**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 28th day of March, 2023

**Present** Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Scott M. Manley, 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**  Paul I. Ruggiero, Councilman

*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 AGENDA – Remove 8C**

**5. TREE PRESERVATION & PROTECTION LOCAL LAW AMENDMENT**

Attorney Mark Taylor presented Tree Preservation and Protection Local Law Amendment.

 Introductory Local Law amending the recently enacted Tree Preservation and Protection Code

Chapter. The amendments are primarily intended to address concerns raised by applicants

with respect to the costs and time required to perform tree surveys of larger sites and

provides for the submission of surveys of representative sample plots. The Local Law also

provides from certain adjustments to the qualification for a specimen tree and for restitution

when over 90% of protected trees of smaller species are removed. The amendments were

prepared with Commissioner Presutti's and Engineers Representative Pat Hines input.

MOTION made by Councilman Manley to approve Tree Preservation & Protection Local Law

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

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

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

**6. RESOLUTIONS:**

**A. Town Opposing Sitting of Ulster County Landfill in Quassaick Creek Watershed in The**

**Town of Plattekill**

Attorney Mark Taylor presented Resolution of the Town Board of the Town of Newburgh In

Opposition to Siting of The Ulster County Resource Recovery Agency Landfill in The Town Of

Plattekill. Town Clerk Vance Ayers read aloud the resolution.

WHEREAS, the Ulster County Resource Recovery Agency (“UCCRA") seeks a site

in Ulster County for the disposal of municipal waste; and WHEREAS, UCCRA commissioned

a study of potential landfill sites which was performed by HydroQuest; and WHEREAS, the

study identified two potential target landfill sites on undeveloped lands, both in the Town

of Plattekill, identified in the HydroQuest study as sites H and I; and WHEREAS, the

southern portion of site I drains and contains tributaries to Quassaick Creek, the primary

tributary to the Town of Newburgh Chadwick Lake Reservoir, supplies drinking water to the

Town of Newburgh and the Town of Marlborough and on an emergency basis to the Town

of New Windsor; and which WHEREAS, the Town of Newburgh contains a portion of the

City of Newburgh's

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Washington Lake Reservoir and in addition, has extended its municipal water supply to

Serve residents whose wells were contaminated by the same PFAS chemicals which caused

the City to discontinue use of its reservoir, so it is keenly aware of the risks of

contamination to public and private water supplies; and WHEREAS, the unnecessary risks

of contamination to a primary source of the drinking water on which three communities

are dependent posed by a potential landfill site are untenable; and WHEREAS, Chadwick

Lake and Quassaick Creek also provide invaluable park and recreation opportunities to

residents of the area, including boating, fishing and hiking at Chadwick Lake Park and north

to Mill Street, as well as to the south in Orange County Algonquin Park's pond area and

nature trails and nearby powder mill site, listed on the National Register of Historic Places,

and the City of Newburgh proposes a Quassaick Creek Estuary Preserve and historic mill

trail project as a living, community park, all of which could be adversely affected by an

upstream landfill; and WHEREAS, the Town of Plattekill which contains both proposed

locations for the UCRRA landfill identified in the HydroQuest study is opposed to both the

proposed site H and site I locations due to the potential adverse effects on the community;

and WHEREAS, based on the mapping available through the New York State Department of

Environmental Conservation website, it is likely that the Town of Plattekill is one of the

areas of Ulster County containing a sizable "Potential Environmental Justice

Area Community," a factor which should weigh heavily against siting of a landfill within

its boundaries; and WHEREAS, the Town of Plattekill borders on the Town of Newburgh

and adverse effects on Plattekill could extend to our neighboring community. NOW

THEREFORE BE IT RESOLVED, that the Town of Newburgh opposes the proposed siting of

the UCRRA landfill in the Town of Plattekill both due to the risks to the Chadwick Lake

Reservoir watershed and in support of its neighboring community; and BE IT FURTHER

RESOLVED, that copies of this resolution be forwarded by the Town Clerk to the Hon.

Robert Rolison, State Senator for the 39th District, the Hon. Jonathan G. Jacobson,

Assemblyman for the 104th District, the New York State Department of Health,

the New York State Department of Environmental Conservation, the Hon. Stephen

Neuhaus, Orange County Executive, the Hon. Jen Metzger, Ulster County Executive, the

Hon. Genesis Ramos, Orange County Legislator for the 6th District, the Hon. Leigh

Benton, Orange County Legislator for the 16th District, the Hon. Mike Anagnostakis,

Orange County Legislator for the 17th District, the Ulster County Legislature, Executive

Director Greg Ollivier and the Board of Directors of the UCRRA and the Supervisors and

Town Boards of the Town of Plattekill and Town of Marlborough.

MOTION made by Councilman LoBiondo to approve Opposition to Siting of The Ulster

County Resource Recovery Agency Landfill in the Town of Plattekill. Motion seconded by

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

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

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

**B. Town Opposing Discharge of Contaminated Water from Indian Point Site into the**

**Hudson River**

Attorney Mark Taylor presented Resolution of the Town Board of the Town of Newburgh In

Opposition to The Discharge of Contaminated Water into the Hudson River.

