



#5B

TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

RONALD E. CLUM, CPA
ACCOUNTANT

845-564-5220

Fax: 845-566-9461


E-Mail: rclumaccountant@townofnewburgh.org

To: Gil Piaquadio, Town Supervisor and
Members of the Town Board

From: Ronald E. Clum, Town Accountant
James Osborne & Pat Hines, Engineers

Date: November 20, 2024

Re: Roseton Capital Project borrowing from Crossroads



Upon going over all the Capital Projects for the year-end close out we reviewed the status of the Roseton Hills Sewer Plant Upgrade and the fact that the project cost more than we anticipated and had an overrun of \$167,128.69.

I am asking for an authorization to borrow \$168,000 from the Crossroads Sewer Fund to the Roseton Hills Capital Project and that these moneys will be paid back when we get long-term financing next year when this project is anticipated to start.

If you have any questions or concerns, please feel free to contact me.



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Fax: 845-566-9461

E-Mail: rclumaccountant@townofnewburgh.org

To: Gil Piaquadio, Town Supervisor
Cc: Town Board
From: Ronald E Clum, Town Accountant
Date: November 8, 2024
RE: Budget Adjustments

In reviewing the year end 2024 Budget Status Report I noticed that the following accounts were over-budget and will need the following Budget Adjustments.

At your next Board Meeting could you approve, accordingly.

Thank You

<u>INCREASE ACCOUNT</u>	<u>DECREASE ACCOUNT</u>	<u>AMOUNT</u>
A-1420-5403 Legal-Litigation	A-1990-5499 Contingency Account	\$120,000.00
A-1964.5800 State Retirement-ERS	A-1964-5499 Refund of Property Taxes	\$64,600.00
A-9015-5800 State Retirement-PFRS	A-1964-5499 Refund of Property Taxes	\$44,943.00
D-9010-5800 State Retirement-ERS	D-1964-5499 Refund of Property Taxes	\$24,638.00
F-9010-5800 State Retirement-ERS	F-1964-5499 Refund of Property Taxes	\$ 10,501.00
G5010-9060-5800 Medical Insurance	G5010-8130-5456 Contract Treatment Services	\$ 45,000.00

#5D



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

RONALD E. CLUM, CPA
ACCOUNTANT

845-564-5220

Fax: 845-566-9461


E-Mail: rclumaccountant@townofnewburgh.org

**To: Gil Piaquadio, Town Supervisor and
Members of the Town Board**

**From: Ronald E. Clum, Town Accountant
James Osborne & Pat Hines, Engineers**

Date: November 20, 2024

Re: Close out of Capital Projects and Cash Transfers



Upon going over all the Capital Projects with Jim and Pat we have determined that the following Capital Projects should be closed out:

- H.6102 – Generator Purchases
- H.6105 - CLFP-PLC Replacement
- H.7013 – Meadow Hill South Relief
- H.8120 – Mill House Soil Borings

Please authorize the following close outs and the respective cash transfers

- H.6102 and H.6105, transfer the remaining net cash of \$54,302.11 back to the Water Fund where the original source of funds came from
- Transfer the remaining cash of \$65,328.95 in H7013 back to the Crossroads Sewer where the original source of funds came from
- Transfer the remaining cash of \$24,824.72 available in H.8120 to the new Salt Barn capital project (H.8096)

If you have any questions or concerns, please feel free to contact me.



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

RONALD E. CLUM, CPA
ACCOUNTANT

845-564-5220

Fax: 845-566-9461

E-Mail: rclumaccountant@townofnewburgh.org

**To: Gil Piaquadio, Town Supervisor and
Members of the Town Board**

From: Ronald E. Clum, Town Accountant
Mark Hall, Highway Superintendent

Date: November 18, 2024

Re: Cash Transfer from Highway to Salt Shed Capital Project (H8096)

We budgeted for a \$100,000 transfer within the Highway Fund in the 2024 budget of which \$50,000 remains available.

Mark Hall and myself would like to ask the Board to approve the establishment of a Salt Shed Capital Project to start the funding of this Salt Shed. The new number will be H8096

Please approve a \$50,000 cash transfer from the Highway Fund to the newly created Salt Shed Capital Project

If you have any questions or concerns, please feel free to contact Mark or myself.




TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

PH: 845-566-7785
Fax: 845-564-2170

PERSONNEL DEPT.

To: Gil Piaquadio, Town Supervisor ✓
Town Board

From: Charlene M Black, Personnel 

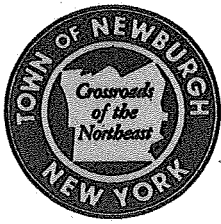
Date: November 19, 2024

Re: Authorization to Hire Full-Time Police Officer (Transfer)

Chief Campbell has requested to hire the following candidate as a Full Time Police Officer. His approval for transfer from Orange County Human Resources is pending approval. He must complete all the necessary full-time paperwork, fingerprinting, and drug/alcohol testing. Since he is already a full-time Police Officer a physical is not required, he had it done when he became a full-time Police officer in his other jurisdiction.

Christopher McAvoy

A start date is anticipated for on or after December 16, 2024.



TOWN OF NEWBURGH POLICE DEPARTMENT

300 Gardnertown Road, Newburgh, New York 12550

DONALD B. CAMPBELL
CHIEF OF POLICE

Phone: (845) 564-1100
Fax: (845) 564-1870

November 19, 2024

To: Newburgh Town Board

Cc: Charlene Black/Personnel Department

From: Chief Donald B. Campbell

Subject: Full-Time Police Officer Position

I am requesting authorization to hire Christopher Mcavoy as a full-time police officer at a starting salary of \$83,015 per year. Officer Mcavoy is currently a NYS certified police officer working full-time in the City of New York. He has three years experience as a full-time police officer and will be resigning from that department to be re-instated here. I am requesting a start date effective on or after December 16th 2024 pending certification from Orange County Civil Service. (Fund appropriation # 001-3120-0100-000)

Respectfully submitted,

Donald B. Campbell
Chief of Police

TOWN OF NEWBURGH

EMPLOYMENT REQUEST FORM

To: Personnel Department

NAME OF CANDIDATE: Christopher Mcavoy

DEPARTMENT: Police

TITLE OF POSITION: F/T Police Officer

FULL TIME OR PART TIME: Full Time

HOURLY RATE: \$83,015 per year

IS POSITION FUNDED IN CURRENT BUDGET: YES OR NO NO

FUND APPROPRIATION NUMBER: 3120-0100-000

PROPOSED HIRE DATE: December 16th 2021 on or after

NOTE: CANDIDATE CANNOT BEGIN WORK WITHOUT PRE-EMPLOYMENT PHYSICAL AND COMPLETION OF ALL REQUIRED PAPERWORK.

[Signature]
DEPARTMENT HEAD SIGNATURE

11/19/24
DATE

ORIGINAL APPLICATION SHOULD BE ON FILE IN THE PERSONNEL
DEPARTMENT



#6B
Lisc

TOWN OF NEWBURGH POLICE DEPARTMENT

300 Gardnertown Road, Newburgh, New York 12550

Donald B. Campbell
Chief of Police

Phone: (845) 564-1100
Fax: (845) 564-1870

November 18, 2024

To: Newburgh Town Board


Cc: Charlene Black

From: Chief Donald B. Campbell

Subject: Part-Time Animal Shelter Helper

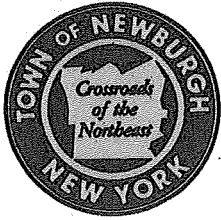
I am requesting permission to begin the search for Part-time Animal Shelter Hepler. The position is funded int the police department budget and has recently become vacant. Fund appropriation number 001-3510-0100.

Respectfully submitted,



Donald B. Campbell
Chief of Police

#60C



TOWN OF NEWBURGH POLICE DEPARTMENT

300 Gardnertown Road, Newburgh, New York 12550

Donald B. Campbell
Chief of Police

(845) 564-1100
(845) 564-1870

November 19th 2024

To: Newburgh Town Board

From: Chief Donald B. Campbell

Subject: Lexipol Policy Management

I am requesting the Town Board approve the purchase of the Lexipol Policy Management system. This system would replace our current policy management system and provides the added benefit of providing policies written and reviewed by public safety attorneys, automatic updates, and daily training bulletins. The project would require a one-time implementation fee of \$20,285.25 and an annual subscription fee of \$20,709.90. The implementation fee would be paid for utilizing the recently awarded Technology Grant.

PERMA highly recommends the implementation of Lexipol and offers a 30% reimbursement on the annual subscription fee.

As a Sourcewell member the purchase can be made through Sourcewell awarded contracts.

