

Town Board Meeting April 11, 2022

#5B

Review Status Report and Budget Status Report for March 2022



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

Lisa
#6C

PERSONNEL DEPT.

PH: 845-566-7785
Fax: 845-564-2170

To: Supervisor Piaquadio
Town Board

From: Charlene M Black, Personnel

Date: April 5, 2022

Re: Part Time Court Attendant

Please see attached the employee request form and letter from Chief Bruce Campbell to hire Wallesca Penz, as a part time Court Attendant. If approved Ms. Penz will need to complete all necessary paperwork, physical and fingerprint process. A hire date of on or after April 18, 2022 and the salary is \$19.67 per hour. Ms. Penz has been pre-approved by Orange County Human Resources. Thank you in advance.



TOWN OF NEWBURGH POLICE DEPARTMENT

300 Gardnertown Road, Newburgh, New York 12550

Donald B. Campbell
Chief of Police

Phone: (845) 564-1100
Fax: (845) 564-1870

April 5, 2022

To: Newburgh Town Board

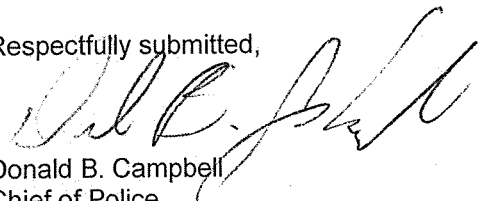
CC: Charlene Black/Personnel Department

From: Chief Donald B. Campbell

Subject: Part-Time Court Officer Position

I am requesting the Newburgh Town Board appoint Wallesca Penz to the position of Part-Time Court Officer with a starting date on or after April 18th 2022 pending physical and fingerprinting. The position has a starting salary of \$19.67 per hour and is not to exceed an average of 20 hours per week or 1040 hours in one calendar year (Fund appropriation 001-3120-0100-0000-0000).

Respectfully submitted,


Donald B. Campbell
Chief of Police

TOWN OF NEWBURGH

EMPLOYMENT REQUEST FORM

To: Personnel Department

NAME OF CANDIDATE: Walleca Penz

DEPARTMENT: Police

TITLE OF POSITION: Court Officer

FULL TIME OR PART TIME: P/T

HOURLY RATE: 19.67 hr

IS POSITION FUNDED IN CURRENT BUDGET: YES OR NO

FUND APPROPRIATION NUMBER: 001-3120-0100

PROPOSED HIRE DATE: on or after 4/18/22

NOTE: CANDIDATE CANNOT BEGIN WORK WITHOUT PRE-EMPLOYMENT PHYSICAL AND COMPLETION OF ALL REQUIRED PAPERWORK.


DEPARTMENT HEAD SIGNATURE

4/5/22
DATE

ORIGINAL APPLICATION SHOULD BE ON FILE IN THE PERSONNEL
DEPARTMENT



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

#8 Lisa

PERSONNEL DEPT.

PH: 845-566-7785
Fax: 845-564-2170

To: Supervisor Piaquadio
Town Board

From: Charlene M Black, Personnel

Date: April 6, 2022

Re: Deputy Town Clerk

Please find attached a letter and Employee Request form from Town Clerk, Lisa Ayers requesting the approval to hire Rachel Vazquez to the position of 2nd Deputy Town Clerk, which was previously held by Tiffany Ray Pending all the necessary paperwork, fingerprints and physical and drug/alcohol testing, with a hire date on or after April 18, 2022,.

#8A & B

TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550



Lisa M. Vance Ayers
Town Clerk

845-564-4554
Fax: 845-564-8589
e-mail: lisaayers@townofnewburgh.org

To: Supervisor Piaquadio
Town Board

From: Lisa M. Vance Ayers, Town Clerk

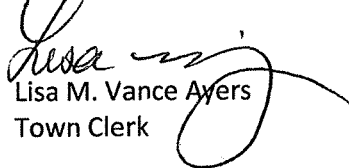
Date: April 6, 2022

Re: Second Deputy Appointment

Mr. Supervisor and Town Board,

After several interviews for the position of Second Deputy, I have selected Rachel Vazquez to join our team. Ms. Vazquez's will be in the towns management package with a starting salary will be \$19.4857 with a start date of on or after April 18, 2022, pending background and physical.

Respectfully,


Lisa M. Vance Ayers
Town Clerk

TOWN OF NEWBURGH

EMPLOYMENT REQUEST FORM

To: Personnel Department

NAME OF CANDIDATE: Rachel Vazquez

DEPARTMENT: Town Clerk

TITLE OF POSITION: 2nd Deputy

FULL TIME OR PART TIME: Full Time

HOURLY RATE: 19.4857

IS POSITION FUNDED IN CURRENT BUDGET: YES OR NO

FUND APPROPRIATION NUMBER: 001-1410-000

PROPOSED HIRE DATE: April 18, 2022

NOTE: CANDIDATE CANNOT BEGIN WORK WITHOUT FINGERPRINTS, PRE-EMPLOYMENT PHYSICAL, DRUG/ALCOHOL TESTING AND COMPLETION OF ALL REQUIRED PAPERWORK.

Risa
DEPARTMENT HEAD SIGNATURE

April 6, 2022
DATE

**ORIGINAL APPLICATION SHOULD BE ON FILE IN THE PERSONNEL
DEPARTMENT**

#9C

**TOWN OF NEWBURGH
TOWN ENGINEER**

MEMORANDUM

TO: Gilbert Piaquadio, Supervisor and Town Board

FROM: Patrick J. Hines, Representative Engineer for the Town

DATE: 28 March 2022

RE: Amendment to Agreement between Town of Newburgh and HDR Engineering
Chadwick Lake Filter Plant
Additional Construction Inspection Services

The Town of Newburgh has an existing agreement with HDR Engineering dated 23 August 2021 for Design Services during construction. Copy of the original agreement is attached for your use. The Town has been working with HDR in order to provide the appropriate level of inspections such that HDR as the Design Engineers can provide the Construction Certification required by the NYS Health Department at the close out of the project.

HDR has provided a cost estimate of \$56,536.00 for the additional scope of work and \$6,298.00 for additional design services during construction. Additional design services are identified in Item B, including design memo update required for 2 B Funding process, Building Permit coordination for modification to plans required due Building Code updates during final design and project bidding and award, services provided during the bid process for plumbing/HVAC, bidder rejection notices. We have reviewed the increased cost which will be billed hourly in order to provide the necessary level of construction inspection for Certification of Completed Works to the Health Department. It is important that the Design Engineers provide such documentation such that the project can receive final Health Department approval upon completion of construction.

The amendment to the agreement between the Town and HDR requires Town Board action to increase the project engineers budget from \$175,232.00 to \$238,066.00.

If you have any questions or comments I am available to discuss this further with you.

Cc: Ronald Clum, Town Accountant
James Osborne, Town Engineer

**AMENDMENT TO AGREEMENT
BETWEEN TOWN OF NEWBURGH AND PROJECT ENGINEER**

This Amendment made this sixteen day of February 2022 between Town of Newburgh (hereinafter "Town") and Henningson, Durham & Richardson Architecture and Engineering, P.C. (hereinafter the Project Engineer).

WHEREAS, Town and Project Engineer previously entered in Agreement dated 23 August 2021 which Agreement is incorporated by reference herein as "Agreement;" and

WHEREAS, under the Agreement, the Subconsultant agreed to perform services in connection with CHADWICK LANE FILTER PLANT RESILIENCY IMPROVEMENTS (herein the Project).

NOW, THEREFORE, in consideration of mutual covenants hereinafter set forth, the parties hereto agree as follows:

1. The Project Engineer's total budget for the project is increased from \$175,232 to \$238,066. The Project Engineer's scope includes an increased budget of \$56,536 for providing staff and support for site inspections and \$6,298 for additional design services during construction.
 - A. HDR Inspection on site will be part time and only for key operations, as determined by Engineer and listed below. Compensation under this task shall be based on Time and Materials for each hour employee works on the inspection plus reimbursable expenses with a total of \$56,536.

Inspection responsibilities include:

 - Excavation, Trenching, Backfill and Soil Compaction, Rebar Placement, Concrete Placement.
 - Site Visits will average 4 to 5 hours, including time to prepare subsequent inspection report.
 - Each Visit will include the preparation of a daily report.
 - Soil and erosion control measures will be reviewed.
 - Contractor will be asked to provide a minimum of 24-hour notice to HDR stating need for inspection on key elements.
 - No Welding inspection is expected.
 - Work will be inspected by qualified HDR inspector(s) or under the direct supervision of a qualified inspector.
 - HDR will use a material testing laboratory for most critical elements particularly for soil compaction and concrete field testing including preparation of concrete cylinder.
 - B. Additional design services during construction includes the tasks completed below for total of \$6,298.
 - Design Memo Update- \$1,414.
 - Building Permit Coordination- \$4,114.
 - Additional Plumbing/HVAC Bid Rejection Review- \$770.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the day and year written below:

Henningson, Durham & Richardson
Architecture and Engineering, P.C. ("HDR") Town of Newburgh

By: J. Chavalamb

By: _____

Title: AUTHORIZED REPRESENTATIVE Title: _____

Date: 3/1/2022

Date: _____



February 3, 2021

Mr. James W. Osborne, PE
Mr. Patrick Hines, PE
Town Engineer
Town of Newburgh
1496 Route 300
Newburgh, New York 12550

**Re: Chadwick Lake Filter Plant Resiliency Improvements
Proposal for Design Services During Construction**

Dear Mr. Osborne:

Henningson, Durham and Richardson Architecture and Engineering, P.C. (HDR) is pleased to submit this Proposal for the next project phase – Design Services During Construction (DSDC) – for the Chadwick Lake Filter Plant Resiliency Improvements, the 2.7 MGD Improvements Construction at Chadwick Lake Filter Plant, and for support services during the startup and operation of the membrane trailer during the Delaware Aqueduct shutdown period.

HDR will provide the project with continued engineering and provide continuity with key technical staff and design leads available to continue through DSDC support, special inspections, and provide construction administration support during the Chadwick Lake Filter Plant Resiliency Improvements Construction Project, as outlined below.

It is our understanding that the on-site resident engineer will be provided by the Town and is not included in HDR's scope of services.

Based on initial feedback and review with the Town Engineer, our refined approach appears below:

Engineering Services During Construction

1. **Project Management and Administration.** This proposal assumes 10 months of active construction and one additional month for project close-out support.
2. **Site Visits and Monthly Meetings.** Ten site visits assumed, one per month, for a 10-month duration that includes substantial and final completion periods.
3. **Review of Shop Drawings.** The submittal log was developed directly from the design specifications and is provided as an attachment. This includes:
 - a. Seventy-five (75) first submittal reviews. Review of second resubmittals are also included in this task.
 - b. Twelve (12) additional submittals are assumed for O & M Manuals.

hdrinc.com

711 Westchester Avenue Suite 103 White Plains, NY 10604-3504
(914) 993-2000

4. **Field Testing and Initial Setup.** Twelve site visits are assumed for field testing such as leakage testing, initial equipment set up inspection, and for concrete and rebar work observation. Materials testing such as concrete is not included in this scope and is to be performed by an outside agency retained by the Town. Site resident engineering is not included with this scope.
5. **Requests for Clarifications and Interpretation (RFI).** Ten (10) RFIs are assumed for this task.
6. **Preparation of Related Change Orders.** One (1) change order is assumed for this task.
7. **Contractor Monthly Payments Review.** Ten payment reviews are assumed for this task.
8. **Start-up Services.** Six site visits are assumed for this task by the Project Manager, and instrumentation and electrical engineer.
9. **As-Built Review.** HDR will prepare CAD files from redline markups to be provided by Contractor.
10. **Expenses.** HDR will expense travel costs for site visits from office to site.

HDR's fees to deliver the scope of the DSDC work described herein are not to exceed a total amount of \$149,096, and are summarized in Table 1 below .

Table 1 - Estimated Engineering Fees – Design Services During Construction

Design Services During Construction		
Item	Description	HDR Engineering Fee
1	Project Management and Administration	\$11,508
2	Site Visits and Monthly Meetings	\$16,150
3	Review of Shop Drawings	\$62,132
4	Field Testing and Initial Setup	\$9,976
5	Requests for Clarifications and Interpretation	\$7,416
6	Preparation of Related Change Orders	\$8,436
7	Contractor Monthly Payments Review	\$7,570
8	Start-up Services	\$10,368
9	As-Built Review	\$11,040
10	Expenses	\$4,500
NTE Total		\$149,096

Additional Supports

1. **DEP/DOH Coordination.** This task, as summarized in Table 2 below, is included for correspondences and participation in conference calls to support the Town.

Table 2 - Estimated Engineering Fees – Additional Supports

Design Services During Construction		
Item	Description	HDR Engineering Fee
1	DEP/DOH Coordination	\$9,664
NTE Total		\$9,664

We appreciate the opportunity to submit our proposal for Design Services During the Construction and continuing to support the Town as you prepare for the Delaware Aqueduct shutdown. Should you require additional information or have any questions, please feel free to contact me at (914) 993-2037 or Jim Jensen at (914) 993-2040.

Sincerely,

Henningson, Durham and Richardson Architecture and Engineering, P.C.

Amir Mashhad

Amir Mashhad, PE
Project Manager

Jim Jensen

Jim Jensen
Area Drinking Water Client Development Lead



#9D

April 8, 2022

Mr. James W. Osborne, PE
Town Engineer

Mr. Patrick Hines
Town Consultant

Town of Newburgh
1496 Route 300
Newburgh, New York 12550

Re: Chadwick Lake Filter Plant Resiliency Improvements

Dear Mr. Osborne/Hines:

Henningson, Durham and Richardson Architecture and Engineering, P.C. (HDR) has reviewed the following options for addressing the existing solids holding tank No. 2 wall condition that has moved inward.

The options presented in table below were reviewed with Town and TAM Enterprises (Contractor) to determine the most feasible option with pros and cons. Option 3 (common wall) was recommended due to its long term benefit to Town. The common wall option will minimize the impact on the new tank when the existing tanks are replaced in the future and will allow for connection to new concrete wall in the future.

Existing Tank 2 Wall		
Options	Pros	Cons
Option 1: Construct an MSE Wall adjacent to the existing wall and have it tied back to the new tank wall	<ol style="list-style-type: none"> 1) Using the MSE wall construction concept would minimize any loading on existing wall. 2) Tank 2 can still be utilized at a reduced capacity while tank 3 is being constructed. 3) In the future, the MSE wall and tiebacks could be removed to replace tanks 1 & 2. 	<ol style="list-style-type: none"> 1) Existing tank wall could continue to shift west and ultimately fail. 2) Wall of tank 2 will need to be braced during the construction of wall 3 (including excavation, form work and rebar setting, and backfill).
Option 2: Brace the existing wall with steel beams that will span across both existing tanks	<ol style="list-style-type: none"> 1) Using steel bracing construction concept would reduce the loading on existing wall. 2) Bracing can remain after construction until existing tanks are replaced. 	<ol style="list-style-type: none"> 1) Construction is challenging as bracing must span across both existing tanks. 2) A concrete buttress is needed at the west wall of existing tank 2.

<p>Option 3: Move the new tank location next to the existing tank and use the new tank wall as a common wall between the new tank and the existing tank. This will require removal of the existing east wall entirely and a portion of the north and south walls.</p>	<ol style="list-style-type: none"> 1) Eliminates safety issue with existing wall that is failing both short term and long term. 2) Long term solution. Future work to existing tanks can occur with minimal impact to new tank. 3) Can remedy soils issues with properly compacted soils. 	<ol style="list-style-type: none"> 1) Higher construction cost. 2) Unknown existing wall footing material must be addressed during excavation and construction.
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Total current bid amount for all Contracts (1A, 1B, 1C, and 1D) for Chadwick Lake Filter Plant Resiliency Improvements project is \$2,286,302.81 (includes approved Change Order 1 with TAM for \$77,073.81 for material increased costs). Table below summarizes the construction cost for the common wall design.