MOTION made by Councilman Manley to approve Opposition to The Discharge of

Contaminated Water into the Hudson River. Motion seconded by Councilwoman Greene.

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

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

abstain; 1 absent

**7. ACOUNTING DEPARTMENT:**

**A. Approval of Audit**

MOTION made by Councilwoman Greene to approve the audit in the amount of

$1,513,464.84 Motion seconded by Councilman Manley VOTE: Councilwoman Greene –

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

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

**8. 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 $353.35 of which all $353.35 were for Feline services.

MOTION made by Councilman LoBiondo to authorize the use of the T-94

account to pay for veterinarian services from VCA Flannery Animal Hospital

for a total of $353.35 of which all $353.35 were for feline services.

Motion seconded by Councilman Manley.

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

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

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

**B. Acceptance of Donation from Eleanor Bellotto Living Trust**

Town Supervisor, Gil Piaquadio, presents a signed and notarized Release Form regarding

the Eleanor G. Bellotto Living Trust donation of $20,000.00 to the Town of Newburgh

Animal Shelter.

MOTION made by Councilwoman Greene to accept donation of $20,000.00 to the Town of

Newburgh Animal Shelter. Motion seconded by Councilman Manley.

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

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

abstain; 1 absent.

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

**9. RECREATION DEPARTMENT:**

**A. Recreation Aide Position**

Commissioner of Parks, Recreation and Conservation James Presutti is recommending to

fill the position of Recreation Aide. Two employees showed an interest in this position

and after doing interview, Mr. Presutti is recommending Kerry Dowling as the new

Recreation Aide. Since Ms. Dowling is already an employee she will need to complete

full-time paperwork only. Full-time date will be on or after April3, 2023. Her Salary will be

$18.3060 per hour per the CSEA contract Step 5.

MOTION made by Councilman LoBiondo to approve Kerry Dowling as Full-Time Recreation

Aide. Motion seconded by Councilman Manley.

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

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

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

**10. ENGINEERING:**

**A.** **Amendment to Owner Engineer Agreement with MHE Engineering**

Rep Engineer for town, Patrick Hines, presented Amendment to owner engineer

Agreement with MHE Engineering. This amendment is for the design of the Recreation

Center as described under modifications dated 03/23/2023 not to exceed $125,000 and

for Septic Design not to exceed $50,000.00.

MOTION made by Councilwoman Greene to accept amendment as presented. Motion

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

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

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

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**B. Holt Construction**

Patrick Hines, Rep Engineer for town, is requesting to hire Holt Construction for Pre-

Construction Services for the Recreation Center at a cost no exceeding $55,556.40, subject

to review by the attorney for the Town.

MOTION made by Councilman Manley to Hire Holt Construction for Pre-Construction

Services for Recreation Center. Motion seconded by Councilman LoBiondo.

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

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

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

**11. HIGHWAY DEPARTMENT:**

**A. Award of Summer Material Bid**

Highway Superintendent, Mark Hall, is requesting approval for vendors that won the bids

for summer material. Bid sheets attached.

MOTION made by Councilman Manley to award Summer Materials Bid as presented.

Motion seconded by Councilman Lobiando.

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

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

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

**B. Award of cold Milling Machine Bid**

Highway Superintendent, Mark Hall, is requesting approval for vendors that won the bids

for Cold Milling Machine. Bid sheets attached.

MOTION made by Councilman LoBiondo to award Cold Milling Machine Bid as presented.

Motion seconded by Councilwoman Greene.

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

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

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

**C. Award of Heavy Equipment Rentals Bid**

Highway Superintendent, Mark Hall, is requesting approval for vendors that won the bids

for Heavy Equipment Rentals. Bid sheets attached.

MOTION made by Councilman Manley to award Heavy Equipment Rentals Bid as

presented. Motion seconded by Councilman LoBiondo.

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

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

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

**D. Award of Tree Cutting Bid**

Highway Superintendent, Mark Hall, is requesting approval for vendors that won the Tree

Cutting Bid. Bid sheets attached.

MOTION made by Councilman LoBiondo to award Tree Cutting Bid as presented.

Motion seconded by Councilman Manley.

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

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

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

**12. EXECUTIVE SESSION: Memorandum of Agreement with PBA**

MOTION made by Councilwoman Greene to go to executive session at 7:17pm. Motion

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

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

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

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MOTION made by Councilwoman Greene to come out of executive session at 7:35pm.

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

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

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

**Supervisor Piaquadio said no action was taken during Executive Session**

MOTION made by Councilman Manley to approve the agreement between the Town of

Newburgh and the Town of Newburgh Policemen’s Benevolent Association, Inc.

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

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

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

**13. ADJOURNMENT**

MOTION made by Councilwoman Greene to adjourn the meeting at 7:22 p.m. Motion

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

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

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

*Meeting adjourned at 7:22 p.m.*

*Respectfully submitted,*

*Respectfully submitted, Respectfully submitted,*

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Lisa M. Vance Ayers Rachel Vazquez

Town Clerk Deputy Town Clerk