**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 22nd day of January, 2024

**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

Dawnmarie Busweiler Deputy Town Clerk

**Absent** Elizabeth J. Greene, Councilwoman

*Meeting called to order at 7:00 p.m.*

**1. ROLL CALL**

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

**3. MOMENT OF SILENCE**

**4. CHANGES TO AGENDA-Presentation #13 will go after #8**

**5. SWEARING IN OF COUNCILMAN ANTHONY LOBIONDO**

Judge Clarino administered the Oath of Office to Councilman Anthony LoBiondo.

**6. APPROVAL OF AUDIT:**

MOTION made by Councilman LoBiondo to approve the audit in the amount of $2,890,312.81**.**

Motion seconded by Councilman Ruggiero. 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.

**7. PLANNING BOARD: Gardner Ridge Request for Senior Density Bonus**

The firm Zarin & Steinmetz, in coordination with Darren Doce of Vincent J. Doce Associates, Thomas B. Olley, P.E., P.L.L.C., and Philip Grealy, Ph.D, P.E. of Colliers Engineering and Design, represents Gardener Ridge Associates in the connection with its proposal to develop a residential project sit pursuant to the gross density provisions of Section 185-48 of the Town of Newburgh Zoning Code. The project consists of 144 units in 6 buildings, including 36 age-restricted units. The Applicant respectfully requests that the Town Board authorize the Planning Board to modify those sections of the Town Zoning Code, including with respect to density, to allow for the Project.

MOTION made by Councilman Manley to approve Gardner Ridge request for Senior Density Bonus. Motion seconded by Councilman Ruggiero. 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.

**8. RECREATION:**

**A. Begin Process of Hiring Part-Time Laborer**

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

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the process to hire a Part Time Laborer to replace Mr. Frank Ferguson. The funds for this

position is available in the 2024 Budget.

MOTION made by Councilman LoBiondo to approve the process to hire a Part Time Laborer.

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.

**B. Begin Process of Hiring Full Time Recreation Aide**

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

the process to hire a Full-Time Recreation Aide to replace Mr. James Nenni III, who has

recently resigned. The funds for this position are available in the 2024 Budget.

MOTION made by Councilman Ruggiero to approve the process to hire a Full-Time Recreation

Aide. 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 abstain; 1 absent.

**C. 2024 O.C. USSSA Umpires Service Agreement**

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

for new service agreement for 2024 O.C. USSSA Umpires. The rate for the 2024 season has

remained the same as last year. The agreement is set for two officials at $37.00 each per slow

pitch softball games.

MOTION made by Councilman Manley to approve the new service agreement for 2024 O.C.

USSA Umpires. 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 abstain; 1 absent

**D. 2024 Sealed Bus Bids Request**

Commissioner of Parks, Recreation and Conservation James Presutti, is requesting the Town

Board to establish a sealed bid for 2024 busing for senior citizens, youth/adult and summer

camp trips.

MOTION made by Councilman LoBiondo to approve a sealed bus bid for 2024 busing. Motion

seconded by Councilman Ruggiero. 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.

**9. ANIMAL CONTROL:**

**A. Request to Hire Full Time Animal Control Officer**

Donald B. Campbell, Police Chief, is requesting for the approval to hire Sacha Cherry as a Full-

Time Animal Control Officer. The start date will be on or after January 29, 2024, pending all

necessary paperwork, physical, drug/alcohol testing, and fingerprints, with a rate of $21.83

per hour per the CSEA Contract.

MOTION made by Councilman Ruggiero to approve the hiring of Sacha Cherry as a Full-Time

Animal Control Officer. 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 abstain; 1 yes.

**B. T-94 Withdrawal Guardian Veterinary Specialist**

Tracey Carvell of Animal Control is requesting authorization to use the T-94 to pay for

veterinarian services from Guardian Veterinary Specialists for a total of $4,618.63.

\*\*No action taken\*\*

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**C. T-94 Withdrawal Newburgh Veterinary Hospital**

Tracey Carvell of Animal Control requests authorization to use the T-94 Account to pay for

veterinarian services from Newburgh Veterinary Hospital for a total of $1750.65 of which

$523.01 were for canine services, $1227.64 were for feline services.

MOTION made by Councilman Ruggiero to approve T-94 withdrawal of $1750.65 to pay for

Vet services to NVH. Motion seconded by Councilman LoBiondo. VOTE: Councilwoman Green

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

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

**10. WATER/FILTER:**

**A. 2024 Water Treatment Chemical & Alum Sludge Removal Sealed Bids Request**

Daniel Bertola, Supervising Operator, request permission to advertise for bids on Water

Treatment Chemicals and Alum Sludge Removal for the Water Supply Department.

MOTION made by Councilman Manley to approve to advertise for bids on Water Treatment

Chemicals and Alum Sludge Removal. Motion seconded by Councilman Ruggiero. 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.

**B. Budget Adjustment**

Town Engineer James Osborne is requesting a budget transfer for Chemicals costs for both

CL and DAT exceeded budget for 2023 and CL exceeded budget for sludge hauling resulting

in the need to transfer funds. In addition, with work done at DAT and CL unexpected

expenses were incurred.

From: Account Number: 4001.5481 Amount $52,500.00

Account Description: Utilities, Fuel oil, Etc.

