

**TOWN BOARD MEETING  
WEDNESDAY, MARCH 5, 2008; 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, Highway Superintendent Fayó, Town Attorney Blythe, Police Chief Biasotti

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

**#1 On Agenda: Minutes**

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor approve the Minutes of the Public Hearing regarding Increasing Income Limit – Low Income Senior Citizen Exemption and the Minutes of the Town Board meeting held on February 6, 2008, 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**

**GENERAL**

**#2 On Agenda: Motion – Authorize Appropriation Of Excess Revenues**

Motion by Councilwoman Biasotti, seconded by Councilman Lundstrom 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 the appropriation of excess revenues in the General Fund, Water Fund, Various Sewer Districts and Fire Districts in accordance with the following schedule:

**General Fund**

To:	Youth Programs	\$69,530
	Playgrounds	92,000
	Planning Engineer	118,960
	Highway Garage Fuel Spill	297,700
	Engineering	126,170
	Police Expenses & Project Impact	22,950
	Building Inspector Labor	39,000
	Information Technology Labor	46,910
	Justice Court	25,900
	Interfund Escrow	31,190
		<u>\$870,310</u>
From:	Sales Tax	\$560,000
	Engineering	160,000
	Franchise Fees	60,000
	Recreation	70,000
	Interfund Transfer	20,310
		<u>\$870,310</u>

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**Water Fund**

To:	Interfund Debt Service	\$223,280
	Water Purchases	<u>99,690</u>
		<u>\$322,970</u>
From:	Water Sales	\$248,000
	Water Charges	24,000
	Interest Earnings	<u>50,970</u>
		<u>\$322,970</u>

**Various Sewer Districts**

To:	Debt Service	\$1,052
From:	Property Taxes	\$1,050
	Interest Earnings	<u>2</u>
		<u>\$1,052</u>

**Fire Districts**

To:	Fire Protection	\$63
From:	Property Taxes	<u>\$63</u>

*Roll Call: All Ayes**Motion Carried: 5-0***#3 On Agenda: Motion – Authorize Appropriation Of Fund Balance**

Motion by Councilwoman Mullarkey, seconded by Councilwoman Weyant 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 the appropriation of fund balance in the Highway Fund and Ambulance District in accordance with the following schedule:

**Highway Fund:**

To:	Truck & Heavy Equipment	\$79,745.
	Sand & Salt	<u>25,310.</u>
		\$105,055.
From:	Fund Balance at 12/31/07	\$105,055.

**Ambulance District:**

To:	Ambulance Protections	\$6,912.
From:	Fund Balance at 12/30/07	\$6,912.

*Roll Call: All Ayes**Motion Carried: 5-0***#4 On Agenda: Receive And File Executed Grant #2007-O-02 – Reconstruction Of Plum Point Park**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk a fully executed Grant #2007-O-02 for the reconstruction of Plum Point Park at Kowawese State Trail Park.

**#5 On Agenda: Receive And File Public Employer Risk Management Association Workers Compensation Program Agreement (Tail Agreement)**

Hearing no objection, the Town Board of the Town of New Windsor receive and file fully executed Public Employer Risk Management Association Workers' Compensation Program Agreement for claims arising from injuries occurring prior to January 1, 2008 (Tail Agreement).

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**#6 On Agenda:      **Receive And File Certificate Of Determination And Details Of Sale And Issuance – 2008 Public Improvement Serial Bonds****

Hearing no objection, the Town Board of the Town of New Windsor receive and file a Certificate of Determination by the Supervisor relative to the terms, Form and Details of Sale and Issuance of \$900,000.00 Public Improvement Serial Bonds – 2008 of the Town of New Windsor, New York and providing for their private sale as authorized by the Town Board on October 3, 2007, for the purpose of remediation of ground soil and related environmental remediation at the Highway Department site pursuant to stipulation between the Town of New Windsor and the New York State Department of Environmental Conservation.

Supervisor Green took this opportunity to go on record and complement the very good working relationship the Town enjoyed with the Department of Environmental Conservation and especially Dave Traver on this project.

**#7 On Agenda:      **Receive And File Petition And Map, Plan And Report – Propose Drainage District #13 (Shadowfax Run Major Subdivision)****

Hearing no objection, the Town Board of the Town of New Windsor receive and file Petition, dated February 21, 2008, and Map, Plan and Report, last revised January 7, 2008, for proposed Drainage District #13, Shadowfax Run Major Subdivision, Planning Board #03-23, as approved by Town Engineer in correspondence dated January 29, 2008.

**#8 On Agenda:      **Receive And File Petition And Map, Plan And Report – Proposed Drainage District #14 (Meadowbrook Major Subdivision)****

Hearing no objection, the Town Board of the Town of New Windsor receive and file a Petition, dated February 5, 2008, and Map, Plan and Report, dated February, 2008, for proposed Drainage District #14, Meadowbrook Major Subdivision, Planning Board #01-42, as approved by Town Engineer.

