



Town of New Windsor
Town Board Meeting
AGENDA

October 6, 2021
7:00pm
Town Hall

PUBLIC HEARING – Town of New Windsor 2021 Hazard Mitigation Plan.

MOTION - Close Public Hearing – Town of New Windsor 2021 Hazard Mitigation Plan.

MOTION – Adopt Town of New Windsor 2021 Hazard Mitigation Plan.

PUBLIC HEARING – Proposed Local Law to Override Tax Levy Limit Established in GML Section 3-c.

MOTION - Close Public Hearing – Proposed Local Law to Override Tax Levy Limit Established in GML Section 3-c.

MOTION – Adopt Local Law – Override Tax Levy Limit Established in GML Section 3-c.

PUBLIC COMMENTS – Comments are allowed on agenda items only. Speaker is permitted to speak for up to three (3) minutes. This is strictly for comments; no Q&A or discussion will be allowed on any item – no exceptions.

1. **MOTION** – Approve Minutes.

UNFINISHED BUSINESS

HIGHWAY DEPARTMENT

2. **MOTION** – Authorize Supervisor to Execute Proposal for Professional Services – Geotechnical Engineering Design Services (Phase 2) – Sloop Hill Road Pavement Settlement/Embankment Stability Project.
3. **MOTION** – Award Lease Purchase Financing – JP Morgan Chase Bank – 2021 Acquisition of Garbage Truck.
4. **MOTION** – Call Public Hearing – Amendment to Chapter 280 of the Town Code of the Town of New Windsor – Vehicles & Traffic.
5. **RECEIVE & FILE** – Denial of Request for School Speed Limit – New York State Department of Transportation – Kaplan Career Academy.

WATER DEPARTMENT



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SANITATION DEPARTMENT

6. **MOTION** – Resolution in Support – NYS Water Infrastructure Improvement Act (Clean Water) – Wastewater Treatment Plan Upgrades and Improvement Project.
7. **MOTION** – Accept Sanitary Sewer Main as Public Improvement, Accept Sanitary Sewer Basement & Establish Maintenance Bond – Anna Properties, LLC.
8. **MOTION** – Authorize Advertisement for Bids – Stand-by Generator Maintenance Service Contract.

GENERAL

9. **MOTION** – Authorize & Approve Full-Time Hire – Recreation Aide.
10. **MOTION** – Authorize – Acceptance of Terms of Letter of Intent – International WeLoveU Foundation – 18 Snake Hill Road (SBL: 9-1-104.2).
11. **MOTION** – Authorize – Halloween Curfew.
12. **MOTION** – Authorize Supervisor to Execute Agreement – Nuisance Wildlife Control – New Windsor Landfill.
13. **MOTION** – Authorize Publication of Display Ad – Snow Removal Law.
14. **MOTION** – Appoint Stormwater Pollution Prevention Plan (SWPPP) Review Officer
15. **RECEIVE & FILE** – Certificate of Clerk as to No Referendum – Adoption of Local Law to Opt-out of Adult Use Cannabis Retail Dispensaries and On-site Consumption sites, as Authorized Under Cannabis Law Article 4.
16. **RECEIVE & FILE** – Memorandum – Determination Board – Leave of Absence Request – Officer Hannah Schmitt.
17. **RECEIVE & FILE** – Letter of Resignation – Richard Romano – Town of New Windsor Assessment Review Board.
18. **RECEIVE & FILE** – Intermunicipal Agreement for Advanced Life Support Service.
19. **RECEIVE & FILE** – Memorandum of Understanding – Town of New Windsor & CSEA Local 1000 AFSCME, AFL-CIO Town of New Windsor Unit Orange County Local 836, Unit 7917 – Lockers.
20. **RECEIVE & FILE** – Notice of Claim – Candice L. Stanford, Individually and as Administratrix of the Estate of Michael J. Stanford, Deceased v. Town of New Windsor and County of Orange.



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21. RECEIVE & FILE – Permit Bond – Nannini & Callahan Excavating, Inc.
22. RECEIVE & FILE – Independent Accountant's Report – Justice Court.
23. OFFICIALS' REPORTS

PUBLIC FORUM

24. ADJOURN

MOTION – RESOLUTION - AUTHORIZE ACCEPTANCE OF TERMS OF LETTER OF INTENT – INTERNATIONAL WELOVEU FOUNDATION – 18 SNAKE HILL ROAD (SBL: 9-1-104.2).

