**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 23rd of December, 2024

**Present** Paul Ruggiero, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

Gil Piaquadio, Supervisor

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

Lisa M. Vance Ayers, Town Clerk

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

**1. ROLL CALL**

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

**3. MOMENT OF SILENCE**

**4. CHANGES TO AGENDA-Add-on Fuel Spill Quotes & Remove Executive Session**

**5. ACCOUNTING:**

**A. Approval of the Audit**

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

2,977,739.92. 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. Cash Transfer from Crossroads to Roseton**

Ronald E. Clum, Town Accountant is requesting a Cash Transfer from Crossroads to

Roseton in the amount of $150,000. Upon reviewing the projected cash balances to

December 31, 2024, it was discovered that Roseton and will have a negative cash position

of approximately $150,000. I am asking for an inter-fund borrowing of $150,000 from

Crossroads to Roseton to rectify this and will pay back Crossroads when the 2025

revenues come in, or as soon as possible.

MOTION made by Councilman Ruggiero to approve a Cash Transfer from crossroads to

Roseton in the amount of $150,000. 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.

**6. POLICE: Authorization to Hire Three Full-Time Police Officers**

Police Chief, Donald Campbell is requesting approval to hire the following candidates as a

Full Time Police Officers. Their approval from Orange County Human Resources pending.

Once approved by Orange County, they will need to get the Orange County physical and will

need to complete their psychological. Once those are completed and they pass, they will

need to make an appointment with my office to completed all the necessary paperwork. The

following are the candidates:

**Kevin Espinal, he is already a part-time Court Officer with us, pending hire date 1/20/2025**

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MOTION made by Councilman LoBiondo to approve the hiring of Kevin Espinal as a full time

Police officer 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.

**Josef Javorsky pending hire date 1/27/2025**

MOTION made by Councilman Ruggiero to approve the hiring of Josef Javorsky as a full time

Police officer 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.

Santos Ocasio pending hire date 1/27/2025.

MOTION made by Councilman Manley to approve the hiring of Santos Ocasio as a full

time Police officer 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.

**7. SENIOR DENSITY BONUS: Elkay Partners Development**

Gil Piaquadio, Town Supervisor is presenting a letter from Engineering & Surveying

Properties, PC on behalf of the applicant, Elkay Brewer, LLC. The applicant would like the

opportunity to present to the Town Board a senior density bonus for a multi-family project

located on Brewer Road in the Town of Newburgh. The project has been referred to the

Town Board by the Planning Board after the initial Sketch Plan submission and presentation

at the October 3, 2024 Planning Board meeting.

The project is located along Brewer Road on tax map parcel section 39, block 1, Lot 32 in the

Town of Newburgh R-3 zone. The proposed project consists of the construction of five (5)

residential apartment buildings, totaling 168 units, with amenities including a clubhouse,

pool, playground and tennis/pickleball courts. A total of 19 units will be reserved for senior

citizen housing per the bonus density allowed in the Town of Newburgh code 185-48. There

are also seven (7) proposed garage buildings with 49 total garage parking spaces to serve the

tenants. The proposed layout is a loop road with a green space on the interior and the

apartment buildings around the exterior. There will be parking along the loop road as well as

in several smaller parking lots located between the apartment buildings. The proposed use of

Multiple Dwellings is a permitted use within the R-3 zoning district subject to site plan review

by the planning board per Town of Newburgh code 185 Attachment 9 (D)(1)© “Multiple

dwellings in accordance with 185-25: Garden-style dwellings.”

**8. BUILDINGS AND GROUNDS:**

**A. Hiring of Full-Time Custodial Worker**

Gil Piaquadio, Town Supervisor is requesting approval to hire Michael Bogdon for the Full-

time Custodial Worker. Mr. Bogdon is already a part-time employee in our Buildings and

Grounds Department so he will need to fill out full-time paperwork only. A proposed full-

time hire date is January 6, 2025. Mr. Bogdon has been pre-approved by Orange County

Human Resources.

MOTION made by Councilman LoBiondo to approve the hiring of Mr. Michael Bogdon for

Full-time Custodial Worker for Buildings and Grounds Department. 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.

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**B. Fuel Oil Clean-Up**

Gil Piaquadio, Town Supervisor is requesting approval for the Hudson Valley Petroleum &

Enviromental Corp. (DBA Tanksoilutions) quotes for Fuel Oil Clean-Up at the Desmond

Estate.

MOTION made by Councilman Ruggiero to approve Hudson Valley Petroleum &

Enviromental Corp. (DBA Tanksoilutions) quote for Fuel Oil Clean-Up at the Desmond

Estate pending Mark Taylor’s approval. 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. ENGINEERING:**

**A. W/Chadwick Lake Filter Plant Resiliency Upgrade**

Patrick Hines, Rep Town Engineer is requesting approval W/Chadwick Lake Filter Resiliency

Upgrade Project Decommission Phase Rockland Electric. HDR Engineers have requested

Rockland Electric provide a change order for the interim decommissioning of the trailer

mounted filter. The interim decommissioning is required due to the NYC DEP shutting

down the Delaware Aqueduct Project. Rockland Electric decommissioning Change Order

#3 (CO #3) results in a cost increase of $11,237.37. The cost of the interim

decommissioning change order will be tracked for possible reimbursement by NYC DEP.