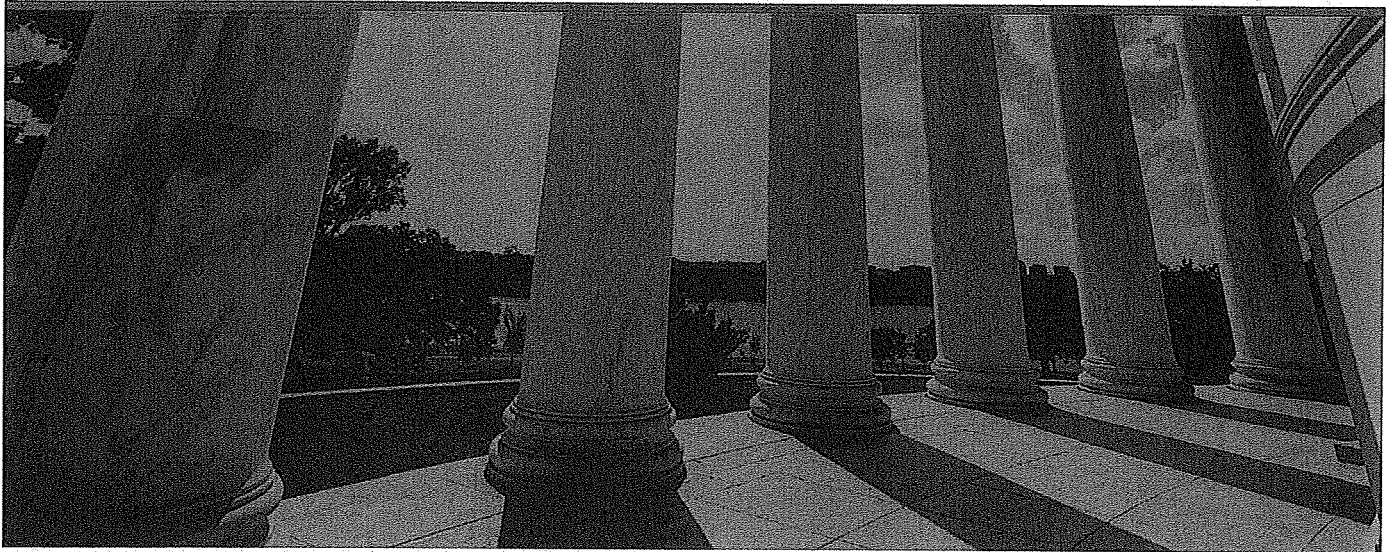
(budget# A3120.5200)

Respectfully submitted,

Donald B. Campbell
Chief of Police



SOLUTIONS PROPOSAL



PREPARED FOR:

Town of Newburgh Police Department

PREPARED BY:

Bennett Wixon
bwixon@lexipol.com
+19133580204

2611 Internet Blvd, Ste 100
Frisco, Texas 75034
(844) 312-9500
www.lexipol.com

Executive Summary

Public safety agencies and local government organizations today face challenges of keeping personnel safe and healthy, reducing risk and maintaining a positive reputation. Add to that the dynamically changing legislative landscape and evolving best practices, and even the most progressive, forward-thinking departments can struggle to keep up.

Lexipol's solutions are designed to save you time and money while protecting your personnel and your community. Our team consists of professionals with expertise in public safety law, policy, state and federal accreditation, training, mental and physical wellness and grants. We continually monitor changes and trends in legislation, case law and best practices and use this knowledge to create policies, training, wellness resources and funding services that minimize risk and help you effectively serve your community.

THE LEXIPOL ADVANTAGE

Lexipol was founded by public safety experts who saw a need for a better, safer way to run a public safety agency. Since the company launch in 2003, Lexipol has grown to form an entire risk management solution for public safety and local government. Today, we serve more than 10,000 agencies and municipalities and 2 million public safety and government professionals with a range of informational and technological solutions to meet the challenges facing these dynamic industries. In addition to providing policy management, accreditation, online training, wellness resources, and grant assistance, we provide 24/7 industry news and analysis through the digital communities Police1, FireRescue1, Corrections1, EMS1 and Gov1.

Our customers choose Lexipol to make an investment in the safety and security of their personnel, their agencies and their communities. We help agencies address issues that create substantial risk, including:

- Inconsistent and outdated policies
- Lack of technology to easily update and issue policies and training electronically
- Unchecked mental health needs of staff
- Difficulty keeping up with new and changing legislation and practices
- Inability to produce policy acknowledgment and training documentation
- Unfamiliarity of city legal resources with the intricacies of public safety law
- The need to secure grant funding for critical equipment, infrastructure and personnel

Lexipol is backed by the expertise of 440 employees with more than 2,075 years of combined experience in constitutional law, civil rights, ADA and discrimination, mental health, psychology, labor negotiations, Internal Affairs, use of force, hazmat, instructional design, federal and state grants and a whole lot more. That means no more trying to figure out policy, achieve accreditation, develop training or wellness content, or secure funding on your own. You can draw on the experience of our dedicated team members who have researched, taught and lived these issues.

We look forward to working with Town of Newburgh Police Department to address your unique challenges.

Scope of Services

Policy Manual

Constitutionally sound, up-to-date policies are the foundation for consistent, safe public safety operations and are key to reducing risk and enhancing personnel and community safety. Lexipol's comprehensive policy manual covers all aspects of your agency's operations.

- More than 155 policies researched and written by public safety attorneys and subject matter experts
- Policies based on State and federal laws and regulations as well as nationwide best practices
- Content customized to reflect your agency's terminology and structure

Daily Training Bulletins (DTBs)

Even the best policy manual lacks effectiveness if it's not backed by training. Lexipol's Daily Training Bulletins are designed to help your personnel learn and apply your agency's policy content through 2-minute training exercises.

- Scenario-based training ties policy to real-world applications
- Understanding and retention of policy content is improved via a singular focus on one distinct aspect of the policy
- Each Daily Training Bulletin concludes with a question that confirms the user understood the training objective
- Daily Training Bulletins can be completed via computers or from smartphones, tablets or other mobile devices
- Reports show completion of Daily Training Bulletins by agency member and topic

Policy Updates

Lexipol's legal and content development teams continuously review state and federal laws and regulations, court decisions and evolving best practices. When needed, we create new and updated policies and provide them to your agency, making it simple and efficient to keep your policy content up to date.

- Updates delivered to you through Lexipol's web-based content delivery platform
- Changes presented in side-by-side comparison against existing policy so you can easily identify modifications/improvements
- Your agency can accept, reject or customize each update

Web-Based Delivery Platform and Mobile App (Knowledge Management System)

Lexipol's online content delivery platform, called KMS, provides secure storage and easy access to all your policy and training content, and our KMS mobile app facilitates staff use of policies and training completion.

- Ability to edit and customize content to reflect your agency's mission and philosophy
- Efficient distribution of policies, updates and training to staff
- Archival and easy retrieval of all versions of your agency's policy manual
- Mobile app provides in-the-field access to policy and training materials

Reports

Lexipol's Knowledge Management System provides intuitive reporting capabilities and easy-to-read reports that enhance command staff meetings and strategic planning.

- Track and report when your personnel have acknowledged policies and policy updates
- Produce reports showing completion of Daily Training Bulletins

- Sort reports by agency member, topic and other subgroups (e.g., shift, assignment)
- Reduce the time your supervisors spend verifying policy acknowledgement and training completion

Supplemental Publication Service

Lexipol's Supplemental Publication Service (SPS) streamlines the storage of your agency's content, giving you one place to access procedures, guidelines, general orders, training guides or secondary policy manuals.

- Electronically links department-specific procedural or supplemental content to your policy manual
- Provides electronic issuance and tracking for your agency's procedural or supplemental content
- Allows you to create Daily Training Bulletins against your procedural content
- Designed for standard operating guidelines, procedures, general orders or field guides

Law Enforcement Accreditation Workbench - Advanced

Managing the agency accreditation process is a complex task that requires intimate knowledge of policy and extreme attention to detail. Lexipol's Accreditation Workbench Advanced provides your agency's Accreditation Manager access to content and tools that significantly reduce the time and effort required to successfully prepare for an accreditation assessment. Current standards for supported accreditation programs are preloaded and viewable

- Lexipol policies are pre-tagged to many applicable standards and your Accreditation Manager can easily add or modify tagging to meet your specific program needs
- Compliance checklists are preloaded for each standard, clearly detailing required written directives and proofs of compliance (Accreditation Manager can also customize the checklists)
- Upload, store, and organize proofs of compliance (e.g., documents, videos) in a preformatted electronic folder system that is based on how the accrediting body organizes standards and its accreditation review cycle
- Streamline assessment process by generating printed reports showing compliance level for each standard

Full Implementation

Lexipol's Full Implementation Service is for agencies who want start-to-finish, comprehensive policy adoption assistance. This service provides agencies with guided support to work through configuring all the policies that Lexipol offers to match your agency's needs. The Professional Services Specialist will be your guide to teach the Lexipol platform, policy editing best practices, and will drive a workflow cadence to keep you on track to review and edit your full manual in under a year.

