**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 Wednesday the 28th of May, 2025

 **Present** Gil Piaquadio, Town Supervisor

 Paul Ruggiero, Councilman

 Scott Manley, Councilman

 *A*nthony R. LoBiondo, Councilman

James Politi, Councilman

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

 Lisa M. Vance Ayers, Town Clerk

 Dominique Rivera, Deputy Town Clerk

*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- #6 change ZONING to POLICE**

**5. ACCOUNTING: Approval of the Audit**

MOTION made Councilman Manley to approve the audit in the total amount of $1,350,525.78

 Motion seconded by Councilman Politi. VOTE: Councilman Ruggiero – yes; Councilman Manley –

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

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

**6. POLICE: Nuisance Law – Set a Public Hearing**

Motion made by Councilman Manley to schedule a Public Hearing for the Town Public

 Nuisance Proposed Local Law for July 14, 2025 at 7:00 pm**.** Motion seconded by Councilman

 LoBiondo. VOTE: Councilman Ruggiero – yes; Councilman Manley – yes; Councilman LoBiondo – yes;

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

**7. AGRICULTURAL DISTRICT REQUEST: APJ Enterprises of Newburgh, LLC**

 Supervisor Piaquadio presented an application from APJ Enterprises of Newburgh, LLC

 submitted to the Orange County Legislature for inclusion of land SBL 11-1-74.1 in the

 County’s Agriculture District.

 MOTION made by Councilman LoBiondo to not approve the application from APJ

 Enterprises of Newburgh, LLC Motion seconded by Councilman Politi

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

 LoBiondo – yes; Councilman Politi – yes; Supervisor Piaquadio – Abstain.

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

**8. COMPREHENSIVE PLAN UPDATE: SEQR Lead Agency & Positive Declaration Resolution**

Motion made by Councilman Ruggiero to approve the resolution of the Town Board of the

 Town of Newburgh providing for SEQR Designation and determination for proposed Town of

 Newburgh Comprehensive Plan Update and providing for scoping**.** Motion seconded by

 Councilman Politi. VOTE: Councilman Ruggiero – yes; Councilman Manley – yes; Councilman

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

 abstain; 0 absent.

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**9. ORANGE LAKE WEST: Agreement with CT Male**

Deputy Supervisor, Scott Manley presented a Technical Service Change Order No. 1 for C.T

 Male Associates for the Evaluation of Sanitary Sewer- West Orange Lake project. This

 Change Order Incorporates changes and/or additions to the original proposal dated

 February 17, 2022. All Provisions of Agreement in the original signed Contract Agreement

 apply to the Change Order, unless otherwise specified. Original Contract price was

 $24,000.00. The New Contract Price including this Change Order will be $29,700.00.

MOTION made by Councilman Politi to approve the Agreement with CT Male Associates for

 Change Order #1 with a New Contract price of $29,700.00. Motion seconded by Councilman

 Ruggiero. VOTE: Councilman Ruggiero – yes; Councilman Manley – yes; Councilman

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

 1 abstain; 0 absent.

**10. RECREATION:**

 **A. New Recreation Center Positions**

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

 the process to hire one full time and six part-time Recreation Aides for the new

 Recreation Center to begin employment August 1st.

 MOTION made by Councilman Manley to approve the process to hire one full time and

 six part time Recreation Aides for the new Recreation Center. Motion seconded by

 Councilman LoBiondo. VOTE: Councilman Ruggiero – yes; Councilman Manley – yes;

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

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

 **B. Purchase of Two John Deere Gators**

James Presutti, Commissioner of Parks and Recreation, is requesting approval to

 purchase two John Deere Gators from the NY State Contract at a total cost of

 $28,998.42.