MOTION BY COUNCIL _____

SECONDED BY COUNCIL _____

WHEREAS, the Town Board of the Town of New Windsor has entered into an Exclusive Brokerage Agreement for the marketing and sale of town-owned property commonly known as 18 Snake Hill Road, New Windsor, New York (SBL: 9-1-104.2), hereafter “18 Snake Hill”; and

WHEREAS, as the result of marketing undertaken pursuant to said Exclusive Brokerage Agreement, the Town of New Windsor is in receipt of the attached Non-Binding Letter of Intent (“LOI”) from the International WeLoveU Foundation presenting an offer to purchase 18 Snake Hill Road in the amount of \$580,000, subject to certain terms and conditions contained therein; and

WHEREAS, said LOI is open for acceptance for at least five (5) days following the Town of New Windsor Town Board Workshop Meeting held October 4, 2021, and shall not constitute a binding offer to purchase nor a binding offer to sell;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of New Windsor hereby accept the terms of the attached Letter of Intent and authorize the Town Supervisor to respond as such, via email in accordance with the terms of the attached LOI.

ROLL CALL:

MOTION CARRIED:

TOWN BOARD AGENDA: October 6, 2021

LETTER OF INTENT TO PURCHASE COMMERCIAL REAL ESTATE:
18 SNAKE HILL ROAD, NEW WINDSOR, NY 12550

PURCHASER:

International WeLoveU Foundation

SELLER:

Town of New Windsor

555 Union Ave, New Windsor, NY 12553

SELLER AGENT:

Dennis Barr

John J. Lease

BUYER AGENT:

Saira Ahmed

Keller Williams Realty

Svirginla144@kw.com

PROPERTY:

All real property including the entirety of building at 18 Snake Hill Road, together with all improvements, fixtures, equipment, building material, land, and usage rights connected to the property.

DATE: 9/16/2021

This Letter of Intent serves as a non-binding agreement between the International WeLoveU Foundation to the Town of New Windsor. Should the proposed offer be acceptable, Buyer and Seller will enter into a formal purchase agreement and negotiate terms.

PROPERTY USE

- The above-mentioned property will be used as a place for administrative offices and storage space for donation and material associated with local and global volunteer activities of the International WeLoveU Foundation.

PURCHASE PRICE

- The International WeLoveU Foundation presents an offer of (Five hundred eighty thousand dollars \$580,000.00) for the building at 18 Snake Hill Road, New Windsor NY and all its associated property. Buyer will deliver down payment of 40% in the amount of (two hundred thirty-two thousand \$232,000.00) at an agreed upon time as drafted in "Purchase Agreement."

SUBJECT TO

- Physical inspection of the property acceptable to Buyer
- Negotiation and execution of mutually acceptable Purchase Agreement containing normal contingencies to be completed within a reasonable time frame
- Review and Approval of Environmental and/or Property Surveys
- Confirmed use approval from the Town
- All required zoning and town processes completed

INSPECTION PERIOD

- Seller shall deliver the pertinent documentation to assist any Due Diligence process and provide any existing materials to conduct document examinations and inspections of the Property. Buyer will indemnify, defend, and hold Seller harmless for and against all liability loss, damage, claim, cost, or expense which may result from any entry after inspection of Property by Buyer. Should Buyer find any unacceptable condition, the Purchase Agreement may be cancelled in writing, at Buyers discretion, and all Earnest Money shall be refunded.

ACCEPTANCE

- This letter of Intent shall be open for acceptance at least 5 days after the New Windsor Town Board Meeting on October 4, 2021. The International WeLoveU Foundation also acknowledges and accepts that sale of town owned property is subject to permissive referendum. It shall not constitute a binding offer to purchase or a binding offer to sell. If the terms are acceptable, please respond to this letter by email accordingly. Upon Seller acceptance, Buyer will prepare and send proof of finances and any required documentation and both parties will enter into formal Purchase Agreement.