**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 11th of March, 2024

**Present** Scott M. Manley, Councilman

Paul 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** Gilbert J. Piaquadio, Supervisor

Betty Greene, Councilwoman

*Meeting called to order at 7:03 p.m.*

**1. ROLL CALL**

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

**3. MOMENT OF SILENCE**

**4. CHANGES TO AGENDA- Remove 10 B**

**5. RECOGNITION OF MEMBERS OF THE EMPIRE STATE HUDSON VALLEY FIGURE SKATING CLUB**

**6. ACCOUNTING DEPARTMENT:**

**A. Approval of Audit**

Motion made by Councilman LoBiondo to approve the audit in the amount $1,052,018.12.

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

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

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

**B. Review Status Report and Budget Status Report for February 2024**

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

Report for February 2024. Motion seconded by Councilman LoBiondo. VOTE:

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

Councilman LoBiondo – yes; Supervisor Piaquadio – absent. Motion passed: 3 yes; 0 no; 0

abstain; 2 absent.

**7.** **WATER/SEWER: Portable, Robotic Sewer TV/Camera Bid Award**

Steve Grogan, Water/Sewer Manager, is requesting approval Bid Proposal from CUES as they were the

lowest bidder, with a bid of $39,236.00 for the Portable, Robotic Sewer TV/Camera Bid.

MOTION made by Councilman Ruggiero to approve CUES for the Water/Sewer Portable

Sewer TV/ Camera Bid. Motion seconded by Councilman LoBiondo. VOTE: Councilwoman

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

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

absent.

**TOWN BOARD MEETING MARCH 11, 2024 PAGE 2**

**8. DEPARTMENT HEAD REPORTS:**

**A. Highway Department**

Highway Superintendent Mark A. Hall Jr. reported in the last month filled up a 30 yard

dumpster. Replaced and/or added 27 Road Signs. Completed and Handed out 24 Road

Lists. Met with both contractors to measure out the roads. Started early on lawn damage

repair. Keeping up filling of potholes, even some on the state roads. We’ve been out

ditching and trimming roads that need the attention and on the 24 road list. Looking to

open up the Saturday hours for the leaf/Brush bins on Saturday April 13th.

**B. Recreation**

Jim Presutti, Commissioner of Parks and Recreation, presented Youth Indoor programs

concluded last week. Spring Program registrations are going very well. Summer Camp

Registration begins this Saturday morning 3/16/24. Trout will be stocked later this

month... Programs at Desmond going well, introduced some new language

programs.  Senior Chats have been a big hit. Gearing up for the Memorial Day Parade.

I Just want to recognize my entire staff and especially Jason Szeli and Amanda Alberti for their hard work in keeping our youth soccer and basketball programs successful over the years. They are able to keep these programs available to children of all abilities in a recreational atmosphere encouraging sportsmanship and teamwork while also teaching the fundamentals of the game. We were short staffed this winter and everyone pitched in to make this one of the most successful indoor programs in the area. I can't thank them enough!

**C. Police Department**

Police Chief, Bruce Campbell, presented The three officers that graduated the police academy in December are doing well in their 16 week field training. If all goes well they should be cut loose on their own in the next 6-8 weeks.  Last month we were in the process of selecting a new police canine. We did in fact purchase a 15 month old dutch shepherd. It has long been a custom in law enforcement to name its canines in remembrance of a fallen officer or one that may have died in service. As you know we tragically lost Officer Daniel Romano in a snow mobile accident two years ago. After meeting with the Romano family and discussing several options we have decided on the name "Ocho" for our new canine. Ocho, Spanish for the number 8, is the number that Daniel wore as a star football player at NFA and in college. Officer Evan Longinott and "Ocho" started the Police Canine Training Academy today. Graduation is tentatively scheduled for July 5th. That training is being held at the Orange County Sheriff's canine training facility in Montgomery.

**9. POLICE: Hiring of Full-Time Police Officer**

Police Chief, Bruce Campbell, is requesting approval to hire Joel Pichardo as a Full Time Police Officer.

Starting salary of $78,318 per year. Mr. Pichardo is currently a certified police officer and working in

the NYPD and is eligible as a resignation reinstatement. Start date effective on or after March 25th,

pending completion of a background investigation.

MOTION made by Councilman Ruggiero to approve Hiring Joel Pichardo as a Full Time Police

Officer pending background investigation. Motion seconded by Councilman LoBiondo. VOTE:

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

Councilman LoBiondo – yes; Supervisor Piaquadio – absent. Motion passed: 3 yes; 0 no; 0

abstain; 2 absent.

**10. RECREATION:**

**A. Part-Time Recreation Department Aide**

Jim Presutti, Commissioner of Parks and Recreation, is requesting approval to begin the

Process to hire a Part Time Recreation Aide for the Desmond Campus to fill current

opening. Funds for this position is available in the2024 Budget.

