

TOWN BOARD MEETING
 WEDNESDAY, FEBRUARY 2, 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, Police Lieutenant Faricellia

SALUTE TO FLAG

Supervisor Meyers 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 Organizational Town Board Meeting 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

NONE

HIGHWAY DEPARTMENT

#2 On Agenda: Motion - Rescind Receive And File Entitled "Receive And File Bid For One (1) 2005 Truck Chassis And 31 Cubic Yard Loader Refuse Body" - Item #5 On Town Board Agenda Dated January 5, 2005

Motion by Councilwoman Weyant, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor rescind the receive and file entitled "Receive And File Bid For One (1) 2005 Truck Chassis And 31 Cubic Yard Loader Refuse Body," #5 on the Town Board agenda, Town Board meeting held on January 5, 2005.

Roll Call: All Ayes

Motion Carried: 5-0

#3 On Agenda: Receive And File Bid - 2005 Heavy Duty Dump Body Material Spreader And Plow With Wing

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk the bid for one (1) 2005 Heavy Duty Dump Body Material Spreader and Plow with Wing, received and publicly opened on December 6, 2004 submitted by Amthor Welding Service, Inc., 1041 Route 52, Walden, New York.

#4 On Agenda: Motion - Rescind Motion Entitled "Award Bid For One (1) 2005 Truck Chassis And 31 Cubic Yard Loader Refuse Body" - Item #6 On Town Board Agenda Dated January 5, 2005

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor rescind the motion entitled "Award Bid For One (1) 2005 Truck Chassis And 31 Cubic Yard Loader Refuse Body," #6 on the Town Board agenda, Town Board meeting held on January 5, 2005.

Roll Call: All Ayes

Motion Carried: 5-0

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#5 On Agenda: Motion - Award Bid - 2005 Heavy Duty Dump Body Material Spreader And Plow With Wing

Motion by Councilwoman Mullarkey, seconded by Councilman Finnegan that the Town Board of the Town of New Windsor award the bid of \$49,432.00 for one (1) Heavy Duty Dump Body Material Spreader and Plow with Wing to Amthor Welding Service, Inc., 1041 Route 52, Walden, New York as per the recommendation of McGoey, Hauser and Edsall Consulting Engineers P. C. under the date of December 9, 2004.

Roll Call: All Ayes

Motion Carried: 5-0

WATER DEPARTMENT

#6 On Agenda: Motion - Authorize Replacement Of Furnace - Stewart Water Filtration Plant

Motion by Councilwoman Weyant, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor authorize the replacement of a furnace at the Stewart Water Filtration Plant to be purchased and installed by Bottini Fuel, 2785 West Main Street, P. O. Box 1640, Wappingers Falls, New York, in an amount not to exceed \$3,425.00.

Roll Call: All Ayes

Motion Carried: 5-0

SANITATION DEPARTMENT

GENERAL

#7 On Agenda: Motion - Rescind Motion Entitled "Appoint To New Windsor Rural Fire Protection Board" - Item #18 On Town Board Agenda Dated January 5, 2005

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor rescind the motion entitled "Appoint To New Windsor Rural Fire Protection Board," #18 on the Town Board agenda, Town Board meeting held on January 5, 2005.

Roll Call: All Ayes

Motion Carried: 5-0

#8 On Agenda: Motion - Appoint To New Windsor Rural Fire Protection Board

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor appoint the following individuals to serve on the New Windsor Rural Fire Protection Board: Francis Bedetti III, civilian member; Ricky Cameron representing Coldenham Fire District; and Matthew Thorpe representing Maybrook Fire District. Terms to begin immediately and expire on December 31, 2007.

Roll Call: All Ayes

Motion Carried: 5-0

#9 On Agenda: Receive And File Notice Of Resignation - Planning Board Member Ronald Lander

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Notice of Resignation from Planning Board member Ronald F. Lander, effective December 31, 2004.

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#10 On Agenda: Motion - Appoint To New Windsor Planning Board - Eric Mason

Motion by Councilwoman Weyant, seconded by Councilwoman Biasotti that the Town Board of the Town of New Windsor appoint Eric Mason, 67 Bethlehem Road, New Windsor, New York, to serve as a member of the New Windsor Planning Board to fill the unexpired term of Ronald Lander and expire on December 31, 2008.

