

Andrew J. Zarutskie
Town Clerk
Town of Newburgh
1496 Route 300
Newburgh NY 12550
Tel.(845) 564-4554

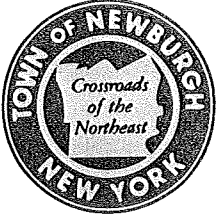
AGENDA

AUDIT/WORKSHOP TOWN COUNCIL MEETING
Wednesday, June 13, 2012
7:00 p.m.

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. MOMENT OF SILENCE
4. CHANGES TO AGENDA
5. APPROVAL OF AUDIT
6. PARKS & RECREATION:
 - A. Seasonal Employee Change
 - B. Seasonal Employee Hire
 - C. Community Day Payment Authorization
 - D. Lighting Protection
7. WATER DISTRIBUTION: Budget Transfer/Pump Replacement at Rte 52 Pump Station
8. ENGINEERING: Waring Rd. Bridge/Culvert Replacement (Engineering Services)
9. HIGHWAY DEPARTMENT: Vehicle Purchase Request
10. ASSESSOR: Certiorari Settlement—Northeast Business Center
11. ANIMAL CONTROL: ACO Supervisor
12. ADJOURNMENT

- 6. PARKS & RECREATION:**
 - A. SEASONAL EMPLOYEE CHANGE**
 - B. SEASONAL EMPLOYEE HIRE**
 - C. COMMUNITY DAY PAYMENT AUTHORIZATION**
 - D. LIGHTING PROTECTION**

JUN 13 2012



TOWN OF NEWBURGH RECREATION DEPARTMENT

311 ROUTE 32, NEWBURGH, NY 12550

6a

Robert J. Petrillo
Commissioner of Parks, Recreation & Conservation

845-564-7815
FAX: 845-564-7827

June 7, 2012

TO: Wayne Booth, Supervisor ✓
Town Board Members

FROM: Robert J. Petrillo, Commissioner

RE: Seasonal Employee Change Request

At this time we are requesting the rate of pay for the following previously approved seasonal employees be changed as noted below:

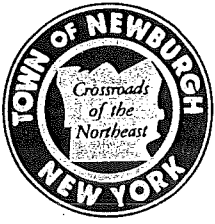
Jillian Bakker	\$10.00/hr.
Jennifer Booth	\$ 8.12/hr.

Thank you for your consideration.

Regards,

R. J. Petrillo
Commissioner

CB



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

PERSONNEL DEPT.

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

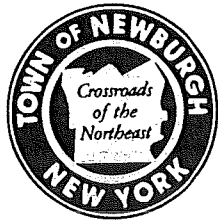
To: Wayne C Booth, Supervisor ✓
Town Board Members

From: Charlene M Black, Administrative Aide

Date: June 8, 2012

Re: Seasonal Employee

Please find attached the application and back up for Kyle Melfe for the position of Recreation Aide. As Mr. Petrillo's memo states he will be a returnee. If approved he will need to complete paperwork before he can start work. He already had his Drug/Alcohol Test done and fingerprints. Thank you in advance.



68

TOWN OF NEWBURGH RECREATION DEPARTMENT

311 ROUTE 32, NEWBURGH, NY 12550

Robert J. Petrillo
Commissioner of Parks, Recreation & Conservation

845-564-7815
FAX: 845-564-7827

June 7, 2012

TO: Wayne Booth, Supervisor
Town Board Members

CC: Charlene Black, Personnel

FROM: Robert J. Petrillo, Commissioner

RE: Seasonal Hires

At this time I'm requesting your approval to hire Kyle Melfe to the position of seasonal Recreation Aide at the rate of \$8.12/hour. We have had four declines from the previous approved list and since Mr. Melfe has been an asset to our camp staff in the past we would like to see him return.

I am proposing a hire date of June 14th. The funds for this position are available in appropriation code 7140-0100.

Thank you for your consideration.

Regards,

Robert J. Petrillo
Commissioner

68

TOWN OF NEWBURGH

EMPLOYMENT REQUEST FORM

TO: PERSONNEL DEPARTMENT

NAME OF CANDIDATE: KYLE MELFE

DEPARTMENT: RECREATION

TITLE OF POSITION: RECREATION AIDE

FULL TIME OR PART TIME: PART TIME SEASONAL


HOURLY RATE: \$8.12

IS POSITION FUNDED IN CURRENT BUDGET: yes or no

FUND APPROPRIATION NUMBER: 7140-0100

PROPOSED HIRE DATE: 6/14/12

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

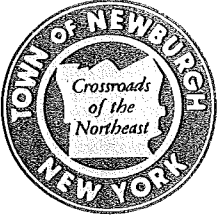

DEPARTMENT HEAD SIGNATURE

6/8/12
DATE

ORIGINAL APPLICATION SHOULD BE ON FILE IN THE PERSONNEL OFFICE.

JUN 13 2012

loc



TOWN OF NEWBURGH RECREATION DEPARTMENT

311 ROUTE 32, NEWBURGH, NY 12550

Robert J. Petrillo
Commissioner of Parks, Recreation & Conservation

845-564-7815
FAX: 845-564-7827

June 4, 2012

TO: Wayne Booth, Supervisor
Town Board Members

FROM: Robert J. Petrillo, Commissioner

RE: Payment Authorization Request

At this time we are requesting payment from the T-38 account for the following Community Day expenses. Your approval now will help expedite payment following the event.

Legion Fireworks	\$ 9,000.00
A-1 Portable Toilets	\$ 900.00
DMU (DJ & Sound System)	\$ 500.00
Band (Carl Darrigo)	\$ 400.00
Burgess Sign & Digital Art	\$ <u>480.00</u>
Total	\$11,280.00

The current balance in the T-38 account is \$24,591.17. Thank you for your consideration.

Regards,

R. J. Petrillo
Commissioner

JUN 13 2012

60

Wayne C. Booth

From: gubalz@gmail.com on behalf of Robbie Cooper [robbie@alrci.com]
Sent: Friday, June 08, 2012 7:26 AM
To: commissioner@hvc.rr.com
Subject: Bundled pricing

Rob:

Good morning. The current total of the buildings is \$12,065.00. If we were to get approval to do all of the buildings, I can reduce that quote to \$11,000.00 even. Please let me know if you have any questions.

Robbie Cooper
Sales/Project Management
Office: (518) 789-4603
Mobile: (845) 797-5485




**7. WATER DISTRIBUTION: BUDGET TRANSFER/PUMP
REPLACEMENT AT RTE. 52 PUMP STATION**

JUN 13 2012

TOWN OF NEWBURGH
TOWN ENGINEER
1496 Rte. 300
Newburgh, NY 12550
(845) 564-7814

MEMORANDUM

TO: Wayne Booth, Town Supervisor & Town Board
FROM: James W. Osborne, Town Engineer 
DATE: June 7, 2012
RE: W \ **ROUTE 52 BOOSTER PUMP STATION**

Recently, the Water Department replaced a failing pump at the above facility with a new pump and motor. The new pump replaced a 30+ year pump that was original equipment when the pump station was built in the 1970's. Because of its projected useful life and cost, the new pump is a capital expenditure. Therefore, I am requesting the following budget transfer:

From: #8340.0472 (Consultants)
To: #8340.0200 (Equipment)
Amount: \$3,900

As the above requires Town Board action, I am requesting that this item be placed on the next available agenda for approval. If you have any questions or comments, I am available to discuss them with you.

JWO/id

cc: J. Calarco, Accountant
J. Platt, DPW
L. Cornell, Water/Bldg. & Grounds

**8. ENGINEERING: WARING ROD. BRIDGE/CULVERT
REPLACEMENT (ENGINEERING SERVICES)**

JUN 13 2012



Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

8

1607 Route 300, Suite 101
Newburgh, NY 12550
T: 845.564.4495
F: 845.564.0278
www.maserconsulting.com

June 5, 2012

VIA E-MAIL

James Osborne, P.E.
Town Engineer
Town of Newburgh Town Hall
1496 Route 300
Newburgh, NY 12550

Re: Waring Road Bridge Replacement
Newburgh, New York
MC Project No. 11-000925G

Dear Mr. Osborne:

As per our discussion, please consider this letter as our proposal to provide construction inspection services in connection with the above referenced bridge replacement project. More specifically, Maser Consulting P.A. shall be providing daily inspection services at the site for an anticipated 10 week duration for a lump sum fee of \$5,000.00.

We thank you in advance for consideration of our proposal and if you have any questions, please do not hesitate to contact the undersigned.

Very truly yours,

MASER CONSULTING P.A.

Joseph A. Dopico, P.E.
Senior Principal

JAD/jm

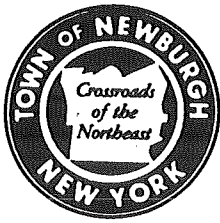
CC: Wayne Booth, Supervisor, Town of Newburgh
Alex Itkin, Maser Consulting P.A.

U:\Joe Dopico\MC11000925AJAD Osborne.docx

Customer Loyalty through Client Satisfaction

9. HIGHWAY DEPARTMENT: VEHICLE PURCHASE REQUEST

JUN 13 2012



HIGHWAY DEPARTMENT


90 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

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

DARRELL BENEDICT
HIGHWAY SUPERINTENDENT

TODD DEPEW
DEPUTY HIGHWAY SUPERINTENDENT

TO: Wayne C. Booth, Supervisor, and Town Board Members

FROM: Darrell Benedict, Highway Superintendent 

DATE: June 4, 2012

RE: 2012 Replacement of HD - 1 Truck

I am requesting permission to purchase a State Bid Pick-Up Truck to replace my 2003 HD-1 Truck. The cost of the truck will be \$37,767.37, this will be coming from my 2012 equipment budget account number 030-5130-0200. Thank you.

