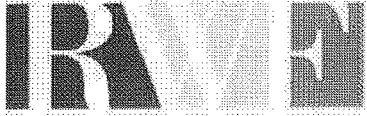


#5



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

MEMORANDUM

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

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

RE: COMMUNITY DEVELOPMENT PROGRAM
OUR FILE NO. 800.1(B)() (2022)

DATE: APRIL 22, 2022

P: 845.562.9100
F: 845.562.9126

655 Little Britain Road
New Windsor, NY 12553

P.O. Box 2280
Newburgh, NY 12550

enclosed please find the following resolution and order for the Town Board's consideration:

Resolution and Order of Town Board Scheduling a Public Hearing on Project Proposals to Be Submitted to the Orange County Community Development Program

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)
James Osborne, Town Engineer (via e-mail)
Patrick Hines, Principal, McGoey Hauser & Edsall (via e-mail)

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

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 AND ORDER OF TOWN BOARD SCHEDULING A PUBLIC HEARING ON PROJECT PROPOSALS TO BE SUBMITTED TO THE ORANGE COUNTY COMMUNITY DEVELOPMENT PROGRAM

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

BE IT RESOLVED and ORDERED that the Town Board shall hold a public hearing at the Town Hall at 1496 Route 300 the Town of Newburgh, New York on the ___nd day of May, 2022 at 7:00 o'clock, p.m. to invite public comment and suggestions on project proposals which are to be submitted to the Orange County Community Development Program (FY-2023), and

BE IT FURTHER RESOLVED that the Town Clerk give notice of such public hearing by the publication of a notice in the official newspaper of the Town, specifying the time when and the place where such public hearing will be held and by posting copies of the notice of hearing on the signboard of the Town Clerk's office not later than the day such notice is published; and

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.

TOWN OF NEWBURGH
PUBLIC HEARING NOTICE

The Town Board of the Town of Newburgh invites public comments and suggestions regarding projects to be considered for funding under the Orange County Community Development Program. A public hearing will be held on May 23, 2022 at 7:00 p.m. prevailing time at the Town Hall, 1496 Route 300, Newburgh, New York 12550. Under this Program a variety of physical improvements as listed below are eligible for funding:

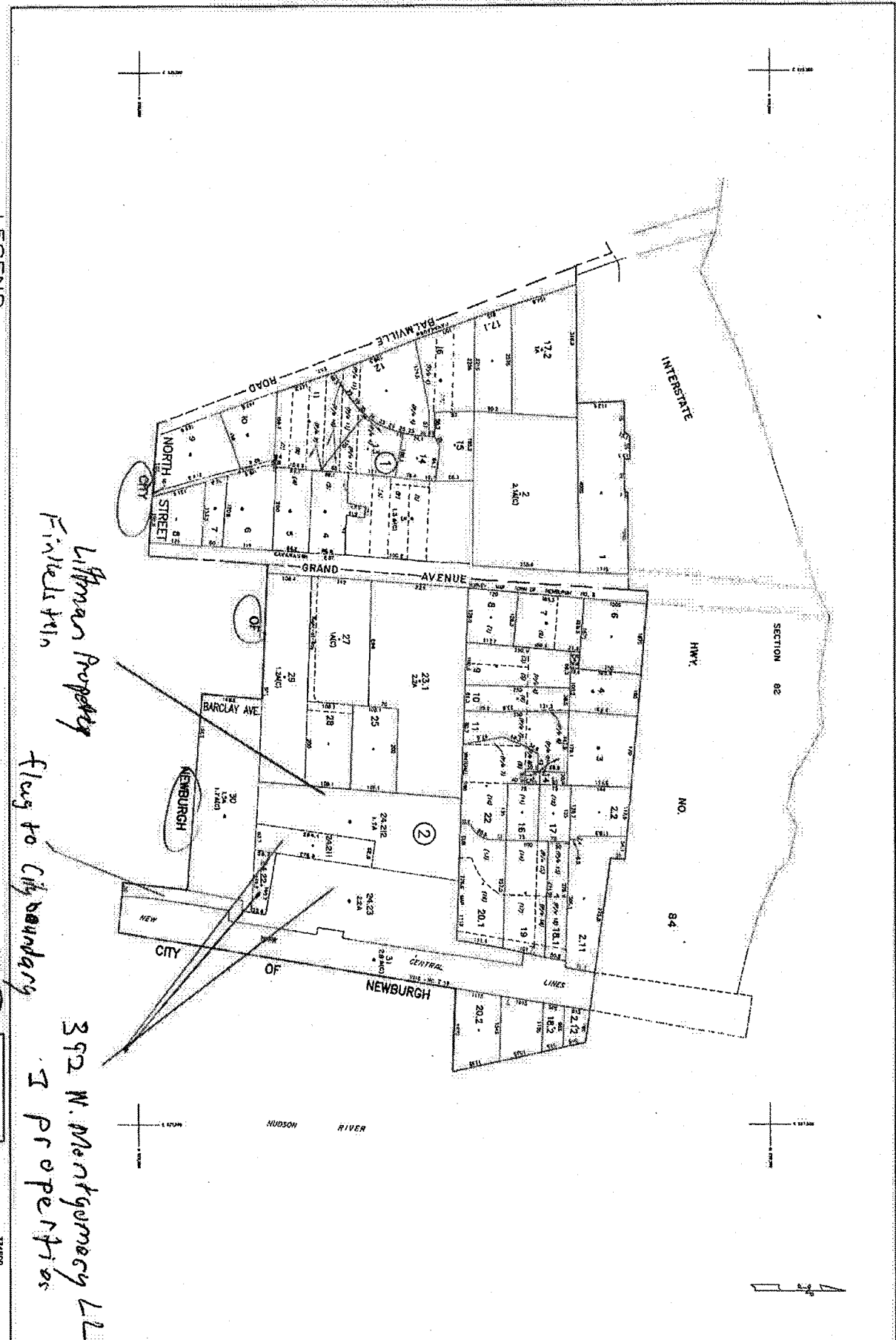
1. Acquisition & Disposition of Real Property
2. Public Works, Public Facilities or Site Improvements
3. Code Enforcement (Housing & Health Codes)
4. Clearance, Demolition & Rehabilitation for Public Use or Economic Development
5. Housing Rehabilitation Loans and Grants
6. Special Projects for the Elderly & Disabled
7. Provision of Public Services (Shelters Clinics, Senior Nutrition, etc.)
8. Payment of Non-Federal Shares of Other Grant Programs
9. Relocation Payments and Assistance

The Town of Newburgh will be considering projects to be submitted to the Orange County Community Development Program, the deadline for which is June 24, 2022.

By Order of the Town Board of the Town of
Newburgh
Lisa M. Vance Ayers, Town Clerk

#8A

LEGEND	
	100 FT WIDE ROAD
	50 FT WIDE ROAD
	25 FT WIDE ROAD
	10 FT WIDE ROAD
	UTILITY LINES
	EASEMENT
	OTHER



ORANGE COUNTY-NEW YORK

STATE OF NEW YORK
 OFFICE OF THE CLERK OF ORANGE COUNTY
 COUNTY CLERK
 100 STATE ST. NEWBURGH, NY 10994
 (845) 534-2200



TOWN OF NEWBURGH

Scale 1" = 100'

Section No. 85

392 W. Montgomery LLC
 3 properties

SECTION 82
 HWY. NO. 84



Image Mate Online

Navigation GIS Map Tax Maps | DTF Links Help Contact Us Log In

Commercial

- Property Info
- Owner/Sales
- Inventory
- Improvements
- Tax Info
- Report
- Comparables

Municipality of Newburgh

SWIS:	334600	Tax ID:	85-2-24.212
-------	--------	---------	-------------

Ownership Information

Name	Secondary Name	Address
Sandy Littman Realty		5 Chieftans Rd Greenwich CT 06831