**TOWN BOARD MEETING MARCH 11, 2024 PAGE 3**

MOTION made by Councilman Ruggiero to approve to start process to hire Part Time

Recreation Aide for the Desmond Campus. Motion seconded by Councilman LoBiondo.

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

yes; Councilman LoBiondo – yes; Supervisor Piaquadio – absent. Motion passed: 3 yes; 0

no; 0 abstain; 2 absent.

**~~B. 2024 T-Shirt Bid Approval~~**

**C. Part-Time Laborer**

Jim Presutti, Commissioner of Parks and Recreation, is requesting approval to hire Charles Carver as a Part Time Laborer to fill the opening left when Xavier Mayo resigned. Mr. Carver will be hired at the rate of $17.31/hour. This position is currently funded in the 2024 Recreation Department Budget. The start date for this position will be on or after March 25th.

MOTION made by Councilman LoBiondo to approve hiring Charles Carver as a Part Time

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

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

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

**11. HIGHWAY: 8 Ton Trailer**

Mark Hall, Highway Superintendent, is requesting approval to purchase 1-8 Ton Trailer from Congelosi Trailer Sales at $13,216.00. The funds are available and will be taken from Machinery-Equipment/Other Capital fund.

MOTION made by Councilman Ruggiero to approve to purchase 1-8 Ton Trailer from

Congelosi Trailer Sales at $13,216.00. Motion seconded by Councilman LoBiondo. VOTE:

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

yes; Councilman LoBiondo – yes; Supervisor Piaquadio – absent. Motion passed: 3 yes; 0

no; 0 abstain; 2 absent.

**12. ASSESSOR:**

**A. Surplus Equipment**

Molly Carhart, Assessor, presented surplus of Brother Printer/Scanner Model# MFC-

L5900DW, Ser# U64203K2N135562, Asset# 11903.

Motion made by Councilman LoBiondo to approve surplus of Brother Pinter/Scanner.

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

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

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

**B. Tax Certiorari – United Rentals and Sanford Sharp (5311 Route 9W North)**

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

Hacker Murphy regarding the proposed settlement of the tax certiorari for settlement of

United Rentals and Sanford Sharp (5311 Route 9W North). The settlement provides for no reductions for 2019, 2020, 2021 and 2022 and reduction in Assessed Value for 2023 of $25,000 from $240,000 to $215,000. The 2023 Assessed Value will hold for 2024, 2025 and 2026 pursuant to the provisions of RPTL Section 727, subject to the statutory exceptions. The charts indicates that the refund liability for the Town (including Highway but not including special districts and the Fire District) will be approximately $390.94 versus claimed refund liability of approximately $8,916.84. The Middlehope Fire District's

**TOWN BOARD MEETING MARCH 11, 2024 PAGE 4**

refund liability under the settlement will be approximately $115.16. The Marlboro School District's refund liability will be approximately $1,890.75.

MOTION made by Councilman Ruggiero to approve Tax Certiorari- United Rentals and

Sanford Sharp (5311 Route 9W North). Motion seconded by Councilman LoBiondo.

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

yes; Councilman LoBiondo – yes; Supervisor Piaquadio – absent. Motion passed: 3 yes; 0

no; 0 abstain; 2 absent.

**13. 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 $447.27 for canine

services.

MOTION made by Councilman LoBiondo to approve to use the T-94 Account to pay

for veterinarian services from Flannery Animal Hospital for a total of $447.27 for canine

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

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

yes; Supervisor Piaquadio – absent. Motion passed: 3 yes; 0 no; 0 abstain; 2 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 $1025.35 of

which $18.00 were for canine services, $1007.35 were for feline services.

MOTION made by Councilman Ruggiero to approve to use the T-94 Account to pay

For veterinarian services from Newburgh Veterinary Hospital for a total of $1025.35.

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

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

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

**14. ENGINEERING:**

**A.** **Matrix I-84 Distribution Center Landscape & Tree Performance Bonds**

Pat Hines, Representative town Engineer is requesting approval for The Planning Board's Landscape Architect Consultant, Karen Arent, recommendation for landscape security in the amount of $497,108.00 with a landscape inspection escrow initial deposit of $4,000.00. A tree performance bond in compliance with the Tree Preservation Ordinances is recommended at $28,948.00. The tree preservation inspection escrow in the amount of $4,000.00 should also be provided.

MOTION made by Councilman Ruggiero to approve to approve Matrix I-84 Distribution

Center Landscape & Tree Performance Bonds. Motion seconded by Councilman LoBiondo.

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

yes; Councilman LoBiondo – yes; Supervisor Piaquadio – absent. Motion passed: 3 yes; 0

no; 0 abstain; 2 absent.