Lexipol Professional Services scope includes:

- Account and Admin account setup of the KMS Platform.
- Training and demonstration on adding users to KMS with an explanation of the user permissions process.
- Basic configuration of the manual with general text entities populated based on your agency's input into the General Information Questionnaire (GIQ) and a discovery document.
- Review of the Lexipol policy content; how to read, and how to use guide sheets and Lexipol style guide in reviewing and editing your agency's policy.
- Training on how to edit content to fit your agency, how to add agency specific content, and how to publish finished policies.

- Training in policy acknowledgement and reporting.
- Training in processing Lexipol policy updates.
- Walk through with an expert to edit all policies. Your Professional Services Specialist will help create a plan to identify any existing policy content you want to retain in your new policy or procedures manual (if purchased). Lexipol will only compare existing electronic Agency content to Lexipol policy -no other information sources or multiple cross document reviews will be supported.
- If you want assistance to pull content over to your policy or procedures manual, that service can be added to this implementation option with the additional purchase of the Content Extraction Service

Expectations of the Agency:

- Provide a dedicated & consistent resource to work with to review and make decisions on policy changes to fit your agency's needs.
 - Resources within the agency who have time to devote to editing the agency's policy on the platform.
 - Resources within the agency with general technology experience to learn how to use the platform.
- Provide an escalation contact if the project is off track of planned pace to help get the Agency side back to a productive cadence.
- 3 hours per week (minimum) for fifty weeks to meet with the Professional Services Specialist to complete training and edit policies.
 - Read and prepare outside of meetings approximately 3-5 policies per week.
- Meeting preparation to complete homework assigned in earlier meetings.
- Management of any stakeholder groups who need to review your agency's policies prior to publication

Full Implementation Timeline: Finish within **365 days** from contract start date.

Proposal

Prepared By: Bennett Wixon
Phone: +19133580204
Email: bwixon@lexipol.com

Quote #: Q-91425-1
Date: 10/22/2024
Valid Through: 1/20/2025

Overview

Lexipol empowers first responders and public servants to best meet the needs of their residents safely and responsibly. We are the experts in policy, training and wellness support, committed to improving the quality of life for all community members. Our solutions include state-specific policies, online learning, behavioral health resources, funding assistance, and industry news and information offered through the websites Police1, FireRescue1, EMS1 and Corrections1. Lexipol serves more than 2 million public safety and government professionals in over 10,000 agencies and municipalities. The services proposed below are designed to meet your agency's specific goals and needs.

Annual Subscription

QTY	DESCRIPTION	UNIT PRICE	DISC	DISC AMT	EXTENDED
1	Annual Law Enforcement Policy Manual & Daily Training Bulletins w/Supplemental Publication Service (12 Months)	USD 18,940.00	10%	USD 1,894.00	USD 17,046.00
1	Law Enforcement Accreditation Workbench Advanced (12 Months)	USD 4,071.00	10%	USD 407.10	USD 3,663.90
	Subscription Line Items Total			USD 2,301.10	USD 20,709.90
				USD 2,301.10	USD 20,709.90
Annual Subscription Discount:					USD 2,301.10
Annual Subscription TOTAL:					USD 20,709.90

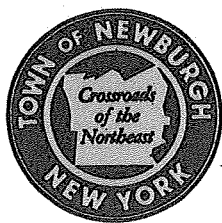
One-Time Implementation

QTY	DESCRIPTION	UNIT PRICE	DISC	DISC AMT	EXTENDED
1	Law Enforcement Full Implementation	USD 23,865.00	15%	USD 3,579.75	USD 20,285.25
	One-Time Line Items Total			USD 3,579.75	USD 20,285.25
				USD 3,579.75	USD 20,285.25
One-Time Implementation Discount:					USD 3,579.75
One-Time Implementation TOTAL:					USD 20,285.25

Discount Notes
PERMA Discount

Notes

#6D



TOWN OF NEWBURGH POLICE DEPARTMENT

300 Gardnertown Road, Newburgh, New York 12550

DONALD B. CAMPBELL
CHIEF OF POLICE

Phone: (845) 564-1100
Fax: (845) 564-1870

11/18/2024

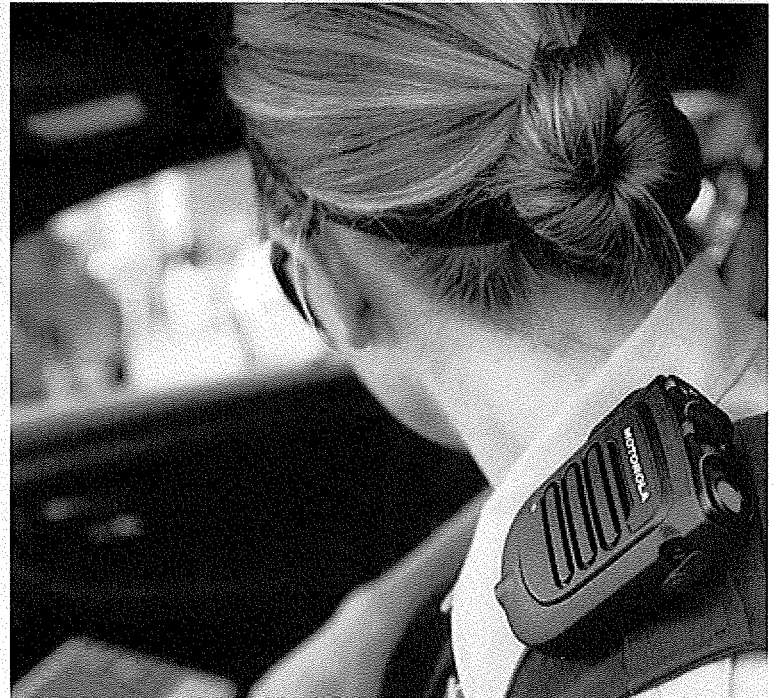
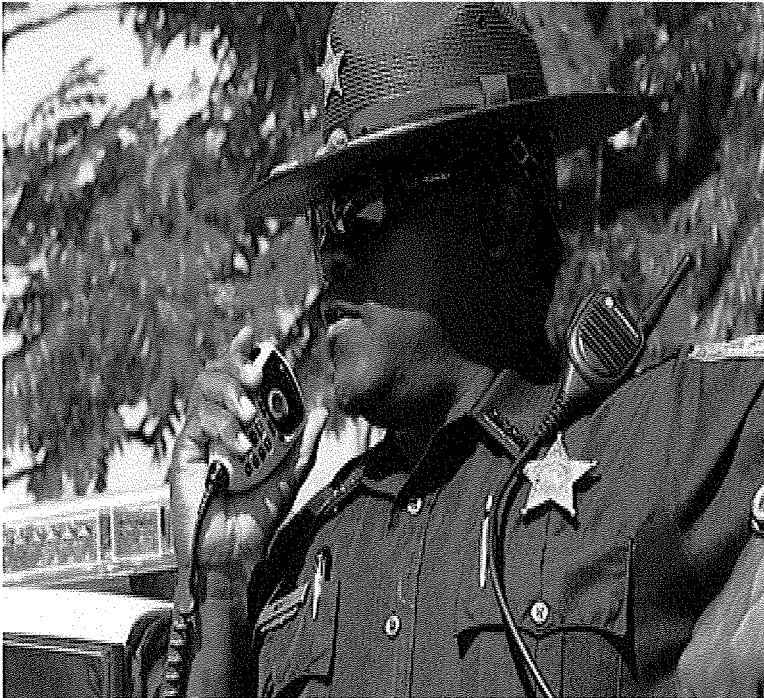
To: Newburgh Town Board

From: Chief Bruce Campbell

Purpose: Purchase Radios and accessories.

I am requesting permission to purchase 2 additional police vehicle radios along with the necessary programming to be compatible with our current system. These radios are the only radios compatible with our current system that was provided by Orange County. The total cost of the radios, accessories and programming is \$14,913.54. Budget appropriation #3120.5200.

Donald B. Campbell
Chief of Police



NEWBURGH POLICE DEPT, TOWN OF

TWN NBG PD APX-6500 MOBILES

11/06/2024



QUOTE-2883833
TWN NBG PD APX-6500 MOBILES

Billing Address:
NEWBURGH POLICE DEPT,
TOWN OF
300 GARDNERTOWN RD
Newburgh, NY 12550
US

Quote Date:11/06/2024
Expiration Date:11/01/2024
Quote Created By:
Bill Tuthill
SALES MANAGER
bill23@nycomco.com
8452146731

End Customer:
NEWBURGH POLICE DEPT, TOWN OF
Lt ADAM ZEILBERGER
AZEILBERGER@TOWNOFNEWBURGH.PD.
ORG
8455669274

Summary:

Any sales transaction resulting from Motorola's quote is based on and subject to the applicable Motorola Standard Terms and Conditions, notwithstanding terms and conditions on purchase orders or other Customer ordering documents. Motorola Standard Terms and Conditions are found at www.motorolasolutions.com/product-terms.

