**AT THE WORKSHOP MEETING**

of the Town Board of the Town of Newburgh held

at 1496 Route 300 in said township at 7:00 p.m.

on Monday the 23rd day of January, 2023

**Present** Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

Anthony R. LoBiondo, Councilman

**Also Present** Mark C. Taylor, Attorney for the Town

Lisa M. Vance Ayers Town Clerk

Rachel Vazquez Deputy Town Clerk

**Absent**  Scott M. Manley, Councilman

*Meeting called to order at 7:02 p.m.*

**1. ROLL CALL**

**2. PLEDGE OF ALLEGIANCE TO THE FLAG**

**3. MOMENT OF SILENCE**

**4. CHANGES TO AGENDA – no changes**

**5. ACOUNTING DEPARTMENT**

**A. APPROVAL OF AUDIT**

MOTION made by Councilman Ruggiero to approve the audit in the amount

of $2 Motion seconded by Councilman LoBiondo

VOTE: Councilwoman Greene – abstain; Councilman Ruggiero – yes;

Councilman Manley – absent; Councilman LoBiondo – yes; Supervisor Piaquadio – yes.

Motion passed: 3 yes; 0 no; 1 abstain; 1 absent.

**B. BUDGET ADJUSTMENTS**

Ronald Clum, Town Accountant, presents Budget Adjustments. In reviewing the year end

2022 Budget Status Report I noticed that the following accounts were over- budget and will

need the following Budget Adjustments:

**INCREASE ACCOUNT** **DECREASE ACCOUNT** **AMOUNT**

A-1110-5100 A-1990-0000 $12,650.00

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Justice Court- Payroll Contingency Account

A-13158-65497 A-1320-5499 $10,000.00

Accounting-maint Contract, Leases Auditor, Other Expenses

A-1355-5100 A-1990-0000 $11,200.00

Assessment-Payroll Contingency Account

A-1410-5100 A-1990-0000 $14,600.00

Town Clerk-Payroll Contingency Account

A-7520-5190 A-1990-0000 $9,300.00

Town Clerk-Payroll Contingency Account

MOTION made by Councilman LoBiondo to approve Budget Adjustments as presented.

Motion seconded by Councilman Ruggiero. VOTE: Councilwoman Greene – yes;

Councilman Ruggiero – yes; Councilman Manley – absent; Councilman LoBiondo – yes;

Supervisor Piaquadio – yes. Motion passed: 4 yes; 0 no; 0 abstain; 1 absent.

**6. ENGINEERING:**

**A.** **Mill House Budget Transfer**

Jim Osborne, Town Engineer, presents Mill House Budget Transfer. This transfer is for

the design engineering for the road shoulder stabilization of Mill House Road which has

been previously approved by the town Board.

From: D.990205900 (Highway Interfund Transfer)

To: H.8120.5212 (Mill House Road)

Amt: $45,000

MOTION made by Councilman LoBiondo to approve the Mill House Budget Transfer.

Motion seconded by Councilwoman Greene. VOTE: Councilwoman Greene – yes;

Councilman Ruggiero – yes; Councilman Manley – absent; Councilman LoBiondo – yes

Supervisor Piaquadio – yes. Motion passed: 4 yes; 0 no; 0 abstain; 1 absent.

**B. Tarben Way Maintenance Security**

Patrick Hines, Rep Engineer for town, presented Tarben Roadway Maintenance Security

release. The town required the developer of the Tarben subdivision to post security for

The two-year maintenance period. Two years has passed, Mark Hall, Highway

Superintendent, inspected condition of road and feels that it is satisfactory for the Town to

release the bond.

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MOTION made by Councilman Ruggiero to approve release of Tarben Way Security bond.

Motion seconded by Councilman LoBiondo. VOTE: Councilwoman Greene – yes;

Councilman Ruggiero – yes; Councilman Manley – absent; Councilman LoBiondo – yes;

Supervisor Piaquadio – yes. Motion passed: 4 yes; 0 no; 0 abstain; 1 absent.

**7. DENSITY BONUS: Monarch Woods**

Gil Piaquadio, Town Supervisor, presents Density Bonus for Monarch Woods. John Cappello,

Partner, with Jacobowitz and Gubitz, LLP is requesting approval for Density Bonus for

Monarch Woods, Senior Citizen Housing. The Planning Board granted preliminary approval

subject to certain conditions and final authorization of Town Board.

MOTION made by Councilman LoBiondo to approve Density Bonus. Motion seconded by

Councilwoman Greene. VOTE: Councilwoman Greene – yes; Councilman Ruggiero – yes;

Councilman Manley – absent; Councilman LoBiondo – yes; Supervisor Piaquadio – yes.

Motion passed: 4 yes; 0 no; 0 abstain; 1 absent.