Sale Information

No Sales Information Available

Historic Deed Information

Photographs

No Photo Available

Pictometry Connect

Documents

No documents found for this parcel

Maps

- View Tax Map
- Pin Property on GIS Map
- View in Google Maps
- View in Bing Maps
- Map Disclaimer



Image Mate Online

Navigation GIS Map Tax Maps | DTF Links

Help Contact Us Log In

Commercial

- Property Info
- Owner/Sales
- Inventory
- Improvements
- Tax Info
- Report
- Comparables

Municipality of Newburgh			
SWIS:	334600	Tax ID:	85-2-24.212

Tax Map ID / Property Data

Status:	Active	Roll Section:	Taxable
Address:	North End Park Pl		
Property Class:	710 - Manufacture	Site Property Class:	710 - Manufacture
Ownership Code:			
Site:	Com 1	In Ag. District:	No
Zoning Code:	-	Bldg. Style:	Not Applicable
Neighborhood:	40127 -	School District:	Newburg
Property Description:	Legal description not given for property		
Total Acreage/Size:	1.70	Equalization Rate:	----
Land Assessment:	2021 - \$13,600	Total Assessment:	2021 - \$71,200
Full Market Value:	2021 - \$252,000		
Deed Book:	4422	Deed Page:	133
Grid East:	626781	Grid North:	978505
Bank Code:	N/A		

Special Districts for 2021

Description	Units	Percent	Type	Value
FD025-Middlehope fire	0	0%		0
LT004-Consol It	0	0%		0
WD001-Consol wtr 1	0	0%		0

Land Types

Type	Size

Photographs

No Photo Available

Pictometry Connect

Documents

No documents found for this parcel

Maps

- View Tax Map
- Pin Property on GIS Map
- View in Google Maps
- View in Bing Maps
- Map Disclaimer



Image Mate Online

Navigation GIS Map Tax Maps DTF Links Help Contact Us Log In

- Commercial
- Property Info
- Owner/Sales
- Inventory
- Improvements
- Tax Info
- Report
- Comparables

Assessment Info
 County Info
 DTF Home Page
 DTF Forms
 DTF Exemptions
 DTF Grievances

SWIS:	ID:	85-2-24.211
Information		
Name	Secondary Name	Address
392 N. Montgomery LLC	c/o Valley National Bank	1720 Route 32 N Wayne NJ 07470

Sale Information

Sale Date	Price	Property Class	Sale Type	Prior Owner
6/28/2019	\$3,200,000	710 - Manufacture	Land & Building	Headsup Penny Inc
	Value Usable	Arms Length	Deed Book	Deed Page
	No	Yes	14591	1094

Additional Parcels Involved in Sale: 85-2-24.22 in Newburgh, 85-2-24.23 in Newburgh

Sale Date	Price	Property Class	Sale Type	Prior Owner
4/8/2005	\$1,200,000	710 - Manufacture	Land & Building	Levine Stephen
	Value Usable	Arms Length	Deed Book	Deed Page
	Yes	No	11811	1708

Additional Parcels Involved in Sale: 85-2-24.22 in Newburgh, 85-2-24.23 in Newburgh

Historic Deed Information

Photographs

No Photo Available

Pictometry Connect

Documents

No documents found for this parcel

Maps

View Tax Map

Pin Property on GIS Map

View in Google Maps

View in Bing Maps

Map Disclaimer



Image Mate Online

Navigation GIS Map Tax Maps | DTF Links

Help Contact Us Log In

Commercial

- Property Info
- Owner/Sales
- Inventory
- Improvements
- Tax Info
- Report
- Comparables