TAM Enterprises - Common Wall Construction	\$200,000
Contingency, 15%	\$30,000
HDR Design	\$26,000
Subtotal	\$256,000

Additional change orders for Chadwick Project are summarized below.

		Change Orders
TAM Enterprises	Pump Station NSF Coating	\$22,880
TAM Enterprises	Trailer Additional Site Work	\$19,782
TAM Enterprises	Trailer Steel Plate for support	\$2,255
TAM Enterprises	PAC Room Painting And Copper Pipe	\$4,000
Rockland Electric	PAC Room Relocation of Existing Conduit for Code Compliance	\$18,742
Rockland Electric	Eyewash Switches Wiring	\$3,142
Rockland Electric	Shed Transformer Enclosure	\$1,544
Rockland Electric	PAC Panel Flow Data Signal Conduit	\$5,747
Rockland Electric	Water Heater New Location Outside PAC Room Wiring	\$5,716
Pall	Additional programming and valves	\$13,000
HDR	Trailer Design	\$4,800
Total		\$101,608

HDR recommends the above change orders and common wall construction approach to allow project construction to continue to meet project schedule and demand. If you have any questions, please feel free to contact me at (914) 993-2037.

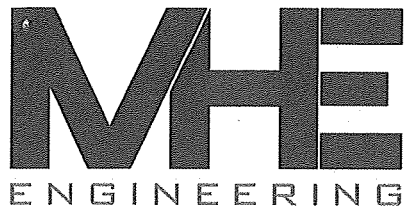
Sincerely,

Henningson, Durham and Richardson Architecture and Engineering, P.C.

Amir Mashhad

Amir Mashhad, PE
Project Manager

#9E



April 8, 2022

Town of Newburgh
1496 Route 300
Newburgh, NY 12550

ATTENTION: Gilbert Piaquadio, Town Supervisor

SUBJECT: Lakeside Senior Housing Storm Water Security Release (PB# 2016-19)

Dear Supervisor Piaquadio,

This office has performed periodic field reviews of the subject project during construction activities. During the initial request for release of securities it was noted that the storm water management facilities on the site were not fenced in accordance with the Town's Storm Water Management code. The applicant's representative have now fenced the Storm water Management facilities on the property in compliance with this code. This office has recently received an updated As Built Survey containing the topography/grading of the storm water facilities. This office has received a 7 December 2020 letter to the Town of Newburgh from Barry Medenbach, P.E. identifying that all drainage improvements and storm water treatment systems have been completed and are in general compliance with the approved plans. Based on the receipt on the above documents and installation of the fencing for the storm water management facilities this office takes no exception to the Town releasing the previously posted storm water and erosion and sediment control securities. Our records indicate that security in the amount of \$286,500.00 was posted by the projects sponsor. Copy of the Bond #8121N is attached.

Please feel free to contact the office should you have any questions comments or require any additional information regarding this matter.

Very truly yours,

MHE Engineering, D.P.C.

A handwritten signature in cursive script that reads 'Patrick J. Hirnes'.

Patrick J. Hirnes

Rep Engineer's for Town of Newburgh

PH/em/kbw

NEW YORK OFFICE

33 Airport Center Drive, Suite 202, New Windsor, NY 12553
845-567-3100 | F: 845-567-3232 | mheny@mhepc.com

PENNSYLVANIA OFFICE

111 Wheatfield Drive, Suite 1, Milford, PA 18337
570-296-2765 | F: 570-296-2767 | mhpepa@mhepc.com

Medenbach & Eggers

Civil Engineering and Land Surveying P.C.

4305 US Highway 209
Stone Ridge, New York
12484-5620

Phone (845) 687-0047
Fax (845) 687-4783
www.mecels.com

Barry Medenbach, P.E.
N.Y.Lic.No.60142
N.J.Lic.No.27646

William R. Eggers L.S.
N.Y.Lic.No.49785

December 7, 2020

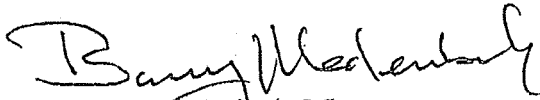
James Osborne
Town of Newburgh
1496 Route 300
Newburgh, NY 12550

Re: Site Improvement for 21 Lakeside Properties, Newburgh, NY.

To whom it may concern,

Please be advised that I, Barry Medenbach, P.E. have overseen the inspection of site improvements as shown on the approved site plan and hereby certify that the all drainage improvements and stormwater treatment systems have been completed and is in general compliance. The site has been stabilized to more than 80 percent over the entire pervious surfaces and all temporary erosion and sediment control practices have been removed.

Yours truly,



Barry Medenbach, P.E.

Attached: 21 Lakeside Properties INC. As Built Plan



Rider Weiner & Frankel P.C.
ATTORNEYS & COUNSELORS AT LAW

MEMORANDUM

TO: HON ANDREW J. ZARUTSKIE, TOWN CLERK (by hand – with original bonds and e-mail)
JOHN P. EWASUTYN, PLANNING BOARD CHAIRMAN (by hand and e-mail)

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

RE: LAKESIDE SENIOR HOUSING/LAKESIDE RESIDENTIAL NEWBURGH, LLC
(HUDSON PLACE AT LAKESIDE, LLC/PRINCIPAL)
STORMWATER/EROSION AND SEDIMENT CONTROL PERFORMANCE SECURITY:
THE SERVICE INSURANCE COMPANY, INC. SITE IMPROVEMENT PERFORMANCE BOND NO.8121N DATED MARCH 22, 2018 IN THE AMOUNT OF \$286,500.00;
LANDSCAPING PERFORMANCE AND MAINTENANCE PERFORMANCE SECURITY:
THE SERVICE INSURANCE COMPANY, INC BOND NO.8120N DATED MARCH 22, 2018 IN THE AMOUNT OF \$96,084.00
OUR FILE NO. 800.1(E)() (2018)
PLANNING BOARD PROJECT NO. 2016 – 19

DATE: MARCH 26, 2018

P: 845.562.9100
F: 845.562.9126
655 Little Britain Road
New Windsor, NY 12553
P.O. Box 2280
Newburgh, NY 12550

ATTORNEYS
David L. Rider
Charles E. Frankel
Michael J. Matsler
Mark C. Taylor
Deborah Walsman-Estis
M. Justin Rider
Donna M. Badura
Amber L. Camio

M. J. Rider
(1906-1968)
Elliott M. Weiner
(1915-1990)

COUNSEL
Stephen P. Duggan, III
John K. McGuirk

OF COUNSEL
Craig F. Simon
Irene V. Villacci

The above referenced bonds securing stormwater and erosion and sediment control performance and landscaping performance and maintenance are acceptable to our office as to form. The originals of the two bonds are enclosed with the copy of this memo being hand delivered to the Town Clerk's office.

Please note the following:

1. the Stormwater Bond has a term running 3/22/2018-3/22/2021 and shall be renewed annually unless released by the obligee (Town).
2. the Landscaping Bond also has a term running 3/22/2018-3/22/2021 but does not have an annual renewal provision. Please note this deadline on your calendars. The Code Compliance Department (copied here) should ensure that when issuing the last certificate of occupancies for the project that an adequate period remains from the inspection/acceptance of the landscaping for the two year maintenance/survival period not to extend beyond the 3/22/2021 term date without a renewal or substitute maintenance security having been posted.

Page -2-

Should you have any questions, please contact me.

MCT/sel

Enc.

cc: Hon. Gilbert J. Piaquadio, Supervisor (via e-mail)
Gerald Canfield, Code Compliance Supervisor (via e-mail)
James Osborne, Town Engineer (via e-mail)
Ronald Clum, Town Accountant (via e-mail)
Michael H. Donnelly, Esq., Planning Board Attorney (via e-mail)
Patrick Hines, McGoey, Hauser & Edsall (via e-mail)
Joseph Sarchino, RLA, JMC Site Development (via e-mail)
Lynn Sprufera, Farrell Building Company (via e-mail)
Wayne Graff, Esq. (via e-mail)
Stanley Schutzman, Esq. (via e-mail)

THE SERVICE INSURANCE COMPANY, INC.
80 MAIN STREET, SUITE 330
WEST ORANGE, NJ 07052

SITE IMPROVEMENT PERFORMANCE BOND
973-731-7650 (P) 973-731-7889(F)

TERM: 3/22/2018-3/22/2021 AND SHALL BE RENEWED ANNUALLY UNTIL RELEASED BY OBLIGEE.

KNOW ALL MEN BY THESE PRESENTS:

BOND NO. 8121N

That We HUDSON PLACE AT LAKESIDE, LLC, as Principal(s), JOSEPH G. FARRELL, AND BRYAN J. FARRELL (TRUSTEE OF THE JOSEPH G. FARRELL IRREVOCABLE TRUST) as Co-Principal(s) and THE SERVICE INSURANCE COMPANY, INC., 80 MAIN ST., WEST ORANGE, NJ 07052, a New Jersey corporation authorized to do business in the State of New Jersey and New York, as surety, are held and firmly bound unto TOWN OF NEWBURGH, NEW YORK as Obligee, in the sum of TWO HUNDRED EIGHTY SIX THOUSAND FIVE HUNDRED DOLLARS AND 0/100 CENTS (\$286,500.00), lawful money of the United States of America, for which payment well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally firmly by these presents.

SIGNED, SEALED AND DATED THIS 22nd Day of MARCH, 2018.

WHEREAS, the Principal is required to furnish a good and sufficient bond to complete the proper installation and maintenance of erosion and sediment control and/or stormwater management measures and permanent stabilization or restoration requirements for the land disturbance to be carried out in conjunction with the development of the approved site plan (hereinafter collectively the "stormwater improvements") at the Principal's own expense in the time and manner specified in the Town of Newburgh Code and/or the plans approved by the Town of Newburgh Planning Board, with such modifications and conditions, if any, as have been imposed by the Obligee, including but not limited to the condition, if stated in the approval, that if full implementation of the approved erosions and sediment control or stormwater management plan does not provide for effective erosion and sediment control or stormwater management measures, the Principal shall implement such additional erosion and sediment control measures as will control or treat the sediment source, and the delivery of "as built" drawings (said conditions hereinafter referred to as the "Agreement") all of which improvements shall be completed on or before the date set forth in the agreement. "WHEREAS, the Principal or its predecessor in property interest has made application to the Town of Newburgh Planning Board in accordance with the Town of Newburgh Zoning Code for final approval of a site plan last revised February 8, 2017 known as Lakeside Residential Newburgh, LLC [Lakeside Senior Housing] located at Town of Newburgh Tax Parcels 21 Lakeside Rd., Newburgh, Ny, 12550 - Section 86, Block 1, Lots 39.22 and 39.23 or Principal is the authorized agent of such applicant/owner; and". Exhibit "A" Attached

Now, therefore, the condition of this obligation is such, that if the named Principal and Co Principal shall carry out all of the terms of said of the above reference improvements all within the time set forth, then this obligation shall be null and void, otherwise to remain in full force and effect. This bond is not transferable or assignable, nor are the rights and obligations of the Principal or the Obligee transferable or assignable.

No party other than the Obligee shall have any rights hereunder as against the Surety.

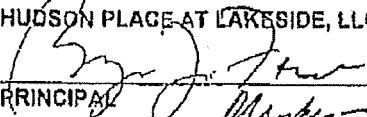
The surety shall have the right to complete the work in accordance with the terms and conditions of the original approval as expressed in the above reference improvements, whether with its own employees or in conjunction with the Principal or another contractor; provided, however, that the surety, in its sole discretion, may make a monetary settlement with the municipality as an alternative to completing the work.

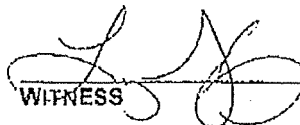
The aggregate liability of the Surety of the Bond Obligation set forth herein shall not exceed the penal sum hereof for any cause or reason whatsoever, inclusive of attorney's fees or other costs. Exclusion: This bond and any related bonds do not cover site improvements that have been performed by principal prior to the issue date of this bond. Exclusions include contaminated soil as well. The town agrees to withhold certificates of occupancy until this bond is released or upon the consent of surety. The town may not issue any certificate(s) of occupancy to any person or entity who succeeds to the Principals' rights to the subject project (or any aspect of it) by transfer of the subject property (or any portion thereof) or transfer of the entity(ies) which may own it (or any portion thereof), without first having first received a new site improvement bond as Obligee from such new Principal, which shall replace this bond for its penal sum in full

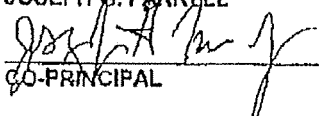
SIGNED AND SEALED THIS 22nd of March, 2018.

SURETY EMBOSSED CORPORATE
SEAL MUST APPEAR ON BOND FORM
AND POWER OF ATTORNEY

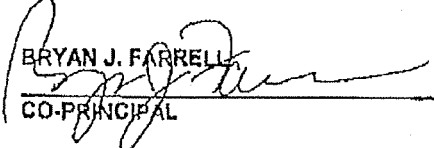
WITNESS 

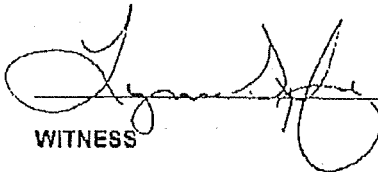
HUDSON PLACE AT LAKESIDE, LLC
Principal 
Member-Trustee

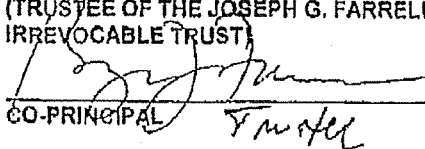
WITNESS 

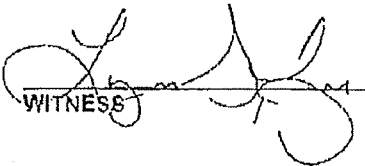
JOSEPH G. FARRELL
Co-Principal 

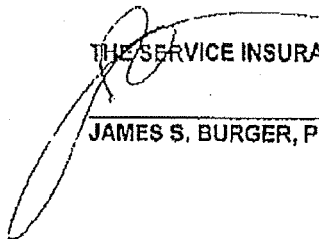
WITNESS 

BRYAN J. FARRELL
Co-Principal 

WITNESS 

(TRUSTEE OF THE JOSEPH G. FARRELL
IRREVOCABLE TRUST)
Co-Principal 

WITNESS 

THE SERVICE INSURANCE COMPANY, INC.
James S. Burger, President 



**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS D.P.C.**

MARK J. EDSALL, P.E., P.P. (NY, NJ & PA)
MICHAEL W. WEEKS, P.E. (NY, NJ & PA)
MICHAEL J. LAMOREAUX, P.E. (NY, NJ, PA, VT, VA & CT)
PATRICK J. HINES
LYLE R. SHUTE, P.E. LECO-AP (NY, NJ, PA)

Main Office
33 Airport Center Drive
Suite 202
New Windsor, New York 12553

(845) 567-3100
fax: (845) 567-3232
e-mail: mhenry@mhepc.com

Principal Emeritus:
RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY, NJ & PA)

5 February 2018

Town of Newburgh
1496 Route 300
Newburgh, NY 12550

ATTENTION: JIM OSBORNE, ENGINEER

SUBJECT: LAKESIDE SENIOR HOUSING (2016-19) EROSION AND SEDIMENT
CONTROL AND STORMWATER MANAGEMENT COST ESTIMATE

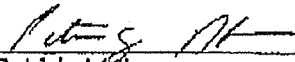
Dear Jim,

This office has received a cost estimate from Barry Medenbach, P.E., the Applicant's representative on the subject project. The cost estimate includes costs for soil erosion sediment control and installation of the stormwater collection and treatment depicted on the plans. The cost estimate in the amount of \$286,214.50 appears to be in line with the items of work identified on the approved plans.

