**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 day of October, 2023

 **Present** Elizabeth J. Greene, Councilwoman

 Scott M. Manley, Councilman

 Anthony R. LoBiondo, Councilman

 Gilbert J. Piaquadio, Supervisor

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

 Lisa M. Vance Ayers Town Clerk

 Rachel Vazquez Deputy Town Clerk

**Absent** Paul I Ruggiero, Councilman

*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 THE AGENDA- Add 11C Brush and Leaf Pick up**

**5. PUBLIC HEARING:**

 **A. 2024 Town and Highway Budget**

Town Supervisor Piaquadio asked Town Clerk Lisa Vance Ayers if all of the proper

 postings and publications were completed. Town Clerk Vance Ayers said notice of this

 meeting had been posted on the Town website and in Town Hall since October 11, 2023

 and it was advertised in the *Mid Hudson Times* on October 12, 2023

 This complies with all of the requirements for a Public Hearing under New York State Law.

 **Opening Public Hearing**

 Motion made by councilman LoBiondo to open Public Hearing at 7:04pm.

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

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

 Supervisor Piaquadio – yes. Motion passed: 3 yes; 0 no; 0 abstain; 2 absent.

 As the Town Supervisor and Chief Fiscal Officer for the Town of Newburgh, I am honored to

 present for your review the Town of Newburgh’s 2024 Preliminary Budget. This proposed

 budget is a culmination of weeks of work, analyzing and reviewing historical data, trends,

 and current expenditures along with revenue trends over the past. The preparation of this

 budget was a joint effort between the Town Board, myself, the accountant's office, as well

 as all Department Heads. The Town's budget, which totals approximately $55.61

 million, which is under the New York State-mandated tax cap by approximately $214,000.  I

 am proud to say that the Town has never gone over this tax levy limit since its inception.

 This large increase in expenditures is due to us funding a $4.5 million dollar transfer to fund

 a portion of the new recreation building, equipment purchases of $1.9 million, medical

 insurance increases of roughly half a million, and new positions of $690,000. Most of these

 expenditures were covered by the recognition of COVID-19 funding from the federal

 government ($2.7 million) as well as the casino income of ($3.9 million). We are seeing our

 other revenues coming back to pre-pandemic levels which also support with these

 increases. I am proud to say that the combined General and Highway Fund tax rate of

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 $15.66 is the same as last year which represents a zero-tax increase to the Taxpayers for

 General and Highway Fund taxes. We have not had a property tax increase in several years

 This budget represents the leadership and our dedication to delivering police protection,

 well maintained roads, timely public works services, enjoyable recreation opportunities,

 clean water, and other amenities. The focus was, as it has been in the past, to maintain

 essential services to the residents of the Town of Newburgh without a drastic increase in

 the tax rates.

 The PBA will receive the negotiated 3 ½ percent increase CSEA members will receive the

 negotiated 3 percent increase and non-union employees, part-time employees, Town Board

 Members, and the Town Supervisor will also receive a 3 ½% increase.  We will maintain a

 total of 164 full-time employees and 101 part-time and seasonal employees. The budget

 enforces our commitment to public safety with 49 budgeted full-time officers and 13

 budgeted part-time officers along with continuing such programs as DARE. The budget also

 provides for 27 full-time Highway Employees. Recreation programs remain unchanged with

 over 24 bus trips planned, operation of Dial-A-Bus, summer camps, and many other special

 events throughout the year. We will continue with the highly successful programs at the

 Desmond Campus. My philosophy, as well as the Board's, has been to "save for a rainy

 day”, as we strive to maintain a healthy fund balance. This philosophy has served us well and

 has allowed us to maintain a healthy financial position with strong reserve levels as

 confirmed by our Moody's Aa2 bond rating The Town Board and I remain committed to

 constructing a 35K square foot Rec/Senior Center through grants and accumulated funds

 from developers into the Parkland trust fund. As I mentioned this budget includes a $4.5

 million transfer from the General Fund to the Recreation building fund which is covered by

 our COVID-19 money received from the Federal Government.

 **Closing Public Hearing**

Motion made by councilman Manley to close Public Hearing at 7:08pm.

