**AT THE PUBLIC 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 14th of August, 2023

**Present** Gilbert J. Piaquadio, Supervisor

Scott M. Manley, Councilman

Paul I. Ruggiero, Councilman

Anthony R. LoBiondo, Councilman

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

Lisa M. Vance Ayers, Town Clerk

Rachel Vazquez, 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- No Changes**

**5. POLICE: Swearing in of Police Officers**

**A. Christopher Quinones**

Town Justice Jude Martini administered the Oath of Office to Christopher Quinones

**B. John Diee**

Town Justice Jude Martini administered the Oath of Office to John Diee

**C. Kyle Brown**

Town Justice Jude Martini administered the Oath of Office to Kyle Brown

**6.**  **ACCOUNTING DEPARTMENT:**

**A. Approval of Audit**

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

$1,364,686.70. 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. Review Status Report and Budget Status Report for July 2023**

MOTION made by Councilman LoBiondo to approve the Status Report and Budget Status

Report for July 2023. Motion seconded by Councilwoman 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

**C. Recreation Building Capital Project Transfer (H9121)**

Ronald Clum, Town Accountant, is requesting approvalto transfer $1,545,000 from the

General Fund to the Capital Fund-Recreation Building.

MOTION made by Councilman Ruggiero to approve Transfer to Capital Fund-Recreation

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Building. Motion seconded by Councilwoman 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

**7. RECREATION DEPARTMENT:**

**A. Hiring Part Time Recreation Aide**

Parks and Recreation Commissioner, James Presutti, is requesting approval to hire Loralee

Walters as a Part-Time Recreation Aide to fill current opening at the Desmond Center. Ms.

Walters will be hired at the rate of $17.31/hour. Start date will be on or after August 28th

pending all paperwork, physical, drug/Alcohol test and fingerprints.

MOTION made by Councilman LoBiondo to approve Hiring Loralee Walters as Part Time

Recreation aide. 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; no; 0 abstain; 1 absent.

**B. Hiring Part Time Chauffer**

Parks and Recreation Commissioner, James Presutti, is requesting approval to hire Leslie

Caesar as a part time Chauffer. Mr. Caesar’s hiring is contingent completion of paperwork,

drug/ alcohol testing, fingerprints, and physical. Start date on or after August 28, 2023, is

anticipated. Starting salary of $20.00 / hour.

MOTION made by Councilman Manley to approve Hiring Leslie Caesar as Part Time

Chauffer. 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; no; 0 abstain; 1 absent.

**8. CODE COMPLIANCE: Hiring Assistant Fire Inspector (Provisional)**

Gerald Canfield, Code Compliance Supervisor, is requesting to hire Thomas Keck, Jr. as our

provisional Asst. Fire Inspector. Mr. Keck has been pre-approved by Orange County Human

Resources because he needs to be on board to take the test which came out on Friday,

August 4th. Pending approval, and completing all necessary pre- employment requirements,

Mr. Keck can start his employment with us on or after August 21, 2023 with a salary of

$19.00/ hr.

MOTION made by Councilman Manley to approve Hiring Provisional Assistant Fire

Inspector. 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; no; 0 abstain; 1 absent.

**9. DEPARTMENT HEAD REPORTS:**

**A. Parks and Recreation Department**

Parks and Recreation Commissioner, James Presutti, reported that over 1100 people

Attended the National Night Out. The setup was what they originally wanted to do and

this year they were able to do it and it worked out well. Softball season ended, camp

ended last week and it was a successful season. Basketball Camp starts this week and Fall

Soccer is filling up and Desmond Brochure will be coming out next week.

**B. Highway Department**

Highway Superintendent Mark A. Hall Jr. reported line striping complete. Round 2 of chip

will start this week. Paving Begins next week 8/21/2023. The new 1-Ton Dump was

delivered on 8/7/23. New drainage installed at #4 O’Dell Circle, all of mace circle, 140 ft

of pipe and basin on Foxhill Rd. The new mower arm, which was approved last meeting, is

on order. Happy to report garbage/tires dumping have slowed to a minimum. Winter

PM’s have begun on our single and tandem axles trucks. Another 20 min destructive cell

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came through on Saturday night and crews responded as quick as they could, still cleaning

up today. We continue to handle as many complaints/issues as we can, as they arise.