Based on the above this office would recommend that security in the amount of \$286,500 be provided for the project site. Fees in accordance with the cost estimate should be collected including a soil erosion and sediment control inspection fee in compliance with the Town's resolution of approval. Please feel free to contact the undersigned should you have questions, comments or require any additional information regarding this matter.

Very truly yours,

McGoey, Hauser and Edsall
Consulting Engineers, D.P.C.


Patrick J. Hines
Principal

• Regional Office • 111 Wheatfield Drive • Suite 1 • Millford, Pennsylvania 18337 • 570-298-2765 •

 Member

ENGINEER COST ESTIMATE FOR DRAINAGE, SOIL EROSION, AND SEDIMENT CONTROL
Senior Housing at 21 Lakeside Properties INC.

Date: 1/23/2018

Town of Newburgh: Senior Housing

Item	Units	Quantity	Unit Price	TOTAL
Soil Erosion Sediment Control	Lump Sum	1	\$ 50,000.00	\$ 50,000.00
Roof Leader 8"	L.F. (ft.)	1300	\$ 30.00	\$ 39,000.00
Catch Basins (0'-8')	Each	16	\$ 2,000.00	\$ 32,000.00
Bio-Retention Basins	Lump Sum	2	\$ 15,000.00	\$ 30,000.00
8" Connection to Roof Drain	Each	12	\$ 125.00	\$ 1,500.00
15" HDPE	L.F.(ft.)	378	\$ 40.00	\$ 15,120.00
18" HDPE	L.F.(ft.)	770	\$ 45.00	\$ 34,650.00
24" HDPE	L.F.(ft.)	85	\$ 55.00	\$ 4,675.00
Flared End Sections- HDPE	Each	5	\$ 350.00	\$ 1,750.00
Grass Lined Swale	LF	150	\$ 10.00	\$ 1,500.00
Water Quality Basin	Lump Sum	2	\$ 25,000.00	\$ 50,000.00
			Subtotal:	\$ 260,195.00
			Sub Total:	\$ 260,195.00
			10.00% Construction Contingency	\$ 28,019.50
			Total:	\$ 286,214.50

BOND NO. 8121N

THE SERVICE INSURANCE COMPANY, INC.
(d/b/a Service Guarantee and Surety Company in DC, DE, NC & SC)
Service Guarantee and Surety Company (used in FL by: The Service Insurance Company, Inc.)
Service Guarantee and Surety Co. (used in VA by: The Service Insurance Company, Inc.)
POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That THE SERVICE INSURANCE COMPANY, INC., 80 Main Street #330, West Orange, NJ 07092, a corporation of the State of New Jersey (d/b/a Service Guarantee and Surety Company in DC, DE, NC & SC), Service Guarantee and Surety Company (used in FL by: The Service Insurance Company, Inc.), Service Guarantee and Surety Co. (used in VA by: The Service Insurance Company, Inc.) pursuant to authority granted by Article VIII, Section 7 of the By-Laws of said Company, which reads as follows: "CONTRACTS. The Board of Directors may authorize any officers, to execute any surety bond instrument in the name of and on behalf of the corporation, and such authority may be general or confined to specific instances."

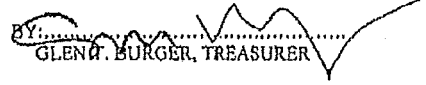
Does hereby nominate, constitute and appoint Glen T. Burger and James S. Burger, its true and lawful agents and Attorney(s)-In-Fact, to make, execute, seal and deliver for, and on its behalf as surety, and its act and deed; any and all bond undertakings, and consents of surety, no one bond to exceed an aggregated penal sum liability of \$5,000,000 (Five Million Dollars).

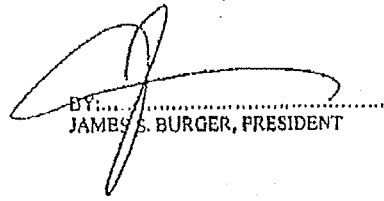
Does hereby nominate, constitute and appoint not applicable executed in home office of not applicable executed in home office Insurance Agency as its true and lawful Attorney(s)-In-Fact for the following purpose: to make, execute and deliver those bond undertakings and Consents of Surety on behalf of the Company to any Obligor for those bid bond, performance bond, payment bond and other bond undertakings not to exceed an aggregated penal sum liability of \$5,000,000 (Five Million Dollars).

Said Insurance Agency Attorney(s)-In-Fact shall obtain prior approval confirmed in writing from the Company with a bond number provided by the Company's home office prior to issuing any bonds. Said Attorney(s)-In-Fact by executing the attached bond(s), hereby represents and warrants under oath that the Company has granted it/him/her prior approval and furnished the bond number for the attached bonds, which has been logged and recorded at the Company's home office. The Company shall not cover, honor or pay any claims for unauthorized bonds, and the Obligor may confirm the validity of the attached bond on receipt by contacting the Company in writing at 973-731-7889 (fax) or jburger@serviceinsurancecompany.com.

IN WITNESS WHEREOF, the said Treasurer and President have hereunto subscribed their names and affixed the Corporate Seal of the said The Service Insurance Company, Inc., this 16th day of November, A.D 2017

THE SERVICE INSURANCE COMPANY, INC.

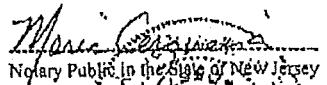
BY: 
GLEN T. BURGER, TREASURER

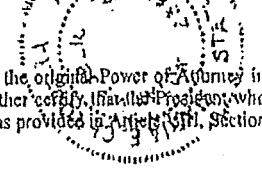
BY: 
JAMES S. BURGER, PRESIDENT

STATE OF NEW JERSEY }
CITY OF WEST ORANGE } SS

On this 16th day of November, A.D. 2017, before the subscribed, a Notary Public of the State of New Jersey, duly commissioned and qualified, came the above named Treasurer and President of The Service Insurance Company, Inc., to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledge the execution of the same, and being by me duly sworn severally and each for himself deposed the truth, that they are the said officers of the Company aforesaid, and that the seal is affixed to the preceding instruments, is the Corporate Seal of said Company, and that the Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

MARIA E. CERQUEIRA
NOTARY PUBLIC OF NEW JERSEY
Comm. # 2360557
My Commission Expires 6/4/2022


Notary Public in the State of New Jersey



CERTIFICATE

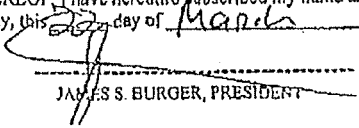
I, the undersigned, President of The Service Insurance Company, Inc., The Company, do hereby certify that the original Power of Attorney in which the forgoing is full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the President who executed the said Power of Attorney was specially authorized by the Board of Directors to appoint any Attorney in Fact as provided in Article VIII, Section 7, of the By-Laws of The Service Insurance Company, Inc.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of The Service Insurance Company, Inc.

Resolved: "That the facsimile or mechanically reproduced signature of the Company President, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

COMPANY EMBOSSED CORPORATE SEAL MUST APPEAR ON BOND FORM AND POWER OF ATTORNEY

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the Corporate Seal of the said Company, this 27th day of March 2018.


JAMES S. BURGER, PRESIDENT



TOWN OF NEWBURGH
 1496 Route 300
 NEWBURGH, NEW YORK 12550
 (845) 564-4552

~~115A~~
 #10A

Date: 3 24 22

Is the budget adjustment under \$5,000? Yes: _____ No: X

If yes, Please give Gil a copy to sign and deliver to the Accounting Office.

If no, Please have the board approve at the next available board meeting.

Reason why the budget transfer is needed: To cover short fall
of funds for Digital Sign for Animal
Control

From: Account Number: A. 1990 5499 Amount: \$ _____
 Account Description: Contingency fund

From: Account Number: _____ Amount: 8,553.00
 Account Description: _____ Amount: _____
 \$ _____

To: Account Number: _____ Amount: \$ _____
 Account Description: _____ Amount: _____

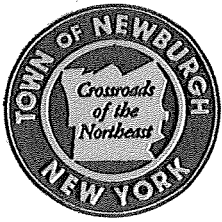
To: Account Number: 1624 5200 Amount: 8,553.00
 Account Description: Building & Grounds Amount: _____
Animal Control
 \$ _____

Please note: The total of from/to should be equal. Total

Paul Ruggiero
 Department Head Signature

 Gil Piaquadio, Town Supervisor

PAUL RUGGIERO



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

#10B

TOWN BOARD

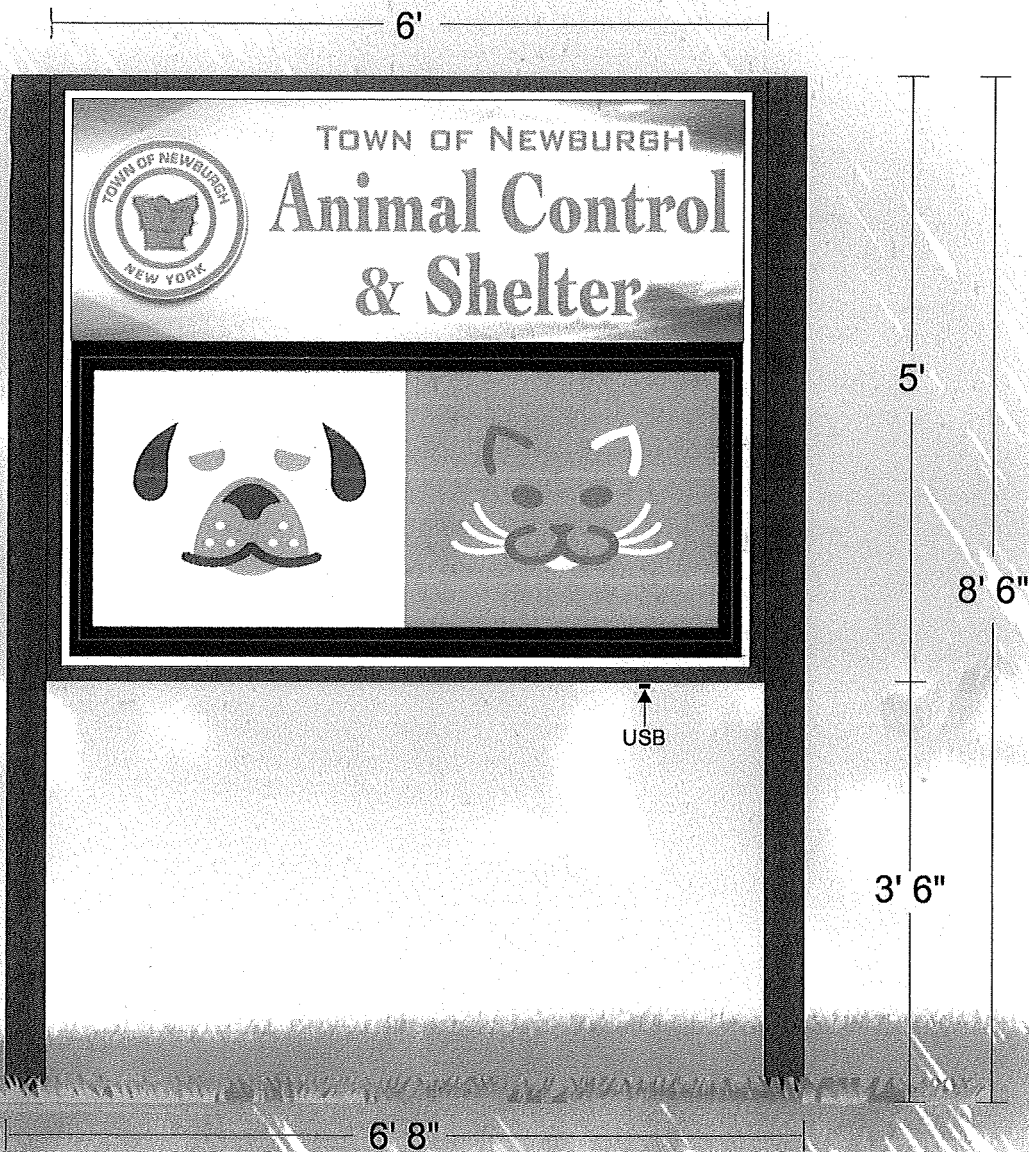
845-564-4554
Fax 845-566-1432

March 24, 2022

After exhausting hours of research no other companies sell digital signs. I called Lite Brite Signs in Middletown New York and asked if they supplied Digital signs and they referred me to Stewart Signs. I also contacted Tri-State sign From New York City and was told they buy from Stewart Signs. Stewart Signs is a main Digital sign supply company that sells to other sign companies. I also looked on the State web site for state bid pricing but nothing exists for digital signs.

Respectfully


Paul Ruggiero



StewartSigns
 ONE SIGN. ONE COMPANY

1-800-237-3928 stewartsigns.com

TekStar Color 10mm 64x160
 CABINET SIZE: 5' x 6'
 (200) Sk: 948221-3 Cust: 3157853
 1/7/2022 CW/JHyde PROPOSAL
 Scale: 5/8"=1' Cabinet Color: Blue

Signature _____

Date _____



This custom artwork is not intended to provide an exact match for ink, vinyl, paint, or LED color. Signs are designed for an illuminated graphic and art is based off of this premise. Non-illumination during daylight hours may result in graphics of varying appearance. Brickwork and masonry are not included in the proposal with the exception of Cornerstone products. Measurements shown are approximations; final product dimensions may vary. LED images shown are simulated to replicate optimum viewing distance. Original design, do not duplicate.

Attn: Paul Ruggiero
845-863-4095

DESCRIPTION

5'x 6' Double Sided 10mm TekStar, 64x 160 Full Color LED Display with 12" Deep, Hinged Extruded Aluminum Cabinet and Thermoformed Makrolon SL Faces Decorated on Inside Surface with 3M Vinyl Graphics

Face / Cabinet Details

TekStar Inner LED Cabinet, 10mm Full Color 64x160 Matrix

Electrical Information

Horizontal LED Illumination Package for a 3' x 6' Cabinet
LED Communication Method: Wireless Data Modem with no restrictions on distance.

One 20 Amp Circuit, 120 Volts; Max Draw: 6.75 Amps
Lifetime Wireless Data Plan Provided by StewartSigns
By signing you, the customer, affirm and agree to the terms and conditions listed at
<https://www.signcommand.com/data-plan>

SignCommand.com Cloud-Based Software Included FREE for Lifetime of Product. Please visit www.signcommand.com for more information**.

Structural Details

Mount Style: Twin Pole
Leg Height: 3 Ft 6 In
Overall Sign Height: 8 Ft 6 In

Mount Size:
Leg Width: 6 Ft 8 In
Minimum Wind Load Rating: 120mph, Exposure B

Miscellaneous Items

Shipping included

***** Review Custom Artwork for Text, Graphic and Layout Details *****

I.D. Cabinet: Blue
Header Copy: White

Draft: White
Mount: Blue

Investment:	\$22,053.00
Special Price:	\$20,553.00

Unless otherwise noted in Special Instructions, these prices are valid for 30 days.
Freight, storage, other freight services and applicable sales tax will be added to your invoice.
Organizations exempt from sales tax must include exempt certificate with order.

