**AT THE PUBLIC MEETING**

of the Town Board of the Town of Newburgh held

at 1496 Route 300 in said township at 7:00 p.m.

on Monday the 12th of August, 2024

**Present** Gilbert J. Piaquadio, Supervisor

Scott M. Manley, Councilman

Paul Ruggiero, Councilman

Anthony R. LoBiondo, Councilman

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

Lisa M. Vance Ayers, Town Clerk

Dawnmarie Busweiler, Deputy Town Clerk

*Meeting called to order at 7:01 p.m.*

**1. ROLL CALL**

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

**3. MOMENT OF SILENCE**

**4. CHANGES TO AGENDA- Remove #7A and #15B**

**5. POLICE:**

**A. Swearing in New Police Officer Nicholas Laparrino**

Judge Clarino administered the Oath of Office to Officer Nicholas Laparrino.

**B. Promotion of New Lieutenant**

Town Supervisor Gil Piaquadio announced that the Town Board had interviewed several

candidates for the Lieutenant position. The Town Board has chosen Matthew Nadolny to the

position of Lieutenant at a salary of $154,217.65 per year with a start date of August 19,

2024.

MOTION made by Councilman LoBiondo to promote Matthew Nadolny to

Lieutenant. Motion seconded by Councilman Manley. VOTE: Councilman Ruggiero – yes;

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

passed: 4 yes; 0 no: 0 abstain; 0 absent.

**C. Promotion of New Sergeant**

Town Supervisor Gil Piaquadio announced that the Town Board had interviewed several

candidates for the Sergeant position. The Town Board has chosen Michael Hansen to the

position of Sergeant at a salary of $117,983.00 per year with a start date of August 19, 2024

MOTION made by Councilman Manley to promote Michael Hansen to Sergeant. Motion

seconded by Councilman Ruggiero. VOTE: Councilman Ruggiero – yes; Councilman Manley –

yes; Councilman LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: 4 yes; 0 no; 0

abstain; 0 absent.

**6. PUBLIC HEARING: River Road Franchise Agreement**

Supervisor Piaquadio asked If Town Clerk Vance Ayers if all the postings and publications have been

completed.

Town Clerk Vance Ayers said the notice of this meeting was posted in the town website and in Town

Hall on July 25, 2024 and it was advertised in the Mid-Hudson Times on August 1, 2024. This

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complies with all the requirements for a Public Hearing under New York State Law.

**Open Meeting:**

MOTION made by Councilman Ruggiero to open the Public Hearing at 7:13 p.m. Motion

seconded by Councilman Manley. VOTE: Councilman Ruggiero – yes; Councilman Manley –

yes; Councilman LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: 4 yes; 0 no;

0 abstain; 0 absent.

Town Attorney Mark Taylor presented a proposed franchise agreement between the Town of

Newburgh and Roseton Generating LLC for existing duct banks and an overhead cable tray

bridge for control signals and power service cables and related equipment passing over

Danskammer Road. This agreement will replace an agreement dated April 6, 2001 between

the Town and Dynegy Roseton, LLC.

**Public Comments:**  No Public Comments

**Close Meeting:**

MOTION made by Councilman LoBiondo to close the Public Hearing at 7:017 p.m. Motion

seconded by Councilman Manley. VOTE: Councilman Ruggiero – yes; Councilman Manley –

yes; Councilman LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: 4 yes; 0 no;

1. abstain; 0 absent.
2. **SEQR VOTE:**

MOTION made by Councilman Ruggiero to approve the Uncoordinated SEQR determination**.** Motion seconded by Councilman Manley. VOTE: Councilman Ruggiero – yes; Councilman Manley – yes; Councilman LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: 4 yes; 0 no; 0 abstain; 0 absent

1. **RESOLUTION VOTE:**

MOTION by Councilman LoBiondo to approve the Franchise agreement between the town of Newburgh and Roseton Generating, LLC for Road utility crossings.

Motion seconded by Councilman Manley. VOTE: Councilman Ruggiero – yes;

Councilman Manley – yes; Councilman LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: 4 yes; 0 no; 0 abstain; 0 absent.

**7.** **RECREATION:**

**~~A. Promotion of Recreation employee to Recreation Director~~**

**B. Promotion of Recreation Director**

Jim Presutti, Commissioner of Parks and Recreation is requesting approval to promote

Jason Szeli to Recreation Director at a rate of $35.8345 per hour with a starting date of

August 19,2024.