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
	APX™ 6500 / Enh Series	ENHANCEDAPX6500				
1	M25URS9PW1BN	APX6500 ENHANCED 7/800 MHZ MOBILE	2	\$3,253.00	\$2,439.81	\$4,879.62
1a	GA00318AF	ENH: 5 YEAR ESSENTIAL SVC	2	\$352.00	\$352.00	\$704.00
1b	G996AS	ENH: OVER THE AIR PROVISIONING	2	\$110.00	\$82.50	\$165.00
1c	GA00580AA	ADD: TDMA OPERATION	2	\$495.00	\$371.26	\$742.52
1d	G51AU	ENH: SMARTZONE OPERATION APX6500	2	\$1,320.00	\$990.03	\$1,980.06
1e	G67DT	ADD: REMOTE MOUNT E5 APXM	2	\$327.00	\$245.26	\$490.52
1f	B18CR	ADD: AUXILIARY SPKR 7.5 WATT APX	2	\$66.00	\$49.50	\$99.00
1g	G843AH	ADD: AES ENCRYPTION AND ADP	2	\$523.00	\$392.26	\$784.52
1h	G444AH	ADD: APX CONTROL HEAD SOFTWARE	2	\$0.00	\$0.00	\$0.00
1i	G806BL	ENH: ASTRO DIGITAL CAI OP APX	2	\$567.00	\$425.26	\$850.52



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.
Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800



Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
1j	GA01670AA	ADD: APX E5 CONTROL HEAD	2	\$717.00	\$537.76	\$1,075.52
1k	W22BA	ADD: STD PALM MICROPHONE APX	2	\$79.00	\$59.25	\$118.50
1l	QA09113AB	ADD: BASELINE RELEASE SW	2	\$0.00	\$0.00	\$0.00
1m	G174AD	ADD: ANT 3DB LOW-PROFILE 762-870	2	\$47.00	\$35.25	\$70.50
1n	G361AH	ENH: P25 TRUNKING SOFTWARE APX	2	\$330.00	\$247.51	\$495.02
1o	GA01606AA	ADD: NO BLUETOOTH/ WIFI/GPS ANTENNA NEEDED	2	\$0.00	\$0.00	\$0.00
Product Services						
2	LSV00Q00202A	DEVICE PROGRAMMING	2	\$92.86	\$92.86	\$185.72
3	LSV00Q00203A	DEVICE INSTALLATION	2	\$1,028.57	\$1,028.57	\$2,057.14
4	LSV00Q01073A	DEVICE MISCELLANEOUS DEVICE PARTS/EQUIPMENT	2	\$107.69	\$107.69	\$215.38

Grand Total**\$14,913.54(USD)****Notes:**

- This quote contains items with approved price exceptions applied against them.
- Unless otherwise noted, this quote excludes sales tax or other applicable taxes (such as Goods and Services Tax, sales tax, Value Added Tax and other taxes of a similar nature). Any tax the customer is subject to will be added to invoices.





#7 Lisa
TOWN OF NEWBURGH RECREATION DEPARTMENT

311 ROUTE 32, NEWBURGH, NY 12550

Jim Presutti

Commissioner of Parks, Recreation & Conservation

845-564-7815

FAX: 845-564-7827

TO: Gil Piaquadio, Supervisor
Town Board Members

CC: Charlene Black, Personnel

FROM: Jim Presutti, Commissioner

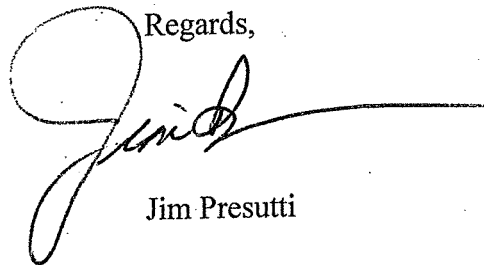
DATE: October 31, 2024

RE: Full Time Recreation Attendant Position

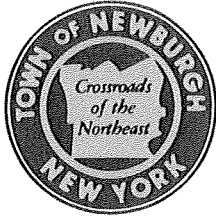
We are requesting your approval to begin the process to hire a full time Recreation Attendant to replace Markiss Price who has been transferred to the Water Department. The funds for this position are in the current 2024 budget.

Thank you for your consideration.

Regards,



Jim Presutti



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

GIL PIAQUADIO
Supervisor

845-564-4552
Fax: 845-566-9486
e-mail: supervisor@townofnewburgh.org

Date: November 26th 2024

To: Town of Newburgh Town Board

From: Gil Piaquadio

Re: Start the process to hire a full-time Custodial Worker

I am looking for a motion to hire a full-time custodial worker to replace Gil Piaquadio Jr.
who has retired

#9

**SECOND AMENDMENT AND EXTENSION TO
CONTRACT FOR AMBULANCE SERVICES**

THIS SECOND AMENDMENT AND EXTENSION AGREEMENT TO CONTRACT FOR AMBULANCE SERVICES ("Amendment No. 2") is made this ____ day of ____, 2024, by and between **TOWN OF NEWBURGH**, a municipal corporation of the State of New York, maintaining its offices at 1496 NYS Route 300, Newburgh, New York 12550, hereinafter referred to as the Town, and **TOWN OF NEWBURGH EMERGENCY MEDICAL SERVICES, INC.**, a not-for-profit corporation, maintaining its office at 97 South Plank Road, Newburgh, New York 12550, hereinafter referred to as TONEMS.

WHEREAS, the Town has lawfully established an ambulance district within the Town of Newburgh; and

WHEREAS, upon the establishment of the District the Town Board is authorized to provide an emergency medical service, a general ambulance service or a combination of such services for the purpose of providing prehospital emergency medical treatment or transporting sick or injured persons found within the boundaries of the district to a hospital, clinic, sanatorium or other place for treatment of such illness or injury; and

WHEREAS, to that end, the Town Board is further authorized pursuant to the provisions of Section 198(10-f) of the Town Law to contract with an organization to supply, staff and equip emergency medical service or ambulance vehicles suitable or a combination thereof for such purposes and operate such vehicles for the furnishing of prehospital emergency services; and

WHEREAS, TONEMS is a not-for-profit corporation organized on a volunteer basis to provide rescue, first aid and ambulance services to sick or injured people in the Town and within the District; and

WHEREAS, TONEMS possesses and is able to supply ambulances, additional emergency medical service vehicles and equipment for the provision of such services to the District; and

WHEREAS, TONEMS is staffed with volunteers and professionals with sufficient training and experience for operation of ambulance vehicles and for the furnishing of pre-hospital emergency treatment services; and

WHEREAS, TONEMS holds all necessary New York State Department of Health operating certificates for Basic Life Support ("BLS") and Advanced Life Support ("ALS") services; and

WHEREAS, TONEMS is available to provide proper service to the residents of the Town within the District; and

WHEREAS, the Town and TONEMS entered into that certain Contract for Ambulance

Services dated the 17th day of November, 2022, pursuant to which TONEMS agreed to provide emergency medical services and ambulance services within the District (the "Agreement"), and

WHEREAS, the Town and TONEMS entered into that certain First Amendment and Extension to Contract for Ambulance Services dated the 30th day of October, 2024 ("Amendment No. 1"), amending and extending the Agreement as set forth in Amendment No. 1, and

WHEREAS, the Town and TONEMS now desire to further amend the Agreement and Amendment No. 1 upon the terms and conditions set forth below.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, it is hereby agreed by the Town and TONEMS as follows:

1. In addition to the services set forth the Agreement, commencing on the date of this Amendment No. 2, TONEMS also shall provide ALS services to sick or injured persons found within the boundaries of the District in accordance with the provisions of the Agreement. The ALS services shall be provided twenty-four hours per day, seven days per week. The services shall be provided in accordance with prevailing industry standards of quality and care applicable to ALS services and all applicable laws, rules and regulations. TONEMS shall be permitted to bill for all ALS assessments and transports it provides.

2. In consideration of TONEMS providing ambulance and emergency medical services and ALS services to sick or injured persons found within the boundaries of the District, the Town covenants and agrees to pay TONEMS the following:

- A. the sum of EIGHT HUNDRED NINE THOUSAND ONE HUNDRED SEVENTY-TWO AND NO/100 DOLLARS (\$809,172.00) for the one-year period commencing on January 1, 2025, and ending on December 31, 2025, said period constituting Renewal Term #2 under Amendment No. 1, thirty percent (30%) of which shall be paid by the Town to TONEMS on February 1, 2025, and seventy percent (70%) of which shall be paid by the Town to TONEMS on March 1, 2025. Exhibit B-2 to Amendment No. 1 is replaced with Exhibit "B" which is annexed to this Amendment No. 2, setting forth the new installment amounts for Renewal Term #2.
- B. the sum of EIGHT HUNDRED TWENTY FIVE THREE HUNDRED FIFTY SIX AND NO/100 DOLLARS (\$825,356.00) FOR Renewal Term#3 , thirty percent (30%) of which shall be paid by the Town to TONEMS on February 1, 2026, and seventy percent (70%) of which shall be paid by the Town to TONEMS on March 1, 2026. Exhibit B-3 to Amendment No. 1 is replaced with Exhibit B-I which is annexed to this Amendment No. 2, setting forth the new installment amounts for Renewal Term #3.

