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**TOWN BOARD MEETING**  
 WEDNESDAY, JUNE 7, 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, Police Chief Biasotti, Comptroller Reis

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 Public Hearing regarding the proposed establishment of Drainage District 6, the Public Hearing regarding the proposed establishment of Drainage District 11 and the Town Board meeting all held on May 3, 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 - 2006 Street Paving Project**

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 on June 5, 2006 for the 2006 Street Paving Project submitted by New Windsor Equipment Rental and Service d/b/a Hudson Valley Asphalt, New Windsor, New York and Sullivan County Paving and Construction Inc., Cohecton, New York.

**#3 On Agenda: Motion - Award Bid - 2006 Street Paving Project**

Motion by Councilwoman Mullarkey, seconded by Councilman Finnegan that the Town Board of the Town of New Windsor award the 2006 Paving Project to the lowest bidder, New Windsor Equipment Rental and Service d/b/a Hudson Valley Asphalt, 14 Argenio Drive, New Windsor, New York in the amount of \$292,195.00 base bid, plus \$74,565.00 additional #1, plus \$51,100.00 additional #2 for a total of \$417,860.00.

**#4 On Agenda: Motion - Authorization To Advertise For Sealed Bids - 2007 Truck Chassis And 31 Cubic Yard Loader**

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey 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 purchase of a 2007 truck chassis and 31 cubic yard loader, 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 Wednesday, the 29th day of June 2006. The Town Board reserves the right to reject any or all bids.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**WATER DEPARTMENT**

**#5 On Agenda: Motion - Authorization To Advertise For Sealed Bids- Water Meters**

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 sealed bids for Water Meters. Bids shall be received and publicly opened on the 29<sup>th</sup> day of June 2006 at 10:00 A.M. (local time); at the office of the Town of New Windsor Town Clerk, 555 Union Avenue, New Windsor, New York. The Town Board of the Town of New Windsor reserves the right to reject any and/or all bids.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**SANITATION DEPARTMENT**

**GENERAL**

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**#6 On Agenda:      Motion - Authorize Execution Of Stipulation - New York State  
Department Of Environmental Conservation Regarding  
Petroleum Spill #0600961**

Motion by Councilwoman Weyant, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize the Supervisor to execute a stipulation pursuant to Section 17-0303 of the Environmental Conservation Law and Section 176 of the Navigation Law between the Town of New Windsor and the New York State Department of Environmental Conservation regarding Spill No. 0600961; a petroleum discharge that occurred at the Town of New Windsor Highway Garage, 857 Union Avenue, New Windsor, New York.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#7 On Agenda:      Motion - Authorize Release of Performance Bond -  
Dutchman 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 of New Windsor has accepted the road as a town highway; and

**WHEREAS**, the Town of New Windsor has already released the initial Performance Bond #NEIFSU0276553 at the Town Board meeting on May 3, 2006; and

**WHEREAS**, the Town of New Windsor has accepted bond number NEIFSU0276554 from International Fidelity Insurance Company in the amount of \$14,400.00; and

**WHEREAS**, the Bond has been held for the requisite period per a Town Board resolution regarding road dedication dated November 7, 2001; and

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of New Windsor release the Performance Bond on Dutchman Drive.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#8 On Agenda:      Motion - Adopt Establishment of Drainage District #6 -  
Mt. Airy Estates Subdivision**

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor adopt the establishment of Drainage District No. 6, in the Mount Airy Estates Subdivision (a/k/a the Reserve) in the Town of New Windsor, County of Orange, New York, pursuant to Article 12-A of the Town Law said adoption being subject to permissive referendum.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#9 On Agenda:      Motion – Authorize Execution Of Replacement Agreement -  
Butterhill Subdivision Street Lighting**

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize Supervisor George A. Green to enter into an agreement with Central Hudson Gas and Electric Corp. for the replacement of street lighting in the Butterhill Subdivision.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

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**#10 On Agenda:      Motion – Authorize Supervisor To Enter Into Agreement With Cost Control Associates, Inc.**

Motion by Councilwoman Weyant, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize the Supervisor to enter into an agreement with Cost Control Associates, Inc., 310 Bay Road, Queensbury, New York 12804 for an audit of the Towns utility and telecommunications bills.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#11 On Agenda:      Motion - Authorize Advertisement For Sealed Bids - Purchase and Installation Of Lighting - Mt. Airy Sports Complex**

Motion by Councilwoman Mullarkey, seconded by Councilman Finnegan 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 purchase and installation of lighting for one (1) football field and two (2) soccer fields at the Mt. Airy Sports Complex, bids to be received and publicly opened at 10:15 a.m. in the Town Clerk's office in Town Hall, 555 Union Avenue, New Windsor, New York on Wednesday, the 29th day of June 2006. The Town Board reserves the right to reject any or all bids.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#12 On Agenda:      Motion - Authorize Supervisor To Execute 2006 Master Plan Agreement - Stuart Turner And Associates**

