**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 27th day of February, 2023

**Present** Elizabeth J. Greene, Councilwoman

Paul I Ruggiero, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

Gilbert J. Piaquadio, Supervisor

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

Lisa M. Vance Ayers Town Clerk

*Meeting called to order at 7:01 p.m.*

**1. ROLL CALL**

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

**3. MOMENT OF SILENCE**

**4. CHANGES TO THE AGENDA- No Changes**

**5.** **HEARING FOR CSX- Anchorage Railroad Crossing**

**Opening Hearing:**

MOTION made by Councilman Manley to open the hearing at 7:05pm for the CSX Anchorage

Railroad Crossing. Motion seconded by Councilwoman Greene VOTE: Councilwoman Greene

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

Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0 abstain; 0 absent.

Mark C. Taylor, Attorney for the Town advised the Town Board that since there were no

representatives from CSX for the hearing, the Town Board could recess the hearing and see if

CSX sends something in writing and conduct another hearing if needed. The Town will also

Pursue the administrative process with the New York State Department of Transportation.

**Closing Hearing:**

MOTION made by Councilwoman Greene to close the hearing at 7:10pm for the CSX

Anchorage Railroad Crossing. Motion seconded by Councilman LoBiondo VOTE:

Councilwoman Greene yes; Councilman Ruggiero – yes; Councilman Manley – yes;

Councilman LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0

abstain; 0 absent.

**6. APPROVAL OF AUDIT:**

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

$2,832,380.85 Motion seconded by Councilman Manley VOTE: Councilwoman Greene

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

Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0 abstain; 0 absent.

**7. THREE LOTS ON COMMON DRIVE: Chadwick Subdivision**

Gill Piaquadio, Town supervisor, presented letter from Chief Cronomer Valley Fire Dept.,

Robert Dorrmann, In reference to the proposed subdivision for Hudson Asset Homes and

Michael Maher located on Rt 300 (SBL 14-1-51). He has reviewed the driveway access and

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bypass area provided in the site plan design for emergency apparatus and finds it acceptable.

Motion made by Councilwoman Greene to approve Three lots on common drive- Chadwick

subdivision. Motion seconded by Councilman LoBiondo VOTE: Councilwoman Greene –

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

Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0 abstain; 0 absent

**8.** **FRIEND OF SENIORS: Renewal Agreement:**

Gil Piaquadio, Town supervisor, presented Friends of Seniors renewal agreement. This

agreement between Jewish Family Service and the Town of Newburgh Friendly Visitor

Program, regarding the Friend of Seniors, seeks to solidify partnership between the two

organizations. This agreement outlies the responsibilities of each organization, in hopes of

ensuring a sound working relationship. This agreement is to be reviewed and renewed

annually.

Motion made by Councilwoman Greene to approve Friends of Seniors Renewal Agreement.

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

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

Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0 abstain; 0 absent

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

**A. Flannery Animal Hospital**

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

veterinarian services from Flannery Animal Hospital for a total of $206.60 of which all were

for canine services.

MOTION made by Councilman LoBiondo to approve T-94 withdrawal for a total of $206.60

for canine to Flannery Animal Hospital. Motion seconded by Councilman Ruggiero VOTE:

Councilwoman Greene yes; Councilman Ruggiero – yes; Councilman Manley – yes;

Councilman LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0

abstain; 0 absent.

**B. Flannery Animal Hospital**

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

veterinarian services from Flannery Animal Hospital for a total of $89.40 of which all were

for canine services.

MOTION made by Councilwoman Greene to approve T-94 withdrawal for a total of $89.40

for canine to Flannery Animal Hospital. Motion seconded by Councilman LoBiondo VOTE:

Councilwoman Greene yes; Councilman Ruggiero – yes; Councilman Manley – yes;

Councilman LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no;

0 obstain; 0 absent.

**10. RECREATION DEPARTMENT: Award of 2023 Bus Trip Bids**

Parks and Recreation Commissioner, James Presutti, presented Award of 2023 Trip Bids.

Sealed bids for charter bus and school bus destinations for 2023 were opened on

Wednesday, February 15th. Two vendor bids received, at this time would like to request the

Town Board select both Leprechaun Lines and West Point Tours as determined by the

lowest bid for each destination.