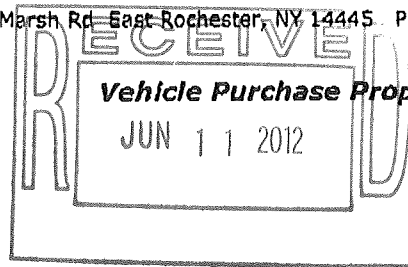
DB/ch

cc: Jackie Calarco, Accounting Department



71 Marsh Rd East Rochester, NY 14445 Phone (585) 586-7705 Fax (585) 586-7706

Wednesday May 30th, 2012 5:55 PM



Purchase Order #:

Quote# 10294

Contract #: 21910-PF/PC65030 Item 91A

Attention: Jim LaColla

Town of Newburgh

88 Gardnertown Road
Newburgh, NY 12550

845-561-2288 Fax: 845-561-3975

Email: fleetmaintenance@hvc.rr.com

Item Description	Code	Qty	Your Price	MSRP
2012 Ford F-250 XL Super Cab 4WD	X2B	1	\$ 22,669.68	\$ 35,125.00
Vermillion Red	F1	1	\$ 0.00	\$ 0.00
6.7L Powerstroke Diesel V-8	99T	1	\$ 7,443.25	\$ 7,835.00
Heater, Engine Block	41H	1	\$ 0.00	\$ 0.00
Axle, Limited Slip (Ratio 3.55) (99T only) N/A w/ DRW	X3J	1	\$ 370.50	\$ 390.00
Cloth 40/20/40 Bench Seat	1S	1	\$ 95.00	\$ 100.00
Electric Shift-on-the-Fly 4x4	213	1	\$ 175.75	\$ 185.00
Upfitter Switches (4)	66S	1	\$ 118.75	\$ 125.00
Cab Steps (Super Cab/Crew Cab)	18B	1	\$ 351.50	\$ 370.00
OEM Spray Liner "Tough Bed" Tailgate is not sprayed, plastic cover supplied	85S	1	\$ 427.50	\$ 450.00
Snow Plow Package (N/A w/ 67H-heavy srvc pkg.)	473	1	\$ 80.75	\$ 85.00
Splash Guards / Mud Flaps	61S	1	\$ 123.50	\$ 130.00
Delivery to Region 5	Reg 5	1	\$ 362.00	\$ 362.00
2" Pintle Ball w/ Insert		1	\$ 160.31	\$ 168.75
Strobe Mini Bar		1	\$ 296.88	\$ 312.50
Undercoating		1	\$ 223.25	\$ 235.00
8' Heavy Duty Fisher Plow		1	\$ 4,512.50	\$ 4,750.00
Steel SnoFoil Installed (Any HD Plow Only)		1	\$ 356.25	\$ 375.00
Term Is Net 15 Days A.R.V. Delivery from factory to dealer is estimated at 16-20 weeks. This Quote Expires In 60 Days.	Total Price:		\$ 37,767.37	
Quantity on this Order: 1	Grand Total:		\$ 37,767.37	
Suggested Items Below	Code	Qty	Your Price	MSRP
LT265/70R17E BSW AT (XL)	TCD	1	\$ 432.25	\$ 455.00

To place an order please sign and date this proposal and return it to
Van Bortel Ford along with a valid Purchase Order, Voucher, or Letter of Intent. Thank You!

Accepted By: _____ Title _____ Date _____

Van Bortel Ford Inc (WBE)

Josh Relyea

Federal ID: 16-1609363

Van Bortel Ford, Inc. (WBE)

Price	Select	Code	Option	Description	MSRP	Contract factor
\$18,175.42		F2A	NYS OGS Item 88A	2012 4X2 Reg Cab F250 XL 8' Box	\$ 29,830.00	0.6093
\$20,693.39		F2B	NYS OGS Item 89B	2012 4X4 Reg Cab F250 XL 8' Box	\$ 32,805.00	0.6308
\$22,498.14		X2B	NYS OGS Item 90A	2012 4X4 Ext Cab F250 XL 6' Box	\$ 34,935.00	0.644
\$22,669.68		X2B	NYS OGS Item 91A	2012 4X4 Ext Cab F250 XL 8' Box	\$ 35,125.00	0.6454
\$23,592.13		W2B	NYS OGS Item 92A	2012 4x4 Crew Cab F250 XL 6' Box	\$ 36,290.00	0.6501
\$21,328.78		F3B	NYS OGS Item 93A	2012 4X4 Reg Cab F350 XL 8' Box	\$ 33,520.00	0.6363
\$21,351.17		F3D	NYS OGS Item 94	2012 4X4 Reg Cab F350 XL <i>DRW</i> 8' Box	\$ 34,560.00	0.6178
\$22,003.97		W3A	NYS OGS Item 95A	2012 4X2 Crew Cab F350 XL 8' Box	\$ 34,435.00	0.639
\$24,578.37		W3B	NYS OGS Item 96A	2012 4X4 Crew Cab F350 XL 8' Box	\$ 37,410.00	0.657

Delivery Allowance Schedule (DAS) will be added to all Orders/Quotes.

UJ		Sterling Grey Metallic
DX		Dark Blue Pearl Metallic
F1		Vermillion Red
W6		<i>Green Green</i> Metallic
LQ		Pale Adobe
UD		Black
UX		Ingot Silver Metallic
Z1		Oxford White
SB		School Bus Yellow
XX		OEM Special Paint

Special Paint N/C
Requires 5 or more

XL Models are standard with the following: Auto Trans, Gas Engine, 4 Wheel ABS, Black Bumpers, Dual Jewel Headlights, Steel Wheels, All Season Tires, Tilt Steering, AM/FM Radio, A/C, Vinyl 40/20/40 Seat, Rubber floor, Matching spare, Basic Trailer plugs and receiver, Trailer tow mirrors.

9

ITEM	CODE	SELECT	OPTION DESCRIPTION	OPTION Notes	MSRP	Your Price
	VSO		Charge for Special Paint	Requires 5 or more	TBD	TBD
ENGINE	996	1	6.2L EFI V-8 FFV		\$0.00	\$ 0.00
	98F		CNG/LPG Fuel Capable Engine		\$315.00	\$ 299.25
	99T		6.7L Powerstroke Diesel V-8		\$7,835.00	\$7,443.25
	62R		Transmission Power Take-Off Provision (Auto Trans & Reqs 99T)		\$280.00	\$ 266.00
	67D		200 Amp Alternator (requires 99T, N/A w/ 473 Plow pkg.)		\$75.00	\$ 71.25
	67A		Dual Alternators (Requires 99T)		\$380.00	\$ 361.00
	63T		Engine Idle Shutdown	Requires 99T, NA W/ 76R	\$250.00	\$ 237.50
	98R		Operator Commanded Regeneration (OCR)	Requires 99T	\$250.00	\$ 237.50
	41A		Rapid-Heat Supplemental Cab Heater (requires 67D)	Requires 99T	\$250.00	\$ 237.50
	41H		Heater, Engine Block		\$0.00	\$ 0.00
AXLE	X3J		Axle, Limited Slip (Ratio 3.55) (99T only)	N/A w/ DRW	\$390.00	\$ 370.50
	X3E		Axle, Limited Slip (Ratio 3.73)	N/A w/ DRW	\$390.00	\$ 370.50
	X3H		Axle, Limited Slip (Ratio 3.31)	N/A w/ DRW	\$390.00	\$ 370.50
	X3L		Axle, Limited Slip (Ratio 3.73)	DRW Only	\$350.00	\$ 332.50
TIRE	TBM		LT245/75Rx17E BSW AT (XL)		\$125.00	\$ 118.75
	TCD		LT265/70Rx17E BSW AT (XL)		\$455.00	\$ 432.25
	TDX		LT275/70Rx18E BSW AT (4X4)	F-350 SRW ONLY	\$550.00	\$ 522.50
	TBM		LT245/75Rx17E BSW AT	F-350 DRW ONLY	\$150.00	\$ 142.50
	64W		Aluminum Wheel 17" only		\$600.00	\$ 570.00
SEAT	1S		Cloth 40/20/40 Bench Seat		\$ 100.00	\$ 95.00
	1S		Cloth 40/20/40 Bench Seat	Crew Cab	\$ 315.00	\$ 299.25
	2S		Cloth 40/Mini Console/40		\$ 515.00	\$ 489.25
	2S		Cloth 40/Mini Console/40	Crew Cab	\$ 615.00	\$ 584.25
	LS		Vinyl 40/Mini Console/40	Regular Cab Only	\$ 355.00	\$ 337.25
INTERIOR	90L		Power Equip Group (Reg. & Sup. Cabs)		\$ 895.00	\$ 850.25
	90L		Power Equip Group (Crew Cabs)		\$ 1,105.00	\$1,049.75
	76S		Remote Start (OEM) (req's 90L)	Separate Fobs	\$ 195.00	\$ 185.25
	525		Cruise Control		\$ 235.00	\$ 223.25
	585		AM/FM CD		\$ 275.00	\$ 261.25
	62D		Steering Wheel Audio Controls		\$ 70.00	\$ 66.50
	91M		SYNC	Requires 62D & 96V	\$ 395.00	\$ 375.25
	96V		XL Value Package (inc's 525, 585, 17F)		\$595.00	\$ 565.25
	87T		Crew Chief Tool Tracking system		\$800.00	\$ 760.00
	87C		Tool Cable Lock (replaces cargo tie hooks)		\$120.00	\$ 114.00
	213		Electric Shift-on-the-Fly 4x4		\$ 185.00	\$ 175.75
	572		Air Conditioning <i>Defete</i>	NA W/ 76S	\$ (680.00)	\$ (680.00)
	66S		Upfitter Switches (4)		\$125.00	\$ 118.75
EXTERIOR	18B		Cab Steps (Regular Cab)		\$320.00	\$ 304.00
	18B		Cab Steps (Super Cab/Crew Cab)		\$370.00	\$ 351.50
	41P		Skid Plate Package (Fleet 4x4 only)		\$100.00	\$ 95.00
	17X		4X4 Off-Road Package (requires 4x4, lmt'd slip & AT tires)		\$295.00	\$ 280.25
	17F		XL Décor Package (Chrome Front and rear bumper, Bright hub covers SRW)	No Rear bumper w/ 66D	\$220.00	\$ 209.00
	473		Snow Plow Package (N/A w/ 67H-heavy srvc pkg.)		\$85.00	\$ 80.75
	471		Camper Package (N/A w/ 66D box del., 63B-stabilizer pkg. or 67H-Heavy srvc pkg.)		\$160.00	\$ 152.00
	63R		Suspension Package, Heavy Service w/66D	F-250 ONLY	\$125.00	\$ 118.75
	67H		Heavy Service Suspension Package (N/A w/ 473-snow plow pkg., 471-camper pkg. or 63B-stabilizer pkg.)		\$125.00	\$ 118.75
	52B		TowCommand Integrated Trailer Brake Controller	N/A w/ F-350 DRW	\$230.00	\$ 218.50

