**AT THE PUBLIC 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 10th of April, 2023

**Present** Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

Scott M. Manley, Councilman

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

Lisa M. Vance Ayers, Town Clerk

Rachel Vazquez, Deputy Town Clerk

**Absent**  Anthony R. LoBiondo, Councilman

*Meeting called to order at 7:00 p.m.*

**1. ROLL CALL**

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

**3. MOMENT OF SILENCE**

**4. CHANGES TO AGENDA- 2 Additions**

**12C. Water Treatment Chemical Treatment Bids**

**13. Computer Surplus**

**5. POLICE DEPARTMENT:**

**A. Swearing in of New Police Sergeant**

Town Justice Richard Clarino administered the Oath of Office to Sergeant John Radar

**B. Promotion of Police Detective**

Town Supervisor Gil Piaquadio announced that Town Board had interviewed several

candidates for the Detective position. The town Board has chosen to promote

Thomas D. O’Connell Jr. to detective

**TOWN BOARD MEETING APRIL 10, 2023 PAGE 2**

**6. PUBLIC HEARING: A Local Law Ameding Capter 104 “Schedule of Fees” Water Backflow**

**Application Fee**

Town Supervisor Piaquadio asked Town Clerk Lisa Vance Ayers if all of the proper

postings and publications were completed. Town Clerk Vance Ayers said notice of this

meeting had been posted on the Town website and in Town Hall since March 27, 2023

and it was advertised in the *Mid Hudson Times* on March 30, 2023

This complies with all of the requirements for a Public Hearing under New York State Law.

**Opening Public Hearing**

MOTION made by Councilwoman Greene to open the public hearing at 7:10pm

Motion seconded by Councilman Ruggiero

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

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

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

**Closing Public Hearing**

MOTION made by Councilwoman Greene to close the public hearing at 7:12pm

Motion seconded by Councilman Manley

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

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

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

MOTION made by Councilman Ruggiero to approve a Local Law No. 5 of 2023 Amending

Chapter 104 entitled “Schedule of Fees” of the Code of the Town of Newburgh Municipal

Code: Water Backflow Preventer Application Fee. Motion seconded by Councilwoman

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

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

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

**7.** **ACCOUNTING DEPARTMENT:**

**A. Approval of Audit**

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

$330,392.13. Motion seconded by Councilman Ruggiero

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

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

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

**B. Review Status Report and Budget Status Report for January 2023**

MOTION made by Councilman Manley to approve the Status Report and Budget Status

Report for January 2023. Motion seconded by Councilwoman Greene

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

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

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

**TOWN BOARD MEETING APRIL 10, 2023 PAGE 3**

**8. DEPARTMENT HEAD REPORTS:**

**A. Parks and Recreation Department**

Parks and Recreation Commissioner, James Presutti, reported that the Easter Egg Hunt

went well. This year it was a rainy day so they decorated and set up a trail in the

Recreation Building and the Easter bunny was in attendance. There are two senior chats

scheduled. One is with St. Luke’s Hospital, the other is with MVP Healthcare.

Softball starts on the 18th and Soccer starts the 15th. All the summer camp sessions are full

except a few spots in the first two session which is common with the transition from

school ending and summer vacations starting. Chadwick Lake has been stocked with

trout. The department is accepting organizations to March in the Memorial Day Parade.

**B. Fleet Department**

Highway Superintendent Mark A. Hall Jr. reported new a/c machine and tire machine was

Ordered.

**C. Highway Department**

Highway Superintendent Mark A. Hall Jr. reported 25 traffic and street name signs were

replaced. Picked up 23 tires, picked up 4 One Ton dumps full of Garbage. Fixed Guard rail.

Complete first round of chip seal, tentative, beginning of middle of May. 2nd round

scheduled for 1st week in August. Finishing up any lawn damage from the winter. Union

Avenue easement is finished.

**D. Police Department**

Chief of Police Donald B. Campbell reported The Police Department has completed a

review of all its policies. We currently have 85 policies that serve as an instruction manual

for the officers on how to handle various situations from accident investigations to

community policing to Use of Force. These policies are modified on an individual basis as

the law or best practices change in New York State, but we also review each policy

individually every year or two in order to ensure they are up to date regardless of law

changes.  Last Tuesday I attended the Orange County Executive's Meritorious Service

wards. Sgt. Matthew Nadolny was awarded the Meritorious Service Award heroically

putting himself at grave risk to rescue a young man that had jumped from the Newburgh

Beacon Bridge and would have surely drowned if not for Sgt Nadolny's quick action.