Municipality of Newburgh			
SWIS:	334600	Tax ID:	85-2-24.211
Tax Map ID / Property Data			
Status:	Active	Roll Section:	Taxable
Address:	Grand Ave		
Property Class:	710 - Manufacture	Site Property Class:	710 - Manufacture
Ownership Code:			
Site:	Com 1	In Ag. District:	No
Zoning Code:	-	Bldg. Style:	Not Applicable
Neighborhood:	40127 -	School District:	Newburg
Property Description:	Legal description not given for property		
Total Acreage/Size:	63 x 284	Equalization Rate:	----
Land Assessment:	2021 - \$16,800	Total Assessment:	2021 - \$77,300
Full Market Value:	2021 - \$273,600		
Deed Book:	14591	Deed Page:	1094
Grid East:	626829	Grid North:	978402
Bank Code:	N/A		
Special Districts for 2021			
Description	Units	Percent	Type Value
FD025-Middlehope fire	0	0%	0
LT004-Consol It	0	0%	0
WD001-Consol wtr 1	0	0%	0
Land Types			
Type	Size		

Photographs

No Photo Available

Pictometry Connect

Documents

No documents found for this parcel

Maps

- View Tax Map
- Pin Property on GIS Map
- View in Google Maps
- View in Bing Maps
- Map Disclaimer



Image Mate Online

Navigation [GIS Map](#) [Tax Maps](#) | [DTF Links](#)

[Help](#) [Contact Us](#) [Log In](#)

- Residential
- Property Info
- Owner/Sales
- Inventory
- Improvements
- Tax Info
- Report
- Comparables

Municipality of Newburgh

SWIS:	334600	Tax ID:	85-2-24.22
-------	--------	---------	------------

Tax Map ID / Property Data

Status:	Active	Roll Section:	Taxable
Address:	Interstate 84		
Property Class:	311 - Res vac land	Site Property Class:	311 - Res vac land
Ownership Code:			
Site:	Res 1	In Ag. District:	No
Zoning Code:	-	Bldg. Style:	0
Neighborhood:	40127 -	School District:	Newburg
Property Description:	Legal description not given for property		
Total Acreage/Size:	36 x 149	Equalization Rate:	---
Land Assessment:	2021 - \$6,000	Total Assessment:	2021 - \$6,000
Full Market Value:	2021 - \$21,200		
Deed Book:	14591	Deed Page:	1094
Grid East:	626883	Grid North:	978284
Bank Code:	N/A		

Special Districts for 2021

Description	Units	Percent	Type	Value
FD025-Middlehope fire	0	0%		0
LT004-Consol It	0	0%		0
WD001-Consol wtr 1	0	0%		0

Land Types

Type	Size

Photographs

No Photo Available

[Pictometry Connect](#)

Documents

No documents found for this parcel

Maps

[View Tax Map](#)

[Pin Property on GIS Map](#)

[View in Google Maps](#)

[View in Bing Maps](#)

Map Disclaimer



Image Mate Online

Navigation: [GIS Map](#) | [Tax Maps](#) | [DTF Links](#)

[Help](#) | [Contact Us](#) | [Log In](#)

Commercial

- Property Info
- Owner/Sales
- Inventory
- Improvements
- Tax Info
- Report
- Comparables

Municipality of Newburgh				
SWIS:	334600	Tax ID:	85-2-24.23	
Tax Map ID / Property Data				
Status:	Active	Roll Section:	Taxable	
Address:	420 N Montgomery St			
Property Class:	710 - Manufacture	Site Property Class:	710 - Manufacture	
Ownership Code:				
Site:	Com 1	In Ag. District:	No	
Zoning Code:	-	Bldg. Style:	Not Applicable	
Neighborhood:	40127 -	School District:	Newburg	
Property Description:	Legal description not given for property			
Total Acreage/Size:	2.20	Equalization Rate:	---	
Land Assessment:	2021 - \$33,000	Total Assessment:	2021 - \$305,000	
Full Market Value:	2021 - \$1,079,600			
Deed Book:	14591	Deed Page:	1094	
Grid East:	626968	Grid North:	978503	
Bank Code:	N/A			
Special Districts for 2021				
Description	Units	Percent	Type	Value
FD025-Middlehope fire	0	0%		0
LT004-Consol It	0	0%		0
WD001-Consol wtr 1	0	0%		0
Land Types				
Type	Size			

