

**TOWN BOARD MEETING**  
**WEDNESDAY, AUGUST 4, 2010; 7:00 P.M.**  
 NEW WINDSOR TOWN HALL  
 NEW WINDSOR, NEW YORK

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

**OTHER OFFICIALS PRESENT:** Comptroller Finnegan, Town Attorney Blythe, Deputy Police Chief Hovey, Highway Superintendent Fayo

**SALUTE TO FLAG**

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

**#1 On Agenda: Minutes**

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor approve the minutes of the Public Hearing regarding the proposed Street Improvement District for Oak Hill Drive and Deer Hill Road and the minutes of the Town Board meeting, both held on July 7, 2010, and the minutes of the Special Town Board meeting held on July 14, 2010 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**

**#2 On Agenda: Motion – Amend Standard Schedule of Fees - Water Rate**

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

**WHEREAS**, effective July 1, 2010, the rate for water sales which do not exceed the allowance quantities of water authorized to each municipal corporation or water district pursuant to Section 24-360 of the Administrative Code of the City of New York increased from \$922.23 per million gallons to \$1,149.72 per million gallons, a net increase of 24.7%; and

**WHEREAS**, the current water consumption rate for the Town of New Windsor is \$3.79 per 100 cubic feet; and

**WHEREAS**, the Town Board of the Town of New Windsor has determined that it is necessary to increase the water consumption rate charged to residents of the Town of New Windsor in order to maintain the financial integrity of the Consolidated Water District and the individual water districts;

**NOW THEREFORE, BE IT RESOLVED** that the Town Board of the Town of New Windsor, pursuant to Section 287.35 of the Town Code hereby amends the Standard Schedule of Fees and establishes a new water consumption rate in the amount of \$4.47 per 100 cubic feet; and

**BE IT FURTHER RESOLVED** that this amendment to the Standard Schedule of Fees will become effective September 1, 2010.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**SANITATION DEPARTMENT**

**GENERAL**

**#3 On Agenda: Motion – Adopt Order Calling Second Public Hearing – Street Improvement District**

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

**WHEREAS**, the residents of Oak Hill Drive and Deer Hill Road have expressed their desire to create a street improvement district comprised of the existing private roads: Oak Hill Drive and Deer Hill Road, abutting Bull Road in the Town of New Windsor; and

**WHEREAS**, on May 5, 2010 the Town Board of the Town of New Windsor received and filed a notarized petition from the residents of Oak Hill Drive and Deer Hill Road requesting the creation of this district in preparation for bond financing of road improvements to bring the construction of said roads to the point of rural road specifications for dedication of said roads to the Town of New Windsor; and

TOWN BOARD MEETING  
WEDNESDAY, AUGUST 4, 2010; 7:00 P.M.

**WHEREAS**, said petition estimated the cost for the creation of this district to be \$229,000.00; and

**WHEREAS**, a Public Hearing was held by the Town Board of the Town of New Windsor on July 7, 2010, at 555 Union Avenue, New Windsor, New York at 7:00 o'clock p.m. to hear all persons regarding the creation of a street improvement district comprised of the existing private roads; and

**WHEREAS**, the engineer has provided more definite plans and specifications for the project which have been reviewed by the Town Board; and

**WHEREAS**, these plans and specifications have revised the cost estimate to increase to \$308,167.00;

**NOW THEREFORE**, the Town Board of the Town of New Windsor, pursuant to Town Law Section 200(9), hereby calls a second Public Hearing to take place on the 1<sup>st</sup> day of September, 2010 at 555 Union Avenue, New Windsor, New York at 7:00 o'clock, p.m. to determine whether the street improvement district should be created and directs the Town Clerk to make all necessary publications according to law.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**# 4 On Agenda: Motion – Authorize Advertising For Public Hearing – 2011 Sewer Assessment Roll**

Motion by Councilman Lundstrom, 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 to be held on the 1<sup>st</sup> day of September 2010 at 7:00 P.M. in the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York, to hear all persons of the Town of New Windsor in all sewer districts interested in the proposed Sewer Assessment Roll for the year 2011.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

**# 5 On Agenda: Receive And File Drainage Easements – Oak Street Drainage Project**

Hearing no objection, the Town Board of the Town of New Windsor receive and file ten drainage easements, in accordance with the following list, for the Oak Street Drainage Project (a/k/a Spruce Street/Pine Street Drainage Project), said easements were recorded in the Orange County Clerk's office on the 29<sup>th</sup> day of June, 2010.

Lois Cofield, SBL 24-4-1.1

Kristopher Anderson, SBL 24-4-22

Anna D. Jensen, SBL 24-4-3

Jose E. Flores, Jr. and Jennifer Flores, SBL 24-4-23

John McQuiston, SBL 24-4-6.2

Curtis C. Pod, SBL 24-4-24

Christine E. VonHoff, SBL 24-4-7

Joseph P. White Jr. and Joan Muoio, SBL 24-4-26

Walter T. Olsen, Alicia E. Olsen and Daniel T. Olsen, SBL 24-4-8

Victor P. Elsevyf and Sonia Olmo, SBL 24-4-27.1

**# 6 On Agenda: Receive And File Audit Report – Year Ended December 31, 2009**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk the Audit Report for the Town of New Windsor from Nugent & Haeussler, P.C., Certified Public Accountants, for the year ended December 31, 2009.

**# 7 On Agenda: Receive And File Summons And Complaint – Daniel Lennon**

Hearing no objection, the Town Board of the Town of New Windsor receive and file Summons and Complaint in the matter of "Daniel Lennon v. Town of New Windsor" and refer same to Town Attorney for appropriate action.