Chief of Police Donald B. Campbell reported the following:

Year to Date Statistics

* Calls for Service: 6550
* Case Reports: 1000
* Arrests: 270
* Tickets issued: 950

Accident reports taken: 400

**TOWN BOARD MEETING APRIL 10, 2023 PAGE 4**

**9. ANIMAL CONTROL: T94 Withdrawal**

**A. 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 $697.94 of

which $430.14 were for feline services, $267.80 were for canine services.

MOTION made by Councilwoman Greene to approve T94 withdrawal of $697.94 to pay

for Vet service to NVH. Motion seconded by Councilman Manley. VOTE:

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

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

abstain; 1 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 $130.40 for canine

services.

MOTION made by Councilman Ruggiero to approve T94 withdrawal of $130.40 to pay for

Veterinary service to FAH. Motion seconded by Councilwoman Greene.

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

Councilman LoBiondo – absent; Supervisor Piaquadio – yes.

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

**C. Hiring of Part Time Animal Control Officer**

Donald B. Campbell, Police Chief, is requesting Town Board hire Jason Kosak to fill a

vacant Part-Time Animal Control Officer Position. The position has a starting salary of

$17.31 per hour and hours not to exceed an average of 20 hours per week or 1040 hours

in one calendar year. Requesting start date on or after April 24th 2023 pending finger

prints and physical. Fund appropriation number 001-3510-0100.

MOTION made by Councilman Ruggiero to approve Part- Time Animal Control Officer.

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

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

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

**10. RECREATION:**

**A. Hiring Part Time Chuffer**

James Presutti Commissioner of Parks and Recreation is seeking approval to hire

Darrayle Williams as a part-time Chauffer at the rate of $20.00 per hours. Hiring

contingent on Town Board approval and the completion of his fingerprints, paperwork,

drug/alcohol screening and physical. Start date on or after April 17, 2023 is anticipated.

MOTION made by Councilman Manley to approve hiring Darrayle Williams as a part

Time Chauffer pending fingerprints, screening, and physical. Motion seconded by

**TOWN BOARD MEETING APRIL 10, 2023 PAGE 5**

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

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

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

**B. Senior Transportation Service & Agreement Extension**

Mark C. Taylor, Attorney for the Town, presented letter on Resolution of Town Board

Authorizing Amendment and Extension Agreement with the County of Orange to provide

CSE Senior Transportation Services. This second extension is for one year. The County’s

Maximum reimbursement for the year extension will be in a total amount not to exceed

$24,120.00, which is the same for the past year

MOTION made by Councilman Ruggiero to approve Senior Transportation Service &

Agreement Extension. Motion seconded by Councilman Manley. VOTE: Councilwoman

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

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

absent.

**11. RESOLUTION: Stewart Airport Air national Guard Base Water District; 2023 Water Rates**

Mark C. Taylor, Attorney for the Town, presented Resolution Establishing the Water Rates

of the Stewart ANG Base Water District Effective January 1, 2023. The 2023 water usage

rate for the Air National Guard District is calculated to be $15.47 per thousand gallons.\*

MOTION made by Councilman Ruggiero to approve 2023 Stewart Airport National Guard

Base Water Rates. Motion seconded Councilman Manley. VOTE: Councilwoman Greene –

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

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

**12. ENGINEERING:**

**A. Grant for Orange lake West Sewer**

Patrick Hines, Engineering Representative, presents Water Quality Improvement Program

(WQIP) Grant Application to extend municipal sewer mains to the West Side of Orange

Lake. The NYSDEC administers the WQIP as part of the Consolidated Funding Application

process. One of the priority project categories in past funding rounds is the construction

of sewer services to replace on-site residential septic systems that are causing impacts to

important water bodies. We know Orange Lake is listed on the State's Priority

Waterbodies List, and the Town and Orange Lake homeowners have supported extensive

testing and research about Orange Lake water quality and impacts from nearby septic

systems.  The WQIP can fund between 40% and 75% of the construction costs for several

types of priority wastewater improvement projects, including replacement of inadequate

septic systems. I would prepare the 2023 WQIP application for a lump sum of $4,600,

including all narratives, budget forms, certifications, and any formatting changes needed

for the Engineering Report C.T. Male has already developed. We would invoice the Town

**TOWN BOARD MEETING APRIL 10, 2023 PAGE 6**

only after submission of the WQIP Application, presumably at the end of July.

MOTION made by Councilwoman Greene to approve Grant for Orange Lake West Sewer.

