

TOWN BOARD MEETING
WEDNESDAY, NOVEMBER 2, 2005, 7:00 P.M.
NEW WINDSOR TOWN HALL
NEW WINDSOR, NEW YORK

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

OTHER OFFICIALS PRESENT: Comptroller Reis, Town Attorney Crotty, Police Lieutenant Hovey, Highway Superintendent Kroll

Supervisor Meyers 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 Public Hearing regarding Sewer District #16, Extension #1 and of the regular Town Board Meeting, both held October 5, 2005; and the minutes of the Special Meeting held on October 11, 2005 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

SANITATION DEPARTMENT

2 On Agenda: Motion - Authorize Final Payment - Trickling Filter Media Replacement Project

Motion by Councilwoman Weyant, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize the final payment in the amount of \$39,870.00 to Fred A. Cook, Jr., Inc., P.O. Box 71, Montrose, New York 10548, for work on the Trickling Filter Media Replacement Project as per the recommendation of McGoey, Hauser and Edsall Consulting Engineers, P.C. under the date of August 31, 2005.

Roll Call: All Ayes

Motion Carried: 5-0

3 On Agenda: Motion - Authorize Preparation of Map, Plan And Report - Sewer District #19, Extension #1

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

WHEREAS, certain tax parcels known as Section 65, Block 2 and Lots 1.1; 2; 3 and 1.3 have had sewer service by reason of an old outside user agreement; and

WHEREAS, another property owner of adjacent lands 65-1-57 has requested sewer service; and

WHEREAS, bond counsel and the attorney for the Town have advised that sewer service should properly be provided by sewer district extension.

NOW, THEREFORE, BE IT RESOLVED that the Engineer for the Town prepare a map, plan and report including but not limited to the above-referenced lots to be proposed as Sewer District #19, Extension #1, as provided for under Town Law Article 12-A, at the normal hourly rate.

Roll Call: All Ayes

Motion Carried: 5-0

GENERAL

4 On Agenda: Receive And File Executed Agreement - Town Of Cornwall, Town Of New Windsor And Knox Village, Inc.

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Hearing no objection, the Town Board of the Town of New Windsor receive and file fully executed counterpart of the Annexation Agreement between Town of Cornwall, Town of New Windsor and Knox Village, Inc., dated October 5, 2005.

5 On Agenda: Receive And File Executed Agreement - Town Of Cornwall, Town Of New Windsor And Etruscan Enterprises, Inc.

Hearing no objection, the Town Board of the Town of New Windsor receive and file fully executed Annexation Agreement between the Town of Cornwall, Town of New Windsor and Etruscan Enterprises, Inc. relating to Meadowbrook Estates, dated October 5, 2005.

6 On Agenda: Receive And File Executed Agreement - Town Of Cornwall, Town Of New Windsor And Cornwall Commons, LLC

Hearing no objection, the Town Board of the Town of New Windsor receive and file fully executed Annexation Agreement between Town of Cornwall, Town of New Windsor and Cornwall Commons LLC, dated October 5, 2005.

7 On Agenda: Motion - Authorize Execution Of Agreement - New Windsor Landfill Wildlife Control - Richard Krol

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the Supervisor to execute an Agreement between the Town of New Windsor and Richard Krol, 28 Travis Lane, Newburgh, N.Y., to provide nuisance wildlife control at the New Windsor Landfill. Agreement is effective immediately and expires on December 31, 2006. Cost not to exceed \$1300.

Roll Call: All Ayes

Motion Carried: 5-0

8 On Agenda: Motion - Authorize Execution Of Agreement - Newburgh SPCA And Town Of New Windsor - 2006

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the Supervisor to execute an agreement between the Town of New Windsor and the Newburgh SPCA, Route 207, New Windsor, New York for the purpose of boarding dogs secured by the Animal Control Officer.

Roll Call: All Ayes

Motion Carried: 5-0

9 On Agenda: Motion - Authorize Display Ad - Snow Removal Law

Motion by Councilwoman Mullarkey, seconded by Councilman Finnegan that the Town Board of the Town of New Windsor authorize the Town Clerk to publish a display ad in *The Times Herald Record* with reference to both roadway and sidewalk snow removal laws and requesting that residents clear fire hydrants on their property for the Fire Departments.

