

TOWN BOARD MEETING
 WEDNESDAY, JUNE 1, 2005, 10:00 A. 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
 Chief Biasotti, Highway Superintendent Kroll

On behalf of the Town Board, Supervisor Meyers acknowledged the retirement of Police Officers Glenn Marshall with thirty years of service and William Hannaford with twenty three years of service with the New Windsor Police Department.

#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 May 4, 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

#2 On Agenda: Motion - Appoint Of Hearing Officer - Disciplinary Hearing

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

IT IS HEREBY RESOLVED that pursuant to Civil Service Law, Section 75, the Town Board of the Town of New Windsor hereby authorizes the Town Supervisor to appoint a hearing officer to hear all charges preferred by the Highway Superintendent of the Town of New Windsor against one of its Highway employees and to make recommendations for disciplinary action to the Town Board. A hearing will be held on the 7th day of June, 2005 at 10:00 a.m. in the Courtroom at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York, or on such date as the parties may agree.

IT IS FURTHER RESOLVED that the hearing officer shall be paid the sum of One Hundred Twenty Five (\$125.00) Dollars per hour for services rendered.

BE IT FURTHER RESOLVED that the Town Board authorize the appointment of John O'Reilly as special counsel for the Town of New Windsor in this matter.

Roll Call: All Ayes

Motion Carried: 5-0

WATER DEPARTMENT

SANITATION DEPARTMENT

#3 On Agenda: Motion - Authorize Final Payment - Sewer Treatment Plant Roof Replacement - Hayden Building Maintenance

Motion by Councilwoman Mullarkey, seconded by Councilman Finnegan that the Town Board of the Town of New Windsor authorize the final payment in the amount of \$8,454.25 to Hayden Building Maintenance, 169 Western Highway, West Nyack, New York, for work on the Sewer Treatment Plant Roof Replacement Project as per the recommendation of McGoey, Hauser and Edsall Consulting Engineers, P. C. under the date of May 23, 2005.

Roll Call: All Ayes

Motion Carried: 5-0

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**#4 On Agenda: Motion - Authorize Execution Of Moodna-Majestic Sewer
 Reallocation Intermunicipal Agreement**

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the Town Supervisor to execute the Moodna-Majestic Sewer Reallocation Intermunicipal Agreement with the Town of Cornwall and Moodna Creek Development Ltd., which agreement Treatment Plant to the Town of New Windsor and also to establish procedures for the issuance of Certificates of Allocation.

Roll Call: Councilwoman Biasotti Aye
 Councilwoman Weyant Abstain
 Councilwoman Mullarkey Aye
 Councilman Finnegan Aye
 Supervisor Meyers Aye

Motion Carried 4-0

GENERAL

**#5 On Agenda: Receive And Fill Certificate Of Town Clerk Regarding No
 Referendum - First Columbia Land Sale**

Hearing no objection, the Town Board of the Town of New Windsor receive and file a Certificate of Town Clerk regarding No Referendum on the resolution of the Town of New Windsor, New York, adopted April 6, 2005 authorizing the Town Board to sell fifty (50) acres, more or less, to First Columbia International Group, LLC for a residential condominium project.

**#6 On Agenda: Receive And File Agreement Of Sale - Town Of New Windsor
 And First Columbia For Approximately Fifty (50) Acres**

Hearing no objection, the Town Board of the Town of New Windsor receive and file an Agreement of Sale dated May 17, 2005 between the Town of New Windsor and First Columbia International Group, LLC consisting of approximately 50 +/- acres, at the former Stewart Army Subpost for a residential condominium project.

**#7 On Agenda: Receive And File Petition From Residents of Red Maple Way
 And Old Hemlock Drive Protesting Installation of Sidewalks**

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk a petition from the residents of Red Maple Way and Old Hemlock Drive protesting the installation of sidewalks.

**#8 On Agenda: Receive And File Irrevocable Letter Of Credit - Windsor Woods
 Subdivision**

Hearing no objection, the Town Board of the Town of New Windsor receive and file a replacement Irrevocable Letter of Credit issued by Union State Bank dated May 12, 2005 in the amount of \$196,066.00 for the account of Windsor Woods LLC with regard to Windsor Woods Subdivision.

