**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 August, 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

Rachel Vazquez 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 THE AGENDA- No Changes**

**5. APPROVAL OF AUDIT:**

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

$356,350.99 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.

**6. SCHEDULE PUBLIC HEARING: Chadwick Lake Water Treatment Plant Project**

Public Hearing scheduled for October 10, 2023 at 7:00 PM.

MOTION made by Councilman Ruggiero to approve Public Hearing for Chadwick Lake Water

Treatment Plant Project to be scheduled on October 10, 2023. 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.

**7. REVIEW OF TENTATIVE BUDGET:**

Ron Clum Town Accountant, spoke on some of the major highlights for the 2024 budget.

Inflation is the highest it has been for a number of years. New York State Levy limit is

$21,298,438.00 Town of Newburgh’s is $20,224,674.00, that is a 3.5% decrease combined for

the General and Highway Fund, that equals $1,073,764.00 under. The town will budget for a

transfer to the Recreation Building. Large revenues will be budgeted for.

* **Sales Tax 6.2 Millon**
* **Mortgage Tax 1.8 Millon**
* **Casino 3.88 Millon**
* **ARPA 2.7 Millon**
* **CHIPS 625K**

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Employee salaries and benefits total 28.12 Millon. Utilities are hard to be budgeted for this year

as the currents numbers are all over the place.

\*\*\* **A copy of the Tentative Budget is available at the Town Clerks Office** \*\*\*

**8. ASSESSOR: Certiorari Settlements**

**A. Toll road Manor, LLC**

Mark C. Taylor Attorney for the Town presented the Town Board with a letter from Cathy

Drobny, Esq. of E. Stewart Jones, Hacker Murphy regarding a tax certiorari settlement for

Toll Road Manor, LLC. The settlement discontinues the 2021 proceeding and provides for

a reduction in assessed value of $32,775 (taxable assessed value reduction of $26,220)

from $155,00 (taxable assessed value of $116,250) to $122,225 (taxable assessed value of

$97,780) for 2022. The Assessor will be able to advise with regard to the exemption(s). The

Consent Judgment specifies that the provisions of RPTL Section 727 apply, holding the

Assessed Value at $122,225 for the 2023, 2024 and 2025 assessment rolls, subject to the

statutory exceptions.

The chart indicates that the refund liability for the Town (including Highway but not

including special districts and the Fire District) will be approximately $407.872 versus

claimed refund liability of approximately $2,338.42. Middlehope Fire District will have a

refund liability of approximately $121.81.

MOTION made by Councilman Manley to accept the proposed settlement of tax

Toll Road Manor, LLC. 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. Conew, LLC**

Mark C. Taylor Attorney for the Town presented the Town Board with a letter from Cathy

Drobny, Esq. of E. Stewart Jones, Hacker Murphy regarding a tax certiorari settlement for

Conew, LLC. The settlement provides for no reduction for Lots 32.11 and 32.21 for the

2020, 2021 and 2022 proceedings. The 2023 Assessed Value will also remain the same for

Lot 32.21 at $3,000,000. But for Lot 32.11, the 2023 Assessed Value will be reduced by

$166,085 from $425,000 to $258,915. No refund liability is associated with the 2023

Assessed Value reduction. The settlement further provides for no reduction in the 2020

Assessed Value of Lot 29.11, but a reduction of in the 2021 Assessed Value of $340,000

from $3,147,500 to $2,807,500, and a reduction of $500,000 from 3,147,500 to $2,647,500

for 2022. Lot 26.11's 2023 Assessed Value will then return to $3,147,500 and will hold for

2024, 2025 and 2026 as will the 2023 Assessed Value for the other two lots pursuant to

the provisions of RPTL Section 727, subject to the statutory exceptions.

The chart indicates that the refund liability for the Town (including Highway but not

including special districts and the Fire District) will be approximately $13,074.68 versus

claimed refund liability of approximately $276,551.54. The Orange Lake Fire District's

refund liability under the settlement will be approximately $3,592.69. I've advised the Fire

District's attorney of the pending settlement. The Newburgh Enlarged City School District's

attorneys will be signatories on the Consent Order and Judgment as well.