MOTION made by Councilman Ruggiero to approve both Leprechaun Lines and West Point

Tours. Motion seconded by Councilman Manley VOTE: Councilwoman Greene

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

Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0 abstain; 0 absent.

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**11. POLICE DEPARTMENT:**

**A. Purchase Portable Radios and Accessories**

Police Chief Donald Campbell is requesting permission to purchase two additional

portable radios and remote speakers along with the necessary programming to be

compatible with our current system. These radios are the only radios compatible with

our current system that was provided by Orange County. The total cost of the radios,

accessories and programming is $10,250.56. Budget appropriation #3120.5200.

Motion made by Councilman Manley to approve purchase of radios and accessories.

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

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

Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0 abstain; 0 absent

**B. Full Time Dispatcher**

Police Chief Donald Campbell is requesting the approval of Full Time Dispatcher, Michael

Kirby. Approval is pending the outcome of all the necessary paperwork, fingerprints, and

physical and drug/alcohol testing, with a hire date on or after March 6, 2023.

Motion made by Councilman Manley to approve Full Time Dispatcher, Michael Kirby,

pending all necessary paper work and testing. Motion seconded by Councilman

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

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

Motion passed: 5 yes; 0 no; 0 abstain; 0 absent

**C. Part Time Dispatcher**

Chief Campbell is requesting authorization to hire one part-time dispatcher, Alison

Corkery. She will need a physical, drug/alcohol testing, fingerprints and paperwork to be

completed. A proposed hire date on or after March 13, 2023, with a salary of $18.91 per

hour.

Motion made by Councilman LoBiondo to approve Part Time Dispatcher, Alison Corkery,

Pending all necessary paperwork and testing. Motion seconded by Councilman Manley

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

yes; Councilman LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no;

0 abstain; 0 absent

**D. Police Purchase of Vehicle**

Police Chief Donald Campbell is requesting permission to purchase one (1) 2022 Dodge

Charger from Joe Cecconi's Chrysler Complex, Inc. in the amount of $ 41,696.80. The

purchase of this vehicle is funded in the 2023 Budget (3120.5200).

Motion made by Councilman Manley to approve purchase of 2022 Dodge Charger in the

amount of $41,696.80. Motion seconded by Councilwoman Greene VOTE: Councilwoman

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

LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0 abstain; 0 absent

**12. ENGINEERING:**

**A. MJ Engineering and Land Surveying GIS Proposal**

Patrick Hines Engineering Representative presented Engineering Services for Geographic

Information System (GIS) Development **MJ Proposal No. 2023113.** Implementing aGIS

willsupport and facilitatethe ongoing infrastructure planning, design, and maintenance

activities occurringthroughout the Town. The Town currently has a large collection of

hard copy paper records documenting their water distribution, sanitary sewer, and storm

sewer infrastructure. The primary goal of the project will be the digitization and

organization of the information contained in those records to create a centralized

GIS.

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MOTION made by Councilwoman Greene to approve the GIS Proposal. Motion seconded

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

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

Motion passed: 5 yes; 0 no; 0 abstain; 0 absent.

**B. HDR- Change Order Chadwick Filter Plant Shut Down Date Change**

Patrick Hines Engineering Representative presented HDR amendment for Contract**-**Town of

Newburgh's Chadwick Lake Filter Plant Resiliency Improvements project. This amendment is to

allow HDR to continue their engineering support to Town for Chadwick Project for

membrane trailer arrival in July/August 2023 and Delaware Aqueduct shutdown in October

2023.  The Project Engineer's total budget for the project will be increased from $268,866 to

$328,866 under this amendment. The Project Engineer's fee will increase by $60,000 under this

amendment for the following work:

1. Delaware Aqueduct shutdown is rescheduled from October 1 2022 to October 1 2023. HDR

is to provide support for design services during construction for construction final

completion for membrane trailer work in September 2023.

2. Coordination with TAM and Rockland Electric for amendment to the Contractor's

 Contracts for Membrane Trailer Work Completion in September 2023.

3. Coordination with Pall for amendment to Pall Lease Agreement for membrane trailer

work Completion in September 2023.

4. Additional services by Advance Testing Company, Inc.

5. Additional coordination for NYSDEP requests for contracts cost increase and

Contractor's insurance information.

