**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 Tuesday the 26th day of December, 2023

**Present** Paul Ruggiero, Councilman

Scott Manley, Councilman

Anthony LoBiondo., Councilman

Gilbert J. Piaquadio, Supervisor

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

Lisa M. Vance Ayers Town Clerk

**Absent** Elizabeth J. Greene, Councilwoman

*Meeting called to order at 7:02 p.m.*

**1. ROLL CALL**

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

**3. MOMENT OF SILENCE**

**4. CHANGES TO THE AGENDA – Add 12E. Meadow Hill Sewer Grant**

**5. ACCOUNTING**

**A. Approval of Audit:**

MOTION made by Councilman Ruggiero to approve the audit in the amount of

$593,621.55. Motion seconded by Councilwoman Greene VOTE: Councilwoman Greene

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

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

**B. Capital Projects**

Ron Clum, Town Accountant, is requesting approval for Capital Projects that need to be merged or closed. In meeting with the engineers and went over the status of all open capital projects as of today and we have determined that some of these projects need to be merged or closed. Below are the capital projects broken down by these categories:

Capital Projects to be Merged:

Per James Obourne’s recommendation he advised that two projects be merged into one "Master Account" to be used for rehabbing various water tanks. Currently we have a Project (H6002) "Meadow Hill Tank" with $146,400 of cash and Project (H6098) Mountain View West Rehab with approximately $771,300 of cash. I am looking for authorization to move the cash balance of $146,454 plus accrued interest in H6098 to H6098 and to rename H6098 to Water Tanks Rehab Program.

Closing of Projects:

**Gardnertown Road:**

Gardnertown Road Project (H8012) which has a cash balance of approximately $174,000, is completed per Jim and paperwork has all been filed.

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I am requesting approval to move the cash balance of $173,938 plus accrued interest back to the Highway Fund, which originally funded the project.

**Town Hall Sign:**

Town Hall Sign Project (H9005) which has been open for years and has cash of approximately $5,300, is currently being finished this year. The electronic sign was fully budgeted for in the 2023 budget and is currently being worked on now. In anticipation of finishing this I want to transfer the cash back to the General Fund. I am requesting approval to move the cash balance of $5,289 plus accrued interest back to the General Fund, to pay a portion of these current year's expenditures.

**Chadwick Lake Improvements:**

Chadwick Lake Improvements Project (H9034) which has a cash balance of approximately $11,395, is completed. I am requesting approval to move the cash balance of $11,395 plus accrued interest back to the General Fund, which originally funded the project.

MOTION made by Councilman LoBiondo to approve the Capital Projects to be closed

Motion seconded by Councilman Ruggiero VOTE: Councilwoman Greene

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

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

**6. RECREATION: Start the Process to Hire a Part Time Laborer**

Jim Presutti, Commissioner of Parks and Recreation, is requesting approval to begin the process to hire a part time Laborer to replace Mr. Xavier mayo who has recently resigned. The Funds for the position are available in the 2024 Budget.

MOTION made by Councilman LoBiondo to approve to begin process to hire a part time

Laborer. Motion seconded by Councilman Manley VOTE: Councilwoman Greene

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

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

**7. POLICE: Purchase Phone and Radio Recording Software and Equipment**

Bruce Campbell, Chief of Police, is requesting the Town Board approve the purchase of Telephone and Radio Recording Software and Equipment from Eventide for the price of $13,218.02 and includes all maintenance, support, implementation and training. Eventide is a subsidiary of Interaction Insight Corporation and provided the lowest quote of three vendors. Radio and telephone recordings are vital to case prosecutions as well as quality control regarding police response and interactions with the community. I am requesting the funds be distributed from the Asset Forfeiture Account 001-3120-0485-0000.

MOTION made by Councilman LoBiondo to approve Purchase of Phone and Radio Recording

Software and Equipment. Motion seconded by Councilman Manley VOTE: Councilwoman

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

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

absent

**8. JUSTICE COURT: Start the Process to Hire a Part-Time Clerk**

Hon. Richard Clarino, Town Justice, is requesting approval to fill the position of part time clerk

authorized by the adoption of the 2024 budget.

MOTION made by Councilman LoBiondo to approve starting process to Hire a Part Time

Clerk. Motion seconded by Councilman Ruggiero VOTE: Councilwoman Greene

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

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

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**9. WATER DEPARTMENT: Budget Transfer**

Steve Grogan, Water/ Sewer Manager, is requesting approval for budget transfer to cover emergency sludge hauling due to heavy rain. The transfer amount is $12,000.00 from Equipment account to Sludge Hauling/Disposal account.

MOTION made by Councilman Manley to approve budget transfer of $12,000.00. Motion

seconded by Councilman LoBiondo VOTE: Councilwoman Greene -absent; Councilman

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

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

**10. 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 $143.55 for canine

services.

MOTION made by Councilman Ruggiero to approve T-94 withdrawal of $143.55 for Canine

Services to Flannery Animal Hospital. Motion seconded by Councilman Manley VOTE:

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

yes; Councilman LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: 4 yes; 0

no; 0; 0 abstain; 1 absent.

**11. HIGHWAY DEPARTMENT: Hiring of 1 Full-Time MEO 1A**

Mark Hall, Highway Superintendent is recommending the hiring of one full-time MEO

1A Joseph Consorti. Mr. Consorti will need to complete his paperwork, fingerprinting,

and CDL physical with Drug / Alcohol testing. The intended start date will be on or after

Monday, January 8, 2024. The salary for MEO 1A is $26.3875 per hour, which is the

2024 salary rate.