Photographs

No Photo Available

Pictometry Connect

Documents

No documents found for this parcel

Maps

- [View Tax Map](#)
- [Pin Property on GIS Map](#)
- [View in Google Maps](#)
- [View in Bing Maps](#)

Map Disclaimer

#8B

**TOWN OF NEWBURGH
TOWN ENGINEER**

MEMORANDUM

TO: Gilbert Piaquadio, Town Supervisor and Town Board
FROM: Patrick J. Hines, Representative, Engineers for the Town
DATE: 3 MAY 2022
RE: Polo Club Sewage Treatment/Plant Concept Review (PB# 18-12)

This subject project has received Planning Board conditional final approval for the construction of 256 apartments with senior density bonus. The project is proposing an onsite Package Sewage Treatment Plant to serve the development.

The applicant's Engineer has submitted a proposed proprietary Package Sewage System Treatment Plant. The proposed Plant will discharge to the stream at the rear of the property. The NYSDEC has issued a Permit (SPDES#NY0281522) which identifies the limits for discharge. The project will generate 44,000 gallons per day.

The project sponsor has identified that they propose to use a Package Plant manufactured by Earthtek Environmental LLC of Belleville, Indiana.

The applicant's Engineers have submitted information including schematic designs, responses to MHE Engineering comment letters, a list of other facilities in states, which are members of the "Ten State Standards". It is noted that no facilities are located in NYS. NYSDEC approval of the design and construction will be required.

Town Code Section 185-20B requires:

- "Design and construction of any privately owned community water supply or sewer system shall conform to the requirements of the Town Engineer as to the adequacy for a municipal system and compatibility with other systems. A program for regular maintenance and inspection shall be included."

We have reviewed the NYSDEC SPDES Permit, responses to multiple MHE comments, schematic plan sheets and supplemental information. This office in receipt of a copy of "Declaration of Covenants, Restrictions and Easement for the project." Item 3 of this document restricts the ownership of the Treatment Plant to the owner of the housing units and other common property and shall not be separately conveyed.

Town Code Section 185-20C requires:

- "The ownership, organization and operating program for any privately owned community water or sewer system not offered for deduction to the Town shall be approved by the Town Board. Any such system shall be required to post performance and maintenance boards as determined by the Town Board."

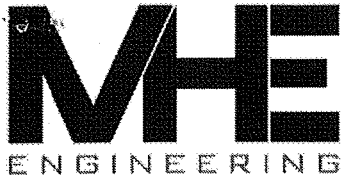
-2-

- We would recommend the Town Board require the project to post performance and maintenance boards for the Sewage Treatment Plant.

The project requires NYSDEC approval for the design and construction of the Treatment Plant. Based on the above we take no exception to the project submitting plans for NYSDEC approval.

If you have any questions, I am available to discuss them with you.

Cc: Mark Taylor, Town Attorney
John Ewasutyn, Chairman
Jerry Canfield, Code Compliance Officer
Ross Winglovitz, P.E.



#8C

May 19, 2022

Town of Newburgh
1496 Route 300
Newburgh, NY 12550

ATTENTION: GILBERT PIAQUADIO, TOWN SUPERVISOR AND TOWN BOARD MEMBERS

SUBJECT: WELLNOW SITE (FORMER BANK - ROUTE 300 MEADOW HILL ROAD) – PB # 2022-01
ENGINEERS ESTIMATE OF PROBABLE CONSTRUCTION COSTS, TRAFFIC SIGNAL
IMPROVEMENTS/SIDEWALKS

Dear Supervisor Piaquadio and Town Board Members,

The applicant's Engineer, Collier's Engineering and Design has submitted an estimate of probable construction cost for improvements to the existing traffic signals on NYS Route 300 at the Stop and Shop Plaza. The Town's Traffic Consultant, Ken of Creighton Manning Engineers has reviewed the estimate and identified that the cost estimates are acceptable.