The funds are available in the 2025 budget as follows:

 $18,000.00 A7110-5200 (current 2025 Budget)

 $10,998.42 A7110-5200 ($13,700 carried over)

 $28,998.42

 MOTION made by Councilman Manley to purchase two John Deere Gators from

 the NY State Contract at a total cost of $28,998.42. Motion seconded by Councilman Politi. VOTE: Councilman Ruggiero – yes; Councilman Manley – yes; Councilman LoBiondo

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

 **C. Picnic Tables for Chadwick Lake Park**

James Presutti, Commissioner of Parks and Recreation, is requesting approval to

 Purchase 30 eight-foot picnic tables at a total cost of $32,737.80. After some discussion it

 was determined that because of the cost these tables will need to go out to bid.

 Recreation will coordinate with the Town Clerk and set a date for bid openings.

 **No action was taken by the Town Board.**

**11. HIGHWAY:**

 **A. Hiring of Full Time Account Clerk**

Mark A. Hall, Highway Superintendent, is requesting approval to hire Ivy D’Onofrio for

 the Full Time positionof Account Clerk in the Highway Department. Ms. D’Onofrio upon

 approval will need to do paperwork, fingerprints, physical and drug and alcohol

 testing. A hire date date of on or after June 9, 2025.

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 MOTION made by Councilman Manley to approve to hire Ivy D’Onofrio for the Full-

 Time position of Account Clerk in the Highway Department. Motion seconded by

 Councilman Ruggiero. VOTE: Councilman Ruggiero – yes; Councilman Manley – yes;

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

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

 **B. Purchase of One Bomag Roller**

Mark A. Hall, Highway Superintendent, is requesting approval to purchase one Bomag

 Roller 120AD-5 from NY State Contract at a total of $50,785.00. The funds are available

 in the 2025 budget.

MOTION made by Councilman Politi to approve the purchase of one Bomag Roller

 120AD-5 for a total of $50,785.00. Motion seconded by Councilman Ruggiero**.** VOTE:

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

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

 abstain; 0 absent.

**12. RESOLUTION: Home Rule Hotel Motel Tax**

Mark C. Taylor, Attorney for the Town, presented a Resolution of the Home Rule Request

 for an act to Amend Chapter 371 of the Laws of 2020 Amending the Tax Law in Relation to

 Authorizing the Town to Impose A Hotel and Motel Tax, In Relation to the Effectiveness

 Thereof Our File No. 800.1(B)( )(2019),800.1(B)( ) (2023),800.1(B)( )(2025)

 Assemblyman Jacobson's office advised that the Bills that he and Senator Rolinson

 introduced were amended to reduce the extension period during which the Town is

 authorized to collect the hotel and motel room occupancy tax from 3 years to 2 years in

 accordance with the request of the Assembly Counsel. The adoption of a new home rule

 request resolution reflecting the amended Bill numbers is therefore required. Accordingly,

 enclosed please find the following draft resolution for the Board's consideration pertaining

 to special legislation:

 Motion made by Councilman LoBiondo to approve the RESOLUTION OF THE TOWN BOARD

 OF THE TOWN OF NEWBURGH APPROVING HOME RULE REQUEST FOR AN ACТ ТО АМEND

 THE TAX LAW IN RELATION TO MAKING TECHNICAL CHANGES THERETO AND TO AMEND

 CHAPTER 371 OF THE LAWS OF 2020 AMENDING THE TAX LAW IN RELATION TO

 AUTHORIZING THЕ TOWN TO IMPOSE A HOTEL AND MOTEL TAX; IN RELATION TO THE

 EFFECTIVENESS THEREOF: Bill Nos. A.8074 and S.7743 amended to Bill Nos. A.8074-A

 and 7743-A. Motion seconded by Councilman Politi. VOTE: Councilman Ruggiero – yes;

 Councilman Manley – yes; Councilman LoBiondo – yes; Councilman Politi – yes; Supervisor

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

**13. ANIMAL CONTROL: T-94 Withdrawal 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 $50.95

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

 veterinarian services from Flannery Animal Hospital for a total of $50.95. Motion seconded

 by Councilman Manley. VOTE: Councilman Ruggiero – yes; Councilman Manley – yes;

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

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

**14. ENGINEERING:**

 **A. Farrell Industrial Park 5 Acre Waiver Request**

Patrick Hines Engineering Representative presented a 5 Acre request from Farrell

 Industrial Park

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**The Town Board took no action on this item, this discussion will continue at another meeting.**