MOTION made by Councilman LoBiondo to accept the proposed settlement of tax

Conew, LLC. 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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**9.** **RESOLUTIONS:**

**A. Standard Work Day Resolution**

Motion made by Councilman Manley to approve Standard Work Resolution as

presented. 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. Town Board Opposing Delivery Rate Increase by Central Hudson Gas and Electric**

**Corporation**

Gil Piaquadio, Town Supervisor, presented Resolution of Town Board opposing delivery

rate increase by Central Hudson Gas and Electric Corporation. Central Hudson Gas &

Electric Corp. ("Central Hudson") has applied to the New York State Public Service

Commission for an increase in its electricity delivery revenues by approximately $139.5

million (a 31.9 percent increase in base delivery revenues or a 16.4 percent increase in

total revenues), and its natural gas delivery revenues by approximately $41.5 million (a

29.2 percent increase in base delivery revenues or a 19 percent increase in total revenues)

effective July 1, 2024, with the actual bill impacts of these proposed changes on any

particular customer class varying based upon revenue allocation and rate design

Motion made by Councilwoman Greene to approve Resolution opposing Delivery Rate

Increase by Central Hudson. 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

**10. ENGINEERING:**

**A. Unity Place Warehouse- MS-4 5 Acre Waiver Request**

Patrick Hines, Rep Engineer for Town of Newburgh presented the Unity Place Warehouse-

MS-4.5 Acre Waiver Request. The project involves the construction of a 154,7000 square foot

office/warehouse facility with associated car and truck parking spaces. A Stormwater Pollution

Prevention Plan has been prepared for the subject project addressing Town of Newburgh and

NYSDEC requirements. The applicants are requesting a waiver to disturb greater than 5 acres of

land at any one time. Based on the proposed site grading the applicants are requesting to disturb

13.7 +/- acres of property at a single time. The applicants have identified due to the building size

and the need to preform grading activities for on-site improvements that the 5 acre limit would be

a hardship for the project. The project SWPPP provides for additional controls regarding the 5 acre

waiver including a requirement that 2 site inspections be conducted every 7 calendar days that all

disturbed areas which meet final grading must be stabilized within 7 calendar days.

Motion made by Councilwoman Greene to approve the Unity Place Warehouse- MS-4 5

Acre Waiver Request. 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

**B. Santa Monica Holding (The Mansion) Stormwater and Landscape Security Release**

Patrick Hines, Rep Engineer for Town of Newburgh presented Santa Monica Holding (The

Mansion) Stormwater and Landscape Security Release. The Town of Newburgh has

received a request to release the remaining combined landscape and stormwater security

for the project. The original letter of credit was issued in the amount of $138,726.95.

The amount was reduced $38,775.00 by Town Board action at the 21 Oct 2013 Town Board

meeting.  The trust company now is requesting the Town release the reduced amount of

$38,775.00. The landscape security is not needed as significant time has passed.

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Motion made by Councilman Ruggiero to approve Stormwater and Landscape Release.

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

**C. HSC Balmville (Dollar General) Stormwater Mgmt. Security Release**

Patrick Hines, Rep Engineer for Town of Newburgh presented HCS Balmville (Dollar

General) Stormwater Mgmt. Security Release. We have received a request for the

release of the security for the subject project. The project is complete and the site is

stabilized. As-Built Plans and a Certification letter have been received. The release of the

Stormwater Bond in the amount of $75,600.00 (Bond #800127928) requires Town Board

action.

Motion made by Councilwoman Greene to. 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

**D. Polo Club Tree Clearing Security Release**

Patrick Hines, Rep Engineer for Town of Newburgh presented Polo Club Tree Clearing

Security Release. The Town has received a request from Thompkins Excavating to release

the tree clearing Bond for the Polo Club project off Rt. 300. The trees have been removed

from the site and the site has naturally revegetated over time. No issues regarding the tree

clearing exist of the site. Release of the security in the amount of $77,000.00

Motion made by Councilman LoBiondo to approve Polo Club Clearing Security Release.

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

**11. TOWN CLERK: Request to Hire Part Time Clerk**

Lisa Vance-Ayers, Town Clerk, is requesting approval to hire Dominique Rivera as a Part

Time Clerk. If approved Ms. Rivera needs to fill out paperwork, have pre-employment

physical, fingerprints and drug/alcohol test done. Start date on or after September 11,

2023. Ms. Rivera will be hired at the rate of $17.31/hr

Motion made by Councilman LoBiondo to approve Polo Club Clearing Security Release.

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. POLICE DEPARTMENT: Hiring Full Time Dispatcher**

Police Chief, Donald B. Campbell, is requesting approval to hire Full Time Dispatcher,

Jessica Guiliano, with a hire date of on or after September 8, 2023 pending physical and

fingerprinting. The position has a starting salary of $24.49 per hour.

MOTION made by Councilwoman Greene to approve Jessica Guiliano as Full Time

Dispatcher. 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.

**13. ADJOURNMENT**

MOTION made by Councilman Ruggiero to adjourn the meeting at 7:31 p.m. 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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*Meeting adjourned at 7:31 p.m.*

*Respectfully submitted,*

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Lisa M. Vance Ayers Rachel Vazquez

Town Clerk Deputy Town Clerk