MOTION by Councilman Ruggiero to approve the promotion of Jason Szeli to Recreation

Director. Motion seconded by Councilman Manley. VOTE: Councilman Ruggiero – yes;

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

passed: 4 yes; 0 no; 0 abstain; 0 absent.

**C. Hire Recreation Attendant**

Jim Presutti, Commissioner of Parks and Recreation is requesting approval to hire Shannon

Goddard as a full time Recreation Attendant starting on or after September 3, 2024. Ms.

Goddard is a former employee of the recreation department so she will need to complete

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paperwork, etc. The applicants’ hiring is contingent on Orange County Human Resources

approval and your approval.

MOTION made by Councilman Ruggiero to approve the hiring of Shannon Goddard as full

time Recreation Attendant. Motion seconded by Councilman LoBiondo. VOTE: Councilman

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

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

**D. Recreation Aide Position**

Jim Presutti, Commissioner of Parks and Recreation is requesting approval to hire John

Matthews for the position of Recreation Aide. Currently he is a seasonal Recreation Aide in

the Recreation Department. He would need to complete full-time paperwork only. The

full-time date will be on or after September 3, 2024, pending approval from Orange

County Human Resources. His salary will be $18.8551 per hour per the CSEA contract

Step 5.

MOTION made by Councilman LoBiondo to approve the hiring John Matthews for the

position of Recreation Aide. Motion seconded by Councilman Manley. VOTE: Councilman

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

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

**8. WATER DEPARTMENT:**

**A. Budget Transfer**

Water/Sewer Manager, Steven Grogan, is requesting approval for a budget transfer of

$12,000. From fund appropriation number F.1964.5499 to fund appropriation number

F.8330.5200.4001.

MOTION made by Councilman Ruggiero as presented to approve the budget transfer in

the amount of $12,000.00. Motion seconded by Councilman Manley. VOTE: Councilman

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

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

**B. Purchase of Amphibious Vehicle**

Water/Sewer Manager, Steven Grogan, is requesting approval that Big Boyz Toys

as the lowest bidder for the Town’s purchase of the above-listed amphibious vehicle at a

cost of $ 12,000.00

MOTION made by Councilman LoBiondo to approve Big Boyz Toys as the lowest bidder for

the amphibious vehicle as presented. Motion seconded by Councilman Manley. VOTE:

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

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

**9. RECREATION CENTER:**

**A. ~~Motion to transfer funds from Buildings & Grounds to Water Department budget-~~**

**~~Removed~~**

**B. Motion to transfer $2 million dollars from the Recreation Fund to the Recreation**

**Construction Fund**

Ronald E. Clum, Town Accountant is requesting approval for a budget transfer in the

amount of $2,000,000 from the Parkland Trust Account to the Recreation Building Capital

Project Fund, which will leave approximately $480,000 in the Parkland Trust Account.

MOTION made by Councilman Ruggiero to approve the budget transfer in the amount of

$2,000,000 from the Parkland Trust Account to the Recreation Building Capital Project

Fund. Motion seconded by Councilman LoBiondo. VOTE: Councilman Ruggiero – yes;

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

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passed: 4 yes; 0 no; 0 abstain; 0 absent.

**C. Budget Transfer**

Jim Presutti, Commissioner of Parks and Recreation is requesting approval for aa Budget

Transfer of $26,000 to 7140.5497 Summer-Maintenance Contracts/Leases from the

following appropriation codes-

* $20,000 from 6772-5465 Program for Aging – Senior Activities
* $5,000 from 7310.5465 Youth/Adult – Youth/Adult Activities
* $1,000 from 7140.5499 Summer Program – Other Expenses

This transfer will cover the remaining cost of camp including the extra expenses incurred

due to maintenance scheduled at Meadow Hill School.

MOTION made by Councilman LoBiondo as presented to approve the Budget Transfer in

the amount of $26,000 to Summer-Maintenance Contracts/Leases. Motion seconded by

Councilman Manley. VOTE: Councilman Ruggiero – yes; Councilman Manley – yes;

Councilman LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: 4 yes; 0 no; 0

abstain; 0 absent.