9

ITEM	CODE	SELECT	OPTION DESCRIPTION	OPTION Notes	MSRP	Your Price
	53W		5th Wheel / Gooseneck Hitch Prep	N/A 85B	\$370.00	\$ 351.50
	53C		12.5K Opt Trailer Hitch		\$0.00	\$ -
	15J		Gooseneck Hitch Kit		\$250.00	\$ 237.50
	15K		5th Wheel Hitch Kit		\$1,695.00	\$1,610.25
	433		Window, Manual Sliding Rear		\$125.00	\$ 118.75
	85G		Tailgate Step		\$375.00	\$ 356.25
	965		Body Side Molding	X & W Cab Configuration	\$60.00	\$ 57.00
	85S		OEM Spray Liner "Tough Bed"	Tailgate is not sprayed, plastic cover supplied	\$450.00	\$ 427.50
	85M		Bed Mat		\$135.00	\$ 128.25
	85B		Stowable Bed Extender		\$250.00	\$ 237.50
	61S		Splash Guards / Mud Flaps		\$130.00	\$ 123.50
	949		OEM Roll-up Tonneau Cover		\$330.00	\$ 313.50
	76R		Reverse Vehicle Aid Sensor (N/A w/ 66D-pickup box del)		\$245.00	\$ 232.75
	76C		Exterior Back up chime		\$125.00	\$ 118.75
	76V		Rear View Camera		\$470.00	\$ 446.50
	S2Y		Chrome Front Grill		TBD	TBD
	592		Clearance Lights, Roof	N/A w/ F-350 DRW	\$55.00	\$ 52.25
	942		Daytime Running Lamps (Fleet only)		\$45.00	\$ 42.75
	54P		Deletes Trailer Mirror for Black Foldaway		(\$100.00)	\$ (100.00)
	66D		Pick-up Box Delete (8 ft. Box only,) Deletes Spare		(\$500.00)	\$ (500.00)
	512		Spare Tire and Wheel (with Box Delete; Std. all others)		\$295.00	\$ 280.25
	51X		Spare Tire Delete		(\$68.00)	\$ (68.00)
	WBU		Upgrade 6' box to 8' box	F250 Crew Only	\$126.77	\$126.77
	WBD		Down size box 8' to 6' box	F350 Crew XL only	(\$174.00)	\$ (174.00)
	Reg 1		Delivery to Region 1		\$ 110.00	\$ 110.00
	Reg 2		Delivery to Region 2		\$ 160.00	\$ 160.00
	Reg 3		Delivery to Region 3		\$ 265.00	\$ 265.00
	Reg 4		Delivery to Region 4		\$ 307.00	\$ 307.00
	Reg 5		Delivery to Region 5		\$ 362.00	\$ 362.00
	Reg 6		Delivery to Region 6		\$ 475.00	\$ 475.00
WARRANTY	Powertrain		Powertrain Warranty 5 year, 100,000 mi \$100.00 Deductible	4x4 Gas or Diesel	\$1,550.00	\$1,472.50
	BaseCare		BaseCare Warranty 5 year, 100,000 mi \$100.00 Deductible	4x4 Gas or Diesel	\$1,800.00	\$1,710.00
	ExtraCare		ExtraCare Warranty 5 year 100,000 mi \$100.00 Deductible	4x4 Gas or Diesel	\$2,065.00	\$1,961.75
	Premium Care		PremiumCare Warranty 5 year, 100,000 mi \$100.00 Deductible	4x4 Gas or Diesel	\$2,410.00	\$2,289.50
	Powertrain		Commercial Business Use Surcharge	Required	\$ 100.00	\$ 100.00
	BaseCare		Commercial Business Use Surcharge	Required	\$ 150.00	\$ 150.00
	ExtraCare		Commercial Business Use Surcharge	Required	\$ 200.00	\$ 200.00
	Premium		Commercial Business Use Surcharge	Required	\$ 250.00	\$ 250.00
	Powertrain		\$0.00 Deductible Surcharge		\$ 115.00	\$ 115.00
	BaseCare		\$0.00 Deductible Surcharge		\$ 245.00	\$ 245.00
	ExtraCare		\$0.00 Deductible Surcharge		\$ 370.00	\$ 370.00
	Premium		\$0.00 Deductible Surcharge		\$ 455.00	\$ 455.00
	SPS		Snow Plow Surcharge	Required w/ 473	\$ 695.00	\$ 695.00
<i>For all 4x2 warranties or any truck that has a pick up box delete select above and a new quote will be done</i>						

Not all options are compatible with each other. Please contact us with any question. All prices when quoted will include applicable MSRP option Discount.

9

Box Options		Select	Cost
BX86U	Bed Liner Plastic		\$ -
BXSPRYLNE	Bed Liner Spray on style		\$ -
BXRB	Box Running boards		\$ -
BXXBXSTL	Cross Box Tool Box (steel)		\$ -
BXXBXADP	Cross Box Tool Box (ADP)		\$ -
BXRLBXSTL	Rail Box (Steel) Approx 8' (Pair)		\$ -
BXRLBXADP	Rail Box (ADP) Approx 8' (Pair)		\$ -
BXLDRRCK	Over Cab Ladder rack		\$ -
BXSLIDE	Cargo Slide for floor of box		\$ -
BXOTR	Cab Protector (Black)		\$ -
Lift-gates			
LG1000#	1000# Lift gate		\$ -
LG1000#ALM	1000# Lift gate Aluminum		\$ -
LG1300#	1300# Lift gate		\$ -
LG1300#ALM	1300# Lift gate Aluminum		\$ -
LGEXT	6" to 11" Extension		\$ -
LGDUMP	Dump thru conversion		\$ -
LGOTR	2000# Lift gate Rail Style		\$ -
Warning Lights			
WLCHASTRB	Corner "Hide away" strobes		\$ -
WLSTRBCN	Strobe Beacon		\$ -
WLSTRMINI	Strobe Mini Bar		\$ -
WLROTBCN	Rotating Beacon		\$ -
WLROTMINI	Rotating Mini Bar		\$ -
WLBXLGT	Truck Light (extra light for bed)		\$ -
WLREVLGT	Trailer Light (reverse lighting)(2 lights)		\$ -
WLSPLT	Spot Light (drivers side)		\$ -
WLOTR	Other		\$ -
Running Boards			
RFBGGRB	Fiberglass Running boards		\$ -
RBHOOP	Hoop Steps (per pair)		\$ -
RBNERF	Nerf Bars Reg Cab Black		\$ -
RBNERFEXTC	Nerf Bars Ext. & Crew Cab Black		\$ -
RBNERFSS	Nerf Bars Reg Cab Chrome / Stainless		\$ -
RBNERFEXTC	Nerf Bars Ext. & Crew Cab Chrome / Stainless		\$ -
RBADP	Aluminum Diamond Plate running boards		\$ -
RBEXTUP	Extended Cab running boards (ADP)		\$ -
RBOTR	Crew Cab running boards (ADP)		\$ -
Mud Flaps			
MFADP4SW	Aluminum Diamond Plate Mud flaps (4)		\$ -
MFADP2SW	Aluminum Diamond Plate Mud flaps (2)		\$ -
MFP/R4SW	Plastic / Rubber Mud Flaps (4) SRW		\$ -
MFP/R2SW	Plastic / Rubber Mud Flaps (2) SRW		\$ -
MDFPDRWAD	DRW (Rear) ADP Mud Flaps (2)		\$ -
MDFPDRW	DRW (Rear) Pastic / Rubber Mud Flaps (2)		\$ -

9

<i>Snow Plows</i>		<i>ITEM</i>	<i>Select</i>	<i>Cost</i>
8WestUM	8'	Western Ultra Mount Plow		\$ -
8WestUMPP	8'	Western Ultra Mount Pro-Plus Plow		\$ -
8WestUMPol	8'	Western Ultra Mount Plow Poly		\$ -
9WestUMPP	9'	Western Ultra Mount Pro Plus Plow		\$ -
8.6WestMVP	8 1/2'	MVP Western Plow		\$ -
9.6WestMVP	9 1/2'	MVP Western Plow		\$ -
8-10WIDEOUT	8'-10'	Wide-out Western Plow		\$ -
8BSSTR	8'	Boss Plow		\$ -
9BSSTR	9'	Boss Plow		\$ -
8.2BSSV	8.2	Boss V plow		\$ -
9.2BSSV	9.2	Boss V plow		\$ -
8HDFSH	8'	Fisher Minute Mount HD Plow		\$ -
8HDFSHSS	8'	Fisher Minute Mount HD Plow Stainless Steel		\$ -
9HDFSH	9'	Fisher Minute Mount HD Plow		\$ -
9HDFSHMC	9'	Fisher Minute Mount MC Plow		\$ -
8.6HDFSHV	8 1/2'	Fisher Xtreme V Mild steel plow		\$ -
9.6HDFSHV	9 1/2'	Fisher Xtreme V What stays on Package		\$ -
8.6HDFSHVSS	8 1/2'	Fisher Xtreme V Stainless steel plow		\$ -
9.6HDFSHVSS	9 1/2'	Fisher Xtreme V Stainless steel plow		\$ -
8-10WIDEFISH	8'-10'	Expandable Plow Fisher Plow		\$ -
8MYRE60	8'	Meyer (EZ mount E58H pump) Plow		\$ -
9MYRE60	9'	Meyer (EZ mount E58H pump) Plow		\$ -
8.6MYRSV	8 1/2'	Meyers Super V plow		\$ -
8AFLOCSP	8'	Airflo Carbon steel plow		\$ -
8AFLOSSP	8'	Airflo Stainless steel plow		\$ -
VPOTR		Other		\$ -
<i>Plow Options</i>				
PLWRBRDF		Rubber Deflector		\$ -
PLWSTLDF		Steel / Poly Deflector		\$ -
PLWCRBGRD		Curb Guards		\$ -
JJSWING		JJag 8' Side wing plow		\$ -
PLWOTR		Other		\$ -
<i>Swing-away Spreaders</i>				
WEST2000SAW		Western Hitch Mount 2500 (10CUFT)		\$ -
FSH2000SAW		Fisher Model 2000		\$ -
BUYSWAWY		Buyers Swing away (10.79CUFT)		\$ -
AFLOSS		Air-flo Stainless Steel (MSS) (6.5CUFT) (w/ Rheostat)		\$ -
BOSS11CF		Buyers TGS-06 (10CUFT)		\$ -
<i>Hopper Spreaders</i>				
HSFSH1.8G		Fisher 1.8yrd gas Mild Steel		\$ -
HSFSH1.8GSS		Fisher 1.8yrd gas Stainless Steel		\$ -
HSWEST1.8G		Western 2.0yrd gas Mild Steel		\$ -
HSWEST1.8GSS		Western 2.0yrd gas Stainless Steel		\$ -
HSBUY1.8G		Buyers 1.8yrd gas Mild Steel		\$ -
HSBUY1.8GSS		Buyers 1.8yrd gas Stainless Steel		\$ -
HSSLTDG		Salty Dogg 1.5 yrd Poly		\$ -
HSTOPSCRN		Smith Stainless Steel		\$ -
HSOTR		Air-flo Stainless Steel PSV-8E 1.7yrd gas		\$ -
HSOTR1		Air-flo Stainless Steel PSV-8L 1.7yrd Elec		\$ -
HS12EXT		12" ext chute (for after market bodies)		\$ -