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize Supervisor George A. Green to enter into a contract for professional services with Stuart Turner & Associates, Suffern, New York for the development of a comprehensive Master Plan for the Town of New Windsor and other services related to the development of such plan, compliance with the State Environmental Quality Review Act, preparation of any related Environmental Impact Statements and the identification of any desirable zoning modifications.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#13 On Agenda:      Motion - Appoint To Planning Board - Henry F. Scheible**

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor appoint Henry F. Scheible, 532 MacNary Road, New Windsor, New York to the Town of New Windsor Planning Board as an alternate. Term shall begin immediately and expire December 31, 2011.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#14 On Agenda:      Motion - Appoint Recreation Director - Matthew Veronesi**

Motion by Councilwoman Weyant, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor appoint Matthew Veronesi to the position of Recreation Director in the Town of New Windsor Recreation Department, effective May 17, 2006.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#15 On Agenda:      Motion - Appoint Deputy Police Chief - Richard S. Hovey**

Motion by Councilwoman Mullarkey, seconded by Councilman Finnegan that the Town Board of the Town of New Windsor promote Police Lieutenant Richard S. Hovey to the position of Deputy Police Chief in the Town of New Windsor Police Department, effective July 1, 2006.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

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**#16 On Agenda: Motion - Appoint Police Lieutenant - Michael Farbent**

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor promote Police Sergeant Michael Farbent to the position of Police Lieutenant in the Town of New Windsor Police Department, effective July 1, 2006.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#17 On Agenda: Motion - Appoint Patrol Sergeant - Frederick R. Fayo III**

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor promote Police Officer Fredrick R. Fayo III to the position of Police Patrol Sergeant in the Town of New Windsor Police Department, effective July 1, 2006.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#18 On Agenda: Motion - Appoint Patrol Sergeant - George J. Meyers IV**

Motion by Councilwoman Weyant, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor promote Police Detective George J. Meyers IV to the position of Police Patrol Sergeant in the Town of New Windsor Police Department, effective July 1, 2006.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#19 On Agenda: Motion - Appoint Police Officer - Joseph Bell**

Motion by Councilwoman Mullarkey, seconded by Councilman Finnegan that the Town Board of the Town of New Windsor appoint Joseph Bell, 82 Keats Drive, New Windsor, New York to the position of Police Officer in the Town of New Windsor Police Department, effective immediately.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#20 On Agenda: Receive And File Opinion Of State Commissioner Of Education**

Hearing no objection, the Town Board of the Town of New Windsor receive and file the Opinion of Richard P. Mills, State Commissioner of Education dated May 17, 2006 denying the Appeal of the Town of New Windsor and Supervisor George J. Meyers regarding the formation of a separate New Windsor school district.

**#21 On Agenda: Motion - Adopt Resolution -"New Windsor Volunteer Ambulance Corps, Inc. Vs. George J. Meyers, Supervisor, et al"**

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

**WHEREAS**, The U. S. Second Circuit Court of Appeals has rendered a judgment against the Town of New Windsor in the case known as "New Windsor Volunteer Ambulance Corps., Inc., vs. George J. Meyers, Supervisor, et al"; and

**WHEREAS**, the matter has been settled among the parties, subject to approval of Federal District Judge Brieant for the sum of not more than \$100,000.00 on behalf of both former Supervisor George J. Meyers and the Town of New Windsor; and

**NOW THEREFORE, BE IT RESOLVED** that the Attorney for the Town be authorized to settle the subject case for a sum of not more than \$100,000.00; and

**BE IT FURTHER RESOLVED** that the Attorney for the Town be directed to take all necessary actions to seek all legal indemnification from the Town's insurance carrier.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**#22 On Agenda: Receive And File Supplemental Agreement - New York Mass Transportation Operating Assistance Program**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk a fully executed supplemental agreement between the County and the Town of New Windsor regarding New York Mass Transportation Operating Assistance Program.

**#23 On Agenda: Receive And File Performance Surety Bond - Middle Earth Subdivision**

Hearing no objection, the Town Board of the Town of New Windsor receive and file a

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Performance Surety Bond numbered 08845174 from Fidelity and Deposit Company of Maryland in the amount of \$1,254,430.00 (as approved by this board on April 6, 2006) for the Middle Earth Subdivision.

**#24 On Agenda:      Receive And File Deed - Windsor Woods LLC - Portions Of Red Maple Way And Old Hemlock Drive**

Hearing no objection, the Town Board of the Town of New Windsor receive and file a deed from Windsor Woods, LLC to the Town of New Windsor conveying portions of Red Maple Way and Old Hemlock Drive (Section 90, Block 3, Lot 30) recorded in the Orange County Clerk's Office on February 23, 2006 in Liber 12088 at Page 924.