Shipping Terms: F.O.B. Origin
Payment Terms: Net 30 Days

* Compliance: FCC Part 15 / UL Listed

** By purchasing the SignCommand.com product, you are agreeing with the Website Terms of Use (Agreement ().

) and Software End User License

Your Consultant: Jane Hyde
(800) 237-3928, x1740

Customer ID: 3157853

Quote Number: 948221 / 3

Date Quoted: 3/24/2022

Customer's Authorized Signature

3/24/2022

Print Name Date

Jane Hyde, Regional Sales Manager
(800) 237-3928, x1740
jhyde@stewartsigns.com Date

Your Consultant: Jane Hyde
(800) 237-3928, x1740

Customer ID: 3157853

Quote Number: 948221 / 3

Date Quoted: 3/24/2022

SHIPPING INFORMATION

SIGN (via Common Carrier)

Town of Newburgh - Animal Control
645 Gidney Avenue
Newburgh, NY 12550

*** All applicable items will be sent to the CUSTOMER address ***
*** unless noted otherwise below ***

INVOICE (via USPS)

ORDERING PROCEDURES

1. Check proposal for accuracy and, if approved, sign and date where indicated.
2. Approve design and colors on the custom artwork. Be sure to check spelling. If approved, sign and date the artwork.
3. Write deposit check according to terms listed on proposal form's header, made payable to Stewart Signs.
4. Return signed custom artwork, signed proposal form and deposit check to Stewart Signs.

* Signs greater than 6 feet wide are not eligible for lift gate services.

* Unless indicated under special instructions, permits, footers, erection, electrical service, electrical hook-up and planters or other decorative masonry are the responsibilities of the buyer. Stewart Signs furnishes engineered footer drawings when applicable.

* Any cancellation may be subject to cancellation, return, and/or restocking fees.

* A late fee of 1.5% per month will be charged on any overdue balances.

* In the event of a payment default, customer will be responsible for all of Stewart Signs' costs of collection, including but not limited to court costs, filing fees and attorney fees.

Stewart Signs • 2201 Cantu Court • Suite 215 • Sarasota, FL 34232-6255
Phone: (800) 237-3928 Fax: (800) 485-4280 Web: www.stewartsigns.com

Stewart Signs
America's Premier Sign Company
Limited Product Warranty ("Limited Warranty")

Definition of Warranty Coverage:

- 1) Stewart Signs (the "Company") expressly warrants to the original purchaser ("You" or "Buyer" or "Owner" or "Customer") that, for a period of five (5) years from the date of shipment (the "Warranty Period"), the electronic displays and the associated Company products (the "Product") will be reasonably free of material defects in materials and workmanship impacting Product fit, form and/or function. During the Warranty Period, the Company will, at its discretion, repair or replace any defective covered Product. The Owner will be responsible for removing and reinstalling any and all repaired or replacement parts. This Limited Warranty only applies to the Company's Product if installed, used, and maintained in the manner recommended by Company, and this Limited Warranty is conditioned upon compliance with all such instructions. Lifetime telephone support for the Product is provided, as needed.
- 2) In the event the Product is damaged during shipping, it is the responsibility of the Buyer to refuse delivery, causing the Product to be returned to the manufacturer for repair. Title to the Product passes to the Buyer upon the Company's delivery to the freight carrier. The Company assumes no liability for damage caused by careless handling or poor installation, except for work completed by employees of the Company. Loss or damage to the Product when in possession of the freight carrier is the responsibility of the Customer and is not covered by this Limited Warranty.
- 3) Any information or suggestion by the Company with respect to the Product concerning applications, specifications or compliance with zoning, codes and standards is provided solely for your convenience and without any representation as to accuracy or suitability. You must verify and test the suitability of any information with respect to the Product for your specific application.
- 4) Sign Structure and Sign Face: In the event the sign structure or identification/changeable copy portion of the sign malfunctions under normal use and service thereof DURING THE LIFE OF THE SIGN due to material defects in workmanship or materials, the Company will, at its option, repair or replace any defective materials.
- 5) Vandalism to Sign Faces: This Limited Warranty covers polycarbonate faces against breakage due to vandalism DURING THE LIFE OF THE SIGN. Warranty protection does not extend to these surfaces if damaged by gunshots, or when damaged coincident with damage to the sign cabinet in which the faces are installed.
- 6) Failed electronic parts or assemblies, with the exception of lamps, will be repaired or replaced, at the sole discretion of the Company. Owner bears the expense and responsibility of shipping Product to Company's Repair Center. Replacement or repaired parts are warranted to be free from material defects in material or workmanship for ninety (90) days, or for the remainder of the Warranty Period of the Product they are replacing or in which they are installed, whichever is longer.
- 7) The Company will repair failed LED pixels if greater than one half of one percent (0.5%) of the total number of pixels in the sign have failed in one (1) calendar year, provided the sign is installed with the recommended ventilation system for its location. The definition of pixel failure is when all LED's in the pixel will no longer emit light. Pixel repair is performed at the Company Repair Center. It is common knowledge within the sign industry that all LEDs degrade and produce less light as they age. Eventually the LEDs will require replacement even though the LEDs will still emit light. This Limited Warranty does not cover normal LED degradation.
- 8) **Customer Obligations:**
Failure by the Customer to properly maintain the Product, including but not limited to filters and the ventilation/air conditioning systems, will void coverage for affected components. The Customer shall notify the Company immediately of equipment failure and allow the Company full and free access to the Product when required. Waiver of liability or other restriction shall not be imposed as a site access requirement. The Customer is responsible for all costs and management oversight associated with providing the Company access to the Product, providing the necessary machines, communication facilities and other equipment, inclusive of but not limited to lifting equipment. Should on-site repair be required, Customer is required to have a responsible individual on-site to provide access to the Product as well as sign off on a completed work order.
- 9) **Exclusions and Restrictions:**
The Company reserves the right to restrict service, limit replacement parts or invalidate this Limited Warranty to Customers whose account balance is past due. This Limited Warranty specifically excludes any on-site labor required to service the covered Product including diagnosis, removal and installation of parts or products. Any on-site service required by the Customer of Company technicians or a local authorized service provider is billable to the Customer based on an agreed upon written quote.
This Limited Warranty does not apply to software. Software is covered by a separate agreement, which appears in the Company's software license agreement.
Ballasts are covered for a period of three (3) years.
ID cabinet LED illumination and power supply are covered for a period of two (2) years, when purchased as a system.
- 10) This Limited Warranty specifically does not cover the following:
 - a) Third-party communication devices such as wireless devices and modems, which are covered by a separate electronic communication warranty.
 - b) Damage to Product that has been moved from its original installation location or is mounted in a mobile structure.
 - c) Cosmetic damage to the Product (including but not limited to scratches and dents that do not otherwise affect the fit, form or functionality of the Product or materially impair its use).
 - d) Temperature sensor results: temperature sensors will register variable results, given local environmental factors such as direct sunlight, distance from concrete or asphalt, etc.; results are not guaranteed or covered under this Limited Warranty.
 - e) Recovery or transfer of any data or software stored on the Product not originally installed on the Product by the Company.
 - f) Light bulbs or lamps.
- 11) This Limited Warranty specifically does not cover conditions, defects or damage caused by or resulting from the following:
 - a) Defects caused by unreasonable or unintended use of Product, improper or unauthorized handling, accident, omission, neglect, vandalism (unless otherwise noted in this Limited Warranty), misuse, physical abuse, installation, use and/or fabrication, and maintenance of the Product by any party other than the Company.
 - b) Damage not resulting from manufacturing defects that occurs while the Product is in the Owner's control and/or possession.

- c) Extreme physical or electrical stress or interference; environmental conditions beyond the Company's control, such as man-made or naturally occurring electrochemical oxidation or corrosion and/or metallic pollutants; normal wear and tear; inadequate, improper, or surges of electrical power; lightning, floods, fire, acts of God, war, terrorism, or other external causes, including Force Majeure.
 - d) Unauthorized modification including installation of third-party software on the Product.
 - e) Product modification or service by anyone other than: (a) the Company, (b) a Company-authorized service provider, or (c) Customer's own installation of Company approved parts with instruction from the Company. Service to a damaged or malfunctioning sign which has not been ordered or authorized by the Company's Customer Satisfaction Department is not covered under this Limited Warranty and will automatically invalidate this Limited Warranty.
 - f) Computer viruses, Trojan horses, worms, self-replicating code or like destructive code which was not included in the Product by the Company.
 - g) Products installed with known or visible manufacturing defects at the time of installation.
- 12) All items returned to the Company must have a Return Materials Authorization ("RMA") number, available by using the contact information below. Items received without an RMA number will not be processed and will be returned to the Customer at their expense. The Customer is responsible for sending any defective part to the Company, after which the Company will send a repaired or replacement part to the Customer.
- 13) The Company will provide and be responsible for the cost of shipping parts from the Company to the Customer, with the exception of sign faces replaced due to vandalism. Standard shipping via the United States Postal Service or other commercial parcel delivery company is the default method of delivery. Expedited delivery is available to the Customer at his or her expense. The Customer will provide and be responsible for the cost of shipping parts to the Company.
- 14) Warranty claims must be registered with the Company within thirty (30) days of damage or malfunction. To register a claim, the Customer must contact the Company at the location specified below and provide (a) his or her name and any other required contact information, (b) Product and purchase descriptions, and (c) the nature of the defect. The Company reserves the right (at its sole discretion) to require proof of original purchase (e.g. paid invoice, receipt) and to visit the site of the installation or to require documentation of the claim before assuming any responsibility under the provisions of this Limited Warranty.
- 15) THE LIMITED WARRANTIES SET FORTH HEREIN ARE THE ONLY WARRANTIES MADE BY THE COMPANY IN CONNECTION WITH THE PRODUCT. THE COMPANY CANNOT AND DOES NOT MAKE ANY IMPLIED OR EXPRESS WARRANTIES WITH RESPECT TO THE PRODUCT, AND DISCLAIMS ALL OTHER WARRANTIES, INCLUDING, BUT NOT LIMITED TO, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE. THE COMPANY'S SOLE OBLIGATION UNDER THIS LIMITED WARRANTY SHALL BE TO REPAIR OR REPLACE MALFUNCTIONING OR DEFECTIVE PARTS OF THE PRODUCT. BUYER ASSUMES ALL RISK WHATSOEVER AS TO THE RESULT OF THE USE OF THE PRODUCT PURCHASED, WHETHER USED SINGULARLY OR IN COMBINATION WITH ANY OTHER PRODUCTS OR SUBSTANCES.
- 16) NO CLAIM BY BUYER OF ANY KIND, INCLUDING CLAIMS FOR INDEMNIFICATION, SHALL BE GREATER IN AMOUNT THAN THE PURCHASE PRICE OF THE PRODUCT WITH RESPECT TO WHICH DAMAGES ARE CLAIMED. IN NO EVENT SHALL COMPANY BE LIABLE TO BUYER IN TORT, CONTRACT OR OTHERWISE, FOR ANY SPECIAL, INDIRECT, INCIDENTAL, CONSEQUENTIAL, RELIANCE, PUNITIVE OR EXEMPLARY DAMAGES, OR FOR LOSS OF PROFIT, REVENUE OR USE, IN CONNECTION WITH, ARISING OUT OF, OR AS A RESULT OF, THE SALE, DELIVERY, SERVICING, USE OR LOSS OF USE OF THE PRODUCT SOLD HEREUNDER, OR FOR ANY LIABILITY THAT BUYER HAS TO ANY THIRD PARTY WITH RESPECT THERETO.

Contact Information:

Stewart Signs Customer Satisfaction
2201 Cantu Court, Suite 215
Sarasota, FL 34232
Phone: 855-841-4624
Web:

#10C



TOWN OF NEWBURGH ANIMAL CONTROL & SHELTER

645 GIDNEY AVE. NEWBURGH, NY 12550

(845)561-3344

FAX: (845) 561-2220

To: Town Board

From: Tracey Carvell, Animal Control

Subject: Authorization to pay Vet Services Utilizing T-94 Account

Date: 4/1/22

I am requesting authorization to use the T-94 account to pay for Vet service: NVIA

*Totaling: \$ 635.57

Canine: \$ 512.57

Feline: \$ 123.00

Other: \$

TOWN OF NEWBURGH

1496 Route 300
Newburgh, New York 12550
(845) 564-4552

DEPARTMENT Animal Control

CLAIMANT'S NAME AND ADDRESS
NEWBURGH VETERINARY HOSPITAL
1716 Route 300
Newburgh, NY 12550
Tel: (845) 564-2660
www.newburghvet.com

TERMS Net 30 Days

DO NOT WRITE IN THIS BOX

Date Voucher Received		VOUCHER NO.
FUND - APPROPRIATION	AMOUNT	
Total		
Abstract #		

Invoice # _____

Canine

Dates	Quantity	Description of Materials or Services	Unit Price	Amount
3/4/22	803004			106.32 ✓
3/4/22	803029			17.25 ✓
3/11/22	803736			17.25 ✓
3/22/22	804928			354.60 ✓
3/24/22	805173			17.25 ✓
COPY				
			TOTAL	512.57

CLAIMANT'S CERTIFICATION

I, Dora M Cast certify that the above account in the amount of \$ 512.57 is true and correct; that the items, services and disbursements charged were rendered to or for the municipality on the dates stated; that no part has been paid or satisfied; that taxes, from which the municipality is exempt, are not included; and that the amount claimed is actually due.

4/1/22
DATE

Dora M Cast
SIGNATURE

Office Mgr
TITLE

(Space below for municipal use)

DEPARTMENT APPROVAL

The above services or materials were rendered or furnished to the municipality on the dates stated and the charges are correct.

4/5/22
Date

[Signature]
Authorized Official

APPROVAL FOR PAYMENT

This claim is approved and ordered for paid from the appropriations indicated above

Date

Auditing Board

INVOICE

Newburgh Veterinary Hospital

1716 Route 300
Newburgh, NY 12550
845 564-2660

"Your pet is part of our family too." Visit us at www.newburghvet.com

FOR: Town of Newburgh - canine
645 Gidney Ave
Newburgh, NY 12550
(845) 561-3344

Printed: 04-01-22 at 4:51p
Date: 03-04-22
Account: 19984
Invoice: 803004

Date	For	Qty	Description	Price	Discount	Net Price	
03-01-22	#68-21 King	1	CONSULT / EXAM - Sick	88.00	55.00	33.00	**
03-01-22			DIAGNOSIS: Cough			0.00	
03-01-22		30	Prednisolone 5mg individual tablet	24.75	13.83	10.92	**
03-01-22		80	Doxycycline Hyclate Tablets 100mg	79.15	16.75	62.40	**
						Total charges, this invoice...	106.32
						**Total discount included: 85.58	

Your invoice total reflects our **13Stray Cat Accounts** discount.

LIKE US ON FACEBOOK.COM!

GOING AWAY?...BOOK YOUR PETS BOARDING RESERVATION TODAY!

In compliance with New York State law, all medications are non-refundable. We regret any inconveniences.



INVOICE

Newburgh Veterinary Hospital

1716 Route 300
Newburgh, NY 12550
845 564-2660

"Your pet is part of our family too." Visit us at www.newburghvet.com

FOR: Town of Newburgh - canine
645 Gidney Ave
Newburgh, NY 12550
(845) 561-3344

Printed: 04-05-22 at 10:59a
Date: 03-04-22
Account: 19984
Invoice: 803029

Date	For	Qty	Description	Price	Discount	Net Price
03-04-22	#8-22 Zeus Pres	1	CANINE RABIES / 1YEAR	45.50	28.25	17.25 **

Total charges, this invoice...

17.25

**Total discount included: 28.25

Your invoice total reflects our **13Stray Cat Accounts** discount.

LIKE US ON FACEBOOK.COM!

GOING AWAY?...BOOK YOUR PETS BOARDING RESERVATION TODAY!

In compliance with New York State law, all medications are non-refundable. We regret any inconveniences.

0017

INVOICE

Newburgh Veterinary Hospital

1716 Route 300
Newburgh, NY 12550
845 564-2660

"Your pet is part of our family too." Visit us at www.newburghvet.com

FOR: Town of Newburgh - canine
645 Gidney Ave
Newburgh, NY 12550
(845) 561-3344

Printed: 03-11-22 at 12:36p
Date: 03-11-22
Account: 19984
Invoice: 803736

Date	For	Qty	Description	Price	Discount	Net Price
03-11-22	Bella1	1	CANINE RABIES / 1YEAR	45.50	28.25	17.25 **
Total charges, this invoice...						17.25
**Total discount included: 28.25						

Your invoice total reflects our **13Stray Cat Accounts** discount.