Caps		Select	Cost
CAPCONTRCT	Steel (w/ tool boxes) Cap		\$ -
CAPCONTRCT	Alum. Contractor w/ toolboxes 23" High Cap		\$ -
CAPFIBER	Fiberglass Cab-hi Painted to match Cap		\$ -
CAPALUM	Aluminum Cap		\$ -
CAPSTON	Soft Toneau Cover		\$ -
CAPHTON	Hard Toneau Cover		\$ -
CAPF/RTON	Folding / Rolling Toneau Cover		\$ -
CAPOTR	Other		\$ -
Miscellaneous			
BUA102	Back Up Alarm		\$ -
FEXTABC	Fire Extinguisher (ABC)		\$ -
ROADKIT	Roadside Kit (triangle markers)		\$ -
RUSTPROO	Undercoating		\$ -
PERMJUMP20	Permanent Mounted Jumper (20' cable)		\$ -
BUGSHLD	Bug Shield		\$ -
RAINGRD2D	Rain Guards (2dr)		\$ -
SLIDDUMP	Slid in Dumping Box		\$ -
PICKUPCONV	Dumping Pickup box		\$ -
512WAMB	Spare tire w/ use of AM bodies (loose)		\$ -
TIESTRP	Tie down straps		\$ -
GRILLGRD	Full wrap grill guard black		\$ -
MISCOTR1	Remote Start (max out time)		\$ -
MISCOTR3	Shop Manuals		\$ -
MISCOTR7	Dual Battery (PC1200 Gel battery with underbed box)		\$ -
MISCOTR8	Timbrens P/U Front		\$ -
MISCOTR9	Timbrens P/U Rear		\$ -
MISCOTR10	Extra Keys		\$ -
PUBOXRMV	Remove Box supply fuel fill kit (Item Restricted)		\$ -

9

<i>Service Bodies Requires (66D) option, Deletes Spare</i>		Select	Cost
SBSW56	SRW 56" CA Service Body (w/rcssd bumper & plug)		\$ -
SBDW56	DRW 56" CA Service Body (w/rcssd bumper & plug)		\$ -
SBFLIP	Flip Top		\$ -
SBSLIDE	Sliding Cover		\$ -
SBCANOPYCR	Canopy cover (item restricted)		\$ -
SBMASTLOCK	Master Locking		\$ -
SBABCONFIG	Different pattern (other than A/A)		\$ -
SBCRANERIF	Crane Reinforcement		\$ -
SBLEDLGT	LED Lights		\$ -
SBOTR2	Other		\$ -
<i>Dump Bodies Requires (66D) option, Deletes Spare</i>			
DUMP239	8' 2-3 yard cap Dump Body		\$ -
DUMPCNTRL	Central Hydraulics (PTO/Clutch pump)		\$ -
DUMPXPLMB	Central hyd. Plumbed for plow & spreader		\$ -
DUMP36BOX	24" under body Tool box		\$ -
DUMPDUALAC	Dual acting hoist (power up & down)		\$ -
DUMP1/2CAB	1/2 cab Shield		\$ -
DUMXPATCH	Extra Patch gates / Coal doors (ea)		\$ -
DUMPFOLD	Fold Down Sides		\$ -
DUMPLED	LED Lights		\$ -
DUMPOTR2	Manual Tarp		\$ -
DUMPOTR3	Other		\$ -
<i>Stake Bodies Requires (66D) option, Deletes spare</i>			
STKSW568	SRW 56" CA Stake Body (wood floor, no racks) 8'		\$ -
STKDW568	DRW 56" CA Stake Body (wood floor, no racks) 8'		\$ -
STKSTEELUP	Steel Floor ILO Wood Floor		\$ -
STKTREADUP	Tread Plate Floor ILO Wood Floor		\$ -
STKPERMBLK	Permanent mount bulkhead		\$ -
STK1/4CAB	Cab Shield		\$ -
STK40RCK	40" Racks		\$ -
STKSLDSTL	Solid sides (steel)		\$ -
STKDUMP	Dumping Body Conversion		\$ -
<i>Hitch and Trailer Accessories / Electrical</i>			
HTA2BINS	2" Ball and insert		\$ -
HTA2516BINS	2 5/16" Ball and insert		\$ -
HTA2PININS	2" Pintle Ball w/ insert		\$ -
HTAADJ	Adjustable height insert		\$ -
HTAPINDAMB	Pintle Ball and "D" Rings for AM body use		\$ -
HTAINVERT	12-120V, 16-20AMP, 2000-2400 watt inverter (item restricted)		\$ -
WINCH8K	8000# Winch		\$ -
WINCHW2R	Winch wired to rear		\$ -
MIRCOMPTEM	Interior Rearview mirror w/ compass and temp		\$ -
RDTEMPSENS	Road temperature sensor		\$ -
HTAOTR1	Other		\$ -

**10. ASSESSOR: CERTIORARI SETTLEMENT
NORTHEAST BUSINESS CENTER**

JUN 13 2012

10

HACKER MURPHY, LLP
ATTORNEYS AT LAW
7 AIRPORT PARK BOULEVARD
LATHAM, NEW YORK 12110-1429
TELEPHONE (518) 783-3843
FACSIMILE (518) 783-8101
WWW.HACKERMURPHY.COM

March 28, 2012

Mark C. Taylor, Esq.
Rider, Weiner, Frankel & Calhelha, P.C.
P.O. Box 2280
Newburgh, New York 12550

RE: Northeast Business Center Associates 4.5, et al. v. Town of Newburgh
Our File No. 3150/5018.010

Dear Mark:

Attached please find the proposed Consent Order and Judgment in reference to the above entitled proceedings. Prior to his retirement Mike Fogarty and I discussed reducing Lot 67 to a value that was reflective of a proposed lease. Lot 67 had been vacant for almost 2 years and the only potential tenant was at a reduced rental with a \$1.50 sq. ft. tax cap. Once the lease was entered into I had both ESAC and Alan Cagney review it and value the property per the lease terms. I then negotiated the settlement for both parcels with attorney Paul Feigenbaum. I believe that the proposed settlement is a fair one.

We recommend that the Town Board authorize us to enter into this settlement as proposed. Please place this matter on the agenda for the next Newburgh Town Board Meeting for approval. Please advise me once the Resolution passes and I will sign the original Stipulation of Settlement and forward it to the petitioner's attorney for filing.

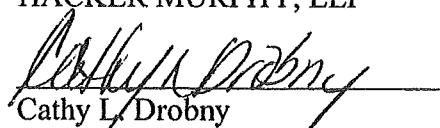
I have enclosed for your review a copy of the refund liability chart which shows the potential liability versus the proposed settlement refund liability.

Please do not hesitate to contact me if you have any questions.

Very truly yours,

HACKER MURPHY, LLP

By:


Cathy L. Drobny
cdrobny@hackermurphy.com
Direct: (518) 213-0116

CLD:scf

Enclosures

cc: Alan F. Cagney, Deputy Assessor
Barry Herbold (w/o enclosure)

10

At an All Purpose Term of the Supreme Court of the State of New York, held in and for the County of Orange, on the _____ day of _____, 2012.

P R E S E N T: HON: CATHERINE M. BARTLETT,
Justice.

STATE OF NEW YORK
SUPREME COURT ORANGE COUNTY

In the Matter of the Application of

**NORTHEAST BUSINESS CENTER ASSOCIATES 4.5
and NORTHEAST DISTRIBUTION CENTER
ASSOCIATES,**

Petitioners,

-against-

**BOARD OF ASSESSMENT REVIEW AND ASSESSOR
OF THE TOWN OF NEWBURGH AND THE TOWN
OF NEWBURGH,**

Respondents.

**CONSENT ORDER AND
JUDGMENT**

Index No.: 2010-8012

Index No.: 2011-6994

Assigned Judge:
Hon. Catherine M. Bartlett

For the review of the assessment for the years 2010 and 2011 of certain real property in the said **TOWN OF NEWBURGH.**

The above petitioners having duly brought these proceedings to review the tax assessments made against premises in the Town of Newburgh, County of Orange, New York, for the years 2010 and 2011, as follows:

1. Corporate Boulevard Route 17K, S/B/L No. 95-1-1.32, owned by Petitioner Northeast Business Center Associates 4.5; and
2. Corporate Boulevard Route 17-K, S/B/L No. 95-1-67, owned by Petitioner Northeast Distribution Center Associates (the "Lot 67 Property"),

(collectively, the "Property"), and being the real property mentioned and more fully described in the petitions made and filed herein, and issue having been duly joined herein, and the petitioners having appeared by Segel, Goldman, Mazzotta & Siegel, P.C., Paul A. Feigenbaum, Esq. of

counsel, and Respondent Town of Newburgh having appeared by Hacker Murphy, LLP, Cathy L. Drobny, Esq. of counsel; and

The respective parties having made their settlement, it is hereby

ORDERED, ADJUDGED and DECREED, that the assessments for the real property designated upon the assessment roll of the Town of Newburgh for the 2010 assessment year by the following tax identification numbers be and the same are reduced, corrected and fixed, prior to the application of any real property tax exemptions, as follows:

Property Address	SBL No.	2010 Assessment	Reduced 2010 Assessment	Total Reduction
Corporate Boulevard Route 17-K	95-1-1.32	\$1,480,000	\$1,377,600	\$102,400
Corporate Boulevard Route 17-K	95-1-67	\$2,500,000	\$2,132,000	\$368,000
	Totals	\$3,980,000	\$3,509,600	\$470,400

and it is further

ORDERED, ADJUDGED and DECREED, that the assessments for the real property designated upon the assessment roll of the Town of Newburgh for the 2011 assessment year by the following tax identification numbers be and the same are reduced, corrected and fixed, prior to the application of any real property tax exemptions, as follows:

Property Address	SBL No.	2011 Assessment	Reduced 2011 Assessment	Total Reduction
Corporate Boulevard Route 17K	95-1-1.32	\$1,480,000	\$1,459,600	\$20,400
Corporate Boulevard Route 17-K	95-1-67	\$2,500,000	\$1,780,000	\$720,000
	Totals	\$3,980,000	\$3,239,600	\$740,400

and it is further

ORDERED ADJUDGED and DECREED, that the officials of the Town of Newburgh, the Newburgh Central School District and the County of Orange having custody of said 2010 and 2011 assessment rolls or any tax roll prepared based on the 2010 and 2011 assessment rolls, respectively, are directed to correct said assessments on said assessment rolls in accordance with

this Order and Judgment and shall note upon the margin of said rolls, opposite said entries, that the same have been corrected by the authority of this Order and Judgment; and it is further

ORDERED AND DIRECTED, that there shall be audited, allowed and paid to the petitioners by the Town of Newburgh the amount of Town taxes paid by the petitioners as taxes against the said erroneous assessments in excess of what the taxes would have been if the said assessments made in the aforesaid years had been determined by this Order and Judgment, together with interest thereon from the date of payment thereof as provided by statute; and it is further

ORDERED AND DIRECTED, that there shall be audited, allowed and paid to the petitioners by the Newburgh Central School District, the amount of School taxes paid by the petitioners as taxes against the said erroneous assessments in excess of what the taxes would have been if the said assessments made in the aforesaid years had been determined by this Order and Judgment, together with interest from the date of payment thereof as provided by statute; and it is further

ORDERED AND DIRECTED, that the Commissioner of Finance of the County of Orange, State of New York, be and is hereby directed and authorized to audit, allow and to pay to the petitioners the amount, if any, of State, County, Town, Judiciary, Library, Sewer District and any special taxes paid by the petitioners as taxes against said erroneous assessments in excess of what the taxes would have been if the said assessments had been determined by this Order and Judgment, together with interest thereon from the date of payment thereof as provided by statute; and it is further

ORDERED AND DIRECTED, that all tax refunds are to be paid with interest pursuant to §726 of the Real Property Tax Law of the State of New York, except that in the event the refund of taxes is paid within ninety (90) days from the date of service of a copy of this Order and

Judgment with Notice of Entry, then such interest shall be waived; together with the amounts of interest and penalties, if any, paid on the excess of any of the aforesaid taxes by reason of delinquent payment; and it is further

ORDERED AND DIRECTED, that all tax refunds hereinabove directed to be made by respondent, the Town of Newburgh, and/or any of the various taxing authorities, be made by check or draft payable to the order of SEGEL, GOLDMAN, MAZZOTTA & SIEGEL, P.C. as attorneys for the petitioners, who are to hold the proceeds as trust funds for appropriate distribution, and who are to remain subject to the further jurisdiction of this Court in regard to their attorneys' lien, pursuant to Judiciary Law §475; and it is further

ORDERED, ADJUDGED AND DECREED, that nothing in this Order and Judgment shall affect any statutory exemption, if any, to which petitioners are, or may become, entitled; and it is further

ORDERED AND DIRECTED, that except as otherwise expressly provided in this Order and Judgment, all the terms of Real Property Tax Law § 727 shall apply to this settlement, Order and Judgment with respect to the 2012/13, 2013/14 and 2014/15 tax years; and it is further

ORDERED AND DIRECTED, that solely with respect to the Lot 67 Property, in the event that during the 2012/13, 2013/14 and/or 2014/15 tax years, petitioner Northeast Distribution Center Associates enters into a new lease for the same space that currently is leased to a third party, and in the event the new lease is at a higher annual rent and does not contain a property tax cap of \$1.50 per square foot, then Respondent Town of Newburgh may, if it is so advised, reassess the Lot 67 Property, notwithstanding the provisions of Real Property Tax Law § 727, provided, however, that Petitioner shall have the right to challenge such new assessment if it is so advised; and it is further

ORDERED, ADJUDGED AND DECREED, that this Order and Judgment hereby constitutes and represents full settlement of each of the tax assessment review proceedings herein, and there are no costs or allowances awarded to, by or against any of the parties, and that upon compliance with the terms of this Order and Judgment, the above-entitled proceedings be and the same are settled and discontinued.

Dated: _____, 2012
Goshen, New York

ENTER,

Hon. Catherine M. Bartlett, Justice of the Supreme Court

THE SIGNING AND ENTRY OF THE WITHIN
ORDER AND JUDGMENT IS HEREBY CONSENTED TO:

HACKER MURPHY, LLP
Attorneys for Respondents

By: Cathy L. Drobny, Esq.
7 Airport Park Boulevard
Latham, New York 12110-1429
518-783-3843

SEGEL, GOLDMAN, MAZZOTTA & SIEGEL, P.C.
Attorneys for Petitioners

By: Paul A. Feigenbaum, Esq.
9 Washington Square
Washington Avenue Extension
Albany, New York 12205
(518) 452-0417

Northeast Business Center Associates, et al v. T/O Newburgh - Settlement

Year	Parcel Number	Assessed Value	Reduced AV	Eq. Rate	FMV	Reduced FMV	Difference	Tax Rate	Refund Liability	Interest	Total Refund Liability
2010	95-1-1.32	\$1,480,000	\$1,377,600	32.80%	\$ 4,512,195	\$ 4,200,000	\$ 102,400	County 9.46 Town 11.5 Fire-OL 3.81 Sp. Dist.	\$ 968.70 \$ 1,177.60 \$ 390.14 \$ -		\$ 968.70 \$ 1,177.60 \$ 390.14 \$ 6,430.31
2010	95-1-67	\$2,500,000	\$2,132,000	32.80%	\$ 7,621,951	\$ 5,000,000	\$ 368,000	School 62.7960 County 9.46 Town 11.5 Fire-OL 3.81 Sp. Dist.	\$ 6,430.31 \$ 3,481.28 \$ 4,232.00 \$ 1,402.08 \$ -		\$ 6,430.31 \$ 3,481.28 \$ 4,232.00 \$ 1,402.08 \$ 23,108.93
2011	95-1-1.32	\$1,480,000	\$1,459,600	35.60%	\$ 4,157,303	\$ 4,100,000	\$ 20,400	School 62.7960 County 9.31 Town 11.40 Fire-OL 3.92 Sp. Dist.	\$ 23,108.93 \$ 189.92 \$ 232.66 \$ 79.97 \$ -		\$ 23,108.93 \$ 189.92 \$ 232.66 \$ 79.97 \$ 1,299.23
2011	95-1-67	\$2,500,000	\$1,780,000	35.60%	\$ 7,022,472	\$ 5,000,000	\$ 720,000	School 63.6879 County 9.31 Town 11.40 Fire-OL 3.92 Sp. Dist.	\$ 1,299.23 \$ 6,703.20 \$ 8,211.53 \$ 2,822.40 \$ -		\$ 1,299.23 \$ 6,703.20 \$ 8,211.53 \$ 2,822.40 \$ 45,855.29

9

Northeast Business Center Associates, et al v. T/O Newburgh

Year	Parcel Number	Assessed Value	Claimed Assessed Value	Eq. Rate	FMV	Claimed FMV	Difference	Tax Rate	Refund Liability	Interest	Total Refund Liability
2010	95-1-1.32	\$1,480,000	\$1,312,000	32.80%	\$ 4,512,195	\$4,000,000	\$ 168,000	9.46	\$ 1,589.28		\$ 1,589.28
								County	\$ 1,932.00		\$ 1,932.00
								Fire-OL	\$ 640.08		\$ 640.08
								Sp. Dist.	\$ -		\$ -
2010	95-1-67	\$2,500,000	\$1,213,600	32.80%	\$ 7,621,951	\$3,700,000	\$ 1,286,400	62.7960	\$ 10,549.73		\$ 10,549.73
								County	\$ 12,169.34		\$ 12,169.34
								Town	\$ 14,793.60		\$ 14,793.60
								Fire-OL	\$ 4,901.18		\$ 4,901.18
								Sp. Dist.	\$ -		\$ -
2011	95-1-1.32	\$1,480,000	\$ 925,600	35.60%	\$ 4,157,303	\$2,600,000	\$ 554,400	62.7960	\$ 80,780.77		\$ 80,780.77
								County	\$ 5,161.46		\$ 5,161.46
								Town	\$ 6,320.16		\$ 6,320.16
								Fire-OL	\$ 2,173.25		\$ 2,173.25
								Sp. Dist.	\$ -		\$ -
2011	95-1-67	\$2,500,000	\$1,317,200	35.60%	\$ 7,022,472	\$3,700,000	\$ 1,182,800	63.6879	\$ 35,308.57		\$ 35,308.57
								County	\$ 11,011.87		\$ 11,011.87
								Town	\$ 13,483.92		\$ 13,483.92
								Fire-OL	\$ 4,636.58		\$ 4,636.58
								Sp. Dist.	\$ -		\$ -
								School	\$ 75,330.05		\$ 75,330.05

JUN 13 2012

10

RIDER, WEINER & FRANKEL, P.C.