**10. TOURISM FUNDING: Ice Time Sports Complex**

**A. Motion to allocate $4,000 of Orange County Tourism Grant funds to promote as site for**

**professional hockey games of the Hudson Valley Venom at the Ice Time Sports**

**Complex**

MOTION made by Councilman Manley to give $4,000 of Orange County Tourism Grant

Funds to Hudson Valley Venom to assist with permanent way fairing signage at Ice Time

Sports Complex. Motion seconded by Councilman Ruggiero. VOTE: Councilman Ruggiero –

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

Motion passed: 4 yes; 0 no; 0 abstain; 0 absent.

**11. ACCOUNTING:**

**A. Approval of Audit**

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

$2,663.135.77. Motion seconded by Councilman LoBiondo. VOTE: Councilman Ruggiero –

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

Motion passed: 4 yes; 0 no; 0 abstain; 0 absent.

**B. Review Budget Status Report for July 2024**

MOTION made by Councilman Ruggiero to approve the Budget Status Report for July

2024. Motion seconded by Councilman Manley. VOTE: Councilman Ruggiero – yes;

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

Motion passed: 4 yes; 0 no; 0 abstain; 0 absent.

**12. DEPARTMENT HEAD REPORTS:**

**A. Highway Department**

Highway Superintendent Mark A. Hall Jr., reported that Road Striping is completed, Parr

Valley Culvert is built it will be set on 8/28/24. Kris Waite, Pat McVeigh and James Moyan

assisted on the building of a small trail at the lake. Surplus Equipment is all picked up.

Second half of monarch Drive and Stage 1 of Patton Road are milled awaiting pavement,

scheduled pavement 9weather permitting) will be the first week of September, round 2

of Chip Seal starts Monday the 19th. Replaced/fixed 25 street/traffic control signs. Took

down three trees, 2 on Gardnertown and one on River Rd.

**B. Parks and Recreation Department**

Parks and Recreation Commissioner, James Presutti, would like to thank the Town Board

for approving the promotion of Jason Szeli and for the hire. The Fall programs are going

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to be starting soon.

**C. Police Department**

Chief of Police, Donald B. Campbell reported that National Night Out had to be cancelled

Last Tuesday due to weather concerns. The new date for the event will be on Wednesday

August 28th at Cronomer Park from 6pm-8pm. Or oldest Canine Durok became suddenly

ill a couple weeks ago, and had to be sent to Oradell Animal Hospital. Although he initially

appeared to be responding to treatment, he went into kidney failure and had to be put

down. Last year we received a grant to place a livescan (fingerprinting) machine at the

Town Court. We expect that machine to be delivered in the coming days and hope to

have it operational next week.

Chief of Police Donald B. Campbell reported the following:

Year to Date Statistics

* Calls for Service: 16,000
* Case Reports: 2,400
* Arrests: 900
* Traffic Tickets Issued: 1750
* Parking Tickets: 600
* Accident Reports Taken: 975

**13. ANIMAL CONTROL:**

**A. VCA Flannery Animal Hospital T-94 Withdrawal**

Tracy Carvell of Animal Control requests authorization to use the T-94 account to pay

for veterinarian services from Flannery Animal Hospital for a total of $31.37 for canine

services.

MOTION made by Councilman Ruggiero to approve to use the T-94 Account to pay for

veterinarian services from Flannery Animal Hospital for a total of $31.37. Motion

seconded by Councilman LoBiondo. VOTE: Councilman Ruggiero – yes; Councilman

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

Motion passed: 4 yes; 0 no; 0 abstain; 0 absent.

**B. Newburgh Veterinary Hospital T-94 Withdrawal**

Tracy Carvell of Animal Control requests authorization to use the T-94 account to pay for

veterinarian services for Newburgh Veterinary Hospital for a total of $2,027.34 of which

$835.72 were for canine services and $1,191.62 were for feline services.

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

veterinarian services from Newburgh Veterinary Hospital in the total amount of $2,027.34.

Motion seconded by Councilman Ruggiero. VOTE: Councilman Ruggiero – yes; Councilman

Manley – yes; Councilman LoBiondo – yes; Supervisor Piaquadio. Motion passed: 4 yes; 0

no; 0 abstain; 0 absent.

**14. CODE COMPLIANCE: Request to Start the Process to Hire Part-Time Building Inspector**

Gerald Canfield, Code Compliance is requesting approval to begin the process of hiring a

Part-Time Building Inspector III vacancy due to the resignation of Seth Woodbury.

MOTION made by Councilman Manley to approve the process of hiring a Part-Time Building

Inspector. Motion seconded by LoBiondo. VOTE: Councilman Ruggiero – yes; Councilman

Manley – yes; Councilman LoBiondo – yes; Supervisor Piaquadio – yes. MOTION passed: 4

yes; 0 no; 0 abstain; 0 absent.

**15. ENGINEERING:**

**A. Approval of SCADA Maintenance Service**

Town Engineer, James Osborne is requesting approval for Task Order #9 from GHD for

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continuation of SCADA maintenance service.

MOTION made by Councilman Manley to approve the continuation of SCADA maintenance

service. Motion seconded by Councilman Ruggiero. VOTE: Councilman Ruggiero – yes;

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

passed: 4 yes; 0 no; 0 abstain; 0 absent.

**B. ~~Bond Resolution -Levinson/Old Post Road Water District Extension~~**

**C. Bond Resolution – Consolidated Water District/Levinson Water Main Extension Project**

Patrick Hines, Rep Town Engineer is requesting approval for a resolution authorizing the

issuance of $3,374,557 bonds of the Town of Newburgh, Orange County, New York, to pay

the cost of the increase and improvement of the Levinson Heights Water Main Extension

facilities of the consolidated water district.

MOTION made by Councilman Ruggiero to approve the Bond Resolution for the Levinson

Water Main Extension Project. Motion seconded by Councilman Manley. VOTE: Councilman

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

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

**D. Polo Club- Stormwater Securities**

Patrick Hines, Rep Town Engineer is requesting approving for the Polo Club Stormwater

Security. The project has conditional final approval for a multi-family senior apartment

complex. The project included 242 rentals units and 21 buildings. 27 of the apartments will

be restricted for use by seniors under the Town of Newburgh’s Town Code. Applicant’s

representatives have prepared a cost estimate for the Stormwater and Soil Erosion

Sediment Control. The cost estimate has been prepared by the applicant’s engineers

Engineering & Surveying Properties. A cost estimate in the amount of $730,027.50 is

identified. In accordance with the Town of Newburgh Town Code a 4% inspection fee will be

$29,200.00.

MOTION made by Councilman Ruggiero as presented to approve the Polo Club Stormwater

Securities. Motion seconded by Councilman LoBiondo. VOTE: Councilman Ruggiero – yes;

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

passed: 4 yes; 0 no; 0 abstain; 0 absent.

**E. Polo Club- Landscape Cost Estimates**

Patrick Hines, Rep Town Engineering is requesting approval for the Polo Club Landscape

Cost Estimate. The Town of Newburgh’s Landscape Architect, Karen Arent has approved a

cost estimate for the subject project. Karen Arent recommends that the Board approve

Landscape Security I the amount of $521,970.00 and Landscape Inspection Escrow in the

amount of $4,000.00.

MOTION made by Councilman Manley to approve the Polo Club Landscape Cost Estimate.

Motion seconded by Councilman Ruggiero. VOTE: Councilman Ruggiero – yes; Councilman

Manley – yes; Councilman LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: 4

yes; 0 no; 0 abstain; 0 absent.

**F. Advertisement to Bid- Levinson/Old Post Road Water Main Project**

Patrick Hines, Rep Town Engineer is requesting approval for Advertisement for Bid for

Levinson/Old Post Road Water Main Project. The Town of Newburgh is working with the

NYC DEP to address concerns regarding impacts to ground water supplies in the subject

project area during and after the Delaware Aqueduct shut down. MHE Engineers have

prepared plans and specifications for the project. We are requesting authorization to

publicly bid the project with bids becoming available 16 August 2024. Bids will be received

12 September2024 at 1:00 p.m. A pre-bid walkthrough is scheduled for 29 August 2024.

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MOTION made by Councilman Ruggiero to approve the Advertisement for Bid for

Levinson/Old Post Road Water Main Project. Motion seconded by Councilman LoBiondo.

VOTE: Councilman Ruggiero – yes; Councilman Manley – yes; Councilman LoBiondo – yes;

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

**G. Award of Professional Services Contract- Painting and Repairs to the Frozen Ridge Water**

**and demolition of Meadow Hill Water Storage Tank #1**

Patrick Hines, Rep Town Engineer is requesting approval to Award Professional Services

Contract to H2M Engineer for painting and repairs to the Frozen Ridge water storage tank

and demolition of Meadow Hill water storage tank No. #1. The cost proposal for the plans

and specs for tank removal are $39,800.00 and $12,700.00 respectively.

MOTION made by Councilman LoBiondo subjected to Mark Taylor, Town Attorney’s

approval to approve the Award of Professional Services Contract to H2M. Motion

seconded by Councilman Manley. VOTE: Councilman Ruggiero – yes; Councilman Manley

– yes; Councilman LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: 4 yes; 0 no;

0 abstain; 0 absent.

**H. Newburgh Assembly of God – Landscape Security Release**

Patrick Hines, Rep Town Engineer is requesting approval for Newburgh Assembly of God-

Landscape Security Release. The Town of Newburgh has received a request for a release

of a Landscape Bond which was posted in 2005 for the subject project. All work on the

project has been complete for many years. Based on the time that has lapsed we take no

exception to the Town acknowledging release of the Performance Bond. It is noted that

the original bond cannot be located at this time in the Town’s files.

MOTION made by Councilman Ruggiero to approve of release of the Landscape

Performance Bond to Newburgh Assembly of God. Motion seconded by Councilman

Manley. VOTE: Councilman Ruggiero – yes; Councilman Manley – yes; Councilman

LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: 4 yes; 0 no; 0 abstain;

0 absent.

**I. Award of Bid- Delaware Aqueduct Tap Water Treatment Plant Influent Valve Modification**

Patrick Hines, Rep Town Engineer is requesting approval to TAM Enterprises for Award of

Delaware Aqueduct Tap Water Treatment Plant Influent Valve Modification in a base bid

amount of $228,882.00.

MOTION made by Councilman Manley to award for Bid Tam Enterprises, Inc. Motion

seconded by Councilman Ruggiero. VOTE: Councilman Ruggiero – yes; Councilman Manley –

yes; Councilman LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: 4 yes; 0 no; 0

abstain; 0 absent.

**16. ANNOUNCEMENTS**

**Councilman Ruggiero-** Congratulations on your promotion Jason.

**Councilman Manley** – Congrats on all the promotions tonight. I went to the Colden Park

meeting and it was good to hear from the residents.

**17. PUBLIC COMMENTS**

**Ellen Jane Gonyea 26 Linden Dr. -** Thank you councilman Manley for answering every

email, every call and for visiting. I want to know what all the police activity is at 23 Linden

Dr. There were nine people taken from the house and returned within the hour.

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**Jeremy Bassinger 32 Westwood Drive** – The Contractor hit my retaining wall

**Chuck Messenger 42 Westwood Drive –** The Porta Potty’s are an issue, I have seen

contractors not use them and the double axel trucks are an issue.

**Patrick Hines Town Engineer-** We are aware of the issues and have addressed them with

the contractor. This should not be an issue going forward.

**Kim Froeschl 16 Westwood Dr.** – We are excited, but one problem is what are their work

hours?

**Patrick Hines Engineer-** Their hours are from 7am to 3pm.

**Tim Costa 15 West Stone Street -** When I installed my EV charging station it was never my

intension to cause problems with the town. By doing this I believe brought back 2012 Code

Compliance issues when trying to reopen my restaurant and in getting the building listed as

A historic site. These are four documents that are related these issues. I asked years ago to

old Supervisor Wayne Booth to look into these for me and nothing was ever done. Because

of these it is causing me to be denied for a commercial mortgage and historical status. Mr.

Canfield said I did interior alterations to my historical site which then led me to be denied

again for historical status. I am asking for this to be looked into.

**Councilman Ruggiero** - This is from 2012?

**Tom Costa** – Yes

**Supervisor Piaquadio**- if you give these to Lisa our Town Clerk, we will take a look

**18. ADJOURNMENT**

MOTION made by Councilman LoBiondo to adjourn the meeting at 8:21 p.m. Motion seconded by Councilman Ruggiero. VOTE: Councilman Ruggiero – yes; Councilman Manley – yes; Councilman LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: 4 yes; 0 no: 0 abstain; 0 absent.

*Meeting adjourned at 8:21 p.m.*

*Respectfully submitted,*

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Lisa M. Vance Ayers Dawnmarie Busweiler

Town Clerk Deputy Town Clerk