Reminders for: **Bella1**

Last done

03/23	CANINE RABIES / 3 YEAR
03/23	Consultation/Exam- Bi-annual
09/22	Spay your pet at 5-6 months
09/22	Canine Kennel Cough Vacc -1 ye
09/22	FECAL EXAM
03/19	Pro-Heart 12 (26-50lbs)
03/19	Pro-Heart 12 (1-25lb)
03/19	Pro-Heart 12 (51-100lbs)
09/18	HEARTWORM TEST
06/18	CANINE DIST/A2/PI/PARVOLEPTO1Y

LIKE US ON FACEBOOK.COM!

GOING AWAY?....BOOK YOUR PETS BOARDING RESERVATION TODAY!

In compliance with New York State law, all medications are non-refundable. We regret any inconveniences.

COFF

INVOICE

Newburgh Veterinary Hospital

1716 Route 300
Newburgh, NY 12550
845 564-2660

"Your pet is part of our family too." Visit us at www.newburghvet.com

FOR: Town of Newburgh - canine
645 Gidney Ave
Newburgh, NY 12550
(845) 561-3344

Printed: 04-01-22 at 4:50p
Date: 03-22-22
Account: 19984
Invoice: 804928

Date	For	Qty	Description	Price	Discount	Net Price
03-22-22	#12-22 Delilah	1	CONSULT / EXAM - Sick	88.00	55.00	33.00 **
03-22-22		1	CANINE RABIES / 1YEAR	45.50	28.25	17.25 **
03-22-22		1	Lyme,Hwt,Ehrlich Anaplasma 4Dx i	145.00	102.75	42.25 **
03-22-22		1	Anesthesia- Isoflurane	324.00	162.00	162.00 **
03-22-22		1	---BloodPressureMonitoring w/anes			0.00
03-22-22		1	---PulseOximeterMonitoring w/Anes			0.00
03-22-22		1	-CapnographMonitoring w/Anesthe			0.00
03-22-22		1	----Recovery in Heated Cage			0.00
03-22-22		1	----Warm Water Blanket in Surgery			0.00
03-22-22		1	Canine Medical Shave Down			100.00
03-22-22		0.10	TelazolInject Control Log / ml			0.00

Total charges, this invoice...

354.50

**Total discount included: 348.00

Your invoice total reflects our **13Stray Cat Accounts** discount.

Reminders for: #12-22 Delilah (Weight: 7.8 lbs - 3y)	Last done
03/24 Consultation/Exam- Bi-annual	
03/23 lyme,HW,Ehrlichia Accu Plus4(A)	03-30-22
03/23 Canine Kennel Cough Vacc -1 ye	03-30-22
03/23 CANINE RABIES / 3 YEAR	
09/22 FECAL EXAM	
04/22 CANINE DIST/A2/PI/PARVOLEPTO1Y	
03/20 Pro-Heart 12 (1-25lb)	
03/20 Pro-Heart 12 (51-100lbs)	
03/20 Pro-Heart 12 (26-50lbs)	

#12-22 Delilah's weight history (in lbs)

03-30-22	7.80
03-22-22	6.60

COPIES

INVOICE

Newburgh Veterinary Hospital

1716 Route 300
Newburgh, NY 12550
845 564-2660

"Your pet is part of our family too." Visit us at www.newburghvet.com

FOR: Town of Newburgh - canine
645 Gidney Ave
Newburgh, NY 12550
(845) 561-3344

Printed: 04-05-22 at 10:57a
Date: 03-24-22
Account: 19984
Invoice: 805173

Date	For	Qty	Description	Price	Discount	Net Price
03-24-22	#13-22 Oreo	1	CANINE RABIES / 1YEAR	45.50	28.25	17.25 **
Total charges, this invoice...						17.25
**Total discount included: 28.25						

Your invoice total reflects our **13Stray Cat Accounts** discount.

LIKE US ON FACEBOOK.COM!

GOING AWAY?...BOOK YOUR PETS BOARDING RESERVATION TODAY!

In compliance with New York State law, all medications are non-refundable. We regret any inconveniences.

TOWN OF NEWBURGH

1496 Route 300

Newburgh, New York 12550

(845) 564-4552

DEPARTMENT Animal Control

CLAIMANT'S
NAME
AND
ADDRESS

NEWBURGH VETERINARY HOSPITAL
1716 Route 300
Newburgh, NY 12550
Tel: (845) 564-2660
www.newburghvet.com

DO NOT WRITE IN THIS BOX

Date Voucher Received		VOUCHER NO.
FUND - APPROPRIATION	AMOUNT	
Total		
Abstract #		

TERMS Net 30 Days

Invoice # _____

Feline

Dates	Quantity	Description of Materials or Services	Unit Price	Amount
3/17/22	804397			123.00
			TOTAL	123.00

CLAIMANT'S CERTIFICATION

Dora M Cast certify that the above account in the amount of \$ 123.00 is true and correct, that the items, services and disbursements charged were rendered to or for the municipality on the dates stated; that no part has been paid or abated; that taxes, from which the municipality is exempt, are not included; and that the amount claimed is actually due.

4/1/22
DATE

Dora M Cast
SIGNATURE

Office Mgr
TITLE

(Space below for municipal use)

DEPARTMENT APPROVAL

The above services or materials were rendered or furnished to the municipality on the dates stated and the charges are correct.

4/1/22
Date

[Signature]
Authorized Official

APPROVAL FOR PAYMENT

This claim is approved and ordered for paid from the appropriations indicated above

Date

[Signature]
Auditing Board

INVOICE

Newburgh Veterinary Hospital

1716 Route 300
Newburgh, NY 12550
845 564-2660

"Your pet is part of our family too." Visit us at www.newburghvet.com

FOR: Town of Newburgh - Feline
645 Gidney Ave.
Newburgh, NY 12550
(845) 561-3344

Printed: 03-17-22 at 4:34p
Date: 03-17-22
Account: 4417
Invoice: 804397

Date	For	Qty	Description	Price	Discount	Net Price
03-17-22	9C22	1	CONSULT / EXAM - Sick	88.00	55.00	33.00 **
03-17-22		1	Shelter euthanasia and body care f			90.00
Total charges, this invoice...						123.00
**Total discount included: 55.00						

Your invoice total reflects our **13Stray Cat Accounts** discount.

LIKE US ON FACEBOOK.COM!

GOING AWAY?....BOOK YOUR PETS BOARDING RESERVATION TODAY!

In compliance with New York State law, all medications are non-refundable. We regret any inconveniences.

COPY

#11A



Town of Newburgh
1496 Route 300
Newburgh, New York 12550
(845) 564-4552

Date: 3-25-22

Is the budget adjustment under ~~\$5,000~~ ^{\$7,500⁰⁰}? Yes No:

If yes: Please give Gil a copy to sign and deliver to the Accounting Office.

If no: Please have the board approve at the next available board meeting.

Reason why the budget transfer is needed For the purchase of
TRUCK BODY'S

From: Account Number: D.5142.5413 Amount: \$91,900⁰⁰
Account Description: SAND SAIT CALUMETE Amount: _____

From: Account Number: _____ Amount: _____
Account Description: _____ Amount: _____

To: Account Number: D.5130.5250 Amount: \$91,900⁰⁰
Account Description: Equipment/Other Cap. Inv Amount: _____

To: Account Number: _____ Amount: _____
Account Description: _____ Amount: _____

Please note: The total of the from and to should equal.

[Signature]
Department Head Signature

Gil Piaquadio, Town Supervisor

INVOICE

AMTHOR WELDING SERVICE, INC.
 20 OSPREY LANE
 GARDINER NY 12525
 PHONE: (845)778-5576

INVOICE

PAGE 1

INVOICE DATE 03/07/2022

INVOICE NO 00019886

Hwy D 5142.5413

S NEWBTO
 O ATTN: FLEET MAIN-561-2288
 L TOWN OF NEWBURGH
 D HIGHWAY DEPARTMENT
 90 GARDNERTOWN ROAD
 T NEWBURGH NY 12550
 O

S
 H TOWN OF NEWBURGH
 I HIGHWAY DEPARTMENT
 P 90 GARDNERTOWN ROAD
 NEWBURGH NY 12550
 T
 O

TOTAL DUE 91900.00



SLS 1	SLS 2	DUE DATE	DISC DUE DATE	ORDER NO	ORDER DATE	SHIP DATE	SHIP NO
		04/06/2022	04/06/2022	00127113		03/07/2022	
TERMS DESCRIPTION		CUSTOMER P.O. NUMBER		SHIP VIA			
0/30, n/30							
ITEM ID	QTY	UNIT OF MEASURE	ORDERED	SHIPPED	UNIT PRICE	EXTENSION	
TENCO TCB-10-T-NL-C-NL-FL 10' COMBINATION STAINLESS STEEL DUMP BODY/MATERIAL SPREADER AS PER QUOTE. SN:63539 SN:63540	00		2.0000	2.0000	45950.0000	91900.00	
Subtotal :						91900.00	
TAXABLE	NON TAXABLE	FREIGHT	SALES TAX	MISC CHARGE	TOTAL		
.00	91900.00	.00	.00	.00	91900.00		
THANK YOU FOR YOUR PATRONAGE							

MAR 16 2022



90 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

TELEPHONE 845-561-2177
FAX 845-561-8987

MARK HALL
HIGHWAY SUPERINTENDENT

TO: Gil Piaquadio, Supervisor & Town Board Members
FROM: Mark Hall, Highway Superintendent *MH*
DATE: February 17, 2022
RE: 2 (Two) Truck Body's

I would like to purchase the 2 (Two) Tenco TCB-10-T-NL-C-NL-LF 10' combination stainless steel dump body/material spreader from Amthor;s for the cost of \$45,950.00 each. Total Cost will be \$91,900.00.

The funds are available and will be taken from the 5142.5413 (Snow Removal-Sand, Salt, Calcium, Etc.)

If you have any questions please feel free to call me. Thanking you in advance.

APPROVED
DATE OF TOWN ACTION: 2/28/2022
VOYE OF TOWN BOARD 5-0-0-0

Lisa Vance
~~_____~~ TOWN CLERK
Lisa M. Vance Myers

~~_____~~
Accounting

MH/ch
cc: Ron Clum, Accounting

TOWN OF NEWBURGH
SUMMARY OF QUOTATION FORM

DATE PREPARED: 02-18-22

REQUESTED BY:

ITEM/SERVICE PURCHASED (2) Two - Tenco - 7CB-10-T-NL-C-NL-LF- 10' Combination dump body/meshed spreader

VENDOR NAME AMTHORS WELDING

ADDRESS 20 OSPEY LN

CITY/STATE/ZIP GARDNER NY 12525

PHONE # 1-845-778-5576

CONTACT PERSON Todd Widmark

PRICE QUOTED \$45,950⁰⁰ each || \$91,900⁰⁰ TOTAL

EXPIRATION DATE 30 days

VENDOR CHOSEN Amthors Welding

DATE PREPARED: 02-18-22

ITEM/SERVICE PURCHASED Stainless Steel

VENDOR NAME TENCO

ADDRESS 29 Pitman Road

CITY/STATE/ZIP Barre, VT 05641

PHONE # 1-802-735-3588

CONTACT PERSON Greg Murray

PRICE QUOTED \$47,225⁰⁰ Total

EXPIRATION DATE 30 days

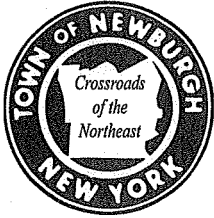
VENDOR CHOSEN Amthors Welding

*NOTE: If the vendor you wish to purchase from did not give the lowest quote, state reason why you did not purchase from the lowest cost vendor.

DEPARTMENT HEAD SIGNATURE [Signature] DATE: 2/20/22

(ATTACH WRITTEN QUOTES)

#11B



HIGHWAY DEPARTMENT

90 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

TELEPHONE 845-561-2177
FAX 845-561-8987

MARK HALL
HIGHWAY SUPERINTENDENT

TO: Gil Piaquadio, Supervisor & Town Board Members
FROM: Mark Hall, Highway Superintendent *MH*
DATE: March 28, 2022
RE: Spring Leaf and Brush Pick-up

I would like to get the approval to have the attached 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 May 2, 2022 to May 5, 2022 and May 6, 2022 for calls.

If you have any questions you may feel free to contact me in my office.

MH/ch

cc: L. Vance Ayers, Town Clerk



TOWN OF NEWBURGH RESIDENTS LEAF AND BRUSH PICKUP – SPRING OF 2022

Town trucks will pick up bagged leaves and brush which must be less than 4 inches in diameter & no longer than four (4) feet in length & tied in bundles. Leaves will be in CLEAR BAGS ONLY BY ORDER OF TOWN BOARD. CLEAR BAGS are available at many retail outlets & stores in the Greater Newburgh area. Leaves bagged with DIRT AND STONE mixed in will NOT be picked up. Bags of Grass Clippings, Pine Cones or Pine Needles will NOT be picked up. Town trucks will not return to any area once they have picked up in the area.

Leaves & Brush must be curbside throughout the entire Town on Monday May 2, 2022 no later 7:00 A.M.

We wish to **THANK YOU** for your cooperation

A leaf and brush recycling bin is available to the public at the Town of Newburgh Highway Department at 90 Gardnertown Road, Newburgh. Hours are Monday thru Friday 7:00am to 3:00pm.

Elizabeth J. Greene, Councilwoman
Anthony LoBiondo, Councilman

Gil Piaquadio, Supervisor

Paul I. Ruggiero, Councilman
Scott M. Manley, Councilman

BY ORDER OF THE TOWN BOARD Lisa Vance Ayers, Town Clerk



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

Lisa
#12

PERSONNEL DEPT.

PH: 845-566-7785
Fax: 845-564-2170

To: Supervisor Piaquadio
Town Board Members

From: Charlene M Black, Personnel

Date: April 4, 2022

Re: Recreation Attendant Position

Please see attached the recommendation from James Presutti, Commissioner, to fill the position of Recreation Attendant. The previous candidate declined the position so we have a new candidate to fill the position. Christopher Forbes has been interviewed and pre-approved by Orange County Human Resources. He will need to complete paperwork, physical, and fingerprints. Hire date will be on or after April 18, 2022. His salary will be \$19.6436 per hour per the CSEA contract Step 7.

Thank you in advance.



TOWN OF NEWBURGH RECREATION DEPARTMENT

311 ROUTE 32, NEWBURGH, NY 12550

Jim Presutti

Commissioner of Parks, Recreation & Conservation

845-564-7815

FAX: 845-564-7827

TO: Gil Piaquadio, Supervisor
Town Board Members

CC: Charlene Black, Personnel

FROM: Jim Presutti, Commissioner

DATE: March 31, 2022

RE: Request to Hire F/T Recreation Attendant

At this time we are requesting your approval to hire Mr. Christopher Forbes as a full time Recreation Attendant in the Recreation Department. Mr. Forbes will be replacing Brian McGann who was previously approved for this position but declined. Mr. Forbes will be hired at the rate of \$19.6436/hour. The salary for this position is in the 2022 budget.

Start date for this position will be on or after April 18th. Thank you for your consideration.

