553; and

WHEREAS, a preliminary inspection has been made by the engineering firm of McGoey, Hauser and Edsall, as well as representatives of the New York State Department of Environmental Conservation; and

WHEREAS, it has been determined that the source of the discharge is, in all likelihood, on the property of the Town of New Windsor at the New Windsor Highway Garage; and

WHEREAS, expenditures must be made immediately in order to remediate or limit any discharge into the environment at or near that site; and

WHEREAS, the Supervisor has determined and hereby declares that the aforementioned discharge constitutes a public emergency; and

WHEREAS, this emergency arises from an accident which was unforeseen; and

WHEREAS, the aforementioned discharge affects the public property and or the life, health, safety or property of the inhabitants of the Town of New Windsor; and

WHEREAS, the containment or remediation of the discharge requires immediate action which can not await competitive bidding, contracts for public work, or the purchase of supplies, materials or equipment;

NOW, THEREFORE BE IT RESOLVED that the Town Board wishes to authorized the Town Supervisor with the necessary powers to resolve the emergency and act in accordance with the provisions of General Municipal Law Section 103 (4) in order to contract for and order all necessary personnel or equipment to effectively contain and remediate the aforementioned discharge at the aforementioned location; and

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BE IT FURTHER RESOLVED that the Supervisor will take all appropriate steps to conclude the emergency and reintroduce competitive bidding as soon as practicable under the circumstances.

Roll Call: All Ayes

Motion Carried: 5-0

3 ON AGENDA: ADJOURN

Motion by Councilwoman Mullarkey, seconded by Councilman Finnegan that the Town Board of the Town of New Windsor adjourn the Special Town Board Meeting at 10:05 a.m.

Roll Call: All Ayes

Motion Carried: 5-0

Respectfully submitted,

**DEBORAH GREEN
TOWN CLERK**

/clc