3. At the conclusion of Renewal Term #3, unless either party shall have given to the other party at least thirty (30) days advance written notice of its intention not to renew the agreement, this agreement shall automatically be extended on a month to month basis

commencing on January 1, 2027 on the same terms and conditions as set forth herein and the Agreement as amended, except the payment shall be increased and prorated to a monthly amount of SEVENTY THOUSAND ONE HUNDRED FIFTY FIVE and 26/100 DOLLARS (\$70,155.26), which amount shall be payable on or before the 15th day of each month of the extended month to month term.. During the month to month term extensions, either party may give to the other party written notice of termination at least 30 days in advance of the 1st day of the next succeeding month, in which event the Agreement shall terminate at midnight of the day preceding that 1st day of the month so noticed. At the conclusion of any unrenewed Renewal Term or extended term, as the case may be, unless this Agreement is renewed, neither party shall have any further obligation to the other, but this shall not relieve a party from concluding obligations which were incurred or accrued prior to the end of the term.

4. Pursuant to Town Law Section 198(10-f)(b), the Town Board additionally continues to authorize TONEMS to collect charges for use of ambulance and emergency medical services provided pursuant to the Agreement in accordance with the Schedule of Charges established by the Town Board annexed to this Amendment No. 2 as Exhibit "C", which may be amended from time to time with approval of the Town Board.

5. Exhibit D and its Appendices A, B and C to the Agreement are hereby replaced by Exhibit D and its Appendices A, B and C annexed to this Amendment No. 2.

6. This Amendment No. 2 amends and supersedes Amendment No. 1 and the Agreement and except as modified by this Amendment No. 2, the Agreement as previously amended by Amendment No. 1 remains unchanged and in full force and effect. The terms used in this Amendment No. 2, unless otherwise defined herein, shall have the meanings as set forth in the Agreement and Amendment No. 1. If there shall be any conflict or inconsistency between the terms and conditions of this Amendment No. 2 and the Agreement, the terms and conditions of this Amendment No. 2 shall control.

IN WITNESS WHEREOF, the parties have caused this Amendment No. 2 to be approved by their respective governing bodies and to be executed by their duly authorized officers as of the date and year first above written.

TOWN OF NEWBURGH

TOWN SUPERVISOR
GILBERT J. PIAQUADIO

TOWN OF NEWBURGH EMERGENCY MEDICAL SERVICES, INC.

EXECUTIVE DIRECTOR
GEORGE C. NAPOLITANO

EXHIBIT "B"

SCHEDULE OF INSTALLMENT PAYMENTS TO TONEMS FOR 2025

Payment Dates: Amounts:	Installment
February 1, 2025	\$242,751.60
March 1, 2025	\$566,420.40

EXHIBIT "B-I"

SCHEDULE OF INSTALLMENT PAYMENTS TO TONEMS FOR 2025

Payment Dates: Amounts:	Installment
February 1, 2026	\$247,606.80
March 1, 2026	\$577,749.20

EXHIBIT "C"

**SCHEDULE OF CHARGES
FOR
AMBULANCE/ EMERGENCY MEDICAL SERVICES
FOR THE TOWN OF NEWBURGH AMBULANCE DISTRICT**

Schedule of Fees Effective January 1, 2025

<u>Effective 1.1.2025</u>	
Basic Life Support Emergency	\$1,425
Basic Life Support Non-Emergency	\$1,425
Advanced Life Support Emergency	\$1,525
Advanced Life Support II Emergency	\$1,750
Mileage	\$21 per mile

EXHIBIT 'D'

RULES AND REGULATIONS FOR RECORDKEEPING AND ACCOUNTING OF CHARGES FOR SERVICES OF THE TOWN OF NEWBURGH AMUBLANCE DISTRICT

Adopted __/__/2024

Effective: 1/1/2025

Billing and its accounting shall comply with the Department of Health (DOH) Bureau of Emergency Medical Services (BEMS) as well as applicable Medicaid program policies, rules, and regulations, including the standards set forth in Article 30 of the Public Health Law (PHL), which governs emergency medical services and Title 18 of the New York Code of Rules and Regulations (NYCRR) 5505.10, which governs Medicaid-funded transportation services. Any billing agent must be enrolled in Medicaid as a "Service Bureau" (18 NYCRR 504.9(g)).

Annexed hereto as Appendix A are the procedures TONEMS has adopted to enforce collection of unpaid bills for ambulance services, which include at minimum the sending of delinquency notices and additional reasonable, cost-effective measures to obtain payment on unpaid accounts. Said steps must be included in any contract between TONEMS and a billing agent.

The Town shall have access to daily activity logs and billing records to ensure that the billings are accurate and that collection process is effective, subject to the redaction of protected health information.

The Town shall have access to copies of all bills sent by the billing, subject to the redaction of protected health information, to ensure that the billing rates are those established by the Town Board.

The Town shall have access to reports of delinquency notices sent and other collection efforts made with respect to unpaid accounts, including referral to a collection agency of the accounts for those patients who received insurance payments directly but failed to make payment.

Exclusions: The following patients/circumstances will not be billed:

- 1) Patients who do not require ambulance transportation to the hospital.
- 2) Patients that refuse treatment or transportation.

Financial Assistance Policy

The Town has adopted the Ambulance Billing Financial Assistance Policy substantially in the form annexed hereto as Appendix B to assure that billing for services rendered pursuant

to this contract does not create a barrier that deters those needing emergency medical services from calling for help and to further assure that payment for billable ambulance services shall not become a financial hardship for those with limited incomes. The Financial Assistance Policy may be amended from time to time upon the mutual consent of TONEMS and the Town Board. TONEMS and the billing agent shall adhere to such policy and if required by the Town.

Recordkeeping:

Records shall be maintained in accordance with the requirements of the Health Insurance Portability and Accountability Act of 1996.

Disposition of billing records shall be in accordance with the governmental records retention and disposition schedule applicable to the Town of Newburgh, *8 NYCRR, Section 185.11, or such other applicable governmental regulations as may be more stringent*

Records that are the subject of internal or external audits, or requests made by the Town, state and/or federal regulatory agencies or law enforcement authorities, shall be retained in a manner consistent with these rules and regulations. In all cases, such records shall, at a minimum, be maintained until the Town receives the corresponding audit report or the basis for the request has been appropriately addressed.

If it is reasonably anticipated that a claim may be made under either the State False Claims Act or the Federal False Claims Act against the Town, District or any officer, employee or agent, the Town Supervisor shall be consulted prior to the disposal of any records that are reasonably likely to be relevant.

TONEMS shall establish and maintain disciplinary and mandatory reporting policies for TONEMS employees, contractors and volunteers pertaining to tampering and falsification of records

TONEMS shall immediately address and reconcile any falsification and/or tampering of a record that results in the submission of a false claim or the receipt of an overpayment.

Claims:

If it is reasonably anticipated that a claim may be made under either the State False Claims Act or the Federal False Claims Act against the Town, District or TONEMS or their respective officers, employees or agents, TONEMS shall consult with the attorney for the Town prior to the disposal of records that are reasonably likely to be relevant. Records that are the subject of internal or external audits, or requests made by town, state and/or federal regulatory agencies or law enforcement authorities, shall be retained in a manner consistent with these rules and regulations. In all cases, such records shall, at a minimum, be maintained until the Town receives the corresponding audit report or the basis for the request has been appropriately addressed.

All routine record destruction practices shall be immediately suspended with regard to any record under any of the following circumstances: (i) a memorandum (or other writing), directive or other request, whether written or oral, issued by an attorney for the Town (or outside Counsel

retained by the Town or its insurer) directing the preservation of specified records in their current format, as of the date of the notice, and to suspend routine record destruction practices ("Legal Hold", which is often referred to in as a "Litigation Hold/Preservation Notice"), initiating a Legal Hold for the purpose of complying with a legal obligation; (ii) A memorandum (or other writing), directive or other request, whether written or oral, issued by the Town, directing preservation of specified records in their current format, as of the date of the request, and to suspend routine record destruction practices during the pendency of an investigation, review, and/or audit being performed (hereinafter referred to as an "Investigatory Hold"); (iii) notification of service of a subpoena issued by any court, attorney, law enforcement agency or a regulatory body; (iv) notification of service of an order of any court for the preservation of specific documents; (v) notice of service of a summons and complaint in a matter to which particular records may have bearing.

