**AT THE WORKSHOP MEETING**

of the Town Board of the Town of Newburgh held

at 1496 Route 300 in said township at 7:00 p.m.

on Wednesday the 29th of May, 2024

**Present** Gilbert J. Piaquadio, Supervisor

Paul Ruggiero, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

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

Lisa M. Vance Ayers, Town Clerk

Dawnmarie Busweiler, Deputy Town Clerk

*Meeting called to order at 7:01 p.m.*

**1. ROLL CALL**

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

**3. MOMENT OF SILENCE**

**4. CHANGES TO AGENDA-No Changes**

**5. ACCOUNTING: Approval of Audit**

MOTION made by Councilman Manley to approve the audit in the amount of $2,510,449.78.

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

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

0 no; 0 abstain; 0 absent.

**6.** **POLICE: Request to Hire Full-Time Police Officer**

Chief of Police, Donald B. Campbell is requesting approval to hire Christian D’Andrea as a full-

time police officer at a starting salary of $71,268 per year. Officer D’Andrea is currently

number 1 on the Orange County Police Eligibility List and he is currently working with this

agency as a part-time police officer. I am requesting a start date effective on or after June

10th pending the completion of a physical as required by Orange County Civil Service. (Fund

appropriation #001-3120-0100-000).

MOTION made by Councilman Manley to approve the hiring of Christian D’Andrea as a Full-

Time Police Officer. Motion seconded by Councilman LoBiondo. VOTE: Councilman Ruggiero

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

Motion passed: 4 yes; 0 no; 0 abstain; 0 absent.

**7. CODE COMPLIANCE: Hiring of Part-Time Clerk**

Gerald Canfield, Code Compliance Supervisor is requesting to hire McKenna Rowley as a

part-time clerk for his department. Ms. Rowley will be filling the vacant spot that Bailey

Johnson formerly held. Her salary will be $15.31 per hour. Ms. Rowley will need to complete

her paperwork, physical, drug/alcohol testing and fingerprints. Her hire date will be

contingent on her completing all the above and your approval. The earliest date of hire

would be on or after June 10, 2024.

MOTION made by Councilman LoBiondo to approve the hiring McKenna Rowley as a part-

time clerk for Code Compliance. Motion seconded by Councilman Ruggiero. VOTE:

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

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

**WORKSHOP MEETING MAY 29, 2024 PAGE 2**

**8. TOWN CLERK: Deputy Registrar of Vital Statistics**

Lisa M. Vance Ayers, Town Clerk is requesting approval to appoint Dominque Rivera to the

position of Deputy Registrar of Vital Statistics. The stipend for this position is $32.63 per

week, which totals $1,696.76 yearly.

MOTION made by Councilman LoBiondo to approve the appointment of Dominque Rivera to

the position of Deputy Registrar of Vital Statistics. Motion seconded by Councilman Manley.

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

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

**9. ASSESSOR: Tax Certiorari Maho Bay Reality, LLC (1 Powelton Road)**

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

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

Maho Bay Reality, LLC (1 Powelton Road). The settlement provides for no reduction for the

subject parcel for the 2019 and 2020 proceedings. The settlement provides for reductions in

Assessed Value for 2021 of $15,960 from $309,960 to $294,000, for 2022 and 2023 of

$39,960 from $309,960 to $270,000. The 2023 Assessed Value will hold for 2024, 2025 and

2026 pursuant to the provisions of RPTL Section 727, subject to the statutory exceptions.

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

special districts and the Fire District) will be approximately $1,149.13 versus claimed refund

liability of approximately $13,841.72. The Cronomer Valley Fire District’s refund liability

under the settlement will be approximately $454.51. The Newburgh Enlarged City School

District’s refund liability be substantially more.

MOTION made by Councilman Ruggiero to approve the tax certiorari settlement for Maho

Bay Reality, LLC (1 Powelton Road). Motion seconded by Councilman Manley. VOTE:

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

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

**10. ENGINEERING:**

**A. Special Inspections for Chadwick Lake Recreation and Senior Center Building**

Patrick J. Hines, Rep. Town Engineer is requesting approval the proposals for the Special

Inspection Services for the Chadwick Lake Recreation and Senior Center Building. MHE

Engineering has selected proposals for the special inspections for the subject project.

These third-party special inspections are required to be performed in compliance with

Chapter 17 of the 2020 Building Code of NYS.

Two proposals were received for the required special inspections. MHE recommends the

Town award the contract for the special inspections to Tectonic Engineers. The Tectonic

proposal identifies an estimate cost for the special inspections to be $31,640.00, the

actual cost will be based on the number of specific inspections performed. The proposal

contains a rate for each inspection.

MOTION made by Councilman Manley to approved as presented and not to exceed

$31,640.00 for the Special Inspections for Chadwick Lake Recreation and Senior Center

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

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

Motion passed: 4 yes; 0 no; 0 abstain; 0 absent.