6. Coordination with NYSDEC for chemical feed addition at the plant.

MOTION made by Councilman Ruggiero to approve HDR Amendment- Chadwick Filter

Plant Shut Down Date Change. Motion seconded by Councilwoman Greene VOTE:

Councilwoman Greene yes; Councilman Ruggiero – yes; Councilman Manley – yes;

Councilman LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0

abstain; 0 absent.

**C. TAM ENTERPRISES- Change Order Chadwick Filter Plant Shut Down Date Change**

Patrick Hines Engineering Representative presented TAMS Enterprises 1A (GC)

Change orders for Contract Extension.Change Orders for Contract- Town

of Newburgh's Chadwick Lake Filter Plant Resiliency Improvements project. Delaware

Aqueduct shutdown is rescheduled from October 1, 2022 to October 1, 2023. The

attached change order is to allow TAM Enterprises, Inc. to extend their current contract

and insurance and reschedule the work to coordinate with membrane trailer arrival in

July/August 2023 and with Delaware Aqueduct shutdown in October 2023 for completion

of their work prior to Delaware Aqueduct shutdown. TAM Enterprises Contract 1A (GC)

Change Order No. 4 for $20,600

The above change order is recommended to support project construction continuation to

meet trailer arrival in July/August 2023 and for project completion prior to October 1, 2023. 

MOTION made by Councilman Manley to approve TAMS Enterprises & Rockland Electric

Change Orders for Contract Extension- Chadwick Filter Plant Shut Down Date Change.

Motion seconded by Councilman LoBiondo VOTE: Councilwoman Greene yes;

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

Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0 abstain; 0 absent.

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**D. Rockland Electric- Change Order Chadwick Filter Plant Shut Down Date Change**

Patrick Hines Engineering Representative presented Rockland Electric Change orders for

Contract Extension.Change Order for Contract- Town of Newburgh's Chadwick Lake

Filter Plant Resiliency Improvements project. Delaware Aqueduct shutdown is

rescheduled from October 1, 2022 to October 1, 2023. The attached change order is to

allow Rockland Electric to extend their current contract and insurance and reschedule the

work to coordinate with membrane trailer arrival in July/August 2023 and with Delaware

Aqueduct shutdown in October 2023 for completion of their work prior to Delaware

Aqueduct shutdown.  Rockland Electric Change Order No. 2 for $4,978

The above change order is recommended to support project construction continuation to

meet trailer arrival in July/August 2023 and for project completion prior to October 1, 2023. 

MOTION made by Councilman Manley to approve Rockland Electric Change Orders for

Contract Extension- Chadwick Filter Plant Shut Down Date Change.

Motion seconded by Councilwoman Greene VOTE: Councilwoman Greene yes;

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

Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0 abstain; 0 absent.

**E. FARRELL- Lakeside Senior Landscape Security Release**

Patrick Hines Engineering Representative presentedthe Lakeside Senior landscape

bond (#8120N) for the required landscaping depicted on the approval plans. An

inspection was performed 23 November 2020 by Karen Arent's Office. The project

sponsors caused remedial work to be performed.  The project has transferred

ownership. The original developer is requesting the release of the landscaping

security.  Town Board action is required for the release of the security in the

amount of $96,054.00.  The original Bond should be returned to the attention of

Pancost, Senior Project Manager.

MOTION made by Councilman Greene to approve to approve Lakeside Senior Lakeside

Security Release. Motion seconded by Councilman LoBiondo VOTE: Councilwoman

Greene yes; Councilman Ruggiero – yes; Councilman Manley – yes; Councilman LoBiondo

– yes; Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0 abstain; 0 absent.

**F. Chadwick Recreation/Senior Center SEQR Determination (Negative Declaration)**

MOTION made by Councilman Ruggiero to approve the Negative SEQR Designation and

Determination on the proposed Town of Newburgh Recreation/Senior Center Project.

Motion seconded by Councilwoman Greene VOTE: Councilwoman Greene yes;

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

Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0 abstain; 0 absent.

**13. BUILDING AND GROUNDS: Flooring at Highway Department**

Gil Piaquadio, Town Supervisor, Presented estimates for new flooring in. The Town

obtained three estimates for new flooring in Highway Dept Office areas and Break Room.

