**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 day of November, 2022

**Present** Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

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

Lisa M. Ayers, Town Clerk

Rachel Vazquez, Deputy Town Clerk

*Meeting called to order at 7:06 p.m.*

**1. ROLL CALL**

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

**3. MOMENT OF SILENCE**

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

**5. RESOLUTIONS:**

**A. Cannabis Zoning Amendment**

**i. SEQR Lead Agency Intent**

MOTION made by Councilman Ruggiero to approve the SEQR Lead Agency Designation

Motion seconded by Councilwoman Greene

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

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

Motion approved, 5 yes; 0 no; 0 abstain; 0 absent.

**ii. Referral to Orange County Planning and Planning Boards**

MOTION made by Councilwoman Greene to approve the Referral to Orange County Planning

and Planning Board Motion seconded by Councilman Manley

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

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

Motion approved, 5 yes; 0 no; 0 abstain; 0 absent.

**iii. Set Date for Public Hearing**

MOTION made by Councilwoman Greene to approve the scheduling of Public Hearing

on December 27, 2022 at 7:00pm Motion seconded by Councilman Ruggiero

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

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

Motion approved, 5 yes; 0 no; 0 abstain; 0 absent.

**B. Building Code Permitting and Enforcement Amendment**

**i. SEQR**

MOTION made by Councilman Manley to approve the SEQR Lead Agency Designation

Motion seconded by Councilman LoBiondo

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

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

Motion approved, 5 yes; 0 no; 0 abstain; 0 absent.

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**ii. Set Date for Public Hearing**

MOTION made by Councilman Manley to approve the scheduling of Public Hearing

on December 12, 2022 at 7:00pm Motion seconded by Councilman LoBiondo

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

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

Motion approved, 5 yes; 0 no; 0 abstain; 0 absent.

**C. Schedule of Fees**

**i. Set Date for Public Hearing**

MOTION made by Councilwoman Greene to approve the scheduling of Public Hearing

on December 27, 2022 at 7:15pm Motion seconded by Councilman Manley

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

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

Motion approved, 5 yes; 0 no; 0 abstain; 0 absent.

**6. ACCOUNTING:**

**A. Approval of Audit**

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

$1,580,429.55 Motion seconded by Councilman LoBiondo.

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

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

Motion passed: 5 yes; 0 no; 0 abstain; 0 absent

**B. Review Status Report and Budget Status Report for October 2022**

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

Report for October 2022 Motion seconded by Councilwoman Greene

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

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

Motion passed: 5 yes; 0 no; 0 abstain; 0 absent

**7. DEPARTMENT HEAD REPORTS:**

**Highway Department**

Mark A. Hall Jr., Highway Superintendent, presented leaf & Brush pick up began today.

Repairing water digs next week. They are working on a preliminary road list for 2023. All the

roads that were resurfaced are now lined. Vehicles are on order now that manufactures have

opened production again. Going forward till the end of the year, garbage, trimming,

complaints, and preparing for winter.

**Recreation Department**

James Presutti, Commissioner of Parks, presented softball ended this past Wednesday.

Indoor programs, soccer, and basketball are both pretty much full with waiting lists.

We now have a game day, Thursday’s 1PM and alternating Thursday’s with movie day.

Line dancing is also a new program this month.

**Police Department**

Police Chief, Donald Campbell, presented the two officers that graduated the police academy

This past summer will be completing their field training around the end of this month. They

have three officers currently in the police academy. They won’t graduate the academy until

February 3rd and will begin a 16 week field training program.

The Police department currently recognizing “No shave November”. It is a fundraiser we

participate in every year. Any office that wishes to grow a beard makes a $50 donation. The

PBA then selects a local charity to donate the money collected.

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Several serious incidents over the past week. A fire that claimed the life of a 64 year old

male on Babes Lane. A volunteer Firefighter struck a by a vehicle on Chestnut.

A pedestrian struck by a vehicle on 300 near Applebees.

Year to Date Statistics

Calls for Service: 20300

Case Reports: 3050

Arrests: 760

Tickets issued: 1400

Accident reports taken: 1250

**8. AMBULANCE FINANCIAL ASSISTANCE POLICY**

It is the policy of the Town of Newburgh to offer financial assistance to patients in the Town

of Newburgh Ambulance District who are billed for their share of ambulance transportation

and Treatment and have household income less than 300% of the Federal Poverty Income

Guidelines.