Roll Call: All Ayes

Motion Carried: 5-0

10 On Agenda: Motion - Authorization To Advertise Public Hearing - Proposed Amendment To Vehicle And Traffic Local Law

Motion by Councilwoman Weyant, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize the Town Clerk to advertise pursuant to law, calling for a Public Hearing regarding the proposed changes to Chapter 280-5 entitled "Vehicle and Traffic Local Law", regarding a stop sign at Guernsey Drive and Dairy Lane, said Public Hearing to be held on December 7, 2005 at 10:00 A.M. in the Town Hall, 555 Union Avenue, New Windsor, New York.

Roll Call: All Ayes

Motion Carried: 5-0

11 On Agenda: Motion - Authorization To Advertise Public Hearing - New Windsor Rural Fire Protection District

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

WHEREAS, there has been duly established in the Town of New Windsor, a fire protection district known as the New Windsor Rural Fire Protection District located

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generally in the western half of the Town of New Windsor; and

WHEREAS, it is necessary pursuant to New York State Town Law for the Town Board to provide fire protection within said New Windsor Rural Fire Protection District.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Section 184 of the Town Law of the State of New York, that a public hearing be held with reference to the furnishing of fire protection for the New Windsor Rural Fire Protection District on the 7th day of December, 2005, at the Town Hall, 555 Union Avenue, New Windsor, New York, at 10:00 a.m., and that the Town Clerk shall cause publication of such notice of hearing in *The Times Herald Record*, a newspaper having a general circulation in said fire protection district, and that such notice shall specify the time when and the place where said hearing will be held and describe in general terms the proposed contract.

Roll Call: All Ayes

Motion Carried: 5-0

#12 On Agenda: Motion - Authorization To Advertise Public Hearing - Proposed Amendment To Zoning Local Law

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

WHEREAS, the Town Board of the Town of New Windsor has received a memorandum from the Town Planning Board pursuant to Zoning Local Law Section 300-88 communicating a positive recommendation that Hotels and Motels be permitted in the Neighborhood Commercial (NC) Zone and also adjusting the Bulk Tables in the Design Shopping (C) Zone.

NOW THEREFORE BE IT RESOLVED that the Attorney for the Town notify the Orange County Planning Department and interested municipalities under General Law and Town Law of the proposed zoning amendments; and

BE IT FURTHER RESOLVED THAT the Engineer for the Town be directed to prepare an Environmental Assessment Form under SEQR; and

BE IT FINALLY RESOLVED THAT the Town Clerk is hereby directed to advertise according to law calling for a public hearing to consider the proposed amendments. Said hearing to be held on the 7th day of December 2005 at 10 AM in the Town of New Windsor Town Hall, 555 Union Avenue, New Windsor, New York, 12553.

Roll Call: All Ayes

Motion Carried: 5-0

#13 On Agenda: Motion - Authorize Emergency Repairs To Oxford Road And Birchwood Drive

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

WHEREAS, the Town Board of the Town of New Windsor authorize emergency repairs for damages caused by the recent storm which struck with rainfall exceeding 20 inches; and

WHEREAS, the stormwater pipe has been blocked with debris and the damage was caused by the rainwater that could not enter the storm water system; and

WHEREAS, such drainage must be repaired on an emergency basis so as to prevent further damage in the event of further rainfall;

NOW, THEREFORE, BE IT RESOLVED that the Town Engineer be authorized to use reasonable efforts to obtain bids for emergency stormwater repairs and shall not be bound by the bidding requirements of General Municipal Law, said emergency bids to be submitted to the Town Clerk's office on or before November 8, 2005 at 11 A.M.

Roll Call: All Ayes

Motion Carried: 5-0

#14 On Agenda: Motion - Adopt Resolution - School Property Tax Reform

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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, which is served in part by the Cornwall Central School District, is concerned about the ever increasing cost of primary and secondary public education which must be borne by the owners of real property in the Town of New Windsor and elsewhere in the State of New York; and

WHEREAS, this Town Board recognized that although the members of the Board of Education of the Cornwall Central School District and other school districts 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 cost 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 that the Town Board of the Town of New Windsor calls upon the Governor, the New York State Senate and the New York State Assembly, together with other State officials to address the school funding problem once and for all, and develop a solution which will provide adequate funds for public primary and secondary education for the Cornwall Central School District and for all school districts in the State of New York without relying in whole or in substantial part on real property taxation; and

BE IT FURTHER RESOLVED, that this Town Board directs the Town Clerk to send certified copies of this resolution to the Governor, the Majority Leader of the New State Senate and the Speaker of the New York State Assembly.