Adams Family Floors  $15,679.20

Michael Porter Flooring  $18,700.00

BC&N Carpet Inc.$18,956.00

I am looking for a motion to accept Adams Family Floors for the installation of new flooring

atthe Highway Department for a total cost of $ 15,679.20 

**14. ZONING**

**A. Gardner Ridge Senior Density Bonus**

The Planning Board reviewed Gardner Ridge Apartments (Planning Board file no. 02-29)

and voted unanimously to re-refer this project to the Town Board for the Town Boards

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review and potential authorization to the Planning Board to proceed with its review.

The proposed project would be for 144 rental units located off of Gardnertown Road and

Creek Run Road. The applicant proposes that 48 of those units would be senior density

bonus units, if authorized and approved by bonus the Town Board. The project is located

in the R-3 zoning district, where bonus density senior housing is allowed upon approval

by the Town Board pursuant to the Town’s Zoning Law 158-48(B).

This project was initially proposed in 2002, and never received final approval from either the

Town Board or Planning Board. Now, the applicant proposes to substantially modify the

proposed access for this project. The original access was to be via NYS Route 32 and Chestnut

Road. The current proposal abandons that plan and access would be provided via

Gardnertown Road at Creek Run Road, with substantial improvements and realignment

Required at that intersection that would require extensive grading and the installation of

retaining walls to create a four-way intersection.

Darren Doce representing Gardner Ridge was present at the meeting to answer questions.

Supervisor Piaquadio said that he would like to see an emergency access road provided, one

way in and out is not sufficient for that many residents. Supervisor Piaquadio recommended

to Mr. Doce possibly buying a small piece of land from the town that would come out along

the side of Animal Control on Gidney Avenue.

Darren Doce advised they were prepared to make adjustments where needed.

Councilman Ruggiero questioned the traffic flow on Gardnertown Road, he is concerned

about the traffic stacking up at the intersection of Creek Run Road and Gardnertown Road.

Councilman Ruggiero asked if there was a way to have the road straightened to improve site

distance.

Darren Doce advised the Town Board they were prepared to make adjustments where they

needed.

Mark Taylor Town Attorney advised that the town granting of an easement might be

sufficient but will look into everything and advise at a later date.

The Town Board asked Mr. Doce come back in front of the Town Board at a later date when

All the Town Board issues have been looked into.

**B. Monarch Woods Outside User Agreement**

MOTION made by Councilwoman Greene to approve the Outside User agreement with

Monarch Woods. Motion seconded by Councilman Ruggiero VOTE: Councilwoman

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

LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0 abstain;

0 absent.

**C. Ratify Orange County Intermunicipal Agreement**

Mark C. Taylor Attorney for the Town, presented the Town Board with an Intermunicipal

Agreement from The Orange County Planning Department.

The County has determined that GML 239 requires the referral of many actions that are

unlikely to have significant intermunicipal or Countywide impacts, diverting time and

attention away from projects with significant inter-community and Countywide

considerations. To address this issue, the County of Orange has prepared an

Intermunicipal Agreement (IMA) regarding requirements for municipal referral of

certain planning and zoning actions to Orange County Department of Planning for review.

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The County would like to reduce the number of referrals to the Planning Department, so

the Planning Department can focus attention on the projects that are more likely to have

intermunicipal or Countywide impacts. The IMA would also enable municipal boards to

streamline their own review and approval processes for those projects that are likely to

have only local impacts and considerations.

Orange County proposes, therefore, an agreement lasting one (1) year that can be

renewed for up to five (5) years total, eliminates the following reviews from referral to

the Planning Department. Municipalities would be free to accept or decline this

agreement and would be encouraged to refer any applications to the Planning

Department for review and advice id such advice would be deemed necessary or

desirable by the referring board, regardless of whether that referral is required by GML 239.

MOTION made by Councilman Manley to approve the Intermunicipal Agreement between

the Town of Newburgh and the Orange County Planning Department. Motion seconded by

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

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

passed: 5 yes; 0 no; 0 abstain; 0 absent.

**15. ADJOURNMENT:**

MOTION made by Councilwoman Greene to adjourn the meeting at 7:47 p.m.

Motion seconded by Councilman Manley VOTE: Councilwoman Greene – yes;

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

Supervisor Piaquadio – yes Motion passed: 5 yes; 0 no; 0 abstain; 0 absent

*Meeting adjourned at 7:49 p.m.*

*Respectfully submitted,*

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Lisa M. Vance Ayers Rachel Vazquez

Town Clerk Deputy Town Clerk