Total From: $52,500.00

To: Account Number: 4001.5457 Amount $1,500.00

Account Description: Sledge Hauling

To: Account Number: 4001.5459 Amount $10,000.00

Account Description: Chemicals

To: Account Number: 4001.5472 Amount $ 41,000.00

Account Description: Consultant Fees

Total To: $52,500.00

AND

From: Account Number: 4002.5481 Amount $10,000.00

Account Description: Utilities, Fuel oil, ETC.

Total From: $10,000.00

To: Account Number: 4002.5459 Amount $9,000.00

Account Description Chemicals

To: Account Number: 4002.5491 Amount $ 1,000.00

Account Description Maint Cont/Lease/Rentals

Total To: $10,000.00

**11. HIGHWAY: Request to Post Full Time HEM Position**

Mark A. Hall Jr., Highway Superintendent is requesting permission to be able to post the position of a Full Time HEM for the Highway Department, as appropriated in the 2024 budget.

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MOTION made by Councilman Ruggiero to approve to post the position of a Full-Time HEM for the Highway Department. 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 abstain; 1 absent.

**12. ENGINEERING:**

**A. Rosten Hills Sand Filter Media Removal**

Patrick Hines Rep Engineer for Town of Newburgh is requesting approval for the requested

quote from TAM Enterprises to remove the existing sand from the filter at the Roseton Hills

WWTP. The sand filter is not functioning and is proposed to be replaced with a membrane

cloth filter. The replacement filter project is currently delayed by the NYSDEC. NYSDEC has

determined that they will withhold any approval for the new filter until they issue a new

updated discharge permit. In the interim, we would like to evaluate the feasibility

temporary of repairs to the existing filter. The existing media must be removed to evaluate

the filter. TAM’s has provided the attached quote in the amount of $7,800.00 for removal of

sand from the nonfunctioning sand filter.

MOTION made by Councilman Manley to approve the quote from TAM’s in the amount of

$7,800.00 for the removal of sand from the nonfunctioning sand filter. Motion seconded by

Councilman Ruggiero. 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.

**B. Colden Park Phase III Watermain Construction Phase Services – MHE**

Patrick Hines Rep Engineer for the Town of Newburgh is requesting approval for a contract

amendment. The Colden Park W.M. replacement project will begin construction this spring.

This contract amendment agreement is for the construction phase service, including grant

administration. The agreement is based on hourly services with an estimate of $264,00.00

MHE previously performed Design, Approval and Bidding phrase services for the Town.

MOTION made by Councilman Ruggiero to approve the contract amendment agreement in

the amount of $264,000.00 for the Colden Park W.M. 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: 4 yes; 0 no: 0 abstain; 1 absent.

**C. Nobb Hill Sewer Plant Agreement- MHE**

Patrick Hines Rep Engineer for the Town is requesting approval for the Nob Hill Sewer

Treatment Plant Design, Bidding, Financial Planning, Grant Application Agreement for

Professional Services. The discharge permit for the Nob Hill Sewer District contains a

requirement for increased treatment of the effluent. The existing facility cannot meet the

new permit limits. MHE has prepared a Basis of Design Report identifying the need to

construct a new treatment facility. The NYSDEC permit contains a condition a condition that

the design be submitted by May 1, 2024, with construction completed by November 1,

2026. Work must commerce immediately to meet these permit deadlines.

MOTION made by Councilman Manley to approve as presented the Nob Hill Sewer

Treatment Plant Design, Bidding, Financial Planning, Grant Application Agreement for

Professional Services. Motion seconded by Councilman Ruggiero. 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.

**13. NYC EXTENSION OF WATER DISTRICT**

Dan Michaud, John Milligram and Bill Richardson from the NYC DEP came before the Town

Board to discuss the NYC DEP 2023 partial RWBT drawdown exercise and the preparations

for DEP Fall 2024 shutdown.

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**River Road: Pavement Stress cracking and subsidence.**

* DEP will continue to monitor the roadway. Ground Penetrating Radar (GPR) scans are scheduled for January.
* DEP will be providing funding to compensate the Town of Newburgh through an inter-governmental Agreement (IGA) for temporary road repairs and/or traffic control.
* DEP is performing a study of subsurface conditions to inform whether the road required larger repair efforts. DEP will design a repair if necessary. Study results are expected in a few weeks.

**Private Wells:**

* DEP proposes providing funding for design and construction of water mains/service connections to forty-three homes.
* An Agreement-in-Principal (AIP) is being drafted for the town/DEP payment expectations.
* The DEP is proposing the Town extend the water district. This approach resolves well failure and water outages during and after the shutdown.
* The DEP has met with the NYSDOH and they have been briefed on the October shutdown findings.
* The water main connections will not be completed by the start of the RWBT shutdown, they are fast tracked fir completion within a few months after the shutdown starts.
* Many residents will likely need to be on temporary totes/pumps/hydrants as interim measures until the municipal water connections are finalized.

The DEP will coordinate with the town to host an informational session with residents in February or March.

**14. ADJOURNMENT:**

MOTION made by Councilman LoBiondo to adjourn the meeting at 8:22 pm. 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 8:22 p.m.*

*Respectfully submitted,*

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Lisa M. Vance Ayers Dawnmarie Busweiler

Town Clerk Deputy Town Clerk