MOTION made by Councilman Ruggiero to approve Hiring 1 Full Time MEO 1A. Motion

seconded by Councilman LoBiondo VOTE: Councilwoman Greene - absent; Councilman

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

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

**12. ENGINEERING:**

**A. Matrix Newburgh Rt. 300, LLC Bond Reduction Request**

Patrick Hines, Rep Engineer for Town of Newburgh, is requesting approval for Matrix

Newburgh Rt. 300, LLC Bond Reduction Request. The project sponsors have requested

the reduction of the site improvement security to the 10% maintenance amount. The

original amount can be further reduced to $138,222.00, which is 10% of the original.

MOTION made by Councilman Manley to approve Matrix Newburgh Rt. 300, LLC Bond

Reduction Request. Motion seconded by Councilman LoBiondo VOTE: Councilwoman

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

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

absent

**B. Matrix Newburgh Rt. 300, LLC Request for Security Release Stormwater/Erosion &**

**Sediment Control**

Patrick Hines, Rep Engineer for Town of Newburgh, is requesting approval for Matrix Newburgh Rt. 300, LLC Request for Security Release Stormwater/ Erosion Sediment Control. The project sponsors have requested the release of the Stormwater/Erosion & Sediment Control security for this project. The site has been stabilized, Notice of Termination filed and as-built plan received. The original security in the amount of $5,157,063.75 was reduced in April 223 to $257,853.17. We take no exception to the Town releasing the Security

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MOTION made by Councilman LoBiondo to approve Matrix Newburgh Rt. 300, LLC Request for Security Release Stormwater/Erosion & Sediment Control. Motion

seconded by Councilman Manley VOTE: Councilwoman Greene -absent; Councilman

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

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

**C. Matrix Logistics Center Partial Bond Release**

Patrick Hines, Rep Engineer for Town of Newburgh, presented Matrix Logistics Center

Partial Bond Release. Karen Arent, Landscape Architect, is requesting Partial Bond Release. There is an obligation to recommend release of 90% of the landscape bond upon completion of the landscape installation due to a Developers Agreement made for this project. The landscaping at the site is complete and we recommend releasing $544,511.70, ninety percent of the Performance Bond (the total Performance Bond amount is $605,013.30). The remaining 10 percent, $60,501.30, should be held for the entire two-year establishment period. Inspections will be performed at the beginning of each growing season (once plants have leafed out in the spring and again in early fall) to notify the Contractor/Owner of dead plants and their responsibility to replace dead plants during that growing season. An inspection will be performed at the end of the growing season to make sure replacements have been made. It's important for replacements to be made each growing season so the landscaper rectifies soil issues contributing to the death of plants, or removal/control of invasive plant materials out completing the growth of wildflower, meadow, or lawn seed mixtures.

MOTION made by Councilman Manley to approve Matrix Logistic Center Partial Bond

Release Request. Motion seconded by Councilman Ruggiero VOTE: Councilwoman

Greene -yes; Councilman Ruggiero – yes; Councilman Manley – yes; Councilman

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

absent

**D. Recommendation for Award Colden Park Water Main Replacement Project**

Patrick Hines, Rep Engineer for Town of Newburgh, presented recommendation for award for the received bids for the Town of Newburgh Colden Park Water Main Replacement Project on September 29, 2023. Fifteen bids were received for the project as outlined in the table below.

|  |  |
| --- | --- |
| Company Name | Bid Amount |
| Regal Utility Services, Inc. | $3,292,944.30 |
| Tomco Construction, Inc. | $3,756,203.32 |
| Metra Industries | $4,087.100.00 |
| Amity Construction corp. | $4,404,239.00 |
| Montana Construction, Inc. | $4,539,111.00 |
| Whispering Pines Development Corp. | $4,850,417.50 |
| Argenio Brothers (Premier) | $4,916,916.00 |
| Boyce Excavating | $4,995,997.95 |
| H. Osterhoudt Excavating | $5,166,122.00 |
| Morano Brother, Corp. | $5,845,018.00 |

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MOTION made by Councilman Manley to approve Regal Utility Services, Inc for the Colden

Park Water main Replacement Project. Motion seconded by Councilman LoBiondo

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

yes; Councilman LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: yes 4;

0 no; 0 abstain; 1 absent

**E. Meadow Hill Sewer Infiltration and Inflow Project WIIA Grant Award Acceptance**

Patrick Hines, Rep Engineer for Town of Newburgh, presented the Meadow Hill Sewer Infiltration Project WIIA Grant Award Acceptance. Pursuant to authorization by the Town Board, MHE Engineering assisted the Town in requesting a WIIA Grant, (Water Infrastructure Improvement Act), for the required I & I reduction in the Meadow Hill area of the Town. The I & I project is required by the NYS DEC. The NYS DEC has approved the I & I project Engineer's report outlining the scope of the project. The approved report contains milestones dates which are enforceable by the NYS DEC. The total project cost estimate is $4,100.000. The Grant received will cover 25% of the project cost or $1,025,000. The Town must confirm acceptance of the Grant award by signing the acceptance form and returning it to the Environmental Facilities Corporation by 19 January 2024.

MOTION made by Councilman Manley to approve the Meadow Hill Sewer Infiltration and

Inflow Project WIIA Grant Award Acceptance. Motion seconded by Councilman LoBiondo

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

yes; Councilman LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: yes 4;

0 no; 0 abstain; 1 absent

**13. ADJOURNMENT**

MOTION made by Councilman LoBiondo to adjourn the meeting at 7:15 p.m. Motion

seconded by Councilman Manley VOTE: Councilwoman Greene – absent; Councilman

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

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

*Meeting adjourned at 7:15 p.m.*

*Respectfully submitted,*

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Lisa M. Vance Ayers Rachel Vazquez

Town Clerk Deputy Town Clerk