**#9 On Agenda: Receive And File Appraisal Of Property For 50 +/- Acres Of
 Vacant Land On World Trade Way**

Hearing no objection, the Town Board of the Town of New Windsor receive and file an appraisal of property for 50 +/- acres of vacant land on World Trade Way prepared by Valuation Consultants Incorporated and dated January 27, 2005.

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#10 On Agenda: **Receive And File Annexation Petition Pertaining To Meadowbrook Estates**

Hearing no objection, the Town Board of the Town of New Windsor receive and file the Annexation Petition between the Town of Cornwall and the Town of New Windsor relating to Meadowbrook Estates dated April 25, 2005 and forward the Petition to the Attorney for the Town for further proceedings as prescribed by law.

#11 On Agenda: **Receive And File Annexation Petition Pertaining To Cornwall Commons**

Hearing no objection, the Town Board of the Town of New Windsor receive and file the Annexation Petition between the Town of Cornwall and the Town of New Windsor relating to Cornwall Commons dated April 25, 2005 and forward the Petition to the Attorney for the Town for further proceedings, as prescribed by law.

#12 On Agenda: **Motion – Authorize Supervisor To Enter Into Contract And Execute Deed - Dean Hill Road**

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 is reputed to have interest in a certain parcel of land known as Dean Hill Road, as shown on a metes and bounds description dated February 2005, prepared by William B. Hildreth; and

WHEREAS, adjoining property owners, William and Margaret McDonnell, have requested that the Town of New Windsor sell them this parcel to be merged with their property, known as Section 67, Block 1, Lot 1; and

WHEREAS, the Town of New Windsor is agreeable to sell the parcel for a fair market value of \$12,000 as established by the Town Assessor;

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be authorized to enter into a Contract of Sale and execute a Deed to William and Margaret McDonnell, 1131 Sharpshooter Road, Moretown, Vermont 05660; and

BE IT FURTHER RESOLVED that the proposed sale having been reviewed by Town officials, and it has been established that the land is no longer needed for municipal purposes;

BE IT FURTHER RESOLVED, that the sale price of \$12,000 and the sale is subject to permissive referendum, the closing of title to be held in the office of the Attorney for the Town and the purchaser paying all expenses including engineering fees, title insurance, recording and Planning Board fees.

Roll Call: All Ayes

Motion Carried: 5-0

#13 On Agenda: **Motion – Authorize Supervisor To Enter Into Contract And Execute Deed - Kings Road**

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

WHEREAS, the Town of New Windsor is reputed to have interest in a certain parcel of land known as Kings Road, as shown on a metes and bounds description dated October 8, 2004 prepared by Daniel P. Yanosh; and

WHEREAS, adjoining property owners, Michael T. and Victoria E. Lamb, have requested that the Town of New Windsor sell them this parcel to be merged with their property, known as Section 32, Block 1, Lot 23.2; and

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WHEREAS, the Town of New Windsor is agreeable to sell the parcel for a fair market value of \$11,400 as established by the Town Assessor;

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor be authorized to enter into a Contract of Sale and execute a Deed to Michael T. and Victoria E. Lamb, P. O. Box 1226, New City, New York 10956; and

BE IT FURTHER RESOLVED that the proposed sale having been reviewed by Town officials, and it has been established that the land is no longer needed for municipal purposes;

BE IT FURTHER RESOLVED, that the sale price of \$11,400 and the sale is subject to permissive referendum, the closing of title to be held in the office of the Attorney for the Town and the purchaser paying all expenses including engineering fees, title insurance, recording and Planning Board fees.

Roll Call: All Ayes

Motion Carried: 5-0

#14 On Agenda: Motion - Authorization To Advertise For Sealed Bids - Sale Of Used Town Equipment

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant 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 sale of used town equipment, the bids to be received and publicly opened at 10:00 a.m. in the Town Clerk's office in Town Hall, 555 Union Avenue, New Windsor, New York, on the 16th day of June, 2005. The Town Board reserves the right to reject any or all bids.