**#25 On Agenda:      Receive And File Deed - Windsor Woods LLC - Water Quality Pond**

Hearing no objection, the Town Board of the Town of New Windsor receive and file a deed from Windsor Woods, LLC to the Town of New Windsor conveying Water Quality Pond Parcel A in Drainage District #2 (Section 90, Block 3, Lot 29) recorded in the Orange County Clerk's Office on February 23, 2006 in Liber 12088 at Page 935.

**#26 On Agenda:      Receive And File Easement - Windsor Woods LLC**

Hearing no objection, the Town Board of the Town of New Windsor receive and file a utility easement from Windsor Woods, LLC to the Town of New Windsor (Section 90, Block 3, Lots 3 and 4) recorded in the Orange County Clerk's Office on February 23, 2006 in Liber 12088 at Page 930.

**#27 On Agenda:      Receive And File Irrevocable Offer Of Dedication - Easement #1 Valley Fields Estates Subdivision**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk an Irrevocable Letter of Credit dated April 26, 2006, for drainage and grading for easement #1, part of the Valley Fields Estates Subdivision (a/k/a Sawyer Subdivision.)

**#28 On Agenda:      Receive And File Irrevocable Offer Of Dedication - Easement #2 Valley Fields Estates Subdivision**

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 a fifteen (15') foot wide drainage Easement #2, a part of Valley Fields Estates Subdivision (a/k/a Sawyer Subdivision).

**#29 On Agenda:      Receive And File Irrevocable Offer Of Dedication - Roads And Rights Of Way - Valley Fields Estates Subdivision**

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 Pin Oak Drive, a part of the Valley Fields Estates Subdivision (a/k/a Sawyer Subdivision).

**#30 On Agenda:      Receive And File Extension Agreement - First Columbia International Group LLC - Building 2006**

Hearing no objection, the Town Board of the Town of New Windsor receive and file an Extension Agreement from First Columbia International Group LLC, dated May 30, 2006, renewing Release Agreement B for Stewart Barracks/Building #2006.

**#31 On Agenda:      Receive And File Release Agreement - First Columbia International Group LLC - Building 1200**

Hearing no objection, the Town Board of the Town of New Windsor receive and file a Release Agreement dated May 9, 2006, between Town of New Windsor and First Columbia International Group LLC, regarding Building 1200, parcel 91-1-20, at Stewart International Airport.

**#32 On Agenda:      Receive And File Summons And Verified Complaint - "Bronson Vs. Tudor And Town Of New Windsor"**

Hearing no objection, the Town Board of the Town of New Windsor receive and file a Summons and Complaint entitled "Winifred Brosnan vs. Town Of New Windsor and Charles and Barbara Tudor", dated April 28, 2006, and refer same to Town Attorney.

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**#33 On Agenda:      Receive And File Irrevocable Offer Of Dedication - Middle Earth Subdivision**

Hearing no objection, the Town Board of the Town of New Windsor receive and file an Irrevocable Offer of Dedication from Clay S. Clement and the Estate of Dorothy J. Clement and John M. Clement to the Town of New Windsor conveying Brandywine Road, Luthien Forest Road, Station Road and Water Detention Area.

**#34 On Agenda:      Officials Reports**

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

Assessors Office	Month of May 2006
Building Department	Month of May 2006
Fire Inspector	Month of May 2006
Justice Court (Donald J. Suttlehan)	Month of May 2006
Justice Court (Richard W. Thorpe)	Month of May 2006
Recreation Department	Month of May 2006
Tax Receiver	Month of May 2006
Town Clerk	Month of May 2006

**#35 On Agenda:      Public Forum**

Supervisor Green, "Before I open up the public forum, is there anything from the board? No, then we will now open public forum. Anything from the public?"

Leo Braun had a comment about the light replacement agreement with Central Hudson for the Butterhill Development. He feels that Central Hudson should own all the street lights and the wiring in Town. Supervisor Green explained that the Town Board is working on having Central Hudson eventually take over the street lights in all the subdivisions.

Jean Antonelli wanted to know what type of agreement the Town had with Cost Control Associates. Supervisor Green explained that the firm comes in and does an inspection, at no cost to the town, of all the utility and telecommunication bills that the town has and advises them how to cut their costs for these items. Jean then asked if the Town Board had formed a Master Plan Advisory Committee yet. Supervisor Green said that the committee will be appointed when the first meeting with Stuart Turner and Associates is held.

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Fran Maxwell asked where the Middle Earth Subdivision is located and was informed that it is located off of Jackson Avenue.

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

Motion by Councilwoman Biasotti, 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*

**#36 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 7:29 P. M.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

Respectfully submitted,

**DEBORAH GREEN**  
TOWN CLERK

/clc