MOTION made by Councilman Ruggiero to approve Ambulance Financial Assistance Policy.

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

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

Motion passed: 5 yes; 0 no; 0 abstain; 0 absent

**9. JCAP GRANT RESOLUTION:**

Mark C. Taylor Town Attorney presented the JCAP Resolution to the Town Board. The

resolution of support to certain initiatives of the Justice Court of the Town of Newburgh in

submitting an application for the 2022-23 Justice Court Assistance Program.

MOTION made by Councilman LoBiondo to approve the JCAP Grant Resolution as presented.

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

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

Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0 abstain; 0 absent.

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

**A. 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

$987.79 for canine services.

MOTION made by Councilwoman Greene to approve the use of the T-94 account to pay

for veterinarian services from NVH for $987.79 of which all were for canine services.

Motion seconded by Councilman LoBiondo.

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

Councilman LoBiondo - yes; Supervisor Piaquadio – yes.

Motion passed: 5 yes; 0 no; 0 abstain; 0 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 $1046.69 for feline services.

MOTION made by Councilman Ruggiero to approve the use of the T-94 account to pay

For veterinarian services from NVH for $1046.69 for feline services. Motion seconded by

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

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

Motion passed: 5 yes; 0 no; 0 abstain; 0 absent

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**C. Newburgh Veterinary Hospital**

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

account to pay for veterinarian services from NVH for a total of $433.02 for feline

services.

MOTION made by Councilwoman Greene to approve the use of the T-94 account to pay

for veterinarian services from NVH for a total of $433.02 for feline services. Motion

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

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

Piaquadio – yes. Motion passed: 5 yes; 0 no; 0 abstain; 0 absent

**D. 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

$237.60 for canine services.

MOTION made by Councilman Manley to approve the use of the T-94 account to pay

for veterinarian services from Flannery Animal Hospital for $237.60 for canine services.

Motion seconded by Councilwoman Greene.

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

Councilman LoBiondo - yes; Supervisor Piaquadio – yes.

Motion passed: 5 yes; 0 no; 0 abstain; 0 absent

**11. WATER DEPARTMENT: Budget Transfer**

Jeff Guido, Water Dept, is requesting a Budget Transfer to cover expenses necessary in

Clearing vegetation off and around the Chadwick Lake Dam.

From: Account Number: F8330.4001.5457\_\_\_\_\_Amount: $\_\_\_(10,000.00)\_

Account Description: Sludge Hauling\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_

From: Account Number: F8330.4001.5459\_\_\_\_\_Amount: $\_\_\_(10,000.00)\_

Account Description: Chemicals\_\_\_\_\_\_\_\_\_\_\_ $\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**$ (20,000.00)**

**================================================================================**

To: Account Number: F8330.4001.5499\_\_\_\_\_Amount: $ 10,000.00\_\_

Account Description Other Expenses\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_

To: Account Number: F8330.4401.5449\_\_\_\_ $\_\_10,000.00\_\_\_

Account Description: Other Expenses\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**$ 20,000.00\_\_\_**

MOTION made by Councilman Ruggiero to approve Budget Transfer as presented.

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

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

Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0 abstain; 0 absent

**12. ENGINEERING:**

**A. Orchard Hills Sewer District Sewer Treatment Plant**

Patrick Hines, Rep Engineer, presented the Orchard Hills Sewer Treatment plant is in

need of repairs to certain components. Santec representatives have identified repairs

which will require their specific components to meet the design intent of the overall

treatment process. Since the components, brackets and hardware are manufactured by

Santec to be compatible and integrate with the function of the unit, we are

recommending the Town Board identify that Santec is a single source supplier.

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MOTION made by Councilman Ruggiero to approve Santec as the single source supplier

for the parts that are needed for the repairs of the treatment plant. Motion seconded by

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

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

Motion approved, 5 yes; 0 no; 0 abstain; 0 absent.