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

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

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

**B.** **Water Treatment Plant- SCADA Maintenance Services**

Patrick Hines, Engineering Representative, seeking approval for Task Order No. 6 for

Continuing SCADA maintenance services for the Chadwick Lake Filter Plant and the

Delaware Aqueduct Water Treatment Plant.

MOTION made by Councilman Ruggiero to approve Water Treatment plant- SCADA

Maintenance Services. Motion seconded by Councilwoman Greene. VOTE: Councilwoman

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

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

**C. 2023 Water Chemical Treatment Bids**

Chemrite Incorporated having informed the Town that it made a mistake on its bid

submissions for Item 6 (Phosphoric Acid-DAT) and Item 10 (Citric Acid-DAT) by submitting a

“per pound” bid dollar amount rather than a “per gallon” bid dollar amount and upon

conversion to gallons, the Chemrite bids on item 6 and item 10, no longer being the low

bids.

**BE IT MOVED** that the bid awards on Item 6 and Item 10 to Chemrite are hereby cancelled.

MOTION made by Councilwoman Greene to cancel the bid awards on Item 6 and Item 10 to

Chemrite Incorporated Motion seconded by Councilman Ruggiero. VOTE: Councilwoman

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

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

**BE IT MOVED** that Item 6 and Item 10 of the 2023 Water Treatment Chemicals Bids be

awarded to the actual low bidders as follows.

* Item 6 (phosphoric Acid – DAT) to Coyne Chemical
* Item 10 (Citric Acid – DAT) to Surpass Chemical Company, Inc.

MOTION made by Councilman Manley to award Item 6 (phosphoric Acid- DAT) to Coyne

Chemical and to award Item 10 (Citric Acid – DAT) to Surpass Chemical Company, Inc. as

the new lowest bidders. Motion seconded by Councilwoman Greene. VOTE: Councilwoman

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

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

**TOWN BOARD MEETING APRIL 10, 2023 PAGE 7**

**13. COMPUTER SURPLUS**

Gil Piaquadio, Town Supervisor, presents 23 computers being declared surplus. They were

manufactured by Dell in 2007.

MOTION made by Councilman Manley to approve Surplus of computers. Motion seconded

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

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

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

**14****. ANNOUCEMENTS:**

**Councilman Ruggiero -** Animal Control recently received an anonymousdonation for 20K.

Our Animal Control really needs it.

**Councilwoman Greene -** Can we send them a thank you on behalf of the Town Board?

**Councilman Ruggiero -** The thank you has already been sent.

**Supervisor Piaquadio –** If you have noticed there is flag here and it’s pretty tattered. I asked

the American Legion for the worst flag they could find before they burn them. It was

George Cohan that originally wrote “You’re a Grand Old Flag”. Cohan was inspired because

he had talked to a Civil War Veteran who carried the flag with him even though it was torn

and tattered because it still meant so much to him. In the 1970’s Johnny Cash wrote a song

about an old flag at the courthouse and he had seen an old fella that said we still respect the

flag no matter how bad it is.

On the bronze plaque we included the Vietnam War and it goes into a little more detail. My

favorite sentence on that plaque is the last one. “If you do not respect our flag, then you

were never handed a folded one”. There a few handouts that go along with that. On Flag Day

we will have more of a ceremony, which is on June 14th.

If you look at the flag from the back center isle and you turn to the flag, you will see fifty stars

and if you are standing right in front of it you will see thirteen stars. There was one piece

laminated over the flag. It’s not electrical, it’s totally mechanical, we added that feature, we

thought even the younger kids would like that.

**TOWN BOARD MEETING APRIL 10, 2023 PAGE 8**

**15. PUBLIC COMMENTS:**

**16. EXECUTIVE SESSION: Employee Medical Condition**

MOTION made by Councilman Manley to go into Executive Session at 7:40.

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

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

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

MOTION made by Councilman Manley to leave Executive Session at 7:45. Motion

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

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

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

**Deputy Supervisor Manley stated that No Action was taken during Executive Session**

MOTION made by Councilman Ruggiero to approve the creation of a sick bank for an

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

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

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

**17. ADJOURNMENT**

MOTION made by Councilwoman Greene to adjourn the meeting at 7:50 p.m. Motion

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

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

Piaquadio – absent. Motion passed: 3 yes; 0 no; 0 abstain; 2 absent

*Meeting adjourned at 7:50 p.m.*

*Respectfully submitted,*

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Lisa M. Vance Ayers Rachel Vazquez

Town Clerk Deputy Town Clerk