**D. Police Department**

Chief of Police Donald B. Campbell reported National Night Out was a success on August

First. Special thanks to Superintendent Hall and Commissioner Presutti for all the work they

did on the event. It was a better turn out than expected and everyone seemed to enjoy

themselves.  The Police Academy started on July 17th, so far so good with the three

candidates that we have attending. They will be graduating on December 22nd and will

then conduct 16 weeks of field training with a training officer before cut loose on their

own.

The three candidates that attended the last police academy have completed their field

training are performing well.

The senior picnic is scheduled for September 8th at noon.

We are conducting active shooter training for our officers this week. Half the training is

done in our training room and scenario training is being done at Meadow Hill School.

We are also systematically providing active shooter training to each of the Town

Departments.

Chief of Police Donald B. Campbell reported the following:

Year to Date Statistics

* Calls for Service: 15000
* Case Reports: 2300
* Arrests: 650
* Traffic Tickets issued: 2000
* Parking Tickets: 500
* Accident reports taken: 900

**10. ANIMAL CONTROL: T94 Withdrawal**

**A. 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 $44.70 for canine

services.

MOTION made by Councilman Manley to approve T94 withdrawal of $44.70 to pay for

Veterinary service to FAH. 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.

**B. 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 $1215.64 of

which $740.42 were for feline services, $475.22 were for canine services.

MOTION made by Councilman LoBiondo to approve T94 withdrawal of $1215.64 to pay

for Vet service to NVH. 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; no; 0

abstain; 1 absent.

**11. ENGINEERING:**

**A. Chadwick Lake Dam Design Engineering Proposal**

Patrick Hines, Rep Engineer for Town of Newburgh presented Chadwick Lake Dam Design

Engineering Proposal (PHASE 1- Basis of Design). The Town Board recently approved a

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proposal from Ramboll dated July 14, 2023 for Supplemental Investigation and Basis of

Design Report for the Chadwick Lake Dam in the amount of $206,300. The following

budget transfer should be made to pay for the engineering studies:

From: F8330.4001.5497 (\*CLFP – Lease, Rental, Maint contracts)

To: H6122.5212 (Chadwick Lake Dam – Design Engineering)

Amt: $175,000

From: F9902.590 (Interfund Transfer)

To: H6122.5212 (Chadwick Lake Dam – Design Engineering)

Amt: $40,000

MOTION made by Councilman LoBiondo to approve Budget Transfer for engineering

studies for Chadwick Lake Dam design. 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.** **Houses of Laborers Subdivision- Dewy Drive Drainage District Stormwater Management**

**Facilities Maintanance/Mowing**

During a recent review of the subject drainage district, it is noted that the

stormwater management facilities located on the subdivision are in need of

maintenance once again. The subdivision has a drainage district to provide for

long term operation and maintenance of the stormwater management facilities.

We have contacted MTTJ Property Maintenance for a quote to "brush hog" the

vegetation within the stormwater management facility. MTTJ Property

Maintenance currently provides the annual contract maintenance for the other

drainage districts within the Town of Newburgh. In late 2021, MTTJ Property

Maintenance performed the mowing/cutting of the detention pond facility. They

have provided a cost of $1,525.00 for this service. This is the same cost as it was

identified in the fall of 2021 for work performed at that time.

MOTION made by Councilman Manley to approve Dewy Drive Drainage District

Stormwater Management Facilities Maintenance by MTTJ Property Maintenance in the

amount of $1,525.00. 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. 

**C. Colden Park Phase III Watermain Replacement Project**

Patrick Hines, Rep Engineer for Town of Newburgh presented The Colden Park Phase III

Watermain Project received Orange County Health Department approval on 18 April

2023. The final plans and specifications have been prepared for public bid. The plans and

specifications have been submitted to the Environmental Protection Agency who are

administrating the grant from Senator Maloney, now Senator Ryan’s office. The EPA is

also reviewing documents that have been submitted for a categorical exclusion for the

environmental review of the project. Contract documents have been submitted to Mark

Taylor's review. MHE Engineering, DPC is requesting that the Town Board authorize

public bidding of the project commencing on 25 August 2023 with bids to be received 29

September 2023 at 1:00 PM.  The project generally involves the replacement of

approximately 9,700 lineal feet of ACP watermain with a larger ductile iron watermain.

The majority of the work is within the existing paved roadway surface. All work is within

the existing Town right-of-ways.

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MOTION made by Councilman Manley to approve Colden Park Phase III Watermain

Replacement Project. 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.