**B. NYC DEP Agreement in Principle**

Pat Hines, Representative town Engineer is requesting approval for Agreement in Principle: Town of Newburgh water supply project Roseton water main, river road repairs, and completion of Chadwick lake water treatment filtration project (WTFP). The New York City Department of Environmental Protection ("DEP") and the Town of Newburgh (the "Town") agree conceptually as follows:  This Agreement in Principle ("AIP") sets forth the mutual understandings between DEP and the Town (collectively, the "Parties") and

**TOWN BOARD MEETING MARCH 11, 2024 PAGE 5**

provides a framework for subsequent binding agreements that the Parties intend to negotiate and, subject to all necessary approvals, jointly.

Motion made by Councilman LoBiondo to approve NYC DEP Agreement in Principle.

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

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

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

**C. Nob Hill Wastewater Treatment Plant Replacement**

Pat Hines, Representative town Engineer is requesting approval forNob Hill Wastewater Treatment Plant Replacement and Disinfectiion Project - Notice of Intent for Lead Agency.  The Town is proposing to replace the existing wastewater treatment system serving the Nob Hill Sewer district. The replacement is required to meet more stringent discharge limits in the most recent SPDES permit. The project is an unlisted action under SEQRA. The Town will be applying for grants through NYS EFC and or NYS DEC under the WIIA and WQIP programs. These programs have specific requirements regarding SEQRA requiring coordinated review. The Town must circulate for lead agency to begin the SEQRĄ coordinated review.

MOTION made by Councilman Ruggiero to approve Nob Hill Wastewater Treatment Plant

Replacement. Motion seconded by Councilman LoBiondo. VOTE: Councilwoman Greene

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

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

**D. Security Release CBPS Erosion & Sediment Control**

Pat Hines, Representative town Engineer is requesting approval for Security Release of

CBPS Erosion & Sediment Control. The project has completed construction of the site

improvements. The site has been stabilized in accordance with pre-approved plans. The

project Sponsor is requesting security release. The Town has received a signoff from

Nosek Engineering and as-built plans from Lanc &Tully.

MOTION made by Councilman Ruggiero to approve CBPS Erosion & Sediment Control

Security Release. Motion seconded by Councilman LoBiondo. VOTE: Councilwoman

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

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

absent.

**E. Levison/Old Post Road Area Water Main Extension SEQRA Lead Agency**

Pat Hines, Representative town Engineer is requesting approval to declare intent for lead agency for the environmental review (SECRA) of the Levison/Old Post Road Area Water Main Extension.

MOTION made by Councilman LoBiondo to approve intent for lead agency for environmental review of the Levison/Old Post Road Water Main Extension. Motion seconded by Councilman LoBiondo. VOTE: Councilwoman Greene – absent; Councilman Ruggiero – yes; Councilman Manley – yes; Councilman LoBiondo – yes; Supervisor Piaquadio – absent. Motion passed: 3 yes; 0 no; 0 abstain; 2

absent.

**15. VOTE ON RECOGNITION OF UNITED PUBLIC SERVICE EMPLOYEE’S UNION**

Be it resolved that the Town of Newburgh voluntarily recognizes the United Public Service Employees Union as the exclusive bargaining representative for all full-time and part-time employed by the Town in the code compliance department in the titles of Building Inspector

**TOWN BOARD MEETING MARCH 11, 2024 PAGE 6**

III, Assistant Building Inspector II, Assistant Fire Inspector, Code Enforcement Officer, and all part-time clerks

MOTION made by Councilman Ruggiero to approve recognition of United Public Service

Employee’s Union. Motion seconded by Councilman LoBiondo. VOTE: Councilwoman

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

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

absent.

**16. ANNOUNCEMENTS**

**James Presutti Parks & Recreation Commissioner** announced that the Easter Bunny will be

at the Egg Hunt Saturday March 23rd at Chadwick Lake. Registration is required. Camp

registration is Saturday March 16th starting at 8am.

**Councilman Ruggiero** wished everyone a Happy St. Patrick’s Day and it’s the only day that

he leaves his Italian roots and is Irish.

**17. PUBLIC COMMENTS**

**Bill Fedder Rockwood Drive** asked if the DEP project was 16 million or not to exceed 16

million.

**Mark Taylor Town Attorney-** It is not to exceed 16 million

**Pat Hines Town Engineer Representative –** The DEP is holding a meeting tomorrow night if

you would like to attend.

**Bill Fedder-** When you release fees to an applicant, are inspections done prior to you

releasing the fees?

**Pat Hines-** Yes, all inspections are done before we release funds back to the applicant.

**18. ADJOURNMENT**

MOTION made by Councilman Ruggiero at 7:33 p.m. to adjourn the meeting.

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

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

Supervisor Piaquadio – absent. Motion approved, 3 yes; 0 no; 0 abstain; 2 absent.

*Meeting adjourned at 7:33 p.m.*

*Respectfully submitted,*

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Lisa M. Vance Ayers

Town Clerk