This office would recommend the Town Board accept security in the amount of \$70,060.00 for the traffic signals and sidewalk improvements for the project.

Respectfully submitted,

MHE Engineering, D.P.C.

A handwritten signature in black ink, appearing to read 'Patrick J. Hines'.

Patrick J. Hines
Principal
PJH/em

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 | mhepa@mhepc.com



E-1
 ENGINEER'S COST ESTIMATE - TRAFFIC SIGNAL
 Wellnow Facility (CED#19005844A)
 NYS ROUTE 300 (NYS DOT SIGNAL NO. O-111)
 Town of Newburgh, NY - Orange County
 March 17, 2022
 Revised April 21, 2022

ITEM NUMBER	DESCRIPTION	UNIT	UNIT PRICE	QUANTITY	AMOUNT
203.02	UNCLASSIFIED EXCAVATION AND DISPOSAL	CY	\$ 35.00	100	\$ 3,500.00
206.03	CONDUIT EXCAVATION AND BACKFILL INCLUDING SURFACE RESTORATION	LF	\$ 65.00	75	\$ 4,875.00
304.11	SUBBASE COURSE TYPE 1	CY	\$ 100.00	50	\$ 5,000.00
608.0101	CONCRETE SIDEWALK AND DRIVEWAYS	CY	\$ 880.00	30	\$ 26,400.00
608.01050109	CURB RAMP CONFIGURATION TYPE 1	EA	\$ 5,000.00	2	\$ 10,000.00
680.5001	POLE EXCAVATION AND CONCRETE FOUNDATION	CY	\$ 2,800.00	2.2	\$ 6,160.00
680.510501	PULLBOX - RECTANGULAR, 26" X 18", REINFORCED CONCRETE	EA	\$ 2,400.00	1	\$ 2,400.00
680.520106	CONDUIT, METAL STEEL, ZINC COATED, 2"	LF	\$ 35.00	75	\$ 2,625.00
680.6808	TRAFFIC SIGNAL POLE-BRACKET MOUNT 8 FEET MOUNTING HEIGHT	EA	\$ 1,800.00	2	\$ 3,600.00
680.730514	SIGNAL CABLE, 5 CONDUCTORS, 14 AWG	LF	\$ 6.50	100	\$ 650.00
680.81310209	ACCESSIBLE PEDESTRIAN SIGNAL (APS) WITHOUT POLE	EA	\$ 1,400.00	2	\$ 2,800.00
680.813103	PEDESTRIAN SIGNAL SECTION - TYPE I, 12 INCH	EA	\$ 250.00	4	\$ 1,000.00
680.813105	PEDESTRIAN SIGNAL MODULE - 12 INCH BI-MODAL, HAND/MAN SYMBOLS LED	EA	\$ 250.00	2	\$ 500.00
680.8141	PEDESTRIAN SIGNAL BRACKET MOUNT ASSEMBLY	EA	\$ 325.00	2	\$ 650.00
680.81500010	PEDESTRIAN COUNT-DOWN TIMER MODULE	EA	\$ 250.00	2	\$ 500.00
680.82201908	BREAKAWAY TRANSFORMER BASE (TRAFFIC)	EA	\$ 650.00	2	\$ 1,300.00
685.11	WHITE EPOXY REFLECTORIZED PAVEMENT STRIPES - 20 MILS	LF	\$ 3.00	2200	\$ 6,600.00
				SUB TOTAL	\$ 75,060.00

#8E

PAYMENT AGREEMENT

This Agreement ("Agreement") is made and entered into this ____ day of _____, 2022, by and between **WALGREEN EASTERN CO, INC.**, a New York corporation ("Company") and the **TOWN OF NEWBURGH** ("Municipality").