EXHIBIT D
APPENDIX "A"

TONEMS BILLING COLLECTION POLICY

Town of Newburgh EMS		
STMT 1	Payments	Send out statement with note ss after pmt
	Insurance Paid Patient	Send statement with "INS PD PT MSG" tag with a note of amounts paid
	Needs Insurance / Self Pay Patients	Call patient, Check hospitals, check eligibility
		~ if no response send stmt with "INS REQ MSG" tag
STMT 2	Payments	Send out statement with note ss after pmt
	Insurance Paid To Patient	Call patient and follow up on "INS PD PT MSG"
		~ No response - Send Stmt with "INS PD PT MSG" again and note SS2
	Needs Insurance / Self Pay Patients	Call patient, Check hospitals, check eligibility
		~ If no response send stmt with "INS REQ MSG" again and note SS2
STMT 3	Payments	Send out statement with note ss after pmt

	Insurance Paid To Patient	Call patient and follow up on "INS PD PT MSG"
		~ If no response - Take "INS PT PT MSG' tag off and add a "PRE-COLLECTION MSG " with note SS w/PCM
	Needs Insurance / Self Pay Patients	Call patient, Check hospitals, check eligibility
		~ If no response - Take "INS REQ MSG' tag off and add a "PRE-COLLECTION MSG " with note SS w/PCM
STMT 4	Payments	Send out statement with note ss after pmt
	Insurance Paid To Patient	Call patient and follow up on pre-collection msg.
		~ No Response - send to collections with Management approval.
	Needs Insurance / Self Pay Patients	Call patient, Check hospitals, check eligibility
		~ No Response - send to collections with Management approval.

	Hardship / Financial Assistance - Household must make less than 300% of the Federal Poverty Income to qualify.	If patient state they can't pay their bill, let them know that they can apply for financial assistance. Advise patient that they will need to fill out a financial assistance application provided by Crossroads, provide a letter stating such hardship, a copy of current paystub and a copy of their taxes. Application and documents will need to be returned to Crossroads within 15 days.
		~ If patient agrees to provide such documents, Crossroads will send the application to the patient to fill out and return to Crossroads with all supporting documents.
		~ If patient does NOT agree, we can 1. offer a 25% discount if they pay their bill in full or 2. setup a interest free payment plan no less than \$25.00 a month. No discount will be offered with payment plans. If patient still does not not agree or fails to pay, they will be sent to collections.
	Once Application and all documents are received:	Crossroads will review application and documents and then forward to Town Official for final approval.

Notes	~ Resident Hardship - See Hardship / Financial Assistance Section	
	~ Non-Resident Hardship - offer 25% discount if they pay bill in full. If they can't pay in full with discount, then no discount will be offered and a payment plan can be setup no less than \$25.00 a month. NO discount will be offered on payment plans. Failure to pay monthly will result in collections.	
	~ Police, Firefighters and EMS will be written off after insurance pays.	
	~ Active members, life members & their children under the age of 18 - write off after insurance pays	
	~ Any member that receives insurance payment must pay that amount and balance will be written off.	
	If patient was making payments and then stopped, the next letter should be a pre-coll ltr.	
	DO NOT send an additional 3 stmts.	

EXHIBIT D
APPENDIX "B"

TOWN OF NEWBURGH

AMBULANCE BILLING FINANCIAL ASSISTANCE POLICY

Adopted __/__/2024
Effective: 1/1/2025

Purpose

The purpose of the Financial Assistance Policy is to assure that billing for services of the Town of Newburgh Ambulance District does not create a barrier that deters those needing emergency medical services from calling for help and to further assure that payment for billable emergency medical services shall not become a financial hardship for those with limited incomes or resources.

Policy

It is the policy of the Town of Newburgh to offer financial assistance to patients in the Town of Newburgh Ambulance District who are billed for their share of ambulance transport and treatment and have household income less than 300% of the Federal Poverty Income Guidelines.

Eligibility

Patients with household incomes less than 300% of the Federal Poverty Income Guideline are eligible to have up to 100% of their share of the ambulance bill waived. The Chart in *Appendix C* shall be updated annually to reflect the Federal Poverty Income Guideline.

For patients who are able to pay for their care over time, no-interest payment plans can be arranged.

Procedures

1. Upon request or inquiry, a copy of this policy and an application for requesting financial assistance with ambulance bills will be forwarded by the ambulance service provider or its billing service.
2. A signed application submitted by the patient or responsible party as to their eligibility for financial assistance shall be required. Significant changes to the form of statement must be made by resolution of the Town Board.

3. Patients who believe they may be eligible to have their share of the cost reduced or waived after reviewing the financial eligibility guidelines may submit their application to the ambulance service provider or billing service and such other supporting materials as they are able to provide.
4. Determinations with respect to applications by patients to have their share of the cost reduced or waived will be determined in accordance with the procedures set forth in Appendix "A" to Exhibit D.
5. The Town of Newburgh Town Board member serving as liaison to the ambulance service provider or his/her designee as per the Town Supervisor shall communicate its decisions in writing to the patient and shall forward copies of the written decisions to the Town Supervisor and the ambulance service provider and/or its billing agent. Applications shall be filed in a confidential file. The Town shall have the right to examine the files at any time upon reasonable notice.
6. The Town of Newburgh also authorizes the ambulance service provider or its billing agent to arrange reasonable no interest payment plans by patients who can pay their fees over time without the need for submission of an application.
7. Once the account is settled any confidential information shared as part of verifying household income will be shredded.

The liaison or his/her designee shall submit an annual report for the Town Board that includes the actions taken on all applications for assistance.

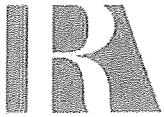
Appendix C

Town of Newburgh Ambulance Billing Financial Assistance 2024 Income Guidelines as of 6.1.2024

2023	Financial Assistance Eligibility								
	Based on the number of people in your household and your total income, the Town of Newburgh may reduce your share of ambulance bill. Do not hesitate to ask for assistance.								
	1	2	3	4	5	6	7	8	Each Extra Add
Federal Poverty Guideline*	\$15,060	\$20,440	\$25,820	\$31,200	\$36,580	\$41,960	\$47,340	\$52,720	\$5,380
Newburgh Allowance (300% of above)	\$45,180	\$61,320	\$77,460	\$93,600	\$109,740	\$125,880	\$142,020	\$158,160	\$16,140

*Federal Poverty Guideline data from <https://aspe.hhs.gov/poverty-guidelines>

#10A



Rider Weiner & Frankel P.C.
ATTORNEYS & COUNSELORS AT LAW

MEMORANDUM

TO: HON. GILBERT J. PIAQUADIO, SUPERVISOR
TOWN BOARD MEMBERS

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

RE: RESOLUTION OF TOWN BOARD REQUESTING TRAFFIC
STUDY OF NYS 9W INTERSECTIONS
OUR FILE NO. 800.1 (B)() (2024)

DATE: NOVEMBER 15, 2024

P: 845.562.9100
F: 845.562.9126

655 Little Britain Road
New Windsor, NY 12553

P.O. Box 2280
Newburgh, NY 12550

In accordance with Supervisor Piaquadio's request, enclosed please find the following draft resolution for the Town Board's consideration:

**RESOLUTION OF TOWN BOARD REQUESTING TRAFFIC
STUDY OF NYS 9W INTERSECTIONS.**

While the Board previously acted on a Resolution in this regard, the adopted Resolution was not submitted to NYSDOT as it did not specifically identify the intersections which are most likely causing delays and congestion along Route 9W. The new draft resolution requests the study of the potential improvement of five intersections for purposes of congestion mitigation.

Should you have any questions or concerns, please do not hesitate to contact me.

MCT:sel
Enclosures

ATTORNEYS

David L. Rider
Charles E. Frankel
Michael J. Matsler
Mark C. Taylor
Deborah Weisman-Estis
M. Justin Rider

M. J. Rider
(1906-1968)
Elliott M. Weiner
(1915-1990)

COUNSEL

Stewart P. Glenn
Mary Fern Breheney
Stephen P. Duggan, III
John K. McGuirk
(1942-2018)

OF COUNSEL

Craig F. Simon

cc: Lisa M. Vance Ayers, Town Clerk (via e-mail)
John P. Ewasutyn, Planning Board Chairman (via e-mail)
James Osborne, Town Engineer (via e-mail)
Pat Hines, Principal, MHE Engineering (via e-mail)
Mark Hall, Highway Superintendent (via e-mail)
Bruce Campbell, Chief of Police (via e-mail)

At a meeting of the Town Board of
the Town of Newburgh, held at the
Town Hall, 1496 Route 300, in the Town of
Newburgh, Orange County, New York on the
__th day of November, 2024 at 7:00 o'clock
p.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Paul I. Ruggerio, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

**RESOLUTION OF TOWN BOARD
REQUESTING TRAFFIC STUDY
OF NYS ROUTE 9W INTERSECTIONS**

Councilman _____ presented the following resolution which was seconded
by Councilman _____.

WHEREAS, congested traffic conditions on NYS Route 9W in the Town of Newburgh have
continued to degrade and responding emergency vehicles, as well as private and commercial
vehicles, frequently face significant periods of delay at peak hours, causing public safety concern as
well as delays and inconvenience for the travelling public; and

WHEREAS, the Town Board has reviewed and examined the issues and public safety
concerns associated with the congested conditions on NYS Route 9W and certain intersecting roads;
and

WHEREAS, the New York State Department of Transportation has previously advised that it
is necessary for the Town Board to adopt resolutions requesting the performance of studies in order
to investigate traffic conditions at locations in the Town and whether they may be mitigated by
measures such as intersection turning lanes and smart traffic light timing and that the Department
will advise the Town of the findings and conclusions of the Department's studies.

