

TOWN BOARD MEETING
WEDNESDAY, MAY 3, 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: Highway Superintendent Fayo, Town Attorney Blythe, Police Lieutenant Hovey, 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 Town Board meeting held on April 5, 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: Motion - Authorization To Reduce Performance Bond For Vantage Subdivision - Planning Board #01-55

Motion by Councilwoman Weyant, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor reduce the Performance Bond for the Vantage Subdivision — Planning Board #01-55 — to the amount of \$154,650.00 as per the recommendation of the Planning Board Engineer.

Roll Call: All Ayes Motion Carried: 5-0

#3 On Agenda: Receive And File Amended Letter of Credit for Vantage Subdivision

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk an amended Letter of Credit number 2066, from Union State Bank in favor of the Town of New Windsor for the Vantage Subdivision.

#4 On Agenda: Motion - Establish Performance Bond - Sawyer Major Subdivision

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor establish the amount of the performance bond required for the Sawyer Major Subdivision in the amount of \$859,289.50, as recommended by the Planning Board Engineer and to establish the associated inspection fee at \$34,372.00 representing four (4%) percent of the public improvement performance bond.

Roll Call: All Ayes

Motion Carried: 5-0

#5 On Agenda: Motion - Authorize Release Of Performance Bond - Paul Court

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 Comptroller has accepted a cash maintenance bond in the amount of 10% (\$19,722.00) of the original performance bond; and

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town of New Windsor release the performance bond on Paul Court.

Roll Call: All Ayes

Motion Carried: 5-0

#6 On Agenda: Motion - Authorize Release Of Maintenance Bond - Dutchman Drive

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 of New Windsor has accepted the road as a town highway; and

WHEREAS, the Town of New Windsor has accepted maintenance bond number NEIFSU0276553 from International Fidelity Insurance Company in the amount of ten (10%) percent (\$14,056.00) of the original performance bond; and

TOWN BOARD MEETING
WEDNESDAY, MAY 3, 2006; 7:00 P.M.

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

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

Roll Call: All Ayes Motion Carried: 5-0

#7 On Agenda: Receive And File Irrevocable Offer Of Dedication - Briarwood Subdivision

Hearing no objection, the Town Board of the Town of New Windsor receive and file an Irrevocable Offer of Dedication dated October 21, 2005 relating to Briarwood Lane, Cooper Court, Swan Hollow, 4 strips of land for road widening purposes, lots 43-46, and a sewer and drainage easement thru Lots 23-26 all of which are described in Schedule "A" attached to said Offer of Dedication for Briarwood Subdivision.

#8 On Agenda: Receive And File Deed - Applied Building Development Of New York, NWTIC

Hearing no objection, the Town Board of the Town of New Windsor receive and file a deed from Applied Building Development of New York, NWTIC to the Town of New Windsor conveying Rolling Ridge Road in the Shannon Acres Subdivision (a/k/a Forest Glen) which was recorded in the Orange County Clerk's Office on January 19, 2006 in Liber 12057 at Page 0999, Section 89, Block 1, Lots 7.12 and 7.22.

WATER DEPARTMENT

#9 On Agenda: Motion – Authorization To Execute Both Emergency And 20-Year Renewable Water Agreements With City Of Newburgh

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize Supervisor Green to execute both Emergency and Twenty Year Renewable Water Agreements with the City of Newburgh as approved by the Town Attorney and Town Engineer.

Roll Call: All Ayes

Motion Carried: 5-0

SANITATION DEPARTMENT

#10 On Agenda: Motion – Authorize Execution Of All Documents Necessary For Relocation Of A Sewer Easement - Quick Chek Corporation

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize Supervisor Green to execute all documents necessary for the relocation of a sewer easement located at or near Section 12, Block 1, Lot 49, commonly known as Quick Chek Corporation/Planning Board # 05-16.