ATTORNEYS & COUNSELLORS AT LAW

DAVID L. RIDER
CHARLES E. FRANKEL
MICHAEL J. MATSLER
MARK C. TAYLOR
DEBORAH WEISMAN-ESTIS (NY AND NJ)
M. JUSTIN RIDER (NY AND FL)
SHAY A. HUMPHREY
JEFFREY S.E. SCULLEY (NY AND IL)
DONNA M. BADURA
DARREN H. FAIRLIE

655 LITTLE BRITAIN ROAD
NEW WINDSOR, NEW YORK 12553

(MAILING ADDRESS:)
POST OFFICE BOX 2280
NEWBURGH, NEW YORK 12550
TEL. (845) 562-9100
FAX (845) 562-9126

firm@riderweiner.com
www.riderweiner.com

M. J. RIDER (1906-1968)
ELLIOTT M. WEINER (1915-1990)

STEPHEN P. DUGGAN, III
OF COUNSEL

CRAIG F. SIMON
OF COUNSEL

1289 RT. 9
SUITE #3
WAPPINGERS FALLS, NY 12590
(845) 632-6094

Attorney-Client privileged
MEMORANDUM

TO: HON. WAYNE C. BOOTH, SUPERVISOR
TOWN BOARD MEMBERS

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

RE: SETTLEMENT OF TAX CERTIORARI (2010 and 2011)
NORTHEAST BUSINESS CENTER 4.5 AND NORTHEAST DISTRIBUTION
CENTER ASSOCIATES
(CORPORATE BOULEVARD/NYS ROUTE 17K)
OUR FILE NO. 800.24

DATE: JUNE 12, 2012

Enclosed are copies of a letter from Cathy Drobny, Esq. of Hacker & Murphy, a proposed Consent Order and Judgment and charts showing both the claimed refund and the approximate refund that will be due from the taxing jurisdictions under the proposed settlement of the above referenced real property tax assessment appeal. Also enclosed is a map showing the locations of the two subject parcels.

The settlement provides for reductions in the assessed value for 2010 for Lot 1.32 by \$102,400 from \$1,480,000 to \$1,377,600 and for 2011 by \$20,400 from \$1,480,000 to \$1,459,600. The settlement provides for reductions in the assessed value for 2010 for Lot 67 by \$368,000 from \$2,500,000 to \$2,132,000 and for 2011 by \$720,000 from \$2,500,000 to \$1,780,000. Under the terms of the Consent Order and Judgment the Town reserves the ability to increase the assessment on Lot 67 during the 3 year period in which assessed values are generally fixed under State law following court approved settlement, 2012-2014, if a new lease at a higher annual rent and without a property tax cap of \$1.50 per square foot is entered into. The aggregate refund liability for the Town (not including special districts and the Fire District) for the 2010 and 2011 reductions will be approximately \$14,453.79.

Also enclosed is a proposed resolution which would authorize the Settlement.

cc: Hon. Andrew J. Zarutskie, Town Clerk
John Venezia, Town Assessor (via e-mail)
Mary Lou Venuto, Receiver of Taxes (via e-mail)
Jacqueline Calarco, Town Accountant (via e-mail)
David Murphy, Esq. and Cathy L. Drobny, Esq. (via e-mail)

10

HACKER MURPHY, LLP
ATTORNEYS AT LAW
7 AIRPORT PARK BOULEVARD
LATHAM, NEW YORK 12110-1429

TELEPHONE (518) 783-3843
FACSIMILE (518) 783-8101
WWW.HACKERMURPHY.COM

March 28, 2012

Mark C. Taylor, Esq.
Rider, Weiner, Frankel & Calhelha, P.C.
P.O. Box 2280
Newburgh, New York 12550

RE: Northeast Business Center Associates 4.5, et al. v. Town of Newburgh
Our File No. 3150/5018.010

Dear Mark:

Attached please find the proposed Consent Order and Judgment in reference to the above entitled proceedings. Prior to his retirement Mike Fogarty and I discussed reducing Lot 67 to a value that was reflective of a proposed lease. Lot 67 had been vacant for almost 2 years and the only potential tenant was at a reduced rental with a \$1.50 sq. ft. tax cap. Once the lease was entered into I had both ESAC and Alan Cagney review it and value the property per the lease terms. I then negotiated the settlement for both parcels with attorney Paul Feigenbaum. I believe that the proposed settlement is a fair one.

We recommend that the Town Board authorize us to enter into this settlement as proposed. Please place this matter on the agenda for the next Newburgh Town Board Meeting for approval. Please advise me once the Resolution passes and I will sign the original Stipulation of Settlement and forward it to the petitioner's attorney for filing.

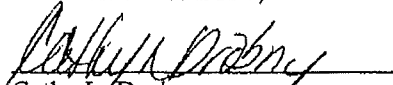
I have enclosed for your review a copy of the refund liability chart which shows the potential liability versus the proposed settlement refund liability.

Please do not hesitate to contact me if you have any questions.

Very truly yours,

HACKER MURPHY, LLP

By:


Cathy L. Drobny
cdrobny@hackermurphy.com
Direct: (518) 213-0116

CLD:scf
Enclosures

cc: Alan F. Cagney, Deputy Assessor
Barry Herbold (w/o enclosure)

10

At an All Purpose Term of the Supreme Court of the State of New York, held in and for the County of Orange, on the _____ day of _____, 2012.

P R E S E N T: HON: CATHERINE M. BARTLETT,
Justice.

STATE OF NEW YORK
SUPREME COURT ORANGE COUNTY

In the Matter of the Application of

**NORTHEAST BUSINESS CENTER ASSOCIATES 4.5
and NORTHEAST DISTRIBUTION CENTER
ASSOCIATES,**

Petitioners,

-against-

**BOARD OF ASSESSMENT REVIEW AND ASSESSOR
OF THE TOWN OF NEWBURGH AND THE TOWN
OF NEWBURGH,**

Respondents.

**CONSENT ORDER AND
JUDGMENT**

Index No.: 2010-8012

Index No.: 2011-6994

Assigned Judge:
Hon. Catherine M. Bartlett

For the review of the assessment for the years 2010 and 2011 of certain real property in the said **TOWN OF NEWBURGH.**

The above petitioners having duly brought these proceedings to review the tax assessments made against premises in the Town of Newburgh, County of Orange, New York, for the years 2010 and 2011, as follows:

1. Corporate Boulevard Route 17K, S/B/L No. 95-1-1.32, owned by Petitioner Northeast Business Center Associates 4.5; and
2. Corporate Boulevard Route 17-K, S/B/L No. 95-1-67, owned by Petitioner Northeast Distribution Center Associates (the "Lot 67 Property"),

(collectively, the "Property"), and being the real property mentioned and more fully described in the petitions made and filed herein, and issue having been duly joined herein, and the petitioners having appeared by Segel, Goldman, Mazzotta & Siegel, P.C., Paul A. Feigenbaum, Esq. of

10

counsel, and Respondent Town of Newburgh having appeared by Hacker Murphy, LLP, Cathy L. Drobny, Esq. of counsel; and

The respective parties having made their settlement, it is hereby

ORDERED, ADJUDGED and DECREED, that the assessments for the real property designated upon the assessment roll of the Town of Newburgh for the 2010 assessment year by the following tax identification numbers be and the same are reduced, corrected and fixed, prior to the application of any real property tax exemptions, as follows:

Property Address	SBL No.	2010 Assessment	Reduced 2010 Assessment	Total Reduction
Corporate Boulevard Route 17-K	95-1-1.32	\$1,480,000	\$1,377,600	\$102,400
Corporate Boulevard Route 17-K	95-1-67	\$2,500,000	\$2,132,000	\$368,000
	Totals	\$3,980,000	\$3,509,600	\$470,400

and it is further

ORDERED, ADJUDGED and DECREED, that the assessments for the real property designated upon the assessment roll of the Town of Newburgh for the 2011 assessment year by the following tax identification numbers be and the same are reduced, corrected and fixed, prior to the application of any real property tax exemptions, as follows:

Property Address	SBL No.	2011 Assessment	Reduced 2011 Assessment	Total Reduction
Corporate Boulevard Route 17K	95-1-1.32	\$1,480,000	\$1,459,600	\$20,400
Corporate Boulevard Route 17-K	95-1-67	\$2,500,000	\$1,780,000	\$720,000
	Totals	\$3,980,000	\$3,239,600	\$740,400

and it is further

ORDERED ADJUDGED and DECREED, that the officials of the Town of Newburgh, the Newburgh Central School District and the County of Orange having custody of said 2010 and 2011 assessment rolls or any tax roll prepared based on the 2010 and 2011 assessment rolls, respectively, are directed to correct said assessments on said assessment rolls in accordance with

this Order and Judgment and shall note upon the margin of said rolls, opposite said entries, that the same have been corrected by the authority of this Order and Judgment; and it is further

ORDERED AND DIRECTED, that there shall be audited, allowed and paid to the petitioners by the Town of Newburgh the amount of Town taxes paid by the petitioners as taxes against the said erroneous assessments in excess of what the taxes would have been if the said assessments made in the aforesaid years had been determined by this Order and Judgment, together with interest thereon from the date of payment thereof as provided by statute; and it is further

ORDERED AND DIRECTED, that there shall be audited, allowed and paid to the petitioners by the Newburgh Central School District, the amount of School taxes paid by the petitioners as taxes against the said erroneous assessments in excess of what the taxes would have been if the said assessments made in the aforesaid years had been determined by this Order and Judgment, together with interest from the date of payment thereof as provided by statute; and it is further

ORDERED AND DIRECTED, that the Commissioner of Finance of the County of Orange, State of New York, be and is hereby directed and authorized to audit, allow and to pay to the petitioners the amount, if any, of State, County, Town, Judiciary, Library, Sewer District and any special taxes paid by the petitioners as taxes against said erroneous assessments in excess of what the taxes would have been if the said assessments had been determined by this Order and Judgment, together with interest thereon from the date of payment thereof as provided by statute; and it is further

ORDERED AND DIRECTED, that all tax refunds are to be paid with interest pursuant to §726 of the Real Property Tax Law of the State of New York, except that in the event the refund of taxes is paid within ninety (90) days from the date of service of a copy of this Order and

Judgment with Notice of Entry, then such interest shall be waived; together with the amounts of interest and penalties, if any, paid on the excess of any of the aforesaid taxes by reason of delinquent payment; and it is further

ORDERED AND DIRECTED, that all tax refunds hereinabove directed to be made by respondent, the Town of Newburgh, and/or any of the various taxing authorities, be made by check or draft payable to the order of SEGEL, GOLDMAN, MAZZOTTA & SIEGEL, P.C. as attorneys for the petitioners, who are to hold the proceeds as trust funds for appropriate distribution, and who are to remain subject to the further jurisdiction of this Court in regard to their attorneys' lien, pursuant to Judiciary Law §475; and it is further

ORDERED, ADJUDGED AND DECREED, that nothing in this Order and Judgment shall affect any statutory exemption, if any, to which petitioners are, or may become, entitled; and it is further

ORDERED AND DIRECTED, that except as otherwise expressly provided in this Order and Judgment, all the terms of Real Property Tax Law § 727 shall apply to this settlement, Order and Judgment with respect to the 2012/13, 2013/14 and 2014/15 tax years; and it is further

ORDERED AND DIRECTED, that solely with respect to the Lot 67 Property, in the event that during the 2012/13, 2013/14 and/or 2014/15 tax years, petitioner Northeast Distribution Center Associates enters into a new lease for the same space that currently is leased to a third party, and in the event the new lease is at a higher annual rent and does not contain a property tax cap of \$1.50 per square foot, then Respondent Town of Newburgh may, if it is so advised, reassess the Lot 67 Property, notwithstanding the provisions of Real Property Tax Law § 727, provided, however, that Petitioner shall have the right to challenge such new assessment if it is so advised; and it is further

ORDERED, ADJUDGED AND DECREED, that this Order and Judgment hereby constitutes and represents full settlement of each of the tax assessment review proceedings herein, and there are no costs or allowances awarded to, by or against any of the parties, and that upon compliance with the terms of this Order and Judgment, the above-entitled proceedings be and the same are settled and discontinued.