**#9 On Agenda:      **Receive And File Developer's Agreement – Covington Estates****

Hearing no objection, the Town Board of the Town of New Windsor receive and file Developer's Agreement between Town of New Windsor and RRMGNWH, LLC, dated November 8, 2007, and recorded in the Orange County Clerk's office on the 26<sup>th</sup> day of November, 2007, as File #20070126882 (Covington Estates).

**#10 On Agenda:      **Receive And File Developer's Agreement – Meadowbrook Estates****

Hearing no objection, the Town Board of the Town of New Windsor receive and file Developer's Agreement between Town of New Windsor and Land Master Community Developers, LLC, dated November 8, 2007, and recorded in the Orange County Clerk's office on the 26<sup>th</sup> day of November, 2007, as File #20070126876 (Meadowbrook Estates).

**#11 On Agenda:      **Receive And File Permit Bond - Valley Contracting Inc.****

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Continuation Certificate for Permit Bond #43161371, submitted by Valley Contracting, Inc., P. O. Box 7253, New Windsor, New York, in the amount of \$20,000.00, effective February 15, 2008 and expiring February 15, 2009 together with Rider to same correcting the spelling of the principal's name. 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 Town Attorney and the Town Highway Superintendent.

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**#12 On Agenda: Receive And File Notice Of Claim – Tucci Vs. Town Of New Windsor**

Hearing no objection, the Town Board of the Town of New Windsor receive and file Notice of Claim of Caroline Tucci against the Town of New Windsor, dated February 5, 2008, concerning a slip and fall and direct the Town Attorney to arrange for indemnification and defense as required.

**#13 On Agenda: Receive And File Notice Of Claim – Vaccarino Vs. Town Of New Windsor**

Hearing no objection, the Town Board of the Town of New Windsor receive and file Notice of Claim of Jeffery Vaccarino against the Town of New Windsor, dated December 5, 2007, concerning an accident on River Road and direct the Town Attorney to arrange for indemnification and defense as required.

**#14 On Agenda: Appoint To Special Events Committee**

As Supervisor, I appoint the following to serve on the **Special Events Committee**:

Patricia Mullarkey, Chairperson	
Alice Biasotti	Stephanie Heft
Pat Corsetti	Sue Weyant
Mary Ann Hotaling	Susan Zappolo
Deborah Green	Kim Ulrich

**#15 On Agenda: Receive And File Sewer Line Replacement Permit – Erie Avenue**

Hearing no objection the Town Board of the Town of New Windsor receive and file with the Town Clerk a Sewer Line Replacement Permit for Erie Avenue.

**#16 On Agenda: Officials Reports**

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

Building Department	Month of February 2008
Fire Prevention	Month of February 2008
Receiver of Taxes – Monthly Tax Statement	Month of February 2008
Receiver of Taxes – Water-Sewer-Garbage	Month of February 2008
Recreation Department	Month of February 2008
Town Clerk	Month of February 2008
Town Justice Suttlehan	Month of February 2008
Town Justice Thorpe	Month of February 2008

**#17 On Agenda: Public Forum**

Supervisor Green opened the public forum portion of the meeting, but before taking comments, he extended his congratulations to Police Chief Biasotti for being accepted into the Center for Homeland Defense and Security Master's Degree Program at the Naval Postgraduate School in Monterey, California. Supervisor Green said that this acceptance was quite an honor as there are several thousand program applicants worldwide and only about thirty are actually accepted. The program is fully funded by the Department of Homeland Security and two weeks of classes must be attended every quarter. Chief Biasotti said at the end of the course, he will get an "action plan" for the Town of New Windsor on defending any of our infrastructure that might be susceptible to terrorism or other attacks. He said New Windsor has a host of potential problems.

Supervisor Green asked if anyone on the Board or the audience had any comments or questions.

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Bill Steidle asked if there had been any progress made on lowering the speed limit west of the thruway.

Supervisor Green said that no progress had been made as yet and he reminded him that the Department of Transportation now requires a traffic engineering study be done by a municipality to submit with their speed limit request. The Town is looking for ways to finance that study. He also said the Town has been fighting the speed limits on these roads for twenty to thirty years with no success.

Kirk Williams asked about the oil spill remediation at the Highway garage and if it was possible to recover any damages from the contractor. Supervisor Green said that matter was under examination for litigation and he couldn't comment on it.

A resident made the comment that simply lowering the speed limit on the roads in question will not necessarily slow speeders down. William Steidle agreed with that comment however he said that lowering the limit was a start in the right direction.

Motion by Councilwoman Weyant, seconded by Councilwoman Mullarkey 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*

**#16 On Agenda: Adjourn**

Motion by Councilman Lundstrom, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor adjourn the Town Board meeting at 8:00 P. M.

*Roll Call: All Ayes*

*Motion Carried: 5-0*

Respectfully submitted,

**DEBORAH GREEN**  
TOWN CLERK

/clc