**B. Zazon Subdivision Stormwater Town Road and Water Main Extension Securities**

Patrick J. Hines, Rep Town Engineer is requesting the approval for Zazon Subdivision

Stormwater Town Road and Water Main Extension Securities Newburgh Planning Board

Project #04-29 11 Lot Subdivision with Drainage District Parcel. The applicant’s

**WORKSHOP MEETING MAY 29, 2024 PAGE 3**

representatives, Pietrzak and Pfau Engineering & Surveying have prepared cost estimates

for the subject project. The project received Conditional Final Approval on 15 April 2021.

The project contains a proposed town roadway, drainage improvements and water main

extensions. These items are required to have security posted to assure completion of the

proposed public improvements. The applicant’s engineers have utilized MHE’s standard

cost estimating template for municipal infrastructure.

* Stormwater Cost Estimate $111,567.00
* Water Main Cost Estimate $129,730.00
* Town Road Cost Estimate $326,377.29
* Total: $567,674.29

A 4% Inspection Fee in the amount of $22,706.97 must be posted.

A Landscape Security Cost Estimate has been provided for planting of the street trees and

shrubs depicted on the approved plans.

* Landscape Security in the amount of $49,692.81 is required. An Inspection fee in the amount of $2,000.00 for landscape must also be posted.

MOTION made by Councilman Ruggiero as presented to approve the Zazon Subdivision

Stormwater Town Road and Water Main Extension Securities Newburgh Planning Board

Project #04-29 11 Lot Subdivision with Drainage District Parcel. Motion seconded by

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

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

abstain; 0 absent.

**C. Elmhurst Avenue over Bushkill Creek Culvert Replacement Project Advertisement &**

**Receipt of Bids**

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

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

of Bids. The project engineers CPL Engineering have identified that they have completed

the NYSDOT design approval process for the Elmhurst Culvert Replacement Project. The

engineers are recommending the Town set an advertisement date of 7 June 2024. Plans

and specifications will become available on that date. Bids will be received by the Town

on 11 July 2024 at 1:00 PM. The project has a grant from the NYS Department of

Transportation in the amount of $526,106.00. Scheduling of the bid dates for the project

requires Town Board approval.

MOTION made by Councilman Manley to approve the Elmhurst Avenue over Bushkill

Creek Culvert Replacement Project Advertisement & Receipt of Bids. Motion seconded by

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

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

abstain; 0 absent.

**11. A. RESOLUTION: Levinson Heights Water Main Extension Project; Increase and**

**Improvement of Facilities of The Consolidated Water District; Establishment of**

**Proposed Extension of the Consolidated Water District**

Mark C. Taylor, Attorney for the Town, presented letter on Resolution of the Levinson

Heights Water Main Extension Project for Revised Maps, Plans and Reports for Increase

and Improvement of the Facilities of the Consolidated Water District Extension Pursuant

to Section 202-b of the Town Law and Proposed Water District Extension of the

Consolidated Water District for Acceptance on Motion.

MOTION made by Councilman Manley to approve and accept the revised Resolution of

the Levinson Heights Water Main Extension Project. Motion seconded by Councilman

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

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

absent.

**WORKSHOP MEETING MAY 29, 2024 PAGE 4**

**B. RESOLIUTION of SEQR Designation of the Consolidated Water District**

Mark C. Taylor, Attorney for the Town, presented a Resolution of SEQR Designation of

the Consolidated Water District and Negative Declaration for Levinson Heights.

MOTION made by Councilman LoBiondo to approve the Resolution of SEQR Designation

of the Consolidated Water District and Negative Declaration for Levinson Heights.

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

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

Motion passed: 4 yes; 0 no: 0 abstain; 0 absent.

**C. Schedule Public Hearing in the Matter of the Increase and Improvement of the**

**Facilities**

MOTION made by Councilman Manley to schedule Public Hearing in the matter of the

increase and improvement of the facilities for June 24, 2024 at 7:00 pm.

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

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

Motion passed: 4 yes; 0 no; 0 abstain; 0 absent.

1. **Schedule Public Hearing in the Matter of the Proposed Establishment of a Water District Extension. Levinson/Old Post Road Area**

MOTION made by Councilman Ruggiero to schedule a Public Hearing for the matter of the proposed establishment of a water district extension on Levinson/Old Post Road area June 24, 2024 at 7:15 pm. Motion seconded by Councilman Manley. VOTE: Councilman Ruggiero – yes; Councilman Manley – yes; Councilman LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: 4 yes; 0 no: 0 abstain; 0 absent.

**12. ADJOURNMENT**

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

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

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

abstain; 0 absent.

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

*Respectfully submitted,*

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Lisa M. Vance Ayers Dawnmarie Busweiler

Town Clerk Deputy Town Clerk