 **B. Elmhurst Culvert Bid Date**

Patrick J. Hines, Rep Town Engineer is requesting approval for the Elmhurst Avenue over

 Bushkill Creek Culvert Replacement Project NYSDOT PIN8762.74 Advertisement & Receipt

 of Bids. The project engineers CPL Engineering have indicated that the project has

 NYS DOT approval for the Elmhurst Culvert Replacement Project. The engineers are

 recommending the Town set an Invitation to Bid advertisement date of 5 June 2025. Bids

 will be received on, by and opened by the Town on 17 July 2025 at 12:00 PM. The project

 has a grant from the NYS Department of Transportation in the amount of $525,000.00.

 The project was previously bid on 11 July 2024. These bids should be rejected based on

 the NYS DOT approval being recently received.

1. MOTION made by Councilman LoBiondo to reject the previous bids on July 11, 2024.

 Motion seconded by Councilman Politi. VOTE: Councilman Ruggiero – yes;

 Councilman Manley – yes; Councilman LoBiondo – yes; Councilman Politi – yes;

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

1. Motion Made by Councilman Manley for the Elmhurst Avenue over Bushkill

 Creek Culvert Replacement Project Advertisement date of 5 June 2025 & for the bids

 to be received by the Town on, by and opened on July 17, 2025. Motion seconded by

 Councilman Politi. VOTE: Councilman Ruggiero – yes; Councilman Manley – yes;

 Councilman LoBiondo – yes; Councilman Politi – yes; Supervisor

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

  **C. Frozen Ridge Tank Painting Bid Date**

 Patrick J. Hines, Rep Town Engineer, is requesting approval for the Frozen Ridge Water

 Tank Rehabilitation and Painting Project Advertisement and Receipt of Bids. The project

 Engineers, H2M Engineers have completed the Design and Specifications for the project.

 The project involves cleaning and painting of the Frozen Ridge water tank, including

 certain safety upgrades of the tank identified by the engineers. The Engineers are

 recommending an Invitation to Bid advertisement date on 5 June 2025, with Bids to be

 received by and on 26 June 2025, 11:00.

 MOTION made by Councilman Manley to approve the advertisement date of 5 June 2025

 and for the town to receive Bids on and by 26 June 2025 for the Frozen Ridge Water Tank

 Rehabilitation and Painting Project. Motion seconded by Councilman LoBiondo. VOTE:

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

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

 abstain; 0 absent.

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 **D. Newburgh Elite Storage Stormwater Control Facility Maintenance Agreement**

 MOTION made by Councilman Ruggiero to approve the Newburgh Elite Storage

 Stormwater Control Facility Maintenance Agreement as presented. Motion seconded by

 Councilman Polit. VOTE: Councilman Ruggiero – yes; Councilman Manley – yes;

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

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

 **E. Justice Court Façade Upgrades- Change Order #2**

 Patrick J. Hines, Rep Town Engineer, is requesting approval of Change Order #2, as

 described below, from Barone Construction Group, Inc. for the Newburgh Town

 Justice Court Facade Upgrades project. 

 **I**. **Proposed Change Order 02 — Paint Soffit & Regrade for New Sidewalk**

 **Summary from Barone**: We propose to provide all labor, material & equipment for the

 following:Per onsite meeting with Andrew Warren from MHE Engineering and Abby

 Punter, Chief Clerk for Judge Clarino, we reviewed the existing asphalt sidewalk and shit

 elevations to show a roughly 14” drop from the curb to the stairs. We raised the grade

 and added a concrete haunch and a small concrete bulkhead wall to eliminate the pitch

 in the sidewalk. The existing stairs will be removed, and new stairs and railings will be

 built. We will provide painting of existing stucco soffit, fascia, and metal gravel stop as

 requested by Judge Clarino.

 **Proposed Change Order Amount:** $13,455.00

 **II. Change Order 02 – Project Allowance**

 **Summary:** We propose to utilize the existing allowance to reduce the change order

 amount.