**B. Orchard Hills Sewer Plant Repairs**

Patrick Hines, Rep Engineer, presented the manufacturer of the Orchard Hills Sewer Plant

Has completed a comprehensive evaluation of the facility. Two items identified require

Immediate attention in the opinion of the contract operator, the two items are:

2F.ii.b Addition of Air Flow centralized box- $4,357.00

2F.ii.c Clarifier weir replacement- $35,000.00

We would recommend this work be contracted to be performed by Santec. Funding

Would have to borrowed from the Crossroads Sewer District pending rate increases in the

next budget year. Town Boards authorization is required for initial repairs of $39,357.00.

MOTION made by Councilman Ruggiero to approve the cost of $39,357.00 for initial

Repairs of The Orchard Hills Sewer plant. Motion seconded by Councilman LoBiondo

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

Councilman LoBiondo – yes; Supervisor Piaquadio – yes

Motion approved, 5 yes; 0 no; 0 abstain; 0 absent.

**C. Chadwick Lake Recreation and Senior Center Project Center Project Survey Services**

Patrick Hines, Engineering Rep, presented MHE Engineers has selected a proposal for

professional services for necessary surveying required for the design of the proposed

building and sanitary system for the project.

The cost for AREA 1 is $15,000.00 and cost for AREA 2 is $9,100.00. The cost for the

Boundary, topographic, tree and utilities survey is $24,200.00.

The Town Board action is required to authorize the necessary surveying services.

MOTION made by Councilwoman Greene to approve surveying services

Repairs of The Orchard Hills Sewer plant. Motion seconded by Councilman Ruggiero

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

Councilman LoBiondo – yes; Supervisor Piaquadio – yes

Motion approved, 5 yes; 0 no; 0 abstain; 0 absent.

**13. ANNOUNCEMENTS:**

**Councilwoman Greene-** The Tree Lighting at Chadwick Lake is on December 2nd at 6pm.

Please spread the word that Santa will be there. I would also like to wish everyone a Happy

Thanksgiving.

**Supervisor Piaquadio-** Jim when is the Menorah Lighting?

**Commissioner of Parks and Recreation James Presutti-** We got a new Menorah this year

and Hanukkah starts Dec 18, 2022.

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**Councilman Ruggiero-** The Pickleball Courts are now open on Monarch Dr. thanks to the

Recreation and Highway Departments.

**Supervisor Piaquadio-** Those courts are really being used, which I like to see.

**Councilman Manley-** When I drive by the courts are always busy. I would also like to Wish

everyone a Happy Thanksgiving.

**Supervisor Piaquadio-** I would like to wish everyone a Happy Thanksgiving

**14. PUBLIC COMMENTS:**

**Cole Heller 3 Ohio Drive-** Last week my cat was hit by a car and just left in front of my house

for me to find her. The speed limit is posted as 30 mph, it should not be that high, it should be

dropped down to 15 or 20 mph.

**Supervisor Piaquadio-** I wish it was that simple, even if we dropped the speed limit people

would still speed.

**Cole Heller-** Can a speed bump or a speed trap be installed?

**Councilman Ruggiero-** I’m really sorry about your cat. We can put the speed trap in but that

will not until the spring, we just moved them to new locations. We can also ask the Chief if he

put a little more enforcement over there. Mark, can we put a no through traffic sign there?

**Town Attorney Mark Taylor-** The board can certainly enact through a Local Law to make a

town road a one- way restriction, signage can be put it but enacting it is a little more difficult.

**Councilman Manley-** As your neighbor, I live on Kentucky Drive, I know exactly what you are

talking about. Another neighbor just mentioned the same thing to me and I passed it on to

Councilman Ruggiero.

**Michael Dean 3 Karen Court-** There is a bottleneck right at the easement by the powerlines

and people speed. I would like to suggest some more Police presence in that location.

Thank you.

**Supervisor Piaquadio-** Thank you for coming out, we will look into that.

**15. ADJOURNMENT: 7:37pm**

MOTION made by Councilman LoBiondo to adjourn the meeting at 7:37pm

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

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

Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0 abstain; 0 absent.

*Meeting adjourned at 7:37 p.m.*

*Respectfully submitted,*

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Lisa M. Vance Ayers Rachel Vazquez

Town Clerk Deputy Town Clerk