**8. ASSESSOR**

**A. Senior Citizen Exemption Mailing**

Molly Carhart, Town Assessor, presented Senior Citizen Exemption Mailing. Requesting

Postage deposit for mailing January 2023, 10,600 postcards @ $0.45 each, asking for 90%

before mailing. Remaining balance will be billed upon completion.

MOTION made by Councilman Ruggiero to approve 90% before for mailing. Motion

seconded by Councilwoman Greene. VOTE: Councilwoman Greene – yes; Councilman

Ruggiero – yes; Councilman Manley – absent; Councilman LoBiondo – yes; Supervisor

Piaquadio – yes. Motion passed: 4 yes; 0 no; 0 abstain; 1 absent.

**B. Volunteer Fire companies and voluntary Ambulance Services Tax Exemptions**

MOTION made by Councilwoman Greene to approve the scheduling of Public Hearing

on February 14, 2022 at 7:00pm Motion seconded by Councilman LoBiondo

VOTE: Councilwoman Greene – yes; Councilman Ruggiero – yes

Councilman Manley – absent; Councilman LoBiondo – yes; Supervisor Piaquadio – yes.

Motion approved, 5 yes; 0 no; 0 abstain; 1 absent.

**C. Norstar Bank C/O Bank of America Tax Certiorari**

Attorney Mark Taylor presented a letter from Cathy Drobny, Esquire of E. Stewart Jones,

Hacker Murphy regarding the proposed settlement of the tax certiorari forNorstar Bank

C/O Bank of America. The Settlement provides for a reduction in assessed value of $60,000

from $360,000 to $300,000 for 2022. The order and Judgement specify the provisions of

RPTL Section 727 apply, holding the Assessed Value at $300,000 for the 2023, 2024 and

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2025 assessment rolls, subject to the statutory exception.

MOTION made by Councilman Ruggiero to approve settlement as presented. Motion

seconded by Councilwoman Greene. VOTE: Councilwoman Greene – yes; Councilman

Ruggiero – yes; Councilman Manley – absent; Councilman LoBiondo – yes; Supervisor

Piaquadio – yes. Motion passed: 4 yes; 0 no; 0 abstain; 1 absent.

**9. ANIMAL CONTROL: T-94 Withdrawal**

**A. VCA Flannery Animal Hospital**

Tracey Carvell of Animal Control requests authorization to use the T-94

account to pay for veterinarian services from VCA Flannery Animal Hospital

for a total of $39.60 of which all $39.60 were for canine services.

MOTION made by Councilwoman Greene to authorize the use of the T-94

account to pay for veterinarian services from VCA Flannery Animal Hospital

for a total of $39.60 of which all $39.60 were for canine services.

Motion seconded by Councilman LoBiondo.

VOTE: Councilwoman Greene – yes; Councilman Ruggiero – yes;

Councilman Manley – absent; Councilman LoBiondo – yes; Supervisor Piaquadio – yes.

Motion passed: 4 yes; 0 no; 0 abstain; 1 absent

**B. Newburgh Veterinary Hospital**

Tracey Carvell of Animal Control requests authorization to use the T-94

account to pay for veterinarian services from Newburgh Veterinary Hospital

for a total of $751.59 of which $304.68 were for feline services and $446.91 were for

canine services

MOTION made by Councilwoman to authorize the use of the T-94

account to pay for veterinarian services from Newburgh Veterinary Hospital

for a total of $751.59 of which $304.68 were for feline services and $446.91 were for

canine services. Motion seconded by Councilman LoBiondo.

VOTE: Councilwoman Greene – yes; Councilman Ruggiero – yes;

Councilman Manley – absent; Councilman LoBiondo – yes; Supervisor Piaquadio – yes.

Motion passed: 4 yes; 0 no; 0 abstain; 1 absent.

**10. RECREATION**

**A. 2023 O.C. USSSA Umpire Service Agreement**

Commissioner of Parks, Recreation and Conservation James Presutti is requesting

approval for new service agreement for 2023 O.C. USSSA Umpires. The rate for 2023

has increased by $5.00. The new agreement rate is now two officials at $37 each per

game for slow pitch softball games.

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MOTION made by Councilwoman Greene to approve 2023 O.C. USSSA Umpire Service

Agreement. Motion seconded by Councilman Ruggiero VOTE: Councilwoman Greene –

yes; Councilman Ruggiero – yes; Councilman Manley – absent; Councilman LoBiondo –

yes; Supervisor Piaquadio – yes. Motion passed: 4 yes; 0 no; 0 abstain; 1 absent.

**B. Sealed Bus Bid Request**

Commissioner of Parks, Recreation and Conservation James Presutti is requesting the

Town Board to establish a sealed bid for 2023 busing for senior citizen, youth/adult and

summer camp trips.