WITNESSETH:

WHEREAS, the Company has undertaken plan to establish a Micro-Fulfillment center ("Project") on a site located at 1396 NYS Route 300, Newburgh, NY; and

WHEREAS, the Municipality has established a policy of providing limited economic development tax incentives; and

WHEREAS, the Company has been approved by the Orange County Industrial Development Agency (OCIDA) to receive state and local sales and use tax exemptions on the acquisition of equipment, fixtures and furnishings relative to the Project consisting of: A)(i) the acquisition of a leasehold or license interest in approximately 215,000 sq. ft. of improvements (to be constructed) on land located at or about 1396 NYS Route 300, Newburgh, NY (Tax Map No. 60-3-49.22); (ii) use of approximately 105,000 sq. ft. of the newly constructed building for a micro-fulfillment facility and medical and drug mini-warehouse to provide for automated medicinal distribution; (iii) the acquisition and installation in and on the Facility of furniture, fixtures and equipment, which may impact the sales tax revenues to the Town of Newburgh; and

WHEREAS, in order to be consistent with the Municipality's economic development tax incentives policy the Company has agreed, to make a certain payment to the Municipality.

NOW, THEREFORE, in consideration of the premises and covenants contained herein, the parties agree as follows:

Section 1. The Company hereby agrees to pay to the Municipality an amount equal to \$71,730 ("Project Fee") on or before May 1, 2023 predicated upon the execution and delivery of all necessary documentation, including but not limited to, a sublease agreement and (sub)sublease agreement, a bill of sale, a project agreement and an environmental compliance and indemnification agreement, to effectuate the lease and leaseback of the facility between the Company and the OCIDA such that the OCIDA may confer on the Company for the benefit of the Project certain financial assistance including an exemption from State and local sales and use tax exemptions for the acquisition of equipment, fixtures and furnishings. Such payment shall be used for purposes which are to be determined in the Municipality's sole discretion. The Parties agree that payment to the Municipality pursuant to this Section 1 shall in no event be more than this payment pursuant to this Section 1.

Section 2. This Agreement shall inure to the benefit of, and shall be binding in accordance with its terms, upon the Municipality and the Company and their respective permitted successors and assigns. This Agreement may not be assigned by the Company without prior written consent of the Municipality, which consent will not be unreasonably withheld, except as to (a) any successor entity as a result of a consolidation or merger or sale of substantially all of the assets of the Company, or (b) an assignee of the Company's interest in the Agreement, in which event no consent shall be required.

Section 3. Any notice, consent or approval required or permitted under this Agreement shall be in writing, and shall be delivered (i) personally by hand, (ii) by certified mail, postage prepaid, with return receipt requested, or (iii) overnight courier:

If to the Company:

Walgreen Eastern Co. Inc.
302 Wilmot Road, MS#3301
Deerfield, IL 60015
Attention: Gregory Shirey, Senior Manager Tax

If to the Municipality:

Town of Newburgh
1496 NY-300
Newburgh, NY 12550
Attention: Town Supervisor

Either party may change the person(s) and/or address(es) designated above effective ten (10) days following delivery of notice of such change(s). Notice given shall be deemed effective on (a) the date delivered, if by hand, (b) on the date deposited in the U.S. Mail, if by mail, or (c) on the date deposited with the overnight courier service, if by overnight courier.

Section 4. In the event that the Company decides not to proceed with the Project prior to May 1, 2023, it may terminate this Agreement by written notice to the Municipality, and this Agreement shall terminate and be of no further force and effect and neither party shall thereafter have any further recourse to the other, except as expressly provided otherwise herein.

Section 5. This Agreement sets forth the entire agreement and understanding between the parties as to the subject matter hereof and merges and supersedes all prior discussions, agreements, undertakings of every kind and nature between the parties with respect to the subject matter of this Agreement.

Section 6. This Agreement may be executed in any number of counterparts, all of which taken together shall constitute one and the same instrument, and any party to this Agreement may execute this Agreement by signing any such counterpart.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date set forth above.

Municipality: Town of Newburgh
By: _____
Name: _____
Title _____

Company: Walgreen Eastern Co., Inc
By: _____
Name: _____
Title _____