**# 8 On Agenda: Receive And File Option And Land Lease Agreements – Verizon Cell Tower**

Hearing no objection, the Town Board of the Town of New Windsor receive and file Option and Land Lease Agreement; Memorandum of Option and Land Lease Agreement and Memorandum of Land Lease Agreement between Town of New Windsor and Orange County-Poughkeepsie Limited Partnership d/b/a Verizon Wireless for a cell tower located at 555 Union Avenue, New Windsor, New York.

TOWN BOARD MEETING  
WEDNESDAY, AUGUST 4, 2010; 7:00 P.M.

**# 9 On Agenda:     **Receive And File Collective Bargaining Agreement - CSEA****

Hearing no objection, the Town Board of the Town of New Windsor receive and file a Collective Bargaining Agreement by and between Town of New Windsor and CSEA, Local 1000 AFSCME, AFL-CIO, for the term January 1, 2010 to December 31, 2010.

**#10 On Agenda:     **Receive And File Fully Executed Agreement For Information  
Technology Services – Town Of Blooming Grove****

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk a fully executed Inter-Municipal Agreement to provide New Windsor information technology services to the Town of Blooming Grove.

**#11 On Agenda:     **Officials Reports****

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

Tax Receiver – Water/Sewer/Garbage, Revised	Month of June 2010
Building Department	Month of July 2010
Fire Prevention Department	Month of July 2010
Justice Court – Noreen Calderin	Month of July 2010
Justice Court – Richard W. Thorpe	Month of July 2010
Recreation Department	Month of July 2010
Tax Receiver – Water/Sewer/Garbage	Month of July 2010
Town Clerk	Month of July 2010

**#12 On Agenda:     **Public Forum****

Supervisor Green asked if any of the Town Board members wished to make any comments. Councilwoman Mullarkey spoke about Community Day which is scheduled for Saturday, August 28, starting at 10 a.m. and ending with a firework display generously paid for by the Vails Gate Fire Department, New Windsor Ambulance Corps and Supervisor Green. Community Day will be held at the Mount Airy Sports Complex on Mt. Airy Road. The Councilwoman went on to say that Community Day is completely paid for by donations received, vendor fees and sponsors with no taxpayer money being used; and all the profits made are donated back into Town events. Various live bands will be playing all day, there will be door prizes and raffles, and there will also be many activities for children, including possibly a rock climbing wall. She said they had hoped to be able to get a petting zoo, but the cost was too high. She urged everyone to attend and to spread the word to their neighbors. Supervisor Green said that the Special Events Committee donated \$5,000 back to the Town to help fund the summer concerts and without that donation the summer concerts would have been cancelled this year.

Leo Braun asked about parking at the Cornwall High School parking lot on Community Day and Supervisor Green said that Gallagher Leprechaun Lines has donated a school bus for the whole day to shuttle people back and forth to the park. He also said that there was a lot of parking available at the Sports Complex. He said that although Mt. Airy Park is always very busy with games going on, this is the first time that we have had something there for the entire public to come out for.

William Steidle asked for an update on the new zoning regulations. Supervisor Green said he told the committee he would like them to have it ready by the end of September with the public hearing to be held in November. Mr. Steidle asked that the Town Board consider holding an informational meeting prior to the public hearing so that the new proposals could be reviewed prior to the public hearing. Supervisor Green said that very little has been changed from the original, but anyone is welcome to come in a look at the changes at any time. He wasn't sure if there would be enough time to hold an information hearing prior to a public hearing.

Barney Bedetti asked if there was anything in the new CSEA contract that would impact the taxpayers and if he could see the contract. Supervisor Green said that no raises had been given and it was a public document that anyone could look at. Supervisor Green said he tried to be as fair as he could with the union and the union negotiated with an understanding of the economic conditions. He said New Windsor has the best workforce in the County and he would like to treat them like that. Unfortunately this is only a one year contract so he has to negotiate again this year with the CSEA and also with the PBA.

TOWN BOARD MEETING  
WEDNESDAY, AUGUST 4, 2010; 7:00 P.M.

Mr. Bedetti then asked how much extra water consumption the Town is being charged for. Supervisor Green said that it varies, for example in June the cost overruns were \$26,000. In 2009, the excess water consumption charges were \$209,819.47. Mr. Bedetti also asked if there was some way to tell if the over-consumption was heavier on either the residential or commercial side and the Supervisor said that there was no way to know. Mr. Bedetti wanted to know if there wasn't some way to control the prices that New York City charges all the upstate communities. Supervisor Green said that the State has no control, New York City charter is not answerable to the Public Service Commission.

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

Motion by Councilwoman Mullarkey, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor close the Public Forum.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

Supervisor Green said that water rates charged by New York City could quadruple by the end of the decade and we have no recourse. New Windsor and all municipalities should not be held hostage by New York City or by our neighbors and we must continue to search for potable groundwater, a good supply of water. He said the annual figure he mentioned earlier is only going to go up and everything we can do to supplement our supply from New York City is dollars in our pocket, dollars we can put toward improving our own system. He said the town is in negotiations with the City of Newburgh since they revoked both of the water agreements we had with them, although he couldn't go into their demands at this time. He said the answer doesn't rest with the City of New York, or the City of Newburgh or the Town of Newburgh, the answer must lie with the Town of New Windsor and a search for alternate sources of water. He said the St. Anne's well is going back on line which will provide approximately 150,000 gallons per day. Hopefully the new census data, which is what our water taking figure is based on, comes back with a high enough population count which allows us to take more water. In the long run, no matter what, we must find a source of potable water within our boundaries.

**#13 On Agenda: Adjourn**

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor adjourn the Town Board meeting at 7:36 p.m.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

Respectfully submitted,

**DEBORAH GREEN**  
TOWN CLERK

/clc