 Motion seconded by Councilman LoBiondo. VOTE: Councilwoman Greene – absent;

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

 Supervisor Piaquadio – yes. Motion passed: 3 yes; 0 no; 0 abstain; 2 absent.

 **i. Vote on Resolution**

Motion made by councilman Manley to approve 2024 Town and Highway Budget. Motion

 seconded by Councilman LoBiondo. VOTE: Councilwoman Greene – absent; Councilman

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

 Piaquadio – yes. Motion passed: 3 yes;

 **B. 2024 Town and Improvement District Budgets**

Town Supervisor Piaquadio asked Town Clerk Lisa Vance Ayers if all of the proper

 postings and publications were completed. Town Clerk Vance Ayers said notice of this

 meeting had been posted on the Town website and in Town Hall since October 11, 2023

 and it was advertised in the *Mid Hudson Times* on October 12, 2023

 This complies with all of the requirements for a Public Hearing under New York State Law.

 **Opening Public Hearing**

Motion made by councilwoman Greene to open Public Hearing at 7:15. Motion seconded

 by Councilman LoBiondo. VOTE: Councilwoman Greene – yes; Councilman Ruggiero –

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

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

 Patrick Hines Engineer presented the following resolutions and explained all the costs

1. Resolution of Final Adoption of Assessment Rolls, Budgets and Benefit Formula in the Town of Newburgh For All Sewer Districts Billed Quarterly (Crossroads Consolidated, inclusive of the following areas of assessment; Crossroads, Meadow Hill South, Meadow

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Hill North, Algonquin, Gidney, Wintergreen) (total benefit units to be confirmed by Assessor);

 Consolidated Crossroads Sewer District there being 453,574 units on said roll to

 be charged $0.00 each, yielding $0.00 total revenue, said revenue to be collected

 quarterly by the Receiver of Taxes in accordance with the authority granted by

 Resolution No. 222 of 1991 of the Orange County Legislature.

 Crossroads Consolidated Sewer District (old) Area of Assessment there being

 316,188 units on said roll to be charged $0.00 each, yielding $0.00 total revenue,

 said revenue to be collected quarterly by the Receiver of Taxes in accordance

 with the authority granted by Resolution No. 222 of 1991 of the Orange County

 Legislature.

 Meadow Hill South Sewer District Area of Assessment there being 26,573 units

 on said roll to be charged $3.00 each, yielding $79,719 total revenue, said

 revenue to be collected quarterly by the Receiver of Taxes in accordance with the

 authority granted by the Resolution 222 of 1991 of the Orange County Legislature.

 Meadow Hill North Sewer District Area of Assessment there being 21,676 units

 on said roll to be charged $0 each, yielding $0 total revenue, said revenue to be

 collected quarterly by the Receiver of Taxes in accordance with the authority

 granted by the Resolution 222 of 1991 of the Orange County Legislature.

......... . ... .

1. **Resolution of Final Adoption of Assessment Roll & Budget/Consolidated Water District (total assessed values for user units and access units to be verified by Assessor);**
2. USER UNITS WATER DISTRICT #1 Each parcel within the Consolidated Water District of

the Town of Newburgh and its duly constituted extensions, as

listed on the latest completed Assessment Roll of said Town totaling

$938,080,069 shall be charged at a rate of $1.5400 per $1,000 of total assessment,

or fraction thereof, on the said latest roll yielding $1,369,597

1. ACCESS UNITS WATER DISTRICT #2 - Each parcel within the Consolidated Water

District of the Town *of* Newburgh and its duly constituted extensions, as listed on the latest completed Assessment Roll of the said Town totaling $711,570,897 and fronting on a water main or lateral installed as part of and in connection with the Chadwick Lake Water System, the installation of which caused the said System to incur debt service, shall be charged at the rate of $2.6600 per $1,000.00 of total

assessment, or fraction thereof, on the said latest roll yielding $1,800,274.38.