**1****2. ANNOUCEMENTS:**

**Councilman Manley –** There is a rain date makeup for our outdoor concert at Chadwick

Lake with band Dead Center is this Tuesday.

**13. PUBLIC COMMENTS:**

**Robert Browning Friends of the Library -**

**Michelle Fayo-** Gil did you get a response from Target on the letter you sent them on

2/22/23?

**Supervisor Piaquadio –** We did not get a response but I did get a call from the guy who

runs the sweeper truck. He asked what he can do to not get tickets. I do not know how he

can do it without making noise. In all fairness how can he do it with cars in the parking lot?

**Michelle Fayo-** He can do it at Seven or Seven thirty in the morning. He has been coming at

Two-Thirty in the morning.

**Supervisor Piaquadio-** I know they received tickets and paid them. I am going to suggest

Seven in the morning to them.

**Michelle Fayo-** What about the fence?

**Supervisor Piaquadio-** I had no response on the fence. I think they will do their side but not

yours.

**Michelle Fayo-** The agreement was that they maintain both sides.

**Supervisor Piaquadio –** Are you going to let them on your property to do that?

**Michelle Fayo**- Yes, I will sign a waiver, I have no issue with that.

**Supervisor Piaquadio**- There is no guarantee they will do it.

**Michelle Fayo-** I really need your help here. I’ve tried calling, I filed a complaint and the

response I got back was “Sorry about your shopping experience”. It is not just the parking

lot sweeper. There is a man who plays the violin all day, he hooks it up to an amplifier and

plays all afternoon. Target has to do something to monitor the parking lot.

**Supervisor Piaquadio-** Call the police is you think the decibel level is higher than allowed.

**Michelle Fayo**- Can you suggest to Target they have overnight security?

**Councilman Ruggiero**- For what?

**Michelle Fayo-** For cars parking there and idling, playing music. These are ongoing issues,

this is not a, once a month issue, it’s every other night. The police have better things to do,

you have to correct this, I cannot do this alone, you have to help me.

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**Supervisor Piaquadio**- I will see what we can do. Ever since they sold to a third party

company it’s been very hard to deal with them.

**Paul Wild Bolder Road neighbor of Michelle Fayo**- There have been Seventeen calls for

complaints at the Target Plaza between June 2022-2023. In the last month I have called

roughly five times, that is not included in my seventeen calls. At One O’clock this morning

there was street sweeper parked in the lot with his leaf blower going. I called the police.

There are two side of the parking lot, one Target maintains and the other is Jester, they go

by another name now. I used to be able to call Jester and get the problem corrected. I even

drove to their offices in Terrytown to get these issues resolved. Once tickets were issued

they started coming at Ten at night. They can just as easily start doing that again or start

coming at Seven in the morning.

**Supervisor Piaquadio -** I am going to send a letter suggesting Seven in the morning.

**Paul Wild-** As Michelle mentioned about the violin player. He may not be over the decibel

level but I have the right to sit in my backyard and not have to hear it all day long. We

asked Target for an acoustic fence. The sound echos off the fence and makes it twice as

loud, same thing with the street sweepers. And Target allows Affinity Health to set up a

van, they set up an amplifier and blast music all day long. I went out to them and asked

them to turn it down, the guy says to mee “it’s not loud, go talk to my boss”, so I called the

police. The other issues I have is with the car dealership. They get deliveries in the middle

of the night, the driver is blasting his music, throwing boxes around. How many times do I

have to call the police before these issues get corrected? And the last issue I have and I’m

not sure the town can do anything about this but Google Maps is directing people that are

trying to get to Target, into our neighborhood. I have had several people come pulling in

my driveway asking where the entrance to Target is. So our neighborhood is getting a lot of

unnecessary traffic.

**Supervisor Piaquadio-** There is nothing we can do about Google. I can tell you even here if

you put in our address here, it will direct people into a neighborhood. We do not know why

that happens. There is no way to deal with Google. Ultimately what do you want the town

to do? I do not see a simple answer to this. I do not think we can ask a private company to

hire security, we can suggest it. I will be sending a letter this week. I’ll make sure you and

Michelle both get copies of it.

**14. ADJOURNMENT**

MOTION made by Councilman Ruggiero to adjourn the meeting at 7:31 p.m. Motion

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

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

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

*Meeting adjourned at 7:31 p.m.*

*Respectfully submitted,*

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Lisa M. Vance Ayers Rachel Vazquez

Town Clerk Deputy Town Clerk