

#5

TOWN OF NEWBURGH

AUDIT # 16

DATE: August 28, 2023

TOTAL OF ALL PAYMENTS: \$ 356,350.99

To Mr. Gilbert Piaquadio and Town Board:

I certify that the invoices contained within this package of \$ 356,350.99 plus the paid prior audit of \$ 0.00 were audited by the Town Board on the above date and allowed in the amount shown above. You are authorized and directed to pay each of the claimants the amounts opposite their names.

AUG 28 2023

Dated : _____

Town Clerk Office

Town Board:

#6



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

MEMORANDUM

P: 845.562.9100 TO: HON. GILBERT J. PIAQUADIO, SUPERVISOR
 F: 845.562.9126 TOWN BOARD MEMBERS

655 Little Britain Road FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN
 New Windsor, NY 12553

P.O. Box 2280 RE: CHADWICK LAKE RESERVOIR AND WATER
 Newburgh, NY 12550 FILTRATION PLANT IMPROVEMENTS PROJECT;
 OUR FILE NO. 800.1(B)(3)(2019), 801.152, 800.1(B)
 () (2021), 800.1(B)() (2023)

DATE: August 14, 2023

ATTORNEYS

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

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

COUNSEL

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

OF COUNSEL

Craig F. Simon
Irene V. Villacci

The Town Engineer and Engineer's Representative have advised that the construction costs of the permanent improvements to Chadwick Lake Reservoir and Water Filtration Plant to help ensure the ability of the facilities to deliver 2.0 mpg per day of filtered water to the Consolidated Water District system during the period the Delaware Aqueduct is shut down by the City for its bypass tunnel project have increased so that they are higher than both the original cost estimate prepared in 2019 and the amended cost estimates of 2021. The Project Engineers, HDR, have accordingly prepared a revised Report, a copy of which is enclosed, which shows a new total estimated project cost of \$2,625,689, an increase of \$415,390 over the 2021 estimate of \$1,209,229. A third public hearing on the project under Town Law Section 202-b is required in order for the Board to adopt a public interest order for the project based upon the higher cost estimate.

We have prepared the following Order Calling Public Hearing for the Board to consider:

ORDER CALLING PUBLIC HEARING IN THE MATTER OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE CONSOLIDATED WATER DISTRICT IN THE TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK



CHADWICK LAKE RESERVOIR AND WATER TREATMENT
PLANT IMPROVEMENT PROJECT
PAGE 2

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

cc: Hon. Lisa M. Vance Ayers, Town Clerk (via e-mail)
James Osborne, Town Engineer (via e-mail)
Ronald Clum, Town Accountant (via e-mail)
Patrick Hines, McGoey, Hauser & Edsall (via e-mail)

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, in the Town of Newburgh, Orange County, New York on the ___th day of August, 2023 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

In the Matter of The Increase and Improvement of the Facilities of the Consolidated Water District: in the Town of Newburgh, Orange County, New York	ORDER CALLING PUBLIC HEARING
---	---------------------------------------

WHEREAS, upon the evidence given at a public hearing held at 1496 Route 300 in the Town of Newburgh, New York, on the 15th day of October, 2019 at 7:30 o'clock, p.m., Prevailing Time; the Town Board of the Town of Newburgh, Orange County, New York found and determined that it is in the public interest to make the increase and improvement of the facilities of the Consolidated Water District, in the Town of Newburgh, Orange County, New York, consisting of the planning, design, engineering, reconstruction and construction of improvements to the Chadwick Lake Reservoir and Water Treatment Plant consisting of installing a water quality monitor in Chadwick Lake, installing a powder activated carbon (PAC) feed system, installing the necessary piping, mechanical equipment, tankage and electrical\process control modifications to connect to a trailer-mounted membrane filtration unit, adding a third solids handling tank and installing floating decanters in the solids handling tanks to ensure a minimum supply of 2.0 million gallons per day of water during the planned shutdown of the New York City

Delaware Aqueduct in 2022 in and for said Town, including the original furnishings, equipment, machinery and apparatus, appurtenances, as well as incidental costs and expenses in connection therewith (hereinafter the "Water Filtration Plant Improvements"), at a maximum estimated cost of \$1,823,900; and

WHEREAS, it was subsequently determined that the maximum estimated cost of such increase and improvement of the facilities of the Consolidated Water District, in the Town of Newburgh, Orange County, New York in the manner described above is \$2,209,229, constituting an increase of \$385,329 over the previously estimated cost of \$1,823,900 as set forth in an updated map, plan and report, including the increased estimate of cost, which the Town Board has caused to be prepared pursuant to Section 202-b of the Town Law,; and

WHEREAS, upon the evidence given at a public hearing held at 1496 Route 300 in the Town of Newburgh, New York, on the 14th day of June, 2021 at 7:20 o'clock, p.m., Prevailing Time; the Town Board of the Town of Newburgh, Orange County, New York found and determined that it is in the public interest to make the increase and improvement of the facilities of said Consolidated Water District, in the matter described above; and

WHEREAS, New York City has delayed the planned shutdown of the New York City Delaware Aqueduct until 2024; and

WHEREAS, it has now been determined that the maximum estimated cost of such increase and improvement of the facilities of the Consolidated Water District, in the Town of Newburgh, Orange County, New York in the manner described above is \$2,625,689, constituting an increase of \$415,390 over the previously amended estimated cost of \$2,209,299 as set forth in an updated map, plan and report, including the increased estimate of cost, which the Town Board has caused to be prepared pursuant to Section 202-b of the Town Law,; and

WHEREAS, said capital project has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), the implementation of which as proposed, will not result in any significant

environmental effects and the documentation relating to SEQRA is available in the office of the Town Clerk for inspection during normal office hours; and

WHEREAS, it is now desired to call a public hearing on the question of the increase and improvement of the facilities of said Consolidated Water District, in the matter described above at the increased estimated cost, and to hear all persons interested in the subject thereof, concerning the same, in accordance with the provisions of Section 202-b of the Town Law; NOW, THEREFORE, IT IS HEREBY

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

Section 1. A public hearing will be held in the Town Hall, in Newburgh, New York, in said Town, on September __, 2023, at 7:00 o'clock P.M., Prevailing Time, on the question of the increase and improvement of the facilities of the Consolidated Water District, in the Town of Newburgh, Orange County, New York, in the manner described in the preambles hereof, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspaper, and also to cause a copy thereof to be posted on the sign board of the Town, such publication and posting to be made not less than ten, nor more than twenty, days before the date designated for the hearing.

Section 3. The notice of public hearing shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 4. This Order shall take effect immediately.

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

Elizabeth Greene, Councilwoman voting _____

Paul I. Ruggiero, Councilman voting _____

Scott M. Manley, Councilman voting _____

Anthony R. LoBiondo, Councilman voting _____

Gilbert J. Piaquadio, Supervisor voting _____

The order was thereupon declared duly adopted.

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of in the Town of Newburgh, Orange County, New York, will meet in the Town Hall, in Newburgh, New York, in said Town, on September __, 2023 at 7: __ o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a certain map, plan and report, including an estimate of cost, in relation to the proposed increase and improvement of the facilities of the Newburgh Consolidated Water District, in said Town, being the planning, design, engineering reconstruction and construction of improvements to the Chadwick Lake Reservoir and Water Treatment Plant and in and for said District relating to installing a water quality monitor in Chadwick Lake, installing a powder activated carbon (PAC) feed system, installing the necessary piping, mechanical equipment, tankage and electrical\process control modifications to connect to a trailer-mounted membrane filtration unit, adding a third solids handling tank and installing floating decanters in the solids handling tanks to ensure a minimum supply of 2.0 million gallons per day of water during the planned shutdown of the New York City Delaware Aqueduct in 2024 and original furnishings, equipment, machinery, apparatus and appurtenances, as well as incidental costs and expenses in connection therewith, at an increased maximum estimated cost of \$2,625,689, constituting an increase of an increase of \$415,390 over the previously estimated cost.

The aforesaid project has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), the implementation of which as proposed, will not result in any significant environmental effects and the documentation relating to SEQRA is available in the office of the Town Clerk for inspection during normal office hours.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Newburgh, New York,
August __, 2023

BY ORDER OF THE TOWN BOARD OF THE TOWN OF
NEWBURGH, ORANGE COUNTY, NEW YORK

Lisa M. Vance Ayers, Town Clerk

CERTIFICATION FORM

STATE OF NEW YORK)
) ss.:
COUNTY OF ORANGE)

I, the undersigned Clerk of in the Town of Newburgh, Orange County, New York (the "Issuer"), DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the ___th day of August, 2023.
2. That such meeting was a **special regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (*the meeting at which the proceeding was adopted*) was caused to be given **PRIOR THERETO** in the following manner:

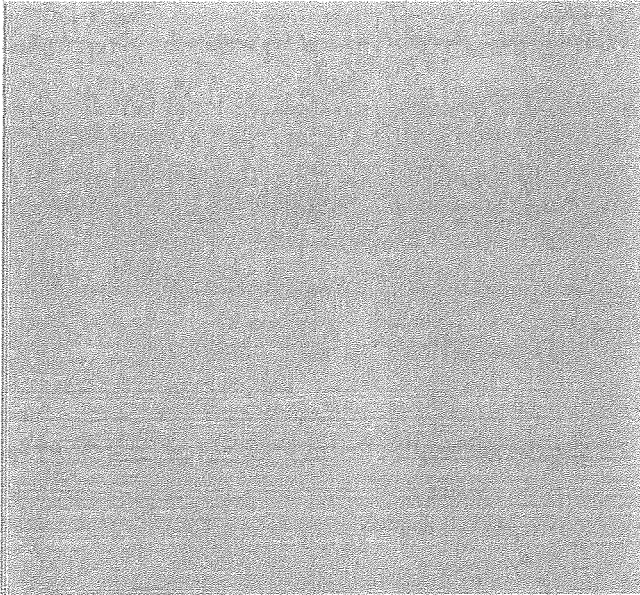
PUBLICATION (here insert newspaper(s) and date(s) of publication - should be a date or dates falling prior to the date set forth above in item 1)

POSTING (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer this ___ day of _____, 2023.

Town Clerk

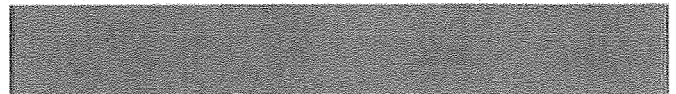
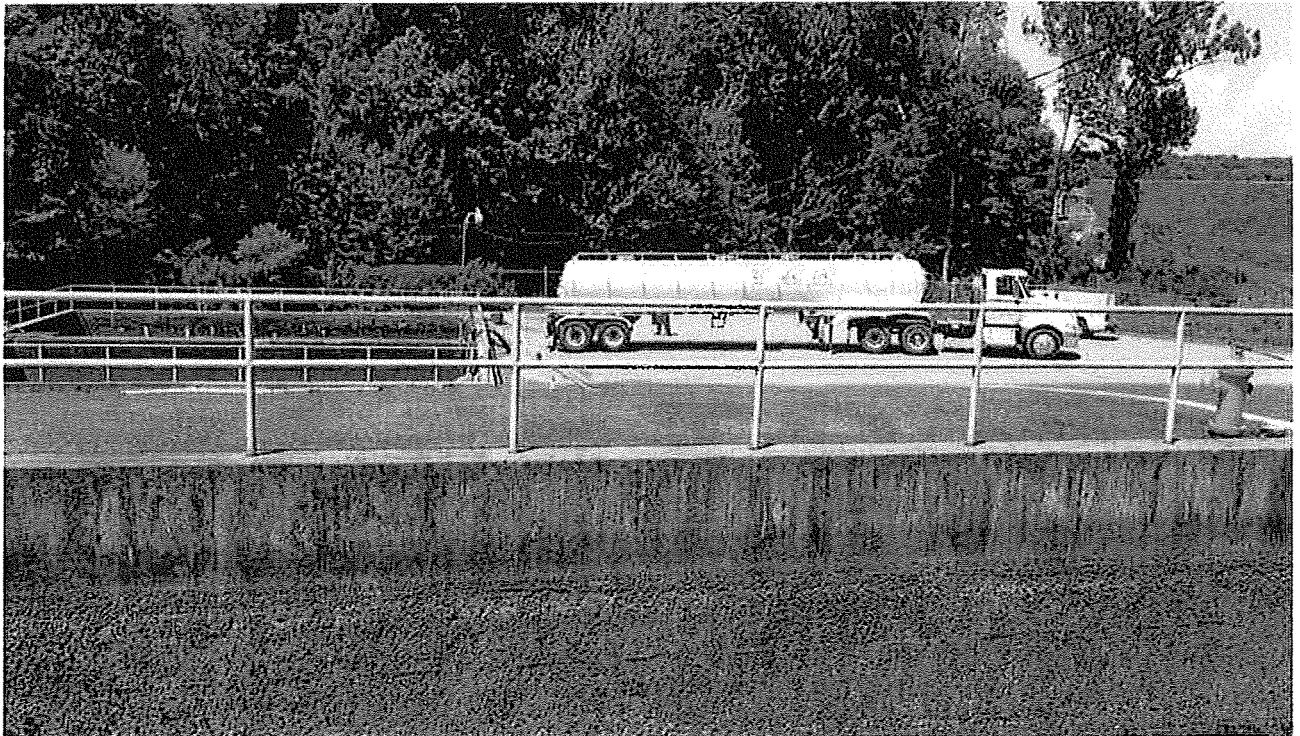
(CORPORATE SEAL)



Basis of Design Report

Chadwick Lake Filter Plant Resiliency Improvements

Updated May 2023



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1 Introduction

1.1 Project Background

The Town of Newburgh receives water from two sources: Chadwick Lake and the New York City Department of Environmental Protection (NYCDEP) Delaware Aqueduct. NYCDEP is planning a shutdown in 2022 of the Delaware Aqueduct for maintenance and repair. During the Aqueduct shutdown, the Town will need to increase their production of potable water from their Chadwick Lake Water Treatment Plant (WTP). Without improvements to the WTP, the WTP cannot reliably meet the Town demand during the NYCDEP Delaware Aqueduct shutdown.

HDR performed an evaluation of the WTP and provided recommendations for short-term improvements to meet demand during the Aqueduct shutdown. The following short term upgrades were recommended:

- Water quality in Chadwick Lake limits the capacity of the WTP. Use of powdered activated carbon at the head of the WTP was recommended for total organic carbon (TOC) and odor and taste control. This will improve water quality to ensure the plant can meet demand during the Aqueduct shutdown and will provide long term performance improvements after the shutdown.
- Install a temporary trailer-mounted membrane filtration unit to provide redundancy to the filtration process. Chemical feed system and pumping equipment will be provided as part of the membrane filtration system.
- Expand the solids holding capacity. With the additional filtration capacity, there will be an increase in residuals. The existing two solids holding tanks are undersized for the additional loads and are undersized for current loading when the Manganese filters are online. A third solids holding tank will be added to accommodate the additional load.

Refer to Figure 1 for Aerial View of the existing site.

This basis of design report is updated to reflect final construction cost and updated schedule.

1.2 Project Goals and Objectives

The selected improvements are listed below.

1. For total organic carbon (TOC) removal and taste and odor (T&O) control, install a powdered activated carbon (PAC) storage, handling and feed system. The PAC equipment will be installed in the existing Polyaluminum Chloride feed room. Replacement of the electrical, HVAC and fire protection