1. **Resolution of Final Adoption of Assessment Roll & Budget -- Laurie Lane Highway Improvement Area**

USER UNITS - Each parcel fronting or abutting either side of the looped portion of

Laurie Lane that commences at the terminus of the existing Town highway section of Laurie Lane as of January 22, 2013 and the entire lengths of Ben's Way and Dee's Way in the Laurie Lane Highway Improvement Area, and has no frontage (0 feet) on the existing Town highway, either dedicated or by use, as listed on the latest completed Assessment Roll of the Town shall constitute one such unit, provided however that in the event a parcel has a portion of its frontage on the existing Town highway, either dedicated or by use, in excess of zero (0) feet but less than 100 percent of any single front yard line as of January 22, 2013 and the remaining portion of the parcel's frontage is on the section of Laurie Lane petitioned to be improved, it shall constitute

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one-half (1/2) such unit, there being 26 units on said roll to be charged $408.81 each and 2 one half (1⁄2) units on said roll to be charged $204.41 each, yielding $11,037.88 revenue

1. **Resolutions of Final Adoption of Assessment Roll & Budget – Chesterfield Court Drainage District – County Tax Warrant.**

The Annual Budget and Assessment Roll for Chesterfield Court Drainage District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board, the Benefit Formula.

1. **Resolutions of Final Adoption of Assessment Roll & Budget for Lighting Districts (Colden Park, Consolidated, Fleetwood, Orange Lake and Lakeside)**

  The Annual Budget and Special Assessment Roll for the Colden Park Lighting District for the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town Clerk as required by law, and a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;  This Town Board of the Town of Newburgh does hereby adopt the budget

 as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for Colden Park Lighting District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board.

1. **Resolution of Final Adoption of Assessment Roll & Budget - Nob Hill Sewer District**

This Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for Nob Hill Sewer District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board, the Benefit Formula, the final form for which is herein amended to add user units, and sum per unit to be apportioned assessed according to the said roll, as hereby adopted, being as follows:

USER UNITS - Each parcel within the Nob Hill Sewer District as listed on the latest completed Assessment Roll of the Town, shall containing up to 20,000 sq. ft. shall constitute one such unit; all parcels therein in excess of 20,000 sq. ft. shall constitute one additional such unit for each additional 20,000 sq. ft. or any major fraction thereof, there being 100 units on said roll to be charged $8.72 each, yielding $872.00 revenue.

1. **Resolution of Final Adoption of Assessment Roll & Budget - Roseton Hills Sewer District**

  The Annual Budget and Special Assessment Roll for the Roseton Hills Sewer District for

 the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town

Clerk as required by law, and this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for

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Roseton Hills Sewer District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board, the Benefit Formula, the final form for which is herein amended to add user units, and sum per unit to be apportioned assessed according to the said roll, as hereby adopted, being as follows:

USER UNITS Each residential dwelling unit, whether it be an apartment or

condominium unit, on each parcel within the Roseton Hills Sewer District as listed

on the latest completed Assessment Roll of the Town, shall constitute one such unit;

there being 293 units on said roll to be charged $650.00 each, yielding $190,450.00

revenue, said revenue to be collected quarterly by the Receiver of Taxes in

accordance with the authority granted by Resolution No. 222 of 1991 of the Orange

County Legislature.

1. **Resolution of Final Adoption of Assessment Roll & Budget - Town of Newburgh Ambulance District County Tax Warrant.**

The Annual Budget and Special Assessment Roll for the Town of Newburgh

Ambulance District for the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town Clerk as required by law,  a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;  that this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for the Town of Newburgh Ambulance District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board.

1. **Resolution Approving Town, Highways and All Special Improvement Districts Budget**

The Town Board of the Town of Newburgh, duly held on October 23, 2023

commencing at 7:00 o'clock p.m., a public hearing on the preliminary budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2024 and a further public hearing on October 23, 2023 pertaining to the budgets and assessment rolls of the special improvement districts and areas of the Town, to wit: Colden Park Lighting District, Consolidated Lighting District, Fleetwood Lighting District, Lakeside Road Lighting District, Orange Lake Lighting District, Consolidated Water #1, Consolidated Water #2, (inclusive of Consolidated, Colden Park and Fleetwood-Holiday Park Water Districts as applicable), Crossroads Consolidated Sewer District (inclusive of the following areas of assessment, Crossroads, Meadow Hill South, Meadow Hill North, Algonquin, Gidney, Wintergreen), Nob Hill Sewer District, Roseton Hills Sewer District, Amber Fields Drainage District, Autumn Ridge Drainage District, Cox Drainage District, Stonewall Estates Drainage District, Fini Subdivision Drainage District, Candlestick Hill Drainage District, Chesterfield Court Drainage District, Margate Drainage District, Woodlawn Heights Drainage District, Mountain Lake Drainage District, Orchard Ridge Drainage District, Pinnacle Subdivision Drainage District, Tarben Drainage District, Tarsio Subdivision Drainage District, Laurie Lane Highway Improvement Area and Town of Newburgh Ambulance District; and  the matter of the budget for this Town and Districts for the upcoming fiscal year having been fully discussed, modified and considered, it is  the preliminary budget, as revised and amended by the Town Board and hereinafter set forth, is hereby adopted as the annual budget of the Town of Newburgh and its Special Improvement Districts and Areas for the fiscal year beginning January 1, 2024, and that the same shall be entered into the minutes of the Town Board, and be it