Regards,

Jim Presutti
Commissioner

TOWN OF NEWBURGH

EMPLOYMENT REQUEST FORM

To: Personnel Department

NAME OF CANDIDATE: CHRISTOPHER FORBES

DEPARTMENT: RECREATION

TITLE OF POSITION: RECREATION ATTENDANT

FULL TIME OR PART TIME: FULL TIME


HOURLY RATE: \$19.6436

IS POSITION FUNDED IN CURRENT BUDGET: YES OR NO

FUND APPROPRIATION NUMBER: 7310.5100

PROPOSED HIRE DATE: ON OR AFTER APRIL 18TH

NOTE: CANDIDATE CANNOT BEGIN WORK WITHOUT PRE-EMPLOYMENT PHYSICAL AND COMPLETION OF ALL REQUIRED PAPERWORK.


DEPARTMENT HEAD SIGNATURE

6/31/22

DATE

ORIGINAL APPLICATION SHOULD BE ON FILE IN THE PERSONNEL DEPARTMENT

COPY TO ACCOUNTING DEPARTMENT
5-22-2017

#13



TOWN OF NEWBURGH

1496 Route 300
Newburgh, New York 12550-2677

Lisa M. Vance-Ayers
Town Clerk

P: 845-564-4554
F: 845-564-8589

DATE: MAR 25 2022

TO: Code Compliance

FROM: Lisa M. Vance-Ayers, Town Clerk

RE: PROPOSED ROAD NAME

ATTACHED IS A REQUEST FOR APPROVAL OF A ROAD NAME.

PLEASE REVIEW AND MAKE THE NECESSARY EVALUATIONS. WE WILL NOT RECOMMEND SUBMISSION FOR TOWN BOARD ACTION UNTIL WE RECEIVE YOUR DECISION. OUR OFFICE WILL NOTIFY THE APPLICANT AND ALL INTERESTED DEPARTMENTS OF THE BOARD'S ACTION.

IN ADDITION, PLEASE COMPLETE THE BOTTOM OF THIS FORM AND THEN RETURN TO THIS OFFICE.

DECISION: _____ DATE: 3/29/22

ACCEPTABLE ROAD NAME: Titos Way

SECTION 47 BLOCK 2 LOT 17, 18, 19

PARCEL NUMBERS: _____ TO _____

FIRE DISTRICT: DLEC. Dan Leghorn Engine Co.

Location of Road: Rock Cot Rd.

Sub-Division Name: Rock Cot Estates.

CODE COMPLIANCE SUPERVISOR

March 24, 2022

Lisa Ayers, Town Clerk
Town Hall of Newburgh
1496 Route 300
Newburgh, NY 12550

RE: Common Driveway on Rockcut Rd

Dear Ms. Ayers:

Kindly provide notification of approval for the common driveway on Rockcut Rd – Section 47, Block 2, Lot 17, 18, 19.

Choice one: Titos Way

Choice two: Apollo Way

Choice three: Bomber Way

Thank you in advance for your attention to this matter. If you have any questions, please feel free to contact me at 845-597-7337 or Aweed811@gmail.com

Thank you,

A handwritten signature in black ink, appearing to read 'A Weed', with a long horizontal flourish extending to the right.

Anthony Weed

#14



Rider Weiner & Frankel P.C.
ATTORNEYS & COUNSELORS AT LAW

P: 845.562.9100
F: 845.562.9126
655 Little Britain Road
New Windsor, NY 12553
P.O. Box 2280
Newburgh, NY 12550

ATTORNEYS
David L. Rider
Charles E. Frankel
Michael J. Matsler
Mark C. Taylor
Deborah Weisman-Estis
M. Justin Rider

M. J. Rider
(1906-1968)
Elliott M. Weiner
(1915-1990)

COUNSEL
Stephen P. Duggan, III
John K. McGuirk
(1942-2018)

OF COUNSEL
Craig F. Simon
Irene V. Villacci

MEMORANDUM

TO: HON. GILBERT J. PIAQUADIO, SUPERVISOR
TOWN BOARD MEMBERS

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

RE: LOCAL LAW AMENDING CHAPTER 185 ENTITLED
"ZONING" OF THE CODE OF THE TOWN OF NEWBURGH
AND THE ZONING MAP OF THE TOWN OF NEWBURGH
TO REZONE PROPERTY AT UNION AVENUE AND UNION
AVENUE EXTENSION (NYS ROUTE 300) FROM R-3 TO
THE ADJACENT B ZONING DISTRICT
PETITION OF JM & DM HOLDINGS, LLC
OUR FILE NO. 800.312; 800.1(B)() (2022)

DATE: APRIL 7, 2022

Enclosed please find the following draft resolutions for the Town Board's consideration on the above reference Local Law:

1. Resolution of SEQR Designation and Determination in the Matter of the Proposed Adoption of a Local Law Amending Chapter 185 entitled "Zoning" of the Code of the Town of Newburgh and the Zoning Map of the Town of Newburgh to Rezone Property at Union Avenue and Union Avenue Extension (NYS Route 300) from R-3 to the Adjacent B Zoning District (We will forward the draft Negative Declaration under separate cover); and
2. Resolution of Adoption of Local Law No. ___ of 2022 Amending Chapter 185 entitled "Zoning" of the Code of the Town of Newburgh and the Zoning Map of the Town of Newburgh . to Rezone Property at Union Avenue and Union Avenue Extension (NYS Route 300) from R-3 to the Adjacent B Zoning District

Page -2-

I am advised the Orange County Planning Department's General Municipal Law review and the Town Planning Board's Report have been delivered to the Town Board..

Should you have any questions or concerns, please do not hesitate to contact me.

MCT/sel
Enc.

cc: Town Clerk Lisa M. Vance Ayers
Engineer James Osborne (via e-mail)
Pat Hines, Principal, McGoey, Hauser & Edsall (via e-mail)
Code Compliance Supervisor Gerald Canfield (via e-mail)
Molly Carhart, Assessor (via e-mail)
Marissa Logan, Esq.. (via e-mail)

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, in the Town of Newburgh, Orange County, New York on the ___th day of April, 2022 at 7:00 o'clock p.m.

PRESENT:

- Gilbert J. Piaquadio, Supervisor
- Elizabeth J. Greene, Councilwoman
- Paul I. Ruggiero, Councilman
- Scott M. Manley, Councilman
- Anthony R. LoBiondo, Councilman

RESOLUTION OF SEQR DESIGNATION AND DETERMINATION IN THE MATTER OF THE PROPOSED ADOPTION OF LOCAL LAW NO. __ OF 2022 AMENDING CHAPTER 185 ENTITLED "ZONING" OF THE CODE OF THE TOWN OF NEWBURGH AND THE ZONING MAP OF THE TOWN OF NEWBURGH TO REZONE PROPERTY AT UNION AVENUE AND UNION AVENUE EXTENSION (NYS ROUTE 300) FROM R-3 TO THE ADJACENT B ZONING DISTRICT; ON PETITION OF JM & DM HOLDINGS, LLC

Councilman/woman _____ presented the following resolution which was seconded by Councilman/woman _____.

WHEREAS, the Town Board of the Town of Newburgh has received a petition from JM & DM Holdings, LLC, the owner of certain property designated as Section 62 Block 1 Lot 8 on the tax map for the Town of Newburgh which is ±0.60 acres in size and contains a residential building which had a special permit for a chiropractic office home occupation, to amend the Town's Zoning Map to rezone said property located at the northwest corner of the intersection of Union Avenue and Union Avenue Extension (New York State Route 300) and fronting portions of said street and highway from the R-3 (Residential) Zoning District to the adjacent B (Business) Zoning District., together with Part 1 of an Environmental Assessment Form (the "EAF") and a draft local law for an action which includes the requested zoning map amendment (the "Action"); and

WHEREAS, having received and considered such request for a Zoning Map change, the Town Board has caused revisions to the submitted draft local law to be prepared in order to better describe the area to be rezoned and the effects of the rezoning on the Zoning Map of the Town, resulting in a proposed Introductory Local Law Amending Chapter 185 entitled "Zoning" of the Code of the Town of Newburgh and the Zoning Map of the Town of Newburgh to Rezone Property at Union Avenue and Union Avenue Extension (NYS Route 300) from R-3 to the Adjacent B Zoning District ; and

WHEREAS, the Town Board of the Town of Newburgh is the only entity that can effectuate

changes to the Zoning Code of the Town of Newburgh after prescribed notice and circulation requirements; and

WHEREAS, the Town Board of the Town of Newburgh recognizes the importance of sound planning as a means of promoting responsible development and protecting the health, safety and general welfare of the citizens of the Town of Newburgh and otherwise fulfilling the legislative findings and intent set forth in Town Law Section 272-a and has determined that that the proposed zoning amendment does not require an amendment to the Town's Comprehensive Plan; and

WHEREAS, the Town Board of the Town of Newburgh has caused Part 2 of the Environmental Assessment Form (the "EAF") to be prepared for the proposed adoption of said local law amending the Zoning Code of the Town of Newburgh (the "Action"); and

WHEREAS, the proposed local law was introduced before the Town Board on the 24th day of January, 2022, and the Town Board conducted a public hearing held on the 14th day of March, 2022 and heard all interested parties on said proposed local law; and

WHEREAS, on January 24, 2022 the Town Board determined that the Action does not meet any of the criteria for a Type I Action and accordingly should be considered as an Unlisted Action under Part 617 of the General Regulations adopted pursuant to Article 8 of the Environmental Conservation Law and Chapter 100 entitled "Environmental Quality Review" of the Town of Newburgh Municipal Code and directed that any other involved agencies be notified of the Town Board's intent to act as Lead Agency; and

WHEREAS, the Town Board proposes to undertake and approve the adoption of the Local Law; and

WHEREAS, the Town Board is authorized to undertake such action; and

WHEREAS, the Town Board has determined that the Action is not located in an agricultural district and does not involve a federal agency; and

WHEREAS, the EAF, the proposed local law and other appropriate information were forwarded to the Orange County Department of Planning in accordance with the requirements of the General Municipal Law and the Town of Newburgh Zoning Code and to the Town of Newburgh Zoning Board of Appeals and such circulation included notification of the Town Board's intent to act as Lead Agency; and

WHEREAS, a segmented review is warranted for the Action and no less protective of the environment; and

WHEREAS, the Action is consistent with the adopted Town of Newburgh Comprehensive

Plan Update and is also consistent with the Orange County Comprehensive Plan; and

WHEREAS, the Town Board has also considered the consistency of the amendment with the needs and goals identified by the April, 2009 *Tri-County Affordable Housing Study*, conducted jointly by Orange, Dutchess, and Ulster Counties, and the Orange County Comprehensive Plan, as last updated and the potential effects of the Action on the Town's ability to meet goals for providing rental and owner occupied affordable housing; and

WHEREAS, recognizing that the impact that an action may have on population patterns or existing community character, with or without a separate impact on the physical environment is a relevant concern in an environmental analysis since the statute includes these concerns as elements of the environment, the Town Board has considered and analyzed information pertaining to those impacts; and

WHEREAS, the Town Board has undertaken further information gathering and performed further analyses in recognition that conclusory statements unsupported by empirical or experimental data, scientific authorities or any explanatory information will not suffice as a reasoned elaboration for its determination of environmental significance or non-significance; and

WHEREAS, the Town Board has (i) thoroughly reviewed the EAF, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, and (ii) thoroughly analyzed the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c); and

WHEREAS, the Town Board has not identified relevant areas of environmental concern which would lead to a determination that the adoption of the proposed local law which includes the amendment to the Town of Newburgh Zoning Code and Zoning Map may have a significant adverse effect on the environment either in the short term, long term or cumulatively given the likely consequences, setting, probability of occurrence, duration, irreversibility, geographic scope, magnitude and the number of people affected.

NOW, THEREFORE, BE IT RESOLVED,

1. The Town Board declares itself to be the Lead Agency for the purpose of conducting a coordinated review of this Action.
2. The Town Board, as lead agency, does determine that, said Action will not have an adverse environmental impact and, accordingly, does issue a negative declaration.

3. The Town Board accordingly determines that an Environmental Impact Statement will not be prepared.

4. The Town Board hereby authorizes the Supervisor to execute and file the relevant section of the Environmental Assessment Form and a Negative Declaration together with such further amendment and modification as may be required to elaborate the Lead Agency's determination herein, in accordance with the applicable provisions of law and regulation. in accordance with the applicable provisions of law and all other appropriate notices and documents to effectuate these resolutions.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

<u>Elizabeth J. Greene, Councilwoman</u>	<u>voting</u>
<u>Paul I. Ruggiero, Councilman</u>	<u>voting</u>
<u>James E. Presutti, Councilman</u>	<u>voting</u>
<u>Anthony R. LoBiondo, Councilman</u>	<u>voting</u>
<u>Gilbert J. Piaquadio, Supervisor</u>	<u>voting</u>

The resolution was thereupon declared duly adopted.

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, in the Town of Newburgh, Orange County, New York on the ___th day of April, 2022 at 7:00 P.M., Prevailing Time.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

RESOLUTION OF ADOPTION OF LOCAL LAW NO. ___ OF 2020 AMENDING CHAPTER 185 ENTITLED "ZONING" OF THE CODE OF THE TOWN OF NEWBURGH AND THE ZONING MAP OF THE TOWN OF NEWBURGH TO REZONE PROPERTY AT UNION AVENUE AND UNION AVENUE EXTENSION (NYS ROUTE 300) FROM R-3 TO THE ADJACENT B ZONING DISTRICT;

Councilman/woman _____ presented the following resolution which was seconded by Councilman/woman _____.

WHEREAS, a Local Law Amending Chapter 185 entitled "Zoning" of the Code of the Town of Newburgh and the Zoning Map of the Town of Newburgh to Rezone Property at Union Avenue and Union Avenue Extension (NYS Route 300) from R-3 to the Adjacent B Zoning District was introduced before the Town Board of the Town of Newburgh in the County of Orange and State of New York on the 24th day of January, 2022; and

WHEREAS, pursuant to resolution of the Town Board, copies of the aforesaid local law were forwarded to the Orange County Department of Planning and the Town of Newburgh Planning Board for their reports in accordance with the provisions of the New York State General Municipal Law and the Town of Newburgh Zoning Code respectively, and to the Town of Newburgh Zoning Board of Appeals; and

WHEREAS, the Town Board of the Town of Newburgh adopted a resolution on the 28th day of February, 2022 ordering a public hearing to be held on the 14th day of March, 2022 at 7:00 o'clock p.m., prevailing time, to hear all interested parties on said proposed local law entitled "Local Law Amending Chapter 185 entitled 'Zoning' of the Code of the Town of Newburgh and the Zoning Map of the Town of Newburgh to Rezone Property at Union Avenue and Union Avenue Extension (NYS Route 300) from R-3 to the Adjacent B Zoning District"; and

WHEREAS, no municipalities nor counties have boundaries within 500 feet of the properties affected by the zoning amendment and accordingly no notice was required to be forwarded to their clerks at least ten days prior to the date of the public hearing; and

WHEREAS, a notice of said Public Hearing was duly advertised on the ___th day of _____, 2022 in The Mid-Hudson Times and posted on the Town Clerk's sign board on the ___th day of _____, 2022; and

WHEREAS, the Public Hearing was duly held on the 14th day of March, 2022 at 7:00 o'clock p.m. and all parties in attendance were permitted to speak on behalf of in opposition to the proposed Local Law or any part thereof; and

WHEREAS, the Town Board of the Town of Newburgh has duly considered the adoption of said Local Law amending the Town of Newburgh Zoning Code and the Zoning Map of the Town of Newburgh: to Rezone Property at Union Avenue and Union Avenue Extension (NYS Route 300) from R-3 to the Adjacent B Zoning District as an Unlisted Action under the State Environmental Quality Review Act and has duly issued a negative declaration; and

WHEREAS, the Town Board of the Town of Newburgh has duly considered the reports and responses it has received from the Orange County Planning Department and the Town of Newburgh Planning Board; and

WHEREAS, due to the introduction or adoption of intervening local laws, said Local Law shall be designated as Town of Newburgh Local Law No. ___ of the Year 2022 upon filing; and

WHEREAS, the Town Board of the Town of Newburgh, after due deliberation finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Town Board of the Town of Newburgh hereby adopts said Local Law No. ___ of Year 2022 entitled "A Local Law Amending Chapter 185 entitled 'Zoning' of the Code of the Town of Newburgh and the Zoning Map of the Town of Newburgh to Rezone Property at Union Avenue and Union Avenue Extension (NYS Route 300) from R-3 to the Adjacent B Zoning District."
2. The Town Clerk is hereby directed to enter this resolution and said Local Law in the minutes of this meeting and the Local Law Book of the Town of Newburgh and

to give due notice of the adoption of said Local Law to the Secretary of State and to the public.