Dated: _____, 2012
Goshen, New York

ENTER,

Hon. Catherine M. Bartlett, Justice of the Supreme Court

THE SIGNING AND ENTRY OF THE WITHIN
ORDER AND JUDGMENT IS HEREBY CONSENTED TO:

HACKER MURPHY, LLP
Attorneys for Respondents

By: Cathy L. Drobny, Esq.
7 Airport Park Boulevard
Latham, New York 12110-1429
518-783-3843

SEGEL, GOLDMAN, MAZZOTTA & SIEGEL, P.C.
Attorneys for Petitioners

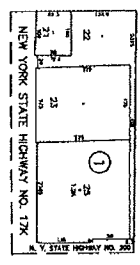
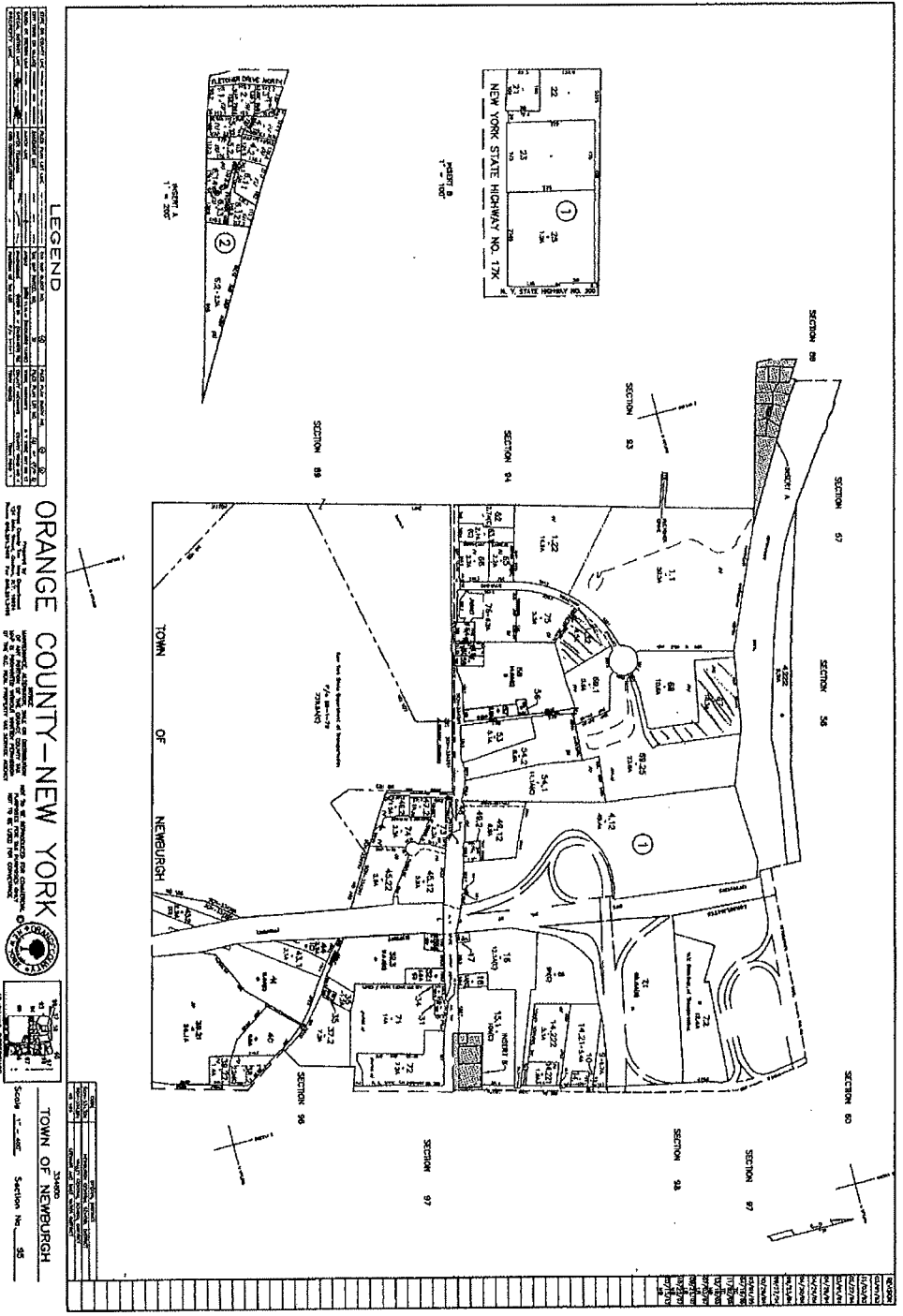
By: Paul A. Feigenbaum, Esq.
9 Washington Square
Washington Avenue Extension
Albany, New York 12205
(518) 452-0417

Northeast Business Center Associates, et al v. T/O Newburgh - Settlement

Year	Parcel Number	Assessed Value	Reduced AV	Eq. Rate	FMV	Reduced FMV	Difference	Tax Rate	Refund Liability	Interest	Total Refund Liability
2010	95-1-1-32	\$1,480,000	\$1,377,600	32.80%	\$ 4,512,195	\$ 4,200,000	\$ 102,400	County	9.46	\$ 968.70	\$ 968.70
								Town	11.5	\$ 1,177.60	\$ 1,177.60
								Fire-OL	3.81	\$ 390.14	\$ 390.14
								Sp. Dist		\$ -	\$ -
								School	62.7960	\$ 6,430.31	\$ 6,430.31
2010	95-1-67	\$2,500,000	\$2,132,000	32.80%	\$ 7,621,951	\$ 5,000,000	\$ 368,000	County	9.46	\$ 3,481.28	\$ 3,481.28
								Town	11.5	\$ 4,232.00	\$ 4,232.00
								Fire-OL	3.81	\$ 1,402.08	\$ 1,402.08
								Sp. Dist		\$ -	\$ -
								School	62.7960	\$ 23,108.93	\$ 23,108.93
2011	95-1-1-32	\$1,480,000	\$1,459,600	35.60%	\$ 4,157,303	\$ 4,100,000	\$ 20,400	County	9.31	\$ 189.92	\$ 189.92
								Town	11.40	\$ 232.66	\$ 232.66
								Fire-OL	3.92	\$ 79.97	\$ 79.97
								Sp. Dist		\$ -	\$ -
								School	63.6879	\$ 1,299.23	\$ 1,299.23
2011	95-1-67	\$2,500,000	\$1,780,000	35.60%	\$ 7,022,472	\$ 5,000,000	\$ 720,000	County	9.31	\$ 6,703.20	\$ 6,703.20
								Town	11.40	\$ 8,211.53	\$ 8,211.53
								Fire-OL	3.92	\$ 2,822.40	\$ 2,822.40
								Sp. Dist		\$ -	\$ -
								School	63.6879	\$ 45,855.29	\$ 45,855.29

Northeast Business Center Associates, et al v. T/O Newburgh

Year	Parcel Number	Assessed Value	Claimed Assessed Value	Eq. Rate	FMV	Claimed FMV	Difference	Tax Rate	Refund Liability	Interest	Total Refund Liability
2010	95-1-1-32	\$1,480,000	\$1,312,000	32.80%	\$ 4,512,195	\$4,000,000	\$ 168,000	County 9.46	\$ 1,589.28		\$ 1,589.28
								Town 11.50	\$ 1,932.00		\$ 1,932.00
								Fire-OL 3.81	\$ 640.08		\$ 640.08
								Sp. Dist.	\$ -		\$ -
2010	95-1-67	\$2,500,000	\$1,213,600	32.80%	\$ 7,621,951	\$3,700,000	\$ 1,286,400	School 62.7960	\$ 10,549.73		\$ 10,549.73
								County 9.46	\$ 12,169.34		\$ 12,169.34
								Town 11.50	\$ 14,793.60		\$ 14,793.60
								Fire-OL 3.81	\$ 4,901.18		\$ 4,901.18
2011	95-1-1-32	\$1,480,000	\$ 925,600	35.60%	\$ 4,157,303	\$2,600,000	\$ 554,400	Sp. Dist.	\$ -		\$ -
								School 62.7960	\$ 80,780.77		\$ 80,780.77
								County 9.31	\$ 5,161.46		\$ 5,161.46
								Town 11.40	\$ 6,320.16		\$ 6,320.16
2011	95-1-67	\$2,500,000	\$1,317,200	35.60%	\$ 7,022,472	\$3,700,000	\$ 1,182,800	Fire-OL 3.92	\$ 2,173.25		\$ 2,173.25
								Sp. Dist.	\$ -		\$ -
								School 63.6879	\$ 35,308.57		\$ 35,308.57
								County 9.31	\$ 11,011.87		\$ 11,011.87
							Town 11.40	\$ 13,483.92		\$ 13,483.92	
							Fire-OL 3.92	\$ 4,636.58		\$ 4,636.58	
							Sp. Dist.	\$ -		\$ -	
							School 63.6879	\$ 75,330.05		\$ 75,330.05	