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further that the Town Clerk of this Town shall prepare and certify as provided by law, duplicate copies of said annual budget hereby adopted, and deliver such copies to the Supervisor of the Town who shall present such copies of the annual budget to the Legislature of the County of Orange

1. **Resolution Establishing the Operating & Maintenance Rates of the Town's Sewer Districts**

The Town Board of the Town of Newburgh, duly held on October 23, 2023 commencing at 7:00 o'clock p.m., a public hearing on the preliminary budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2024 and a further public hearing on October 23, 2023 pertaining to the budgets and assessment rolls of the special improvement districts and areas of the Town, to wit: Colden Park Lighting District, Consolidated Lighting District, Fleetwood Lighting District, Lakeside Road Lighting District, Orange Lake Lighting District, Consolidated Water #1, Consolidated Water #2, (inclusive of Consolidated, Colden Park and Fleetwood-Holiday Park Water Districts as applicable), Crossroads Consolidated Sewer District (inclusive of the following areas of assessment, Crossroads, Meadow Hill South, Meadow Hill North, Algonquin, Gidney, Wintergreen), Nob Hill Sewer District, Roseton Hills Sewer District, Amber Fields Drainage District, Autumn Ridge Drainage District, Cox Drainage District, Stonewall Estates Drainage District, Fini Subdivision Drainage District, Candlestick Hill Drainage District, Chesterfield Court Drainage District, Margate Drainage District, Woodlawn Heights Drainage District, Mountain Lake Drainage District, Orchard Ridge Drainage District, Pinnacle Subdivision Drainage District, Tarben Drainage District, Tarsio Subdivision Drainage District, Laurie Lane Highway Improvement Area and Town of Newburgh Ambulance District; and  the matter of the budget for this Town and Districts for the upcoming fiscal year having been fully discussed, modified and considered, it is  the preliminary budget, as revised and amended by the Town Board and hereinafter set forth, is hereby adopted as the annual budget of the Town of Newburgh and its Special Improvement Districts and Areas for the fiscal year beginning January 1, 2024, and that the same shall be entered into the minutes of the Town Board, and be it further  that the Town Clerk of this Town shall prepare and certify as provided by law, duplicate copies of said annual budget hereby adopted, and deliver such copies to the Supervisor of the Town who shall present such copies of the annual budget to the Legislature of the County of Orange.

 **Public Comments:**

 **Sandra Kissam 1261 Union Avenue** questioned the consolidated water district and if

 everyone in that district share the costs. Supervisor Piaquadio explained that yes in fact

 each resident within that consolidated water district contribute to it.

 **John Antonelli 7 Cedar Court** asked about clean drinking water. Mr. Antonelli is concerned

 with the wells in his neighborhood that are contaminated, he also said he had contacted

 the Town Engineer regarding getting a water line installed on the road but was still waiting

 to get an answer. Patrick Hines the town engineer explained there is potential that the

 NYC DEP have a project in the works. Mr. Antonelli said the DEP had placed plastic buckets

 with garden hoses to each house. Mr. Hines explained that this a very temporary fix. The

 aqueduct will shut down and that the DEP are monitoring various wells as part of the

 shut-down. Mr. Antonelli stated that the DEP dialed the water back and each time the well

 is checked the water levels have gone down. Mr. Hines advised that they will continue to

 drop and they will continue to dial the water back, this is all in preparation for the shut

 down next October. Supervisor Piaquadio stated that the DEP is anticipating these wells

 may dry up and that these tests being conducted are essential for their findings. They want

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 to see what wells are affected. The DEP has agreed to pay for these corrections, and they

 are working on that.