MOTION made by Councilman Ruggiero to approve soliciting of bus bids for the 2023

Senior citizen, youth/adult and summer camp trips. Motion seconded by Councilwoman

Greene VOTE: Councilwoman Greene – yes; Councilman Ruggiero – yes; Councilman

Manley – absent; Councilman LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed:

4 yes; 0 no; 0 abstain; 1 absent

**11. HIGHWAY DEPARTMENT:**

**A. Budget Transfer**

Highway Superintendent, Mark Hall, is requesting approval for a budget transfer. Cost

For fuel, Parts, and supplies has increased.

**FROM: TO: AMOUNT:**

D. 5110.5412 D.5110.5450 $18,000.00

Street Paving & Resurfacing Fuel

D.5110.5412 D.5110.5466 $5,500.00

Street Paving & Resurfacing Operating Supplies

D. 5130.5452 D5130.5451 $18,000.00

Vehicle Repairs Vehicles Parts

MOTION made by Councilman LoBiondo to approve Budget Transfer as presented.

Motion seconded by Councilwoman Greene. VOTE: Councilwoman Greene – yes;

Councilman Ruggiero – yes; Councilman Manley – absent; Councilman LoBiondo – yes

Supervisor Piaquadio – yes. Motion passed: 4 yes; 0 no; 0 abstain; 1 absent.

**B. HEO Position**

Highway Superintendent, Mark Hall, is requesting approval to start the process to hire 1 Full

time HEO for the Highway Department, as appropriated in the 2023 budget.

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MOTION made by Councilman LoBiondo to approve to start the process to hire 1 Full time

HEO for the Highway Department as appropriated in the 2023 budget. Motion seconded by

Councilwoman Greene. VOTE: Councilwoman Greene – yes; Councilman Ruggiero – yes;

Councilman Manley – absent; Councilman LoBiondo – yes Supervisor Piaquadio – yes. Motion

passed: 4 yes; 0 no; 0 abstain; 1 absent.

**C. Sr. Auto Mechanic (Group 1) Position Fleet Department**

Highway Superintendent, Mark Hall, is requesting approval to start the process to hire a Sr.

Auto Mechanic (Group 1) position as appropriated in the 2023 budget.

MOTION made by Councilwoman Greene to start the process to hire a Sr. Auto Mechanic

(Group 1) position as appropriated in the 2023 budget. Motion seconded by Councilman

LoBiondo. VOTE: Councilwoman Greene – yes; Councilman Ruggiero – yes; Councilman

Manley – absent; Councilman LoBiondo – yes Supervisor Piaquadio – yes.

Motion passed: 4 yes; 0 no; 0 abstain; 1 absent.

**12. PLANNING BOARD**

**A. Big Shine Warehouse Landscape Bond**

Karen Arent, Landscape Architect, is requesting approval for landscape security in the

amount of $7,079. Landscape cost estimate for Big Shine Warehouse Expansion was

reviewed, unit costs are reasonable and the landscape bond is recommended for

approval. The landscape escrow amount for this project is $2,000.00

MOTION made by Councilman Ruggiero to approve Big Shine Warehouse Landscape

Bond. Motion seconded by Councilman LoBiondo VOTE: Councilwoman Greene – yes;

Councilman Ruggiero – yes; Councilman Manley – absent; Councilman LoBiondo – yes;

Supervisor Piaquadio – yes. Motion passed: 4 yes; 0 no; 0 abstain; 1 absent

**B. Stormwater Estimate**

Patrick Hines, Rep Engineers for the Town, presents Big Shine Warehouse

expansion stormwater Improvement cost estimate. Project proposes a 9,820 square

foot addition to an existing 20,940 square foot structure. A cost estimate of $28,6830.00

for stormwater is identified for the building addition. Establishment of the Stormwater

security requires Town Board Action.

MOTION made by Councilman Ruggiero to approve Big Shine Warehouse Stormwater

security. Motion seconded by Councilwoman Greene VOTE: Councilwoman Greene –

yes; Councilman Ruggiero – yes; Councilman Manley – absent; Councilman LoBiondo –

yes; Supervisor Piaquadio – yes. Motion passed: 4 yes; 0 no; 0 abstain; 1 absent

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**13. POLICE DEPARTMENT:**

**A. Hiring Part Time Court Attendant**

Police Chief Donald B. Campbell is seeking approval to hire Angelo Hernandez as

Part Time Court attendant, if approved Mr. Hernandez will need to complete all

necessary paperwork, physical and fingerprint process. A hire date of on or after January

30, 2023 and the salary of $20.35 per hour. Mr. Hernandez has been pre-approved by

Orange county Human Resources.