NOW, THEREFORE, BE IT RESOLVED, that by this Resolution, the Town Board of the
Town of Newburgh hereby requests that the New York State Department of Transportation perform
a study of potential congestion mitigation measures at the following intersections along NYS Route
9W:

Chestnut Lane
Dogwood Hills Road/Lester Road
Fostertown Road
Leslie Road/Albany Post Road
Lattintown Road (for traffic on Lattintown Road); and

BE IT FURTHER RESOLVED, that the Supervisor, Town Engineer and Town Clerk are
hereby authorized to prepare, execute and submit, and deliver, in the name and on behalf of the

Town Board and the Town of Newburgh all such forms, certificates, documents and papers as may be necessary to effectuate and carry out the content of the foregoing resolutions; and

BE IT FURTHER RESOLVED, that this Resolution take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

Paul I. Ruggiero, Councilman voting _____

Scott M. Manley, Councilman voting _____

Anthony R. LoBiondo, Councilman voting _____

Gilbert J. Piaquadio, Supervisor voting _____

The resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
COUNTY OF ORANGE) SS:
TOWN OF NEWBURGH)

I, Lisa M. Vance Ayers, Town Clerk of the Town of Newburgh, DO HEREBY CERTIFY that I have compared the foregoing resolution, duly adopted by the Town Board of the Town of Newburgh on the ___th day of November, 2024, and entered in the minutes of the proceedings of said Board, and that the foregoing is a true and correct copy of said resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my name and the seal of said Town on this _____ day of November, 2024.

Lisa M. Vance Ayers, Town Clerk

#10B



Rider Weiner & Frankel P.C.
ATTORNEYS & COUNSELORS AT LAW

MEMORANDUM

TO: HON. GILBERT J. PIAQUADIO, SUPERVISOR
TOWN BOARD MEMBERS

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

RE: RESOLUTION OF TOWN BOARD; REQUEST FOR SPEED
LIMIT REDUCTION ON ORANGE COUNTY ROUTE 23
(ROCK CUT ROAD & FOREST ROAD) BETWEEN NYS
ROUTE 17K AND THE ULSTER COUNTY LINE
OUR FILE NO. 800.1(B)()(2024)

DATE: NOVEMBER 15, 2024

P: 845.562.9100
F: 845.562.9126

655 Little Britain Road
New Windsor, NY 12553

P.O. Box 2280
Newburgh, NY 12550

ATTORNEYS

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Charles E. Frankel
Michael J. Matsler
Mark C. Taylor
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M. J. Rider
(1906-1968)
Elliott M. Weiner
(1915-1990)

COUNSEL

Stewart P. Glenn
Mary Fern Breheney
Stephen P. Duggan, III
John K. McGuirk
(1942-2018)

OF COUNSEL

Craig F. Simon

In accordance with Supervisor Piaquadio's request, enclosed please find for the Town Board's consideration the above referenced draft Resolution requesting a speed limit reduction on Orange County Route 23 (Rock Cut Road and Forest Road) between NYS Route 17K and the Ulster County line. The Resolution authorizes the submission of a Speed Limit Reduction Request to the Orange County Department of Public Works, which will then forward the request to the New York State Department of Transportation. The Department of Transportation has authority over the speed limits on County routes as well as Town roads.

MCT:scl
Enc.

cc: Lisa M. Vance Ayers, Town Clerk (via e-mail)
Donald Bruce Campbell, Chief of Police (via e-mail)
Mark Hall, Highway Superintendent (via e-mail)
James Osborne, Town Engineer (via e-mail)
Patrick Hines, Principal, McGoey, Hauser & Edsall (via e-mail)

At a meeting of the Town Board of
the Town of Newburgh, held at the
Town Hall, 1496 Route 300, in the Town of
Newburgh, Orange County, New York on the
__th day of November, 2024 at 7:00 o'clock
p.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

Scott M. Manley, Councilman

RESOLUTION OF NEWBURGH TOWN BOARD
REQUESTING SPEED LIMIT REDUCTION
ON ORANGE COUNTY ROUTE 23
(ROCK CUT ROAD & FOREST ROAD)
BETWEEN NYS ROUTE 17K AND THE
ULSTER COUNTY LINE

Councilman _____ presented the following resolution which was seconded
by Councilman _____.

WHEREAS, traffic conditions and sight distances along Orange County Route 23 (Rock Cut Road and Forest Road) in the Town of Newburgh pose safety concerns for residents and pedestrians as well as traffic turning onto and crossing the highway from intersecting roads and driveways; and

WHEREAS, the Town Board has reviewed and examined the issues and public safety concerns associated with the current maximum 55 mph speed limit and traffic conditions on County Route 23; and

WHEREAS, the New York State Department of Transportation has the authority to set and control speed limits along county roads; and

WHEREAS, the Orange County Department of Public Works requires that municipalities submit a formal Speed Limit Reduction Request to the Department for speed limit reductions on Orange County routes, which will then be forwarded to the New York State Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that by this Resolution, the Town Board of the Town of Newburgh hereby authorizes the submission of a Speed Limit Reduction Request to the Orange County Department of Public Works seeking a reduction in the maximum speed limit on Orange County Route 23 (Rock Cut Road and Forest Road) between New York State Route 17K and the Ulster County Line and requests such a reduction; and

BE IT FURTHER RESOLVED, that the Supervisor, Town Engineer, Engineer's Representative and Town Clerk are hereby authorized to prepare, execute and submit, and deliver, in the name and on behalf of the Town Board and the Town of Newburgh all such forms, certificates,

documents and papers as may be necessary to effectuate and carry out the content of the foregoing resolutions; and

BE IT FURTHER RESOLVED, that this Resolution take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

Paul I. Ruggiero, Councilman voting _____

Scott M. Manley, Councilman voting _____

Anthony R. LoBiondo., Councilman voting _____

Gilbert J. Piaquadio, Supervisor voting _____

The resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
COUNTY OF ORANGE) SS:
TOWN OF NEWBURGH)

I, Lisa M. Vance Ayers, Town Clerk of the Town of Newburgh, DO HEREBY CERTIFY that I have compared the foregoing resolution, duly adopted by the Town Board of the Town of Newburgh on the ___th day of November, 2024, and entered in the minutes of the proceedings of said Board, and that the foregoing is a true and correct copy of said resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my name and the seal of said Town on this _____ day of November, 2024.

Lisa M. Vance Ayers, Town Clerk

#10C



Rider Weiner & Frankel P.C.
ATTORNEYS & COUNSELORS AT LAW

P: 845.562.9100
F: 845.562.9126

655 Little Britain Road
New Windsor, NY 12553

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COUNSEL

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Mary Fern Breheney
Stephen P. Duggan, III
John K. McGuirk
(1942-2018)

OF COUNSEL

Craig F. Simon

MEMORANDUM

TO: HON. GILBERT J. PIAQUADIO, SUPERVISOR
TOWN BOARD MEMBERS

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

RE: PROPOSED LOCAL LAW AMENDING CHAPTER 104
ENTITLED SCHEDULE OF FEES OF THE CODE OF THE
TOWN OF NEWBURGH: WATER AND SEWER RATES
EFFECTIVE JANUARY 1, 2025
OUR FILE NO. 800.1(B)() (2024)

DATE: NOVEMBER 21, 2024

Enclosed please find for the Town Board's consideration the above referenced Local Law. The Local Law provides for the annual update to bring the Code's fee provisions into line with the rates approved during the budget proceedings. As the rates are codified in the Town's Municipal Code, the adoption of an amending Local Law is additionally required.

Also enclosed is a draft resolution introducing and scheduling a public hearing on the Local Law.

Should you have any questions or concerns in this regard, please feel free to contact me.

MCT/sel

Enc.

cc: Town Clerk Lisa M. Ayers (via e-mail)
Receiver of Taxes Joseph P. Pedi (via e-mail)
Town Engineer James Osborne (via e-mail)
Pat Hines, Principal, McGoey, Hauser & Edsal (via e-mail)
Town Accountant Ronald Clum (via e-mail)

TOWN OF NEWBURGH
INTRODUCTORY LOCAL LAW NO. __ OF THE YEAR 2024
AMENDING CHAPTER 104 ENTITLED
"SCHEDULE OF FEES"
OF THE CODE OF THE TOWN OF NEWBURGH:
WATER AND SEWER RATES
EFFECTIVE JANUARY 1, 2025

BE IT ENACTED by the Town Board of the Town of Newburgh, County of Orange as follows:

SECTION 1 - TITLE

This Local Law shall be referred to as "A Local Law Amending Chapter 104 entitled 'Schedule of Fees' of the Code of the Town of Newburgh: Water and Sewer Rates Effective January 1, 2025".