 **Frank Muthig of 11 Cedar Court** echoed the same statements as Mr. Antonelli. Mr. Muthig

 states that the DEP have not been forthcoming with their plans and that neighbors are left

 in the dark wondering what is happening. He states that the DEP come do tests but do not

 tell them anything. Mr. Hines explained that those people are simply conducting the

 testing. Supervisor Piaquadio stated that this testing is necessary. Mr. Hines said this is all

 part of the contingency plan. If you lose water, they are going to provide you with water.

 Councilman Manley stated the same, they are seeing what is going to happen come

 October. Supervisor Piaquadio said that the DEP has agreed to pay the bill if needed. Each

 home will cost approximately 100K and the fact that the shut is going to happen in

 October means this will have to rectified by then, they have to make sure you have water.

 The DEP has to do this, the town has no jurisdiction to work on private roads.

 **Closing Public Hearing**

Motion made by councilman Manley to close Public Hearing at 7:44pm. Motion seconded

 by Councilman LoBiondo. VOTE: Councilwoman Greene – yes; Councilman Ruggiero –

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

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

 **i. Vote on Resolution**

 Motion made by councilman Manley to approve Resolutions of Final Adoption of 2024

 Town and Improvement District Budgets as presented. Motion seconded by Councilman

 LoBiondo. VOTE: Councilwoman Greene – yes; Councilman Ruggiero – absent; Councilman

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

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

**6. RESOLUTION: Schedule Public Hearing on Local Law Amending Definitions of “Annual**

 **Income” for Senior and Disabled Tax Exemptions**

 MOTION made by Councilman LoBiondo to approve scheduled Public Hearing for November

 13, 2023 at 7:00 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: 3 yes; 0 no; 0 abstain; 2 absent.

**7.** **ACCOUNTING DEPARTMENT: Approval of Audit**

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

 $1,097,465.39. Motion seconded by Councilman LoBiondo VOTE: Councilwoman Greene

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

 yes; Supervisor Piaquadio – yes. Motion passed: 3 yes; 0 no; 0 abstain; 2 absent.

**8. CODE COMPLIANCE: Hiring Part Time Building Inspector**

 Gerald Canfield, Code Compliance Supervisor, is requesting approval to hire Seth

 Woodbury as a part-time Building Inspector III. His salary will be $20.00 per hour. Mr.

 Woodbury will need to complete his paperwork, physical, drug/alcohol testing and

 fingerprints. His hire date will be contingent on him completing all the above and your

 approval. The earliest date of hire would be on or after November 6, 2023. Thank you for

 your time in this matter.  The funds for this position are available in the 2023 budget line #

 3410.5100.

 MOTION made by Councilman Manley to approve Hiring Seth Woodbury as a Part Time

 Building Inspector. Motion seconded by Councilwoman Greene VOTE: Councilwoman

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

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

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 **9. ANIMAL CONTROL: T-94 Withdrawal**

 **A. Flannery Animal Hospital Invoice#1**

 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 $366.10, $44.70 for

 canine services and $321.40 for feline services.

MOTION made by Councilwoman Greene to approve T-94 withdrawal of $366.10 for

 Canine Services to Flannery Animal Hospital. Motion seconded by Councilman LoBiondo

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

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

 abstain; 1 absent.

 **B. Flannery Animal Hospital Invoice#2**

 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 $47.85 for canine

 services.

MOTION made by Councilman Manley to approve T-94 withdrawal of $47.85 for Canine

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

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

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

 abstain; 1 absent.

**10. ASSESSOR: Tax Certiorari Manufacturers and Traders Trust Company (5075 NYS Route**

 **9W)**

 Mark Taylor, Town Attorney, presented letter from Cathy Drobny, Esq. of E. Stewart Jones,

 Hacker Murphy regarding the above referenced proposed settlement. The settlement

 provides for a reduction in assessed value of $62,750 from $495,000 to $432,250 for 2022

 and a reduction of assessed value of $117,175 from $495,000 to $377,825 for 2023.