Roll Call: All Ayes

Motion Carried: 5-0

GENERAL

#11 On Agenda: Motion - Adopt Resolution In Support Of St. Mary's Roman Catholic Church, Newburgh, New York

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

WHEREAS, an essential component of all communities is its churches; and

WHEREAS, St. Mary's Roman Catholic Church located at 180 South Street in the City of Newburgh has been a beacon of hope in the community for 131 years; and

WHEREAS, St. Mary's Church has provided service to the people of the City of Newburgh, Town of Newburgh and the Town of New Windsor through its various outreach programs; and

WHEREAS, the Town of New Windsor has long been a commuter community, in which people drive to their houses of worship and determine which Parish they wish to attend on the basis of the services and inspiration offered as opposed to geographical location; and

WHEREAS, St. Mary's Church is considered the home parish for Mount Saint Mary's College, an outstanding institution of higher education as well as for Bishop Dunn Elementary School; and

TOWN BOARD MEETING
WEDNESDAY, MAY 3, 2006; 7:00 P.M.

WHEREAS, St. Mary's Parish is growing with increased membership and remains financially sound, the remodeling and refurbishment of St. Mary's Church under the current Pastor has resulted in what is one of the most beautiful houses of worship in the Hudson Valley; and

WHEREAS, the Parish of St. Mary's has, through its parishioners, been an integral force for good governmental policies and practices; and

THEREFORE BE IT RESOLVED, that the Town Board of the Town of New Windsor hereby requests that the Archdiocese of New York reconsider its decision to close St. Mary's Roman Catholic Church; sighting the Archdiocese nearly a half century ago, that our Churches must not desert our inner cities, due to the immeasurable negative impact this would impose on all communities.

Roll Call: All Ayes

Motion Carried: 5-0

#12 On Agenda: Motion - Adopt Resolution Supporting St. Francis Of Assisi Roman Catholic Church, Newburgh, New York

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

WHEREAS, St. Francis of Assisi Church located at 145 Benkard Avenue in the City of Newburgh has been serving the surrounding communities for nearly 100 years; and

WHEREAS, St. Francis of Assisi Church has provided service to the people of the City of Newburgh, Town of Newburgh and the Town of New Windsor through its various outreach programs; and

WHEREAS, the Parish of St. Francis of Assisi has, through its parishioners, been an integral force for good governmental policies and practices; and

WHEREAS, St. Francis of Assisi Church opened its doors to provide classrooms to the Newburgh Enlarged City School District to use for special programs for some of the district's most hard-to-reach students; and

WHEREAS, transitioning Saint Francis of Assisi from a fully operational church to a mission church will create an irreplaceable void that will require additional government services to supplement the loss of charitable acts provided by this church.

THEREFORE BE IT RESOLVED, that the Town Board of the Town of New Windsor hereby requests that the Archdiocese of New York reconsider the designation of St. Francis of Assisi Church as a mission to Sacred Heart Parish; sighting the Archdiocese nearly a half century ago, that our Churches must not desert our inner cities, due to the immeasurable negative impact this would impose on all communities.

Roll Call: All Ayes

Motion Carried: 5-0

#13 On Agenda: Motion - Authorize Supervisor To Sign Fifth Amendment To Lease - Town Of New Windsor And Verizon

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize Supervisor Green to sign the fifth amendment to a lease between Verizon (tenant) and the Town of New Windsor (landlord) which will extend said lease for one year.

Roll Call: All Ayes Motion Carried: 5-0

#14 On Agenda: Motion - Authorize Town Supervisor To Sign Legal Documents- New York State Parks And Recreation

Motion by Councilwoman Weyant, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize George A. Green, Supervisor of the Town of New Windsor, to sign legal documents on behalf of the Town of New Windsor for the purpose of an application proposal package to New York State Parks and Recreation.

Roll Call: All Ayes Motion Carried: 5-0

#15 On Agenda: Receive And File General Release Regarding Property Damage - 19 St. Anne Drive

Hearing no objection, the Town Board of the Town of New Windsor receive and file a General Release regarding property damage which occurred on or about April 2, 2005 at St. Anne Drive in the Town of New Windsor.