Roll Call: All Ayes

Motion Carried: 5-0

11 On Agenda: Motion - Realign Election Districts

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

That the Election Law of the State of New York Section 4-100(3) requires that an election district shall not contain more than nine hundred-fifty (950) registrants; and

WHEREAS Section 4-100(5) of that Law requires an Election District to be realigned when the total number of registrants exceeds the maximum number permitted by at least fifty (50) registered voters; and

WHEREAS Section 4-100(3) of said law permits the division of other Election Districts for the convenience of the voters; and

WHEREAS the Town Board of the Town of New Windsor has received a request from the Orange County Board of Elections to realign the Election Districts exceeding the number of registrants as permitted by Law; and

WHEREAS the Orange County Board of Elections undertook an analysis of the Election Districts and made a recommendation on the realignment of the Election Districts and the report of the Orange County Board of Elections has been received and considered.

NOW, THEREFORE BE IT RESOLVED that the Town Board of the Town of New Windsor does hereby resolve to realign the various Election Districts of the Town of New Windsor in accordance with the provision of the New York State Election Law Section 4-100(3)a, as set forth in Schedule A; and

BE IT FURTHER RESOLVED that the boundaries defining Election Districts #1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 20, and 21 of the Town of New Windsor prior to the adoption of this Resolution shall remain as designated and Election District #16 and #19 shall be realigned as described herein for each district.

Roll Call: All Ayes

Motion Carried: 5-0

#12 On Agenda: Motion - Authorize Issuance Of Solicitor's Permit - Mohammed A. Jaradat

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the issuance of a Solicitor's Permit submitted by Mohammed A. Jaradat, 63 Leslie Road, Apt. 3, Newburgh, New York, to sell packaged ice cream in the Town of New Windsor. Permit shall be obtained from the Town Clerk's office.

Roll Call: All Ayes

Motion Carried: 5-0

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#13 On Agenda: Motion - Authorize Signing Certificate Of Insurance

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey that the Town Board of the Town of New Windsor authorize the signing of the Certificate of Insurance for a period from December 24, 2004 to December 24, 2005, Public Employees Dishonesty Bond #B198747 with reference to the Receiver of Taxes.

Roll Call: All Ayes

Motion Carried: 5-0

#14 On Agenda: Motion - Adopt Resolution In Support Of Air National Guard 105th Military Airlift Wing At Stewart Air National Guard Base

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

WHEREAS the 105th Military Airlift Wing, located at Stewart Air National Guard Base in Newburgh, New York, currently employs 1,400 Reservists, 900 fulltime military personnel and 75 civilian personnel, making it the tenth largest employer in Orange County with an annual payroll of \$66 million and an additional \$64 million in expenditures to the community; and

WHEREAS the 105th Military Airlift Wing provides critical strategic airlift support of national military operations with thirteen C-5A Galaxy aircraft; and

WHEREAS the Stewart Air National Guard Base is a joint base where the United States Marine Corps Reserve operate C-130 aircraft, and together the Air Guard and Marine Reserves provide significant military resources to a key geographical location in close proximity to New York City; and

WHEREAS the Department of Defense Base Realignment and Closure Act (BRAC) resulted in significant base closures in New York State during previous BRAC rounds; and for the 2005 BRAC process military value criteria will be the primary consideration; and

WHEREAS the Stewart Air Base location includes two hundred eighty six acres providing the physical capability to absorb new missions and accommodate additional aircraft;

NOW, THEREFORE IT IS HEREBY RESOLVED that the Town Board of the Town of New Windsor be on record in support of the 105th Military Airlift Wing and the United States Marine Corps Reserve Units stationed at Stewart New York Air National Guard Base, Newburgh, New York and of such units remaining at that location; and

BE IT FURTHER RESOLVED that a certified copy of this resolution be sent to Hon. George W. Bush, President of the United States; Chairman, Department of Defense Base Realignment and Closure Committee; Hon. Charles Schumer and Hon. Hillary Rodham Clinton, United States Senators; Hon. Sue Kelly, Member of Congress; and Commanding General, 105th Military Airlift Wing.

Roll Call: All Ayes

Motion Carried: 5-0

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#15 On Agenda: Motion - Authorize Purchase And Installation Of Additional Town Hall Surveillance Cameras

Motion by Councilwoman Mullarkey, seconded by Councilman Finnegan that the Town Board of the Town of New Windsor authorize the purchase and installation of additional Town Hall surveillance cameras from Keyless Access Systems, P. O. Box 175, Vails Gate, New York, 12584, in an amount not to exceed \$4,600.00.

Roll Call: All Ayes

Motion Carried: 5-0

#16 On Agenda: Motion - Authorize Supervisor To Execute An Order On Consent With New York State Department Of Environmental Conservation

Motion by Councilwoman Biasotti, seconded by Councilwoman Weyant that the Town Board of the Town of New Windsor authorize the Town Supervisor to execute an Order on Consent between the Town and the New York State Department of Environmental Conservation regarding violations at the Sewer Treatment Plant and commit the Town to the phased plan to remedy such violations.