 Attorney Drobny in her letter advises that the provisions of RPTL Section 727 will apply,

 holding the Assessed Value at $377,825 for the 2024, 2025 and 2026 assessment rolls,

 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 $2,800.32 versus claimed refund liability of approximately $11,604.95.

 Cronomer Fire District will have a refund liability of approximately $853.21. Newburgh

 Enlarged City School District's attorneys will also be signing the Settlement Agreement.

 Motion made by Councilman Manley to approve Settlement of Tas Certiorari (2022 & 2023)

 Manufacturers and Traders Trust Company (5075 NYS Rt 9W). Motion seconded by

 Councilwoman Green VOTE: Councilwoman Greene – yes; Councilman Ruggiero – yes;

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

 passed: 4 yes; 0 no; 0 abstain; 1 absent

**11. HIGHWAY:**

 **A. Motion to Delegate Public Works Commissions Authority for Assignment of Personnel**

 **Motion regarding temporary delegation of work assignment authority to Highway**

 **Superintendent**

WHERAS, the Town of Newburgh has heretofore established a Department of Public Works

 (DPW); and WHEREAS, the Highway, Water and Sewer Departments were transferred into the

 DPW and the employees of those Departments continued as employees of the DPW*;*

and WHEREAS, the office of DPW Commissioner is currently vacant; and WHEREAS, the office of

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 Highway Superintendent is currently the highest occupied office/position within the DPW, NOW,

 THEREFORE, BE IT MOVED that the authority of the DPW commissioner to make work assignments

 to DPW employees is hereby temporarily delegated to the Highway Superintendent during the

 period the office of DPW Commissioner is vacant.

Motion made by Councilman LoBiondo to assign temporary delegation of work assignment

 authority to the Highway Superintendent Motion seconded by Councilwoman Greene

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

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

 0 abstain; 1 absent

 **B. Hiring of 1 Full Time MEO 1A & 1 Full Time Laborer**

 Mark Hall, Highway Superintendent, is requesting approval to hire of one full-time MEO

 1A and one full-time laborer. Mr. Hall would like to hire David Guerrero as an MEO 1A

 and Kenneth Fuentes as a full-time laborer. Both gentlemen will need to complete their

 paperwork, fingerprinting, and CDL physical and regular physical, with Drug / Alcohol

 testing. The intended start date will be on or after Monday, November 6, 2023. The

 salary for MEO 1A is $25.6190 per hour and the laborer $17.7038 per hour.

 MOTION made by Councilman Manley to approve Hiring David Guerrero as an MEO 1A a

 and Kenneth Fuentes a s a full-time laborer for Highway Department. Motion seconded

 by Councilwoman Greene VOTE: Councilwoman Greene – yes; Councilman Ruggiero –

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

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

 **C. Leaf and Brush Pick Up**

 Mark Hall, Highway Superintendent, is requesting approval to have letter published in the

 local newspapers to inform the Town Residents of the Spring pick-up schedule. Pick-up

 will be for the week of November 13, 2023 to November 16, 2023 and November 17, 2023

 for calls.

Motion made by councilwoman Greene to approve Leaf and Brush Pick up for the week of

 November 13, 2023. Motion seconded by Councilman Manley. VOTE: Councilwoman

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

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

 absent.

**12. RECEIVER OF TAXES:**

 **A. Chargebacks for 2023**

 Joseph P. Pedi, Receiver of Taxes, presented Chargebacks for 2023.  Total Charge backs

 to the Town of Newburgh for the property year 2023. Total $52,271.87. It is the board's

 decision whether pay it through a voucher or to have it deducted from our 2024 tax

 warrant. Below is the summary of charge backs that I have received from the County as

 of October 4, 2023. I have also attached a voucher to be signed by three board members

 if you choose to pay this.

|  |  |  |  |
| --- | --- | --- | --- |
| **Total Chargebacks** | **Paid by the Town** | **Owed to County** |  |
|  $51,673.93 |  $14,761.95  |  ($14,761.95)  |  County |
|  $51,536.60 |  $14,527.65 |  $37,008.95 |  Town |
|  $22,087.73 |  $ 6,178.43 |  $15,909.30 |  Highway  |
|  $ 1,800.87 |  $ 634.17 |  $ 1,246.70 |  Consolidated Lighting |
|  $ 6,851.43  |  $ 1,943.50  |  $ 4,907.93 |  Consolidated Water 1  |
|  $11,328.65  |  $ 3,367.71  |  $ 7,960.94 |  Consolidated Water 2 |
|  $145,359.21  |  $41,413.41 |  $52,271.87 |  Total |