Roll Call: All Ayes

Motion Carried: 5-0

#15 On Agenda: Motion - Authorize Payment - Metal Detector - New Windsor Justice Court

Motion by Councilwoman Mullarkey, seconded by Councilman Finnegan that the Town Board of the Town of New Windsor authorize payment for a metal detector in the amount of \$4,020.00 to American Innovations, Inc., 383 West Route 59, Spring Valley, New York.

Roll Call: All Ayes

Motion Carried: 5-0

#16 On Agenda: Motion - Authorization To Advertise To Bid - San Giacomo Park Tennis Court Rehabilitation Project

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 the San Giacomo Park Tennis Court Rehabilitation Project. Bid date shall be determined by the Town Supervisor. The Town Board of the Town of New Windsor reserves the right to reject any or all bids.

Roll Call: All Ayes

Motion Carried: 5-0

#17 On Agenda: Motion - Authorize Community Development Resolution With Orange County

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the Supervisor to enter into an Amendment to the existing Cooperation Agreement dated July 8, 1993 with the County of Orange for the purpose of undertaking community development and home programs for the program year commencing federal fiscal years 2006 - 2008 (and successive three year qualification periods) pursuant to the Housing and Community Development Act of 1974, as amended, and Title II of the National Affordable Housing Act of 1990, as amended.

Roll Call: All Ayes

Motion Carried: 5-0

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#18 On Agenda: Motion – Authorize A Joint Public Hearing With Town Of Cornwall - Annexation Cornwall Commons

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize a joint public hearing with the Town of Cornwall to be held on July 12, 2005 at 7:00 p.m. at Town Hall, Cornwall, New York to consider Petition for the annexation of certain parcels of land known as Cornwall Commons, more specifically known as Town of Cornwall tax map description Section 37, Block 1, Lot 45.1, to the Town of Cornwall and direct the Town Clerk to advertise and post notice of the public hearing according to law.

Roll Call: Councilwoman Biasotti Aye
Councilwoman Weyant Abstain
Councilwoman Mullarkey Aye
Councilman Finnegan Aye
Supervisor Meyers Aye

Motion Carried 4-0

#19 On Agenda: Motion – Authorize A Joint Public Hearing With Town Of Cornwall - Annexation Of Meadowbrook Estates

Motion by Councilwoman Mullarkey, seconded by Councilman Finnegan that the Town Board of the Town of New Windsor authorize a joint public hearing with the Town of Cornwall to be held on July 12, 2005 at 7:30 p.m. at Town Hall, Cornwall, New York, to consider Petition for the annexation of certain parcels of land known as Meadowbrook Estates, more specifically known as Town of Cornwall tax map description Section 4, Block 1, Lots 9.22 and 11, to the Town of New Windsor and direct the Town Clerk to advertise and post notice of the public hearing according to law.

Roll Call: Councilwoman Biasotti Aye
Councilwoman Weyant Abstain
Councilwoman Mullarkey Aye
Councilman Finnegan Aye
Supervisor Meyers Aye

Motion Carried 4-0

#20 On Agenda: Motion – Authorize Issuance Of Solicitor’s Permit - Huffman

Motion by Councilwoman Weyant, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize the issuance of a Solicitor’s Permit submitted by Dorothy Huffman, 413 Old Forge Hill Road New Windsor, New York, to sell hotdogs at local summer fairs and events. Permit to be obtained from the Town Clerk’s office.

Roll Call: Councilwoman Biasotti: No
Councilwoman Weyant: No
Councilwoman Mullarkey No
Councilman Finnegan: No
Supervisor Meyers: No

Motion Lost: 5-0

#21 On Agenda: Officials Reports

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

Police Department	Month of April 2005
Tax Receiver (water, sewer, garbage)	Month of April 2005
Tax Receiver (monthly tax statement)	Month of April 2005

#22 On Agenda: Public Forum

Supervisor Meyers opened the public forum portion of the meeting and hearing no one wishing to speak, 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

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#23 On Agenda: Adjourn

Motion by Councilwoman Mullarkey, seconded by Councilman Finnegan that the Town Board of the Town of New Windsor adjourn the Town Board Meeting at 10:20 a. m.

Roll Call: All Ayes

Motion Carried: 5-0

Respectfully submitted,

DEBORAH GREEN
TOWN CLERK

/clc