Funds for Change order #3 will be from account H6076.

MOTION made by Councilman Ruggiero to approve W/Chadwick Lake Filter Plant

Resiliency Upgrade Project Decommission Phase Rockland Electric Change Order in the

amount of $11,237.37. 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.

**B. W/Chadwick Lake Filter Plant Resiliency Upgrade**

Patrick Hines, Rep Town Engineer is requesting approval W/Chadwick Lake Filter Plant

Resiliency Upgrade Project Decommissioning Phase HDR Engineers- Increase Construction

Services Contract. HDR Engineers has prepared an amendment to their 2021 Agreement

with the Town for construction related services. The amended agreement is to cover costs

associated with the interim shutdown and required decommissioning of the trailer

mounted filter. The scope of services were reviewed with HDR representative Amir

Mashhad at a meeting on 10 December 2024. HDR requests an increase of $59,316.00 to

be billed based on hourly rates for services provided. The scope of services are included as

items 1-5 in the contract amendment. These costs will be tracked for possible

reimbursement from NYC DEP based in the interim project shut down.

MOTION made by Councilman Manley to approve the W/Chadwick Lake Filter Plant

Resiliency Upgrade Project Decommissioning Phase HDR Engineers- Increase Construction

Service Contract in the amount of $59,316.00. 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. GHD SCADA Maintenance Service Contract Task Order #10**

Patrick Hines, Rep Town Engineer is requesting approval for GHD SCADA Maintenance

Service Contract Task Order #10. We have solicited and received an update proposal for

SCADA maintenance services from GHD Engineers. GHD is the company that provides

service for the Town’s SCADA system. Task order #10 is an hourly ‘as needed’ work order

for engineering, routine operation and maintenance of the Town’s SCADA system as well

as on-call needed basis. Task order #10 is in the amount of $32,500.00 to be billed hourly

based on the attached fee schedule. The payments for the task order services will be

billed under code F.8330.4002.5472.

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MOTION made by Councilman Ruggiero to approve the GHD SCADA Maintenance Service

Contract Task Order #10 in the amount of $32,500.00. 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.

**D. O’Donnell Property – 2 Plank Road**

Patrick Hines; Rep Town Engineer is requesting approval for O’Donnell Property – 2 Plank

Road SBL: 84-2-24 Outside Sewer User Request. Pursuant to a request from the applicant, I

have calculated the outside user fee for the subject parcel. The parcel contains a single-

family residence and commercial structure. The fee is based on the benefit formula

adopted by the Town Board for the commercial structure. The single-family residence is

exempt from the fee.

Property Information:

Michael and Sherri O’Donnell

2 Plank Road

Newburgh, NY 12550

Lot Size - .37 Acre

Building Size – 780 Sq. Ft.

Water Use – 78 gallon/day

Units:

Developed Commercial Property

25 Points per acre – 9.25

Low water user 10 points/1000 Sq Ft – 780/1000 x 10 = 7.8

Total Points: 67.05

Commercial properties are assessed cost based on Equivalent Dwelling Unit (EDU). Where

50 points is one EDU. The Town’s outside user fee is currently $4,500 per EDU.

67/50 = 1.34 EDU’s

The parcel is assessed 1.34 /EDU’s

Outside user fee 1.34 EDU’s x $4,500.00/EDU = $6,030.00

MOTION made by Councilman LoBiondo to approve O’Donnell Property – 2 Plank Road

SBL: 84-2-24 Outside Sewer User request. 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.

**E. Newburgh Recreation Center- Change Order 06- Additional Water Main Piping**

Patrick Hines, Rep Town Engineer is requesting approval for Newburgh Recreation Center

Change Order 06 – Additional Water Main Piping. Additional linear footage of 8” ductile

iron water main due to discovered location and length of existing water main on site

conflicted with contract drawings. Price included additional test pits after existing piping

was not discovered at marked locations in the field. Change Order Amount is $32,320.00

MOTION made by Councilman Ruggiero to approve the Newburgh Recreation Center-

Change Order 06- Additional Water Main Piping in the amount of $32,320.00. 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.

**F. Newburgh Recreation Center Change Order 07- PEMB Structural Changes**

Patrick Hines, Rep Town Engineer is requesting approval for Newburgh Recreation Center

Change Order 07- PEMB Structural Changes. Foundation changes issued on updated

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structural drawings dated 8/21/2024 due to coordination with the submitted pre-

engineered metal building shop drawings in the amount $21,769.00.

MOTION made by Councilman LoBiondo to approve the Newburgh Recreation Center

Change Order 07- PEMB Structural Changes in the amount of $21,769.00. 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.