TOWN BOARD MEETING
WEDNESDAY, MAY 3, 2006; 7:00 P.M.

#16 On Agenda: Receive And File Agreement - Town of New Windsor and CSEA

Hearing no objections, the Town Board of the Town of New Windsor receive and file with the Town Clerk an Agreement between the Town of New Windsor and the CSEA, Local 1000 AFSCME, AFL-CIO, Town of New Windsor Unit, Orange County Local 836; effective January 1, 2006 through December 31, 2009.

**#17 On Agenda: Receive And File Agreement - Town of New Windsor and
Patrolmen's Benevolent Association (PBA)**

Hearing no objections, the Town Board of the Town of New Windsor receive and file an Agreement between the Town of New Windsor and the Patrolmen's Benevolent Association (PBA) of New Windsor, New York; effective July 1, 2006 through December 31, 2007.

**#18 On Agenda: Receive And File Easement - Applied Building Development Of
New York, NWTIC To Town Of New Windsor**

Hearing no objection, the Town Board of the Town of New Windsor receive and file an easement from Applied Building Development of New York, NWTIC to the Town of New Windsor for drainage improvements in the Shannon Acres Subdivision (a/k/a Forest Glen) recorded in the Orange County Clerk's Office on January 19, 2006 in Liber 12057 at Page 1009, for Section 89, Block 1, Lot 7.12.

#19 On Agenda: Receive And File Requests For Proposal - New Windsor Master Plan

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk request for proposals submitted by Stuart Turner & Associates, Suffern New York, Behan Planning Associates, LLC, Saratoga Springs, New York and Saratoga Associates, New York, New York regarding the Town of New Windsor Master Plan.

#20 On Agenda: Receive And File Bids - Sale Of Used Vehicles And Equipment

Hearing no objections, the Town Board of the Town of New Windsor receive and file bids for the sale of used Town vehicles and equipment received and publicly opened on April 25, 2006.

#21 On Agenda: Motion - Award Bids - Used Vehicles And Equipment

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor award bids for the following vehicles and equipment to the highest bidders as per the bids received and publicly opened on April 25th, 2006:

Yannone's Auto Repair, 2894 Route 9W, New Windsor, New York 12553

1. GMC Pick up Truck	(VIN# 1GTGK24K2KE515961)	\$1,503.00
2. 1980 Case Backhoe	(#9010929)	\$6,153.00
3. 1981 John Deere Backhoe	(#310A035552T)	\$5,103.00

Liberty Motors Inc., 1705-1707 JFK Blvd., Jersey City, New Jersey 07305

1. 1990 International Dump Truck	(VIN# 1HTSETVR7LH257295)	\$6,691.99
2. 1989 GMC One Ton Dump Truck	(VIN# 1GDJV34K0KJ505287)	\$2,729.99
3. 1995 Ford Taurus	(VIN# 1FACP5243SA201349)	\$431.99
4. 1999 Ford Crown Victoria	(VIN# 2FAFP71W7XX200358)	\$1,929.99
5. 1999 Ford Crown Victoria	(VIN# 2FAFP71W0XX199215)	\$1,739.99
6. 1998 GMC 1500 Pickup Truck	(VIN# 1MELM50U4SA627636)	\$431.99

All vehicles and equipment must be removed from location(s) within thirty days of award. Cash or certified check are the only acceptable forms of payment.

Roll Call: All Ayes

Motion Carried: 5-0

#22 On Agenda: Officials Reports

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

Building Department	Month of March 2006
Police Department	Month of March 2006
Tax Receiver (Tax Statement)	Month of March 2006
Building Department	Month of April 2006
Fire Inspector	Month of April 2006
Justice Court (Donald J. Suttlehan)	Month of April 2006
Justice Court (Richard W. Thorpe)	Month of April 2006
Tax Receiver (Water, Sewer & Garbage)	Month of April 2006
Town Clerk	Month of April 2006

#23 On Agenda: Public Forum

TOWN BOARD MEETING

WEDNESDAY, MAY 3, 2006; 7:00 P.M.