MOTION made by Councilman LoBiondo to approve to hire Angelo Hernandez as a Part

Time Court Attendant. Motion seconded by Councilman Ruggiero VOTE: Councilwoman

Greene – yes; Councilman Ruggiero – yes; Councilman Manley – absent; Councilman

LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: 4 yes; 0 no; 0 abstain; 1

absent

**B. Start Process to hire Parking Enforcement Officer**

Police Chief Donald B. Campbell is seeking approval to start process of filling a vacant

Parking Enforcement position. This position is funded in the 2023 budget.

MOTION made by Councilwoman Greene to approve process of filling vacant Parking

Enforcement position. Motion seconded by Councilman LoBiondo VOTE: Councilwoman

Greene – yes; Councilman Ruggiero – yes; Councilman Manley – absent; Councilman

LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: 4 yes; 0 no; 0 abstain; 1

absent

**C. Start the process to hire Court Officer**

Police Chief Donald B. Campbell is seeking approval to start process to hire vacant court

officer position. This position is funded in the 2023 budget.

MOTION made by Councilman Ruggiero to approve process to hire vacant Court Officer

position. Motion seconded by Councilman LoBiondo VOTE: Councilwoman Greene – yes;

Councilman Ruggiero – yes; Councilman Manley – absent; Councilman LoBiondo – yes;

Supervisor Piaquadio – yes. Motion passed: 4 yes; 0 no; 0 abstain; 1 absent

**14. CODE COMPLIANCE: Hiring of Full Time Entry Clerk**

Gerald Canfield, Code Compliance Supervisor, is requesting approval to hire Jessica Giusto

In the Entry Level Clerical position. Seven canvas letters were sent out and interviewed four

Candidates. Mr. Canfield feels Ms. Giusto will be the perfect candidate for the position.

Upon approval, Ms. Giusto will need to complete her paperwork, fingerprints, physical and

Drug/alcohol testing. A start date of on or after January 30, 2023 is anticipated.

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MOTION made by Councilwoman Greene to approve hiring Jessica Giusto for the Entry Level

Clerical Position pending completion of paperwork and results of testing. Motion seconded

by Councilman Ruggiero VOTE: Councilwoman Greene – yes; Councilman Ruggiero – yes;

Councilman Manley – absent; Councilman LoBiondo – yes; Supervisor Piaquadio – yes.

Motion passed: 4 yes; 0 no; 0 abstain; 1 absent

**15. ZONING AMENDMENT: Cannabis Related Uses**

**A. SEQR Determination**

MOTION made by Councilman LoBiondo to approve the Negative SEQR Designation

Motion seconded by Councilwoman Greene

VOTE: Councilwoman Greene – yes; Councilman Ruggiero – yes;

Councilman Manley – absent; Councilman LoBiondo – yes; Supervisor Piaquadio – yes.

Motion passed: 4 yes; 0 no; 0 abstain; 1 absent

**B. Vote on Zoning Amendment**

MOTION made by Councilman Ruggiero to approve the adoption of Local Law # 1 of

2023 amending chapter 185 Entitled “Zoning” to the code of the Town of Newburgh

Cannabis Related Uses Motion seconded by Councilwoman Greene

VOTE: Councilwoman Greene – yes; Councilman Ruggiero – yes;

Councilman Manley – absent; Councilman LoBiondo – yes; Supervisor Piaquadio – yes.

Motion passed: 4 yes; 0 no; 0 abstain; 1 absent.

**16. TRASH & RECYCLING: Marangi Disposal**

Town Supervisor, Gil Piaquadio, presents Marangi Disposal for Trash & Recycling quote.

The monthly rates are as follows:

3/1/2023 to 2/28/2024 $18,315.05

3/1/2024 to 2/28/2025 $19,047.65

3/1/2025 to 2/28/2026 $19,809.56

MOTION made by Councilman Greene to approve Marangi Disposal for Trash & Recycling

contract as presented. Motion seconded by Councilman LoBiondo VOTE: Councilwoman

Greene – yes; Councilman Ruggiero – yes; Councilman Manley – absent; Councilman

LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: 4 yes; 0 no; 0 abstain; 1 absent

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**17. ADJOURNMENT**

MOTION made by Councilman Ruggiero to adjourn the meeting at 7:30 p.m. Motion

seconded by Councilman LoBiondo. VOTE: Councilwoman Greene – yes; Councilman

Ruggiero – yes; Councilman Manley – absent; Councilman LoBiondo – yes; Supervisor

Piaquadio – yes. Motion passed: 4 yes; 0 no; 0 abstain; 1 absent

*Meeting adjourned at 7:30 p.m.*

*Respectfully submitted,*

*Respectfully submitted, Respectfully submitted,*

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Lisa M. Vance Ayers Rachel Vazquez

Town Clerk Deputy Town Clerk