**G. W/Chadwick Lake Filter Plant Resiliency Upgrade Project Decommission Phase Tam**

**Enterprises, Inc.**

Patrick Hines, Rep Town Engineer is requesting approval for W/Chadwick Lake Filter Plant

Resiliency Upgrade Project Decommission Phase Tam Enterprises, Inc. HDR Engineers have

requested Tam Enterprises, Inc. provide a change order for the interim decommissioning

of the trailer mounted filter. The interim decommissioning is required due to the NYC DEP

shutting down the Delaware Aqueduct Project. Tam Enterprises decommissioning Change

Order #6 (CO #6) results in a cost increase of $63,283.00 The cost of the interim

decommissioning change order will be tracked for possible reimbursement by NYC DEP.

Funds for Change order #6 will be from account H6076.

MOTION made by Councilman Manley to approve W/Chadwick Lake Filter Plant Resiliency

Upgrade Project Decommission Phase Tam Enterprises, Inc Change Order #6 in the

amount $63,283.00. 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.

**H. Darrigo Solar Decommissioning Security**

Patrick Hines, Rep Town Engineer is requesting approval Darrigo Solar Decommissioning

Security – PB #2019-24. The Town of Newburgh Planning Board issued a conditional final

approval for the subject project on 15 April 2021. The project proposes a 5-megawatt solar

farm to be located on a 60 +/ - acre parcel of property at 84 Lakeside Road. Town of

Newburgh’s Zoning Board of Appeals granted multiple variances for the project, including

a use variance on the subject site. A project is proposed in 2 phases, a 4-megawatt solar

array and additional 1-megawatt solar array. The decommissioning plan identifies these as

Mountain Gardens/Highland Gardens respectively. This office has reviewed a

decommissioning plan dated 7 October 2024, last revised 19 December 2024 for the

subject project. Phase I Mountain Gardens $160,083.61 and Phase II Highland Gardens

$41,820.90. Total decommissioning securities for the site is identified at $201,904.52. The

decommissioning cost estimate is consistent with other decommissioning estimates

reviewed by this office for projects outside the Town of Newburgh. Decommissioning costs

is based on costs tracked by NYSERDA. It is noted, that no salvage value has been included

in these costs estimates as salvage value in the future is difficult to quantify. This office

recommends the town Board adopt the decommissioning security in the amount of

$201,804.52. The decommissioning security should be in a form acceptable to the Town

Attorney. Establishment of decommissioning security requires Town Board action.

MOTION made by Councilman Ruggiero to approve the Darrigo Solar Decommissioning

Security in the amount of $201,904.52. 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. ANIMAL CONTROL/TOWN CLERK:**

**A. Orange County Health Department Rabies Clinic**

Lisa Vance Ayers, Town Clerk & Tracey Carvell of Animal Control are requesting approval

to Host a Free Rabies Clinic with the Orange County Health Department on March 1,

2025.

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MOTION made by Councilman Ruggiero to approve the Orange County Health

Department Rabies Clinic on March 1, 2025. 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.

**B. Discussion on Dog license fees, Animal Adoption fees**

Lisa Vance Ayers, Town Clerk & Tracey Carvell of Animal Control are requesting a

discussion to increase the fees for Animal Control. The adoption fee is the most

important. It hasn’t been done in over a decade while everything has increased

everywhere. We can always discount, play with the fees for harder to adopt animals

however, we can’t increase once it is in writing. Small dogs and puppies at any rescue

are upwards of $400-500 to adopt. They are highly adoptable no matter what their

temperament may be.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Current | New |  |  |
| License Spayed/Neutered | $7.50 | $8.50 |  |  |
| License Unspay/Unneuterd | $15.50 | $15.50 |  |  |
|  |  |  |  |  |
| Impound 1st | $40.00 | $50.00 + Assoc Fee |  |  |
| Impound 2nd | $50.00 | $60.00 Assoc Fee |  |  |
| Impound 3rd | $75.00 | $85.00 + Assoc Fee |  |  |
| Impound 4th | $100.00 | $110.00 + Assoc Fee |  |  |
| \*Assoc Fee is the extra boarding for after hours/weekends |  |  |  |  |
|  |  |  |  |  |
| Board after Owner Notified | $15.00 | $30.00 |  |  |
| Rabies Vaccine | $30.00 | $40.00 | (this will include transport fee) |  |
| Transport Fee | 0 | 0 |  |  |
|  |  |  |  |  |
| Adoption Fee Cat/Kitten | $75.00 | $125.00 Cat/150 Kitten |  |  |
| Adoption Fee Dog/Puppy | $75.00 | $125 M-L Dog |  |  |
|  |  | $200 Small Dogs & Puppy |  |  |
|  |  |  | **2025 Fees** |  |
| Ex: Vetting for Dog | M-$189.88 | F-$213.88 | M-$217.00 | F-$242.00 |
| Vetting for Cat | M-$83.00 | F-$145.40 | M-$134.50 | F-$184.50 |

(These examples are our LOWEST base fees for vetting to adopt.)

Kitten adoption fee should be higher as they require extra vaccines.

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**11. ~~EXECUTIVE SESSION: CSEA Contract~~**

**12. ADJOURNMENT**

MOTION made by Councilman Manley to adjourn the meeting at 7:45 p.m. 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.

*Meeting adjourned at 7:45 p.m.*

*Respectfully submitted,*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Lisa M. Vance Ayers

Town Clerk