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?"

A resident asked if it was possible to expand on the agenda items so it was easier to understand what was being discussed and voted on and if it was possible for the meeting agenda to be placed on the website the day before a meeting.

Supervisor Green told her that the agenda often changes at the last minute and it is difficult to place the entire agenda on the website prior to a meeting, however the workshop agenda could be placed on the website after the workshop meeting.

Another resident inquired whether there would still be a Town Board meeting and workshop the first week in July because of the July 4th holiday. Supervisor Green informed her that the workshop will be held on Monday, July 3 and the meeting on Wednesday, July 5, as scheduled.

Leo Braun had a questions about the water agreements signed with the City of Newburgh and he also had a question as to the location of the Park and Recreation project. The supervisor explained that the Park and Recreation motion was just a minor requirement needed for a \$20,000 grant. One of the City of Newburgh water agreements is for emergency taking from Brown's Pond and the other is for a long term taking of the excess capacity from the City of Newburgh water system.

Barney Bedetti asked whether the water agreements would have any effect on the moratorium. Supervisor Green said this should lift the moratorium. Mr. Bedetti also wanted to know where drainage district #6 was located. He was informed that it was the Reserve Subdivision located out on Mt. Airy Road.

Joan Ruffino inquired as to the status of the master plan. Supervisor Green advised her that the Request for Proposals were just received and filed. After receiving the engineer's recommendation, a special meeting might be called in order to award the bid as quickly as possible after that recommendation. She then wanted to know if there could be a building moratorium put in place until the master plan comes in.

Supervisor Green said that presently there are so many things before the Planning Board, it would be very difficult to implement a building moratorium. The Planning Board will know that a new master plan is going into effect and will take this into consideration in their decisions.

Fran Maxwell asked about getting a director for the master plan or for developing the master plan. Supervisor Green explained that we are not looking for a director, but rather a firm that does master plans, that is what the RFP was for. After the selection of a firm to develop the plan, it would take about a year for completion of the plan. She also asked about the water moratorium. Supervisor Green reminded her that the water moratorium only says that there will be no more extensions of water mains, it does not say there will no more lateral hookups. He said that the town has developments that have been waiting seven or eight years for water, and if we have the availability to give them water and can move forward, we could not defend ourselves very well in a lawsuit brought by a developer if water hookups were denied to them.

Maureen Schjorring thanked the Board for their efforts on behalf of St. Mary's and St. Francis Churches. She wanted to know if the board could require developers to stop clearing every tree off a piece of property before they built.

Supervisor Green explained that after a plan was submitted to the Planning Board and approved, the developers could do no more clearing so they tried to get the land completely cleared beforehand.

Fran Shapiro said that other towns have a "no clear cutting" policy and wonders if the town could look into passing a similar policy. The Supervisor said he would talk to other towns to see what type of policy they had in effect and would also try to get a copy of sample legislation from General Code.

William Steidle asked for the names of the firms who had submitted proposals for the master plan. In regard to a building moratorium, he feels that the town should be driven by what is best for the residents, without worrying about who might decide to file a lawsuit against the Town. He asks that the Town Board consider implementing a building moratorium.

Barney Bedetti wondered if our water limitations were due to the filtration plant or our water sources. Supervisor Green replied that if the aqueduct was never shut down, we would have an unlimited supply of water, however when the aqueduct is shut down, we have no source of water other than Brown's Pond.

Fran Maxwell questioned whether the City of New York is raising the aqueduct fee fifty percent. Supervisor Green told her that the fees are raised constantly. Last year the fees were raised thirty percent.

Leo Braun reminded Supervisor Green that he and Town Attorney Blythe are expected at a meeting of the Concerned Citizens on May 13th.

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

TOWN BOARD MEETING
WEDNESDAY, MAY 3, 2006; 7:00 P.M.

#24 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 8:56 P. M.

Roll Call: All Ayes

Motion Carried: 5-0

Respectfully submitted,

DEBORAH GREEN
TOWN CLERK

/clc