3. A report of final action in the matter of the adoption of said Local Law amending the Zoning Code and Zoning Map of the Town of Newburgh shall be delivered to the Orange County Planning Department in accordance with the requirements of the General Municipal Law.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Elizabeth J. Greene, Councilwoman voting _____

Paul I. Ruggiero, Councilman voting _____

Scott M. Manley, Councilman voting _____

Anthony R. LoBiondo, Councilman voting _____

Gilbert J. Piaquadio, Supervisor voting _____

The resolution was thereupon declared duly adopted.

**INTRODUCTORY LOCAL LAW No. 1 of 2022
TOWN OF NEWBURGH**

**A LOCAL LAW AMENDING
CHAPTER 185 ENTITLED "ZONING"
OF THE CODE OF THE TOWN OF NEWBURGH**

**AND
THE ZONING MAP
OF THE TOWN OF NEWBURGH**

**TO REZONE PROPERTY
AT UNION AVENUE AND UNION AVENUE EXTENSION (NYS ROUTE 300)
FROM R-3 TO THE ADJACENT B ZONING DISTRICT**

BE IT ENACTED by the Town Board of the Town of Newburgh, Orange County, New York as follows:

SECTION 1 - TITLE

This Local Law shall be referred to as "A Local Law Amending Chapter 185 Entitled 'Zoning' of the Code of the Town of Newburgh and the Zoning Map of the Town of Newburgh to Rezone Property at Union Avenue and Union Avenue Extension (NYS Route 300) from R-3 to the Adjacent B Zoning District."

SECTION 2. FINDINGS.

The Town of Newburgh Town Board has performed the necessary analyses and studies in connection with its review of the Town's Comprehensive Plan and this Zoning Amendment. The Town Board hereby provides this zoning correction to accurately reflect the current development pattern of the surrounding neighborhood and allow for the property to be redeveloped in a manner which will allow for business use while retaining the residential character of the area, in line with the recommendations of the Town Comprehensive Plan.

SECTION 3. PURPOSE.

The purpose of this local law is to rezone certain property located at the northern corner of the intersection of Union Avenue and Union Avenue Extension (New York State Route 300) and fronting portions of said street and highway from the R-3 (Residential) Zoning District to the adjacent B (Business) Zoning District.

The area to be rezoned is comprised of a property which is situated on the eastern side of Union Avenue at its intersection with Union Avenue Extension (New York State Route 300) designated as Section 62 Block 1 Lot 8 on the tax map for the Town of Newburgh, which is approximately 0.6 acres in size, together with the fronting portions of the public rights of ways to the center line of each street. The owner of the property, JM and DM Holdings, LLC. has petitioned for the change in zoning.

SECTION 4. ZONING CODE AMENDMENT

Section 185-5 entitled "Zoning Map" of Chapter 185 entitled "Zoning" of the Code of the Town of Newburgh is hereby amended to read as follows:

"§ 185-5. Zoning Map.

The boundaries of said districts hereby established are shown on the August 19, 1974, Zoning Map, Town of Newburgh, as last amended by Local Law No. __ of the Year 202_, which accompanies and which, with all explanatory matter thereon, is hereby adopted and made a part of this chapter. The exact location of each zoning district boundary is recorded on an Official Zoning Map in the office of the Town Clerk in accordance with § 264 of Town Law."

SECTION 5. ZONING MAP AMENDMENT.

The Zoning Map of the Town of Newburgh, adopted and made a part of Chapter 185 of the Code of the Town of Newburgh pursuant to Section 185-5, as last amended by Local Law No. __ of 202_, is hereby amended to change the Zoning District from R-3 to B for the property described in Exhibit A annexed hereto and made a part hereof and shown on the zoning map section annexed hereto and made a part hereof as Exhibit B.

SECTION 6. SEVERABILITY.

If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered, and the remaining provisions shall remain in full force and effect.

SECTION 7. SUPERSEDING PROVISION.

To the extent that any State or local laws fail to provide specific authority for this Local Law or the procedures necessary for its adoption, or otherwise appear to be in conflict with this Local Law or the procedures followed for its adoption, then such laws, including, but not limited

to, Town Law §§ 264 and 265, are hereby superseded by this Local Law pursuant to New York Municipal Home Rule Law and the common law.

SECTION 7. EFFECTIVE DATE.

This Local Law shall take effect immediately upon its filing with the Secretary of State in accordance with the New York State Municipal Home Rule Law.

Exhibit A
Description
Zoning Map Amendment

All that certain piece or parcel of land, situate, lying and being in the Town of Newburgh, County of Orange, State of New York, being more accurately bounded and described as follows:

Beginning at a point at the intersection in the centerline of Union Avenue Extension (N.Y.S. Route 300) with the centerline of Union Avenue;

THENCE, Northerly along the centerline of Union Avenue to a point opposite the southerly boundary line of reputed lands of Seneca, Liber 12242, Page 880; thence; along the southerly boundary line of Seneca, North 89 degrees 23 minutes 00 seconds East 25 feet +/- to an iron pipe found; thence along said Seneca North 89 degrees 23 minutes 00 seconds East 175.00 feet, to an iron pin found; thence along the reputed lands of Serbinov, Liber 11938, Page 700, South 36 degrees 34 minutes 00 seconds East 56.18 feet, to an iron pipe found, thence continuing South 36 degrees 34 minutes 00 seconds East 25 feet +/-, to the centerline of the above mentioned Union Avenue Extension; thence Southwesterly along the centerline of Union Avenue Extension to the point or place of beginning.

Exhibit B

AMENDED ZONING MAP SECTION

James R. Loeb
Richard J. Drake, *retired*
Glen L. Heller*
Marianna R. Kennedy
Gary J. Gogerty
Stephen J. Gaba
Adam L. Rodd
Dominic Cordisco
Ralph L. Puglielle, Jr.
Nicholas A. Pascale

Alana R. Bartley
Aaron C. Fitch
Judith A. Waye
Michael Martens

Jennifer L. Schneider
Managing Attorney

*L.L.M. in Taxation

March 24, 2022

BY EMAIL ONLY

Town Board
Town of Newburgh
Town Hall
1496 Route 300
Newburgh, New York 12550

Re: Proposed Zoning Map Amendment at Union Avenue and Union Avenue Extension

Dear Supervisor Piaquadio and Town Board Members:

At the Planning Board's March 7, 2022 meeting, the Planning Board reviewed the referral of the proposed zoning map amendment that would rezone the parcel located at the intersection of Union Avenue and Union Avenue Extension from R-3 to the adjacent B zoning district.

The Planning Board considered the proposed amendment in accordance with the requirements of Town Code § 185-60(B)(2). In particular, the Planning Board found the following:

1. That the uses permitted by the proposed change would be appropriate in the area concerned.
2. That adequate public school facilities and other public services exist or can be created to serve the needs of any additional residences likely to be constructed as a result of such a change.
3. That the proposed change is in accord with any existing or proposed plans in the vicinity.
4. That the proposed amendment is not likely to result in an increase or decrease in the total zoned residential capacity of the Town and as a result will likely have a negligible effect thereon.

As a result, the Planning Board had no negative comments or other concerns in relation to the proposed zoning map amendment.

Very Truly Yours,


Dominic Cordisco

cc:

Mark C. Taylor, Esq., Attorney for the Town
Town of Newburgh Planning Board
Patrick J. Hines, Planning Board Consulting Engineer

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]

Project :	R-3 Ip B Zoning Map Amerid. Union Ave
Date :	01/23/2022

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land			
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO

YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO

YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. NO YES
 (See Part I. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
 If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding
 The proposed action may result in development on lands subject to flooding. NO YES
 (See Part I. E.2)
 If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air The proposed action may include a state regulated air emission source. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO ₂)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
ii. More than 3.5 tons/year of nitrous oxide (N ₂ O)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iv. More than .045 tons/year of sulfur hexafluoride (SF ₆)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	<input type="checkbox"/>	<input type="checkbox"/>
vi. 43 tons/year or more of methane	D2h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
The proposed action may impact agricultural resources. (See Part 1, E.3.a. and b.) <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)

If "Yes", answer questions a - g. If "No", go to Section 10.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

10. Impact on Historic and Archeological Resources

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)

If "Yes", answer questions a - e. If "No", go to Section 11.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. NO YES

(See Part 1. C.2.c, E.1.c., E.2.q.)
 If "Yes", answer questions a - e. If "No", go to Section 12.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b, E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c, E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) NO YES

If "Yes", answer questions a - c. If "No", go to Section 13.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation
 The proposed action may result in a change to existing transportation systems. NO YES
 (See Part I. D.2.j)
 If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy
 The proposed action may cause an increase in the use of any form of energy. NO YES
 (See Part I. D.2.k)
 If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light
 The proposed action may result in an increase in noise, odors, or outdoor lighting. NO YES
 (See Part I. D.2.m., n., and o.)
 If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health			
The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - m. If "No", go to Section 17.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____			

17. Consistency with Community Plans
 The proposed action is not consistent with adopted land use plans.
 (See Part I. C.1, C.2, and C.3.)
 If "Yes", answer questions a - h. If "No", go to Section 18.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Other: _____		<input type="checkbox"/>	<input type="checkbox"/>

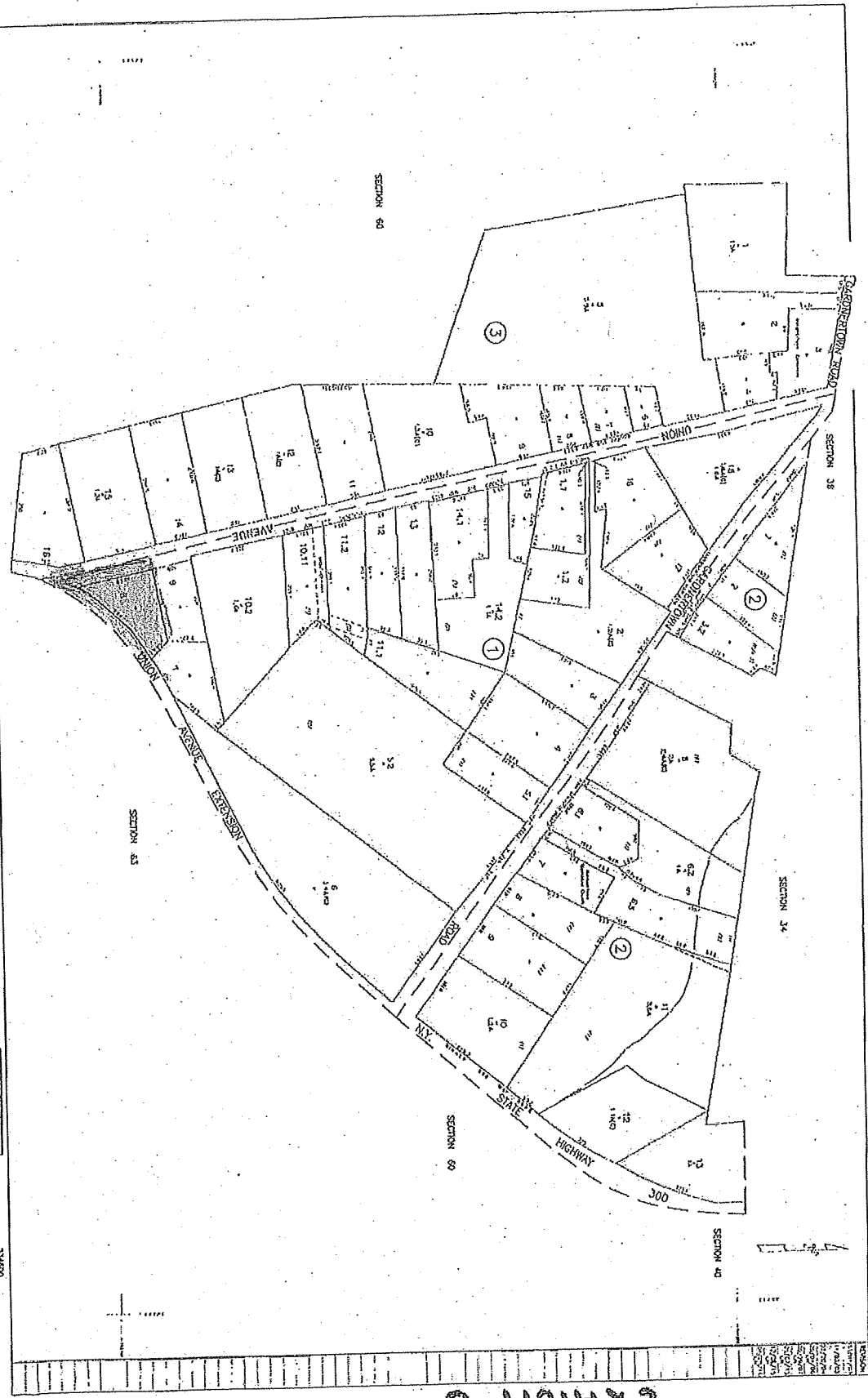
18. Consistency with Community Character
 The proposed project is inconsistent with the existing community character.
 (See Part I. C.2, C.3, D.2, E.3)
 If "Yes", answer questions a - g. If "No", proceed to Part 3.

NO YES

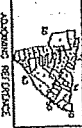
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

PRINT FULL FORM

EXHIBIT B



LEGEND
 ORANGE COUNTY—NEW YORK
 TOWN OF NEWBURGH
 Scale 1" = 100'
 Section No. 52
 100' = 33.33'



TOWN OF NEWBURGH
 SECTION NO. 52
 100' = 33.33'

#15



Rider Weiner & Frankel P.C.
ATTORNEYS & COUNSELORS AT LAW

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(1906-1968)

Elliott M. Weiner
(1915-1990)

COUNSEL

Stephen P. Duggan, III
John K. McGuirk
(1942-2018)

OF COUNSEL

Craig F. Simon
Irene V. Villacci

MEMORANDUM

TO: HON. GILBERT J. PIAQUADIO, SUPERVISOR
TOWN BOARD MEMBERS

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

RE: 2022 COMPREHENSIVE PLAN AMENDMENTS AND UPDATE
OUR FILE NO. 800.____; 800.1(B)()(2022)

DATE: APRIL 7, 2022

Enclosed please find the following draft resolution for the Town Board's consideration:

Resolution of Town Board to Establish Comprehensive Plan Committee

Should you have any questions or concerns, please do not hesitate to contact me.

MCT/sel
Enc.

cc: Town Clerk Lisa M. Vance Ayers
John P. Ewasutyn, Planning Board Chairman (via e-mail)
Darrin Scalzo, Zoning Board of Appeals Chairman (via e-mail)
David B. Smith, Principal, Planning and Development Advisors (via e-mail)
Town Engineer James Osborne (via e-mail)
Pat Hines, Principal, McGoey, Hauser & Edsall (via e-mail)
Code Compliance Supervisor Gerald Canfield (via e-mail)

At a meeting of the Town Board of the
Town of Newburgh, held at the Town Hall,
1496 Route 300 in the Town of Newburgh,
Orange County, New York on the ___th day of
April, 2022 at 7:00 o'clock p.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilwoman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

RESOLUTION OF TOWN BOARD TO
ESTABLISH COMPREHENSIVE PLAN
COMMITTEE

Councilman/woman _____ presented the following resolution which was seconded by
Councilman/woman _____.