Roll Call: All Ayes

Motion Carried: 5-0

#15 On Agenda: Motion - Authorize Levying Of Unpaid Water, Sewer And Beaver Dam Garbage Charges

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

WHEREAS, the Supervisor of the Town of New Windsor on October 26, 2005 transmitted to this Board a Statement of unpaid water, sewer and Beaver Dam garbage charges filed with the Town Clerk on October 26, 2005, containing a brief description of the property on which water, sewer and Beaver Dam garbage charges are unpaid, and the names of persons or corporations liable to pay the same, and the amount chargeable to each;

NOW BE IT RESOLVED, that there be levied on the 2006 Tax Roll of the Town of New Windsor against the properties set forth in said statement, and the unpaid water, sewer and Beaver Dam garbage charges so transmitted to the Board, and that the amount thereof be set forth as Unpaid Utilities on the 2006 Tax Roll for a total of \$342,999.84;

BE IT FURTHER RESOLVED, that the amount so levied shall be placed in the warrant of the County Legislature issued to the Tax Receiver of said Town in the same manner as general taxes are levied and collected, and shall be like lien as general taxes until the amount thereof is paid.

Roll Call: All Ayes

Motion Carried: 5-0

#16 On Agenda: Officials Reports

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

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Police Department	Month of September 2005
Building Department	Month of October 2005
Town Justice Suttlehan	Month of October 2005
Town Clerk	Month of October 2005

#17 On Agenda: Public Forum

Supervisor Meyers, "The ends that portion of the meeting, before I open it up to the public, I ask any of the board members if they have anything they would like to say."

Councilwoman Mullarkey, "Yes, Mr. Supervisor, on behalf of the Town Board and New Windsor Recreation Department, there are two businesses in our Town I would like to thank. Last Friday night we had our Halloween party and Hannaford's Foods donated all our cookies, all our juices, all our little doughnuts, and sodas. We had approximately four hundred children attending and we would publicly like to thank Hannaford's for their generous donation.

Last night, with Mike Napoli and Carole Nolan of our Recreation Department, we went up to Walmart and New Windsor was the recipient of \$500.00. This money will be used for our Food Pantry, we have a lot of people that need it, and Mike and Carole will go out and buy food supplies with the \$500. So publicly on behalf of my Board members, I would like to thank Walmart and Hannaford's for their very generous donations."

Mike Napoli, "I have the check right here and would like to present it to the Town Board and like Mrs. Mullarkey said, we do have a Food Pantry in the Town of New Windsor. Our main supplier was Wakefern at one time, but Wakefern moved to Pennsylvania, now we don't have a supplier. This check will help the Food Pantry which is in need in help."

Supervisor Meyers, "Just as a follow up to Mrs. Mullarkey, most businesses in town do nothing for the town, absolutely nothing, and we really appreciate those who do make a good living in town and contribute back to the town. It's nice that people do that so we are able to keep these things like the Food Pantry going, or it would be an added burden to the Town to try to keep it going themselves. Okay, that being said, anybody in the public want to speak to anything at all?"

Rebecca Jones, "Where is the Food Pantry?"

Supervisor Meyers, "Down at the Recreation Department, there is a procedure that people go through, they have to register, we check out to make sure they are needy and then if they are able to come, they pick it up, and if they are not able to come, we take it to them, isn't that right?"

"We have a very, very large number of people that we help, and from time to time we will help people outside the Town of New Windsor when it comes to our attention that they are in dire straits, we have done that."

Motion by Councilwoman Mullarkey, seconded by Councilman Finnegan 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

#18 On Agenda: Adjourn

Motion by Councilwoman Weyant, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor adjourn the Town Board Meeting at 7:23 p. m.

Roll Call: All Ayes

Motion Carried: 5-0

Respectfully submitted,

DEBORAH GREEN
TOWN CLERK

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