Roll Call: All Ayes

Motion Carried: 5-0

#17 On Agenda: Receive And File Bids - Mt. Airy Sports Complex And Pool Facility

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk the bids for the Mt. Airy Sports Complex and Pool Facility received and publicly opened on January 12, 2005.

#18 On Agenda: Receive And File Results Of Special Election - Bond Resolution Authorizing Purchase of Rescue Truck and Results of Canvass of Ballots - Salisbury Mills Fire District

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk the results of a special election held on December 30, 2004 concerning a bond resolution for \$400,000.00 authorizing the purchase of a rescue truck for Salisbury Mills Fire District use and the results of the canvass of ballots cast for Fire Commissioner at the annual election of the Salisbury Mills Fire District held on December 14, 2004.

#19 On Agenda: Receive And File Executed Ambulance Service Agreement - Mobile Life Support Services, Inc.

Hearing no objection, the Town Board of the Town of New Windsor receive and file the executed Ambulance Service Agreement between the Town of New Windsor and Mobile Life Support Services, Inc. terminating December 31, 2005 which may be automatically extended upon the agreement between the parties.

#20 On Agenda: Receive And File Federal Legal Action In The Matter Of "E. W. Smith Publishing, Inc. And Everett Smith Versus Town Of New Windsor And George Meyers"

Hearing no objection, the Town Board of the Town of New Windsor receive and file a federal legal action in the matter of E. W. Smith Publishing, Inc. and Everett Smith versus Town Of New Windsor and George Meyers and refer the matter to the Attorney for the Town and the Town's insurance carrier, and retain Richard Golden, Esq. as special counsel to handle the matter.

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#21 On Agenda: Receive And File Federal Legal Action In The Matter Of "Vito Guidice Versus Town Of New Windsor And George Meyers"

Hearing no objection, the Town Board of the Town of New Windsor receive and file a federal legal action in the matter of "Vito Guidice versus Town of New Windsor and George Meyers" and refer the matter to the Attorney for the Town and the Town's insurance carrier and retain Richard Golden, Esq. as special counsel to handle the matter.

#22 On Agenda: Receive And File Irrevocable Standing Letter Of Credit - Universal Home Builders, Inc. - \$275,000.00

Hearing no objection, the Town Board of the Town of New Windsor receive and file an Irrevocable Standing Letter of Credit, no. 2156, issued by Provident Bank in the amount of \$275,000.00 dated January 18, 2005 on behalf of Universal Home Builders, Inc. with regard to improvements to be performed at Moores Hill Estates Subdivision.

#23 On Agenda: Receive And File Notice Of Resignation - Court Officer William Sharp

Hearing no objection, the Town Board of the Town of New Windsor receive and file with the Town Clerk a Notice of Resignation from Court Officer William A. Sharp, effective January 20, 2005.

#24 On Agenda: Receive And File Year End Report

Hearing no objection, the Town Board of the Town of New Windsor receive and file the 2004 annual report of the Town of New Windsor Building Department.

#25 On Agenda: Officials Reports

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

Building Department	Month of December 2004
Fire Prevention	Month of December 2004
Police Department	Month of December 2004
Building Department	Month of January 2005
Justice Suttlehan	Month of January 2005
Justice Thorpe	Month of January 2005
Receiver of Taxes (water, sewer, garbage)	Month of January 2005
Recreation Department	Month of January 2005
Town Clerk	Month of January 2005

#26 On Agenda: Public Forum

Supervisor Meyers opened the public forum portion of the meeting by asking if anyone had any comments they would like to make.

Jerry Ebert with the Sentinel had four questions to ask: 1) relating to salt runoff created by washing trucks at Town's salt barn and whether the salt is running off into a local creek; 2) question as to what percentage of Town is commercial versus what percentage of Town tax is collected from commercial establishments; 3) what developments or projects are still subject to "Stop Work" orders; 4) what is total financial number actually paid out on the Town's five year road rehabilitation program.

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

Motion by Councilman Finnegan, 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

Supervisor Meyers replied to Jerry Ebert's question relating to washing salt from trucks and said that it was his understanding that the trucks were being washed on the road which already had salt on them. He was not sure there was a body of water in that area. In response to the question relating to taxes, he was not sure Town had those records but they would be made available if possible. He said he would speak to Mike Babcock about the Stop Work orders. Supervisor Meyers then stated he would prefer to give the Town's responses to these questions in writing and he would respond to the Sentinel today by fax.

#27 On Agenda: Adjourn

Motion by Councilman Finnegan, seconded by Councilwoman Mullarkey 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