 **Contract Allowance Amount:** -$10,000.00

 Total Change Order Amount: $3,455.00

MOTION made by Councilman Ruggiero to approve the Newburgh Town Justice Court Façade Upgrades Change Order #2 in the total amount $3,455.00. Motion seconded by Councilman LoBiondo. VOTE: Councilman Ruggiero – yes; Councilman Manley – yes; Councilman LoBiondo – yes; Councilman Politi – yes; Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0 abstain; 0 absent.

 **F. Recreation Center- O’Connor Change Order #9**

Patrick J. Hines, Rep Town Engineer, is requesting approval The Town of Newburgh

 Recreation Center- O’Connor Change Order 09- Credits for Mezzanine Ceilings and

 Foundation Insulation.

 **Summary**: Credit for deletion of gypsum ceilings at Mechanical attic #201 and #202 and

 Credit for R-10 rigid insulation installed at the foundation walls in lieu of R-13 included in

 the Contract drawings.

 **Change order amount: (8,630.24)**

 MOTION made by Councilman Manley for the approval of the Town of Newburgh

 Recreation Center – O’ Connor Change Order #9 in the total amount of $8,630.24. Motion

 seconded by Councilman Ruggiero. VOTE: Councilman Ruggiero – yes; Councilman Manley

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

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

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**G. Recreation Center- O’Connor Change Order #10**

Patrick J. Hines, Rep Town Engineer, is requesting approval The Town of Newburgh

 Recreation Center- O’Connor Change Order #10 – SK-2 Sprinkler Room Revisions.

 **Summary**: Additional two layers of Type X Gypsum board at Sprinkler Room 116 ceiling to

 achieve required fire rating per SK-2.

 **Change Order Amount**: $4,608.00

 MOTION made by Councilman Ruggiero to approve the Town Recreation Center - O’Connor

 Change Order #10 in the total amount of $4,608.00. Motion seconded by Coucilman

 Manley. VOTE: Councilman Ruggiero – yes; Councilman Manley – yes; Councilman

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

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

**15. DISCUSSION: Smoking on Town Property: Chapter 152 of the Code Book**

The town board all agreed that chapter 152 entitled “Smoking” in the code of the Town of

 Newburgh is outdated and needs to be updated. Some changes may include designated

 smoking areas so many feet from any buildings or no smoking on town property. Changes

 will be discussed in the near future.

 **16. POLICE: Budget Transfer**

 Chief of Police, Donald B. Campbell is requesting approval for a budget transfer for

 Vehicle Repairs in the amount of $20,000.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  From:  | Account Number: | 3120.5485 | Amount: | $20,000 |
|  To: | Account Number: | 3120.5451 | Amount: | $20,000 |

 MOTION made by Councilman LoBiondo to approve the budget transfer in the total

 amount of $20,000 for Vehicle Repairs. Motion seconded Councilman Manley. VOTE:

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

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

 0 absent.

**17. EXECUTIVE SESSION: Sewer Promotion**

MOTION made Councilman LoBiondo to go into Executive Session at 7:36 p.m. Motion

 seconded by Councilman Ruggiero. VOTE: Councilman Ruggiero – yes; Councilman Manley

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

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

 **Supervisor Piaquadio said no action was taken in Executive Session.**

MOTION made by Councilman Manley to leave executive session at 8:08 p.m. Motion

 seconded by Councilman LoBiondo. VOTE: Councilman Ruggiero – yes; Councilman Manley

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

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

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**18. ADJOURNMENT**

 MOTION made by Councilman Ruggiero to adjourn the meeting at 8:09 p.m. Motion

 seconded by Councilman LoBiondo. VOTE: Councilman Ruggiero – yes; Councilman Manley

 – yes; Councilman LoBiondo – yes; Councilman Politi -yes; Supervisor Piaquadio – yes.

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

 *Meeting adjourned at 8:09 p.m.*

*Respectfully submitted,*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Lisa M. Vance Dominique Rivera Town Clerk Deputy Town Clerk