Motion made by Councilwoman Greene to approve the 2023 chargebacks.  Motion

 seconded by Councilman Manley. VOTE: Councilwoman Greene – yes; Councilman

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

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

 **B. 2023 Unpaid Water/Sewer Re-Levy and 2024 Chargebacks**

 Joseph P. Pedi, Receiver of Taxes, presented Relevy of Unpaid Water & Sewer.

 Attached are the delinquent Water & Sewer Accounts in the Town of Newburgh from

 July 1, 2022 through June 30, 2023. Accounts are to be transferred to the County and

 Town Roll. A Resolution requesting the Orange County Legislature to authorize the

 procedure is attached. The total to be relevied is $659,294.33 The following breakdown

 applies:

 Amount

Crossroads Consolidated (Includes districts listed below)  $596,689.08

*8  Algonquin*

*1,2,4,16,17,18,24,25,26,28,29,31,32,33,34  Crossroads*

*11  Fleetwood*

 *3,6,7,12,13,14,20  Gidney*

9  Meadow Hill South

*10,19  Meadow Hill North*

22  Route 17K

***5*** *Wintergreen*

15,23  Nob Hill $37,307.44

36  Roseton $25,297.81

Water General All Districts  $0.00

 TOTAL $659,294.33

Motion made by Councilwoman Greene to approve the 2023 unpaid water/Sewer Re-

 Levy and 2024 chargebacks. Motion seconded by Councilman LoBiondo. VOTE:

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

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

 abstain; 1 absent

**13.EMERGENCY MEDICAL SERVICES: Schedule of Fees November 2023**

|  |
| --- |
| Schedule of Fees November 2023 |
| Basic Life Support Emergency  | $1,325  |
| Basic Life Support Non-Emergency  | $1,325.00 |
| Advanced Life Support Emergency  | $1,425.00  |
| Advanced Life Support II Emergency  | $1,650.00  |
| Milage  | $20.00 per Mile  |

  Motion made by councilman Manley to approve Schedule of fees. Motion seconded by

 Councilman LoBiondo. VOTE: Councilwoman Greene – yes; Councilman Ruggiero – absent;

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

 passed: 4 yes; 0 no; 0 abstain; 1 absent.

**14. ENGINEERING: Elm Farm Subdivision**

 **A. Outside User Agreement**

Patrick Hines, Engineering Representative, presented Elm Farm Subdivision outside user

 agreement. Outside User Agreement, dated May 31, 2007, by and between the TOWN OF

 NEWBURGH, a municipal corporation of the State of New York, for and on behalf of the

 CROSSROADS SEWER DISTRICT and GIDNEY SEWER DISTRICT, together now known as the

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 CROSSROADS CONSOLIDATED SEWER DISTRICT and ELM FARM ESTATES LLC, a New York

 Limited Liability Company qualified to do business in New York State, having an address at

 9 Meron Drive #303, Monroe, New York, 10950 (hereinafter the "OUTSIDE USER”).

 Motion made by councilman Manley to approve outside user agreement. Motion

 seconded by Councilman LoBiondo. VOTE: Councilwoman Greene – yes; Councilman

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

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

 **B. Street Light Agreement**

Patrick Hines, Engineering Representative, presented Street Light Agreement.

 AGREEMENT made between the TOWN OF NEWBURGH, a municipal corporation of the

 State of New York, AND ELM FARMS ESTATES LLC, having a business location at 9 Meron

 Drive, #303, Monroe, New York 10950, for itself, its successors, grantees and assigns, the

 "Owner" herein, being the legal owner of the real estate herein described.  The owner, in

 fee, of premises located in the Town of Newburgh, County of Orange, State of New York,

 being shown and designated as Lots No. 30, 31, 43, 50, 51, 52, 53, 54, 55 and 56 identified

 on a Map entitled "Subdivision Plan for Elm Farm Subdivision", In order to address traffic

 safety concerns, the Town's Planning Board required that the Owner guarantee and install

 a street light and the necessary approved connection to the electrical grid for the street

 light to receive electrical power on an existing utility pole on Wells Road, an existing Town

 street, near the intersection with the Subdivision's entry street known as "Black Gum