SECTION 2 - AMENDMENTS TO CHAPTER 104

That Chapter 104 entitled "Schedule of Fees" of the Town of Newburgh Municipal Code is amended as follows:

1. Subsection 104-3(B)(2) of Section 104-3 entitled "Sanitation and water fees" of Chapter 104 entitled "Schedule of Fees" of the Town of Newburgh Municipal Code be and hereby is amended to read as follows:

- “(2) Meter rates. Meter rates for the sale of water to all consumers within the Consolidated Water District and Colden Park Water District of the Town of Newburgh and the duly constituted extensions thereto, excluding water sold to the Town of New Windsor, the New York State Thruway Authority or outside-the-district users, shall be as follows:

Usage Per Quarter	Rate
First 7,500 gallons	<u>\$28.00</u> (minimum charge per quarter)
Next 10,000 gallons	<u>\$5.30</u> per 1,000 gallons
Next 82,500 gallons	<u>\$6.08</u> per 1,000 gallons

Over 100,000 gallons

\$7.22 per 1,000 gallons

- (a) A penalty equal to 5% of the original bill shall be added to the metered water charges if not paid in full within 30 days from the due and payable date.
- (b) The Town of New Windsor, the Town of Marlborough, the City of New York and the New York State Thruway Authority and the outside-the-district users will pay rates and charges as per agreements entered into with the town. In the event that water assessments under the benefit formula cannot be made applicable for any reason to any consumer and any agreement between the town and such users does not reflect payment of the same in one form or another, the town reserves the right to surcharge such users as to meter rates so as to provide for equitable payment of all charges between all users, said surcharge to be applicable in the last calendar quarter charge.
- (c) The water rates for the Stewart ANG Base Water District consumer(s) will be established by the Town Board from time to time in accordance with New York State Town Law Section 198. Unpaid water charges in arrears for 30 days or longer shall be subject to such penalty as the Town Board may provide for by resolution subject to the limit established by Town Law Section 198."

2. Subsection 104-3(C)(1) of Section 104-3 entitled "Sanitation and water fees" of Chapter 104 entitled "Schedule of Fees" of the Town of Newburgh Municipal Code be and hereby is amended to read as follows:

"(1) Sewer operation and maintenance charge.

Sewer District	Rate/Fee (per gallons consumed per premises)
Crossroads Consolidated	\$ <u>8.50</u> per 1,000 gallons
Nob Hill	\$ <u>.0042</u> /gallon

The following minimum operating and maintenance charge shall apply to all connected properties, including but not limited to those without water meters:

\$36.00 per quarter"

2. Subsection 104-3(C)(3) of Section 104-3 entitled "Sanitation and water fees" of Chapter 104 entitled "Schedule of Fees" of the Town of Newburgh Municipal Code be and hereby is amended to read as follows:

"(3) Combined Operation and
Maintenance and Facility Charge
Roseton Hills Sewer District

\$200.00 per each residential dwelling unit, whether or
not an apartment or condominium unit on each parcel
as listed on the latest completed Assessment Roll of
the Town per quarter"

SECTION 3 - UNCONSTITUTIONALITY OR ILLEGALITY

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4 - EFFECTIVE DATE

This Local Law shall take effect on the later of the date it is filed in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law or January 1, 2025.

At a meeting of the Town Board of
the Town of Newburgh, held at the
Town Hall, 1496 Route 300, in the Town of
Newburgh, Orange County, New York on the
__th day of November, 2024 at 7:00 o'clock
p.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Paul I. Ruggiero, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

RESOLUTION OF TOWN BOARD
INTRODUCING LOCAL LAW
AMENDING CHAPTER 104 ENTITLED
'SCHEDULE OF FEES' OF THE
TOWN OF NEWBURGH MUNICIPAL
CODE: WATER AND SEWER RATES
EFFECTIVE JANUARY 1, 2025
AND PROVIDING FOR PUBLIC
NOTICE AND PUBLIC HEARING

Councilman _____ presented the following resolution which was seconded
by Councilman _____.

BE IT RESOLVED that Introductory Local Law No. 8 of the Year 2023 entitled "A Local
Law Amending Chapter 104 entitled 'Schedule of Fees' of the Town of Newburgh Municipal Code:
Water and Sewer Rates Effective January 1, 2025" be and it hereby is introduced before the Town
Board of the Town of Newburgh in the County of Orange and State of New York, and

BE IT FURTHER RESOLVED that a copy of the aforesaid proposed local law in final form
be laid upon the desk of each member of the Town Board at least seven (7) days prior to a public
hearing on said proposed local law, and

BE IT FURTHER RESOLVED that the Town Board shall hold a public hearing in the matter
of the adoption of the aforesaid local law to be held at the Town Hall at 1496 Route 300 in the Town
of Newburgh, New York on the __th day of December, 2024 at 7: __ o'clock, p.m., and

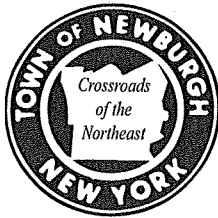
BE IT FURTHER RESOLVED that the Town Clerk give notice of such public hearing by
the publication of a notice in the official newspapers of the Town, specifying the time when and the
place where such public hearing will be held at least three (3) days prior to the public hearing, and
posting of such notice together with a copy of such local law in accordance with the requirements of
the Municipal Home Rule Law and Chapter 25 of the Code of the Town of Newburgh.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

<u>Paul I. Ruggiero, Councilman</u>	<u>voting</u>
<u>Scott M. Manley, Councilman</u>	<u>voting</u>
<u>Anthony R. LoBiondo, Councilman</u>	<u>voting</u>
<u>Gilbert J. Piaquadio, Supervisor</u>	<u>voting</u>

The resolution was thereupon declared duly adopted.

#11



HIGHWAY DEPARTMENT

90 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

TELEPHONE 845-561-2177
FAX 845-561-8987

MARK HALL
HIGHWAY SUPERINTENDENT

TO: Gil Piaquadio, Supervisor, & Town Board Members
FROM: Mark Hall, Highway Superintendent *(signature)*
DATE: November 18, 2024
RE: Transfer Request

I would like to request the following budget transfer.

FROM:	TO:	AMOUNT:
D.5110.5450 Motor Oil/Fuel	D.5110.5412 Street Paving & Resurfacing	\$7,450.00

If you have any questions please feel free to contact me. Thank you.

MH:ts
cc: R. Clum, Accounting



Town of Newburgh
1496 Route 300
Newburgh, New York 12550
(845) 564-4552

Date: November 18th 2024

Is the budget adjustment under \$7,500?

Yes ☒

No: ☐

If yes: Please give Gil a copy to sign and deliver to the Accounting Office.

If no: Please have the board approve at the next available board meeting.

Reason why the budget transfer is needed _____

From: Account Number:

5110. 5450

Amount:

\$ 7,450.00

Account Description:

Motor oil / Fuel

Amount:

From: Account Number:

Amount:

Account Description:

Amount:

To: Account Number:

5110. 5412

Amount:

\$ 7,450.00

Account Description:

Street Paving & Resurfacing

Amount:

To: Account Number:

Amount:

Account Description:

Amount:

Please note: The total of the from and to should equal.

Department Head Signature

Gil Piaquadio, Town Supervisor



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

#12

MEMORANDUM

TO: Gilbert Piaquadio, Town Supervisor and Town Board
FROM: Patrick J. Hines, MHE Representative, Engineers for the Town
DATE: 21 November 2024
RE: Gardnertown Commons Landscape Security Release - (PB #2016-3)

The Town of Newburgh has received a memo dated 1 November 2024 from Karen Arent, Landscape Architect. Karen's memo recommends the release of the balance of the Landscape Security in the amount of \$123,882.16.

Release of the Landscape Security requires Town Board action.

Cc: John P. Ewasutyn, Planning Board Chairman
Gerald Canfield, Code Compliance Supervisor
Lisa Ayers, Town Clerk

Encl: Memo dated 11/1/2024



Karen Arent Landscape Architect

Memorandum

To: Supervisor Gil Piaquadio and the Town of Newburgh Board

From: Karen Arent, Landscape Architect

Date: November 1, 2024

Subject: Gardnertown Commons, Farrell Building Co; Landscape Bond Release

Town Project Number: 2016-03

Cc: Chairman John Ewasutyn and the Town of Newburgh Planning Board, Pat Hines, Dominick Cordisco, Jillian Degrenier of Farrell, Gerald Canfield, Jim Campbell, Paul Myers

COMMENTS:

A landscape inspection was performed on November 1, 2024. The landscape overall looks great and many of the plants are alive and thriving. A concerted effort has been made to replace dead plant material and keep everything looking good. This is especially impressive considering there was very little rain in October. We recommend the release of the rest of the landscape bond at \$123,882.16.



karenarentdesign

12 Old Minisink Trail
845-294-9958 Phone



Goshen, NY 10924

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