LEGEND

1" = 100'	2" = 100'	3" = 100'	4" = 100'	5" = 100'	6" = 100'	7" = 100'	8" = 100'	9" = 100'	10" = 100'
11" = 100'	12" = 100'	13" = 100'	14" = 100'	15" = 100'	16" = 100'	17" = 100'	18" = 100'	19" = 100'	20" = 100'
21" = 100'	22" = 100'	23" = 100'	24" = 100'	25" = 100'	26" = 100'	27" = 100'	28" = 100'	29" = 100'	30" = 100'
31" = 100'	32" = 100'	33" = 100'	34" = 100'	35" = 100'	36" = 100'	37" = 100'	38" = 100'	39" = 100'	40" = 100'
41" = 100'	42" = 100'	43" = 100'	44" = 100'	45" = 100'	46" = 100'	47" = 100'	48" = 100'	49" = 100'	50" = 100'
51" = 100'	52" = 100'	53" = 100'	54" = 100'	55" = 100'	56" = 100'	57" = 100'	58" = 100'	59" = 100'	60" = 100'
61" = 100'	62" = 100'	63" = 100'	64" = 100'	65" = 100'	66" = 100'	67" = 100'	68" = 100'	69" = 100'	70" = 100'
71" = 100'	72" = 100'	73" = 100'	74" = 100'	75" = 100'	76" = 100'	77" = 100'	78" = 100'	79" = 100'	80" = 100'
81" = 100'	82" = 100'	83" = 100'	84" = 100'	85" = 100'	86" = 100'	87" = 100'	88" = 100'	89" = 100'	90" = 100'
91" = 100'	92" = 100'	93" = 100'	94" = 100'	95" = 100'	96" = 100'	97" = 100'	98" = 100'	99" = 100'	100" = 100'

ORANGE COUNTY—NEW YORK

TOWN OF NEWBURGH

Scale 1" = 100'

Section No. 55



1" = 100'	2" = 100'	3" = 100'	4" = 100'	5" = 100'	6" = 100'	7" = 100'	8" = 100'	9" = 100'	10" = 100'
11" = 100'	12" = 100'	13" = 100'	14" = 100'	15" = 100'	16" = 100'	17" = 100'	18" = 100'	19" = 100'	20" = 100'
21" = 100'	22" = 100'	23" = 100'	24" = 100'	25" = 100'	26" = 100'	27" = 100'	28" = 100'	29" = 100'	30" = 100'
31" = 100'	32" = 100'	33" = 100'	34" = 100'	35" = 100'	36" = 100'	37" = 100'	38" = 100'	39" = 100'	40" = 100'
41" = 100'	42" = 100'	43" = 100'	44" = 100'	45" = 100'	46" = 100'	47" = 100'	48" = 100'	49" = 100'	50" = 100'
51" = 100'	52" = 100'	53" = 100'	54" = 100'	55" = 100'	56" = 100'	57" = 100'	58" = 100'	59" = 100'	60" = 100'
61" = 100'	62" = 100'	63" = 100'	64" = 100'	65" = 100'	66" = 100'	67" = 100'	68" = 100'	69" = 100'	70" = 100'
71" = 100'	72" = 100'	73" = 100'	74" = 100'	75" = 100'	76" = 100'	77" = 100'	78" = 100'	79" = 100'	80" = 100'
81" = 100'	82" = 100'	83" = 100'	84" = 100'	85" = 100'	86" = 100'	87" = 100'	88" = 100'	89" = 100'	90" = 100'
91" = 100'	92" = 100'	93" = 100'	94" = 100'	95" = 100'	96" = 100'	97" = 100'	98" = 100'	99" = 100'	100" = 100'

DRAFT

10

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 June, 2012 at 7:00 o'clock p.m.

PRESENT:

Wayne C. Booth, Supervisor

George Woolsey, Councilman

Gilbert J. Piaquadio, Councilman

Elizabeth J. Greene, Councilwoman

Ernest C. Bello, Jr., Councilman

RESOLUTION OF TOWN BOARD
AUTHORIZING SETTLEMENT OF
PROCEEDING UNDER ARTICLE
7 OF THE REAL PROPERTY
TAX LAW:
SBL # 95-1-1.32 and 67
NORTHEAST BUSINESS CENTER
ASSOCIATES, 4.5 AND NORTHEAST
DISTRIBUTION CENTER ASSOCIATES
(Corporate Boulevard/NYS Route 17K)
INDEX NUMBERS 2010-8012, 2011-6994

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

WHEREAS, Northeast Business Centers Associates 4.5 and Northeast Distribution Center Associates ("Petitioner") have instituted proceedings under Article 7 of the Real Property Tax Law by which Petitioner seeks to obtain judicial review and reduction of the assessment of certain real property in the Town of Newburgh, Orange County, New York located at Corporate Boulevard/NYS Route 17K (Section 95-Block 1-Lots 1.32 and 67) on the tax assessment rolls for the tax years 2010 and 2011; and

WHEREAS, special counsel to the Town, Hacker & Murphy, LLP, has negotiated a settlement of the proceeding with the Petitioners, the terms of which are embodied in a proposed Consent Order and Judgment annexed hereto and recommended that the Town Board authorize the settlement; and

WHEREAS, after review and discussion, the Town Board has determined it to be in the best interests of the Town to authorize the settlement.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes and directs the Town Supervisor and Hacker & Murphy, LLP to execute and deliver the Consent Order and Judgment on behalf of the Town; and

BE IT FURTHER RESOLVED, that Hacker & Murphy, LLP, the Attorney for the Town, the Town's Deputy Assessor and other officers of the Town are hereby authorized to take such actions and to make, execute and deliver, or cause to be made, executed and delivered, in the name of and on behalf of the Town, all such certificates, documents and papers as may be necessary to effectuate and

carry out the settlement; 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:

George Woolsey, Councilman voting _____

Gilbert J. Piaquadio, Councilman voting _____

Elizabeth J. Greene, Councilwoman voting _____

Ernest C. Bello, Jr., Councilman voting _____

Wayne C. Booth, Supervisor voting _____

The resolution was thereupon declared duly adopted.

JUN 13 2012

10

RIDER, WEINER & FRANKEL, P.C.

ATTORNEYS & COUNSELLORS AT LAW

DAVID L. RIDER
CHARLES E. FRANKEL
MICHAEL J. MATSLER
MARK C. TAYLOR
DEBORAH WEISMAN-ESTIS (NY AND NJ)
M. JUSTIN RIDER (NY AND FL)
SHAY A. HUMPHREY
JEFFREY S.E. SCULLEY (NY AND IL)
DONNA M. BADURA
DARREN H. FAIRLIE

655 LITTLE BRITAIN ROAD
NEW WINDSOR, NEW YORK 12553

(MAILING ADDRESS:)
POST OFFICE BOX 2280
NEWBURGH, NEW YORK 12550
TEL. (845) 562-9100
FAX (845) 562-9126

firm@riderweiner.com
www.riderweiner.com

M.J. RIDER (1906-1968)
ELLIOTT M. WEINER (1915-1990)

STEPHEN P. DUGGAN, III
COUNSEL

CRAIG F. SIMON
OF COUNSEL

1289 RT. 9
SUITE #3
WAPPINGERS FALLS, NY 12590
(845) 632-6094

Attorney-Client privileged
MEMORANDUM

TO: HON. WAYNE C. BOOTH, SUPERVISOR
TOWN BOARD MEMBERS

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

RE: SETTLEMENT OF TAX CERTIORARI (2010 and 2011)
NORTHEAST BUSINESS CENTER 4.5 AND NORTHEAST DISTRIBUTION
CENTER ASSOCIATES
(CORPORATE BOULEVARD/NYS ROUTE 17K)
OUR FILE NO. 800.24

DATE: JUNE 12, 2012

Enclosed is a corrected refund liability forwarded by Attorney Drobny.
The aggregate refund liability for the Town (not including special districts and the Fire District) is now shown to be approximately \$13,853.79.

cc: Hon. Andrew J. Zarutskie, Town Clerk
John Venezia, Town Assessor (via e-mail)
Mary Lou Venuto, Receiver of Taxes (via e-mail)
Jacqueline Calarco, Town Accountant (via e-mail)
David Murphy, Esq. and Cathy L. Drobny, Esq. (via e-mail)

Year	Parcel Number	Assessed Value	Reduced AV	Eq. Rate	FMV	Reduced FMV	Difference	Tax Rate	Refund Liability	Total Refund Liability
2010	95-1-1-32	\$1,480,000	\$1,377,600	32.80%	\$ 4,512,185	\$ 4,200,000	\$ 102,400	County 9.46	\$ 968.70	\$ 968.70
								Town 11.5	\$ 1,177.60	\$ 1,177.60
								Fire-OL 3.81	\$ 390.14	\$ 390.14
								Sp.Dist.	\$ -	\$ -
								School 62.7960	\$ 6,430.31	\$ 6,430.31
2010	95-1-67	\$2,500,000	\$2,132,000	32.80%	\$ 7,821,951	\$ 6,500,000	\$ 368,000	County 9.46	\$ 3,481.28	\$ 3,481.28
								Town 11.5	\$ 4,232.00	\$ 4,232.00
								Fire-OL 3.81	\$ 1,402.08	\$ 1,402.08
								Sp.Dist.	\$ -	\$ -
								School 62.7960	\$ 23,108.93	\$ 23,108.93
2011	95-1-1-32	\$1,480,000	\$1,459,600	35.60%	\$ 4,157,303	\$ 4,100,000	\$ 20,400	County 9.31	\$ 189.92	\$ 189.92
								Town 11.40	\$ 232.66	\$ 232.66
								Fire-OL 3.92	\$ 79.97	\$ 79.97
								Sp.Dist.	\$ -	\$ -
								School 63.6879	\$ 1,299.23	\$ 1,299.23
2011	95-1-67	\$2,500,000	\$1,780,000	35.60%	\$ 7,022,472	\$ 5,000,000	\$ 720,000	County 9.31	\$ 6,703.20	\$ 6,703.20
								Town 11.40	\$ 8,211.53	\$ 8,211.53
								Fire-OL 3.92	\$ 2,822.40	\$ 2,822.40
								Sp.Dist.	\$ -	\$ -
								School 63.6879	\$ 45,855.29	\$ 45,855.29

11. ANIMAL CONTROL: ACO SUPERVISOR

TO: _____

POSTING FOR TOWN DEPARTMENTS ONLY

PLEASE POST IMMEDIATELY

RETURN TO PERSONNEL DEPT. BY June 22, 2012

**Animal Control Supervisor
Non Competitive/Management Position
Salary \$38,500.00**

Person must have three (3) years general work experience and training with animals and the general public. Can work with other municipal departments, county health department and any state agencies. Will work directly under the Police Chief or Deputy Police Chief. Can supervise employees. Prepares reports and maintains cash receipts. Maintains all records of complaints, impounded animals, and adoptions. Must maintain a New York State drivers license.