 Court", a street irrevocably offered to be dedicated to the Town (hereinafter the "Street

 Light"): and both the Street Light location and the Lots are outside the boundaries of any

 established Town Lighting District; and the Street Light will be connected to the electrical

 power system of Central Hudson Gas & Electric ("Central Hudson"), which has informed the

 Town and Owner that is will only deliver power to and maintain street lights on Town roads

 under the Town's account and not to any private account; and the parties wish to address

 the provision and expense of electrical power, maintenance, repair and replacement of the

 Street Light following its installation by the Owner. The Owner agrees upon satisfactory

 completion of the installation of the Street Light, to transfer to the TOWN, by bill of sale or

 other instrument acceptable to the Town, free and clear of all liens and encumbrances of

 any kind, all of the Owner's right, title and interest in the Street Light.

Motion made by Councilman LoBiondo to approve Street Light Agreement. Motion

 seconded by Councilwoman Green VOTE: Councilwoman Greene – yes; Councilman

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

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

 **C. Drainage Maintenance Agreement**

Patrick Hines, Engineering Representative, presented Drainage Maintenance Agreement.

 AGREEMENT between the TOWN OF NEWBURGH and ÈLM FARM STATES,

 LLC, a New York limited liability company with offices located at 9 Meron Drive

 #303, Monroe, New York 10950.  Elm Farm is the owner of a subdivision entitled

 "Elm Farm Subdivision" and the Town accepted Black Gum Court, Tamarack Drive

 and Quince Road, but has not accepted the drainage facilities within the

 subdivision including those within Black Gum Court, Tamarack Drive and Quince

 Road.  The Town and Elm Farm wish to formalize the agreement between them

 concerning the maintenance of the drainage facilities. In consideration of the

 provisions set forth herein the parties agree as follows:

 1. That Elm Farm will continue to be responsible for the operation and maintenance of

 The drainage facilities at the Elm Farm Subdivision, including those within Black Gum

 Court, Tamarack Drive and Quince Road, until such time as the Town accepts the

 drainage facilities as constructed and installed by Elm Farm. Elm Farm's assumption of the

 continued operation and maintenance is made not withstanding the fact that the Town

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 has accepted Black Gum Court, Tamarack Drive and Quince Road as Town roads.

 2. That Elm Farm acknowledges that drainage/storm waters from the said road discharge

 into the drainage facilities and the Town shall have such rights as are necessary to

 continue such discharge following acceptance of said roads as Town roads. That the Town

 shall have the right to enforce this agreement to the same extent as the Town could

 otherwise enforce or enjoin violations of law, permits or approvals.

 Motion made by councilman Manley to approve Schedule of fees. Motion seconded by

 Councilman LoBiondo. VOTE: Councilwoman Greene – yes; Councilman Ruggiero – absent;

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

 passed: 4 yes; 0 no; 0

 **15. HALLOWEEN PROCLAMATION**

 **2023** HALLOWEEN CURFEW

**The Town of Newburgh is concerned about the safety and welfare of our children along with the protection of private property**.

**I hereby proclaim a Town Wide Curfew on door**-**to-door "Trick or Treating" and other outdoor Halloween-related activities.**

**The curfew will run from 9:00 p.m. until 6:00 a.m. starting on Friday, October 27, 2023. The curfew will remain in effect through Tuesday, October 31, 2023**.

**I am requesting that parents and guardians inform their children about this curfew and supervise the implementation of the Town Wide Curfew, so that we may avoid problems and ensure the safety, health, and welfare of our Town's young people and property owners**.

 **16. ADJOURNMENT**

MOTION made by Councilman Manley to adjourn the meeting at 7:58 p.m. Motion

 seconded by Councilwoman Greene. VOTE: Councilwoman Greene – yes; Councilman

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

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

 *Meeting adjourned at 7:58 p.m.*

 *Respectfully submitted,*

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 Lisa M. Vance Ayers Rachel Vazquez

 Town Clerk Deputy Town Clerk