WHEREAS, Town Law, §272-a provides that among the most important powers and duties granted by the legislature to a town government is the authority and responsibility to undertake town comprehensive planning and to regulate land use for the purpose of protecting the public health, safety and general welfare of its citizens, and

WHEREAS, the statute further provides that the participation of citizens in an open, responsible and flexible planning process is essential to the designing of the optimum town comprehensive plan and that the town comprehensive plan is a means to promote the health, safety and general welfare of the people of the town and to give due consideration to the needs of the people of the region of which the town is a part., and

WHEREAS, it has been several years since the Town of Newburgh Comprehensive Plan (the "Comprehensive Plan") was last fully updated and amended in a document entitled "Comprehensive Plan Update, Town of Newburgh, New York" dated October, 2005; and

WHEREAS, the Town Board has heretofore authorized the retention of a professional planning consultant, Planning and Development Advisors (David B. Smith) to assist the Town in the development of amendments and updates to the adopted Comprehensive Plan; and

WHEREAS, Town Law, §272-a additionally provides that the town board, or by resolution of such town board, the planning board or a special board, at least one of whose members is a member of the Planning Board, may prepare a proposed town comprehensive plan and amendments thereto, and in the event the planning board or special board is directed to prepare a proposed comprehensive plan or amendment thereto, such board shall, by resolution, recommend such proposed plan or amendment to the town board; and

WHEREAS, Town Board of the Town of Newburgh wishes to establish a committee or special board to consider amendments to the Comprehensive Plan consisting of its own members, the Chairman of the Town Planning Board and the Chairman of the Town Zoning Board of Appeals.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby establishes a committee/special board to be known as the Town of Newburgh Comprehensive Plan Committee consisting of the following members to consider amendments and updates to the Town's adopted Comprehensive Plan:

Gilbert J. Piaquadio, Supervisor, who shall serve as chair
Scott M. Manley, Deputy Supervisor and Councilman, who shall serve as vice chair
Elizabeth J. Green, Councilwoman
Paul I. Ruggiero, Councilman
Anthony R. LoBiondo, Councilman
John P. Ewasutyn, Planning Board Chairman
Darrin Scalzo, Zoning Board of Appeals Chairman and

BE IT FURTHER RESOLVED the Comprehensive Plan Committee shall hold such meetings as it deems necessary and one or more public hearings to assure full opportunity for citizen participation in the preparation of a proposed plan amendment prior to submitting its recommendation to the Town Board, which shall itself be required to hold one or more public hearings prior to the adoption of such proposed plan amendment; and

BE IT FURTHER RESOLVED, that the aforesaid resolutions shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Elizabeth J. Greene, Councilwoman voting _____

Paul Ruggiero, Councilman voting _____

Scott M. Manley, Councilman voting _____

Anthony R. LoBiondo, Councilman voting _____

Gilbert J. Piaquadio, Supervisor voting _____

The resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
COUNTY OF ORANGE) SS:
TOWN OF NEWBURGH)

I, Lisa M. Vance Ayers, Town Clerk of the Town of Newburgh, DO HEREBY CERTIFY that I have compared the foregoing resolution, duly adopted by the Town Board of the Town of Newburgh on the ____ day of April, 2022, and entered in the minutes of the proceedings of said Board, and that the foregoing is a true and correct copy of said resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my name and the seal of said Town on this ____ day of April, 2022.

Lisa M. Vance Ayers, Town Clerk

#16



Rider Weiner & Frankel P.C.
ATTORNEYS & COUNSELORS AT LAW

MEMORANDUM

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F: 845.562.9126

655 Little Britain Road
New Windsor, NY 12553

P.O. Box 2280
Newburgh, NY 12550

TO: HON. GILBERT J. PIAQUADIO, SUPERVISOR
TOWN BOARD MEMBERS

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

RE: TOWN OF NEWBURGH AMBULANCE DISTRICT
OUR FILE NO. 800.1(B)() (2022)

DATE: APRIL 8, 2022

ATTORNEYS

David L. Rider
Charles E. Frankel
Michael J. Matsler
Mark C. Taylor
Deborah Weisman-Estis
M. Justin Rider

M. J. Rider
(1906-1968)
Elliott M. Weiner
(1915-1990)

COUNSEL

Stephen P. Duggan, III
John K. McGuirk
(1942-2018)

OF COUNSEL

Craig F. Simon
Irene V. Villacci

The thirty day permissive referendum period having expired without submission of a valid petition in the matter of the Town Board's resolution making public interest findings and approving the Town of Newburgh Ambulance District, enclosed please find the following draft order for the Town Board's consideration:

**FINAL ORDER OF THE TOWN BOARD OF THE TOWN OF
NEWBURGH ESTABLISHING THE TOWN OF NEWBURGH
AMBULANCE DISTRICT IN THE TOWN OF NEWBURGH, ORANGE
COUNTY, NEW YORK**

Should you have any questions in this regard, please feel free to contact me.

MCT:sel
Enclosure

cc: Lisa M. Vance Ayers, Town Clerk (via e-mail)
Joseph P. Pedi, Receiver (via e-mail)
Ronald Clum, Town Accountant (via e-mail)
Molly Carhart, Assessor (via e-mail)
James Osborne, Town Engineer (via e-mail)
Pat Hines, Principal McGoey, Hauser & Edsall (via e-mail)

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, in the Town of Newburgh, Orange County, New York on the ___th day of April, 2022 at 7:00 o'clock p.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

FINAL ORDER OF THE TOWN BOARD OF THE TOWN OF NEWBURGH ESTABLISHING THE TOWN OF NEWBURGH AMBULANCE DISTRICT IN THE TOWN OF NEWBURGH ORANGE COUNTY, NEW YORK

Councilman/woman _____ presented the following resolution which was seconded by Councilman/woman _____.

WHEREAS, a map, plan and report dated 9 February, 2022 has been duly prepared according to law in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Newburgh, relating to the establishment of a proposed ambulance district in said Town, such Ambulance District to be known as the "Town of Newburgh Ambulance District"; and

WHEREAS, said map, plan and report showing the proposed boundaries of the proposed Town of Newburgh Ambulance District was prepared by MHE Engineering, D.P.C., competent engineers, duly licensed by the State of New York, and has been filed in the office of the Town Clerk of said Town, where the same is available during regular office hours for examination by any persons interested in the subject matter thereof; and

WHEREAS, the boundaries of the proposed Town of Newburgh Ambulance District are set forth in Appendix "A" annexed hereto and made a part hereof; and

WHEREAS, no equipment, improvements or facilities are proposed for the District and accordingly no amount is proposed to be expended or financed for equipment, improvements or facilities and no financing of the cost of the District's services is proposed by the issuance of bonds, notes, certificates or other evidences of indebtedness of the Town nor is it proposed to assume debt service on obligations issued pursuant to Subdivision 12 of Town Law §198, it being proposed that the District contract with Town of Newburgh Emergency Medical Services, Inc. a not for profit corporation with facilities within the proposed district, for the provision of ambulance services and emergency medical services; and

WHEREAS, \$400,000 is set forth in the map, plan and report as the estimated maximum amount proposed to be expended annually for the provision of services by the Ambulance District, the Town Board also being authorized to establish and charge fees on an on call basis to the users of the District's ambulance services pursuant to Town Law, §198(10-f)(b); and

WHEREAS, there will be no hook up fees and the average annual cost of the district to a typical one or two family home, the most common type of property on the assessment roll of the proposed district, is estimated in the Map, Plan and Report to be \$27.90 per year and the average annual cost to the most frequently occurring assessed value, or "typical property," in the district is estimated to be \$8.77 per year; and

WHEREAS, the levying of assessments for the Ambulance District shall be by the ad valorem basis; and

WHEREAS, the proposed establishment of the Town of Newburgh Ambulance District has been determined to be an "Unlisted Action" pursuant to Part 617 of the General Regulations ("Part 617") adopted pursuant to Article 8 of the Environmental Conservation Law ("SEQR") and Chapter 100 entitled "Environmental Quality Review" of the Town of Newburgh Municipal Code, for which the Town has prepared an Environmental Assessment Form, which Form has been filed in the office of the Town Clerk of said Town, where the same is available during regular business office hours for examination by any persons interested in the subject matter thereof; and

WHEREAS, on February 28, 2022, the Town Board adopted a "Negative Declaration" pursuant to which it was determined that the proposed establishment of the Town of Newburgh Ambulance District will not result in a significant effect on the environment; and

WHEREAS, an order was duly adopted by said Town Board on February 14, 2022, reciting a description of the boundaries of said proposed Ambulance District, the services proposed, the fact that said map, plan and report was on file in the Town Clerk's Office for public inspection and specifying the 28th day of February, 2022, at 7:00 o'clock P.M., Prevailing Time, at the Town Hall, 1496 Route 300, in Newburgh, New York, in said Town, as the time when and the place where said Town Board would meet for the purpose of holding a public hearing to consider the establishment of said Town of Newburgh Ambulance District and said map, plan and report filed in relation thereto and to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, notice of the aforesaid public hearing was duly published and posted in the manner and within the time prescribed by Section 209-d of the Town Law, and proof of publication and posting has been duly presented to the Town Board; and

WHEREAS, said public hearing was duly held at the time and place stated in said order, at which all persons desiring to be heard were duly heard; and

WHEREAS, said Town Board duly considered said map, plan and report and the evidence given at said public hearing; and

WHEREAS, following the close of said public hearing the Town Board did find, determine and resolve that:

(a) the notice of hearing was published and posted as required by law and was otherwise sufficient;

(b) all the property and property owners within said proposed Town of Newburgh Ambulance District are benefitted thereby;

(c) all the property and property owners benefitted are included within the limits of said proposed Town of Newburgh Ambulance District;

(d) it is in the public interest to grant in whole the relief sought and establish said proposed Town of Newburgh Ambulance District.

(e) the establishment of the Town of Newburgh Ambulance District, as more fully described in the map, plan and report prepared by MHE Engineering, D.P.C., competent engineers, duly licensed by the State of New York was approved; and

(f) said Town of Newburgh Ambulance District shall be bounded and described as set forth in Appendix A attached hereto and made a part hereof.

WHEREAS, the foregoing resolution was subject to a permissive referendum in the manner provided in Article Seven of the Town Law and Subdivision 3 of Section 209-e of the Town Law; and

WHEREAS, the Town Clerk within ten (10) days after the adoption of the resolution duly posted and published a notice setting forth the date of adoption of the resolution and containing an abstract thereof concisely stating the purpose and effect thereof and specifying that the resolution was adopted subject to permissive referendum; and

WHEREAS, no valid petition requesting a referendum on the matter was filed in accordance with the applicable provisions of law with the office of the Town Clerk within thirty of the date of adoption of such resolution; and

WHEREAS, the Town Clerk has filed a certification that no valid petition requesting a referendum was filed within such thirty day period with the clerk of the County of Orange in accordance with the requirements of Town Law Section 209-e; and

WHEREAS, it is not proposed that the Town of Newburgh shall finance the cost of the establishment, improvement or service by the issuance of bonds, notes, certificates or other evidences of the indebtedness of the Town therefore, nor is it proposed to assume debt service on obligations issued pursuant to Subdivision 12 of Town Law §198, and therefore, pursuant to Town Law §194(6) the permission of the State Comptroller, Department of Audit and Control, is not required.

NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Newburgh, Orange County, New York as follows:

Section 1. An Ambulance District of the Town of Newburgh be established in the said Town of Newburgh, Orange County, New York, to be known and designated as the Town of Newburgh Ambulance District.

Section 2. Said Town of Newburgh Ambulance District shall be bounded and described as set forth in Appendix A attached hereto and made a part hereof.

Section 3. The costs of establishment and operation and maintenance of the Town of Newburgh Ambulance District to the extent not raised by user charges shall be assessed against the properties within the district on an ad valorem basis.

Section 4. The Town Clerk of the Town of Newburgh, is hereby authorized and directed to cause a certified copy of this order to be duly recorded in the office of the Clerk of the County of Orange within ten (10) days after the adoption of this order.

Section 5. The Town Clerk is hereby authorized and directed to file a certified copy of this order in the Office of the State Department of Audit and Control, Albany, New York, within ten (10) days after the adoption of this order.

Section 6. This order shall take effect immediately.

The foregoing Order was duly put to a vote on roll call which resulted as follows:

Elizabeth J. Greene, Councilwoman voting _____

Paul I. Ruggiero, Councilman voting _____

Scott M. Manley, Councilman voting _____

Anthony R. LoBiondo, Councilman voting _____

Gilbert J. Piaquadio, Supervisor voting _____

The resolution was thereupon declared duly adopted.

**DESCRIPTION OF THE
TOWN OF NEWBURGH
AMBULANCE DISTRICT**

Town of Newburgh, Orange County, New York

Beginning at a point which is the intersection of the City of Newburgh-City Line/Town of Newburgh and Town of New Windsor Town lines hence, in a westerly direction following the Town New Windsor/ Town of Newburgh Town lines to a point being the intersection of the Town of Newburgh/Town of New Windsor/Town of Montgomery Town line hence, in a generally northerly direction along the common town lines of the Town of Newburgh/ Town of Montgomery to a point hence, westerly along the Town of Newburgh/ Town of Montgomery Town line to a point hence, continuing in a generally northerly direction along the Town of Newburgh/Town of Montgomery Town line a point being the intersection of the Town of Newburgh/ Town of Shawangunk/Town of Montgomery Town lines continuing in a generally northerly direction along the Town of Newburgh/ Town of Shawangunk Town line to a point in the center line of NYS Route 300. Hence, continuing in a generally southerly then easterly direction along the center line of NYS Route 300 to a point in the center of the intersection of NYS Route 300 and Quaker Street hence, in a northerly direction along the center line of Quaker Street to a point in the center of the intersection of Quaker Street and to Mill Street. Continuing in a generally easterly direction along the center line of Mill Street to a point in the center line of the intersection of NYS Route 32 and Mill Street. Hence, continuing in a northerly direction to a point in the center line of NYS Route 32 and East Road. Hence, continuing in a generally easterly direction to a point being the Town line with the Town of Newburgh/ Town of Plattekill and hence, in a generally southerly direction to a point being the intersection of the Town line of the Town of Newburgh and Town of Plattekill. Hence, in an easterly direction to the intersection of the Town of Marlborough/ Town of Plattekill / Town of Newburgh Town line continuing in an easterly direction along the common Town boundaries of the Town of Marlborough and the Town of Newburgh to a point in the Hudson River. This point being the Orange County/Ulster County/ Dutchess County boundary. Hence, in a generally southerly direction within the Hudson River following the Orange County/ Dutchess County County lines to a point at the intersection of the City of Newburgh City boundary and the Town of Newburgh Town line located within the Hudson River. Hence, generally in a westerly direction along the boundary of the City of Newburgh and the Town of Newburgh to a point hence, continuing in a generally southerly direction along the Town of Newburgh/City of Newburgh municipal boundary to the point of beginning.

Said boundary describes the limits of the Town of Newburgh excluding properties within the Plattekill Fire District. Said limits are depicted on a map prepared by MHE Engineering dated 9 February 2022 entitled Town of Newburgh Ambulance District.

STATE OF NEW YORK)
COUNTY OF ORANGE) SS:
TOWN OF NEWBURGH)

I, Lisa M. Vance Ayers, Town Clerk of the Town of Newburgh, DO HEREBY CERTIFY that I have compared the foregoing Order, duly adopted by the Town Board of the Town of Newburgh on the ___th day of April, 2022, and entered in the minutes of the proceedings of said Board, and that the foregoing is a true and correct copy of said resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my name and the seal of said Town on this _____ day of April, 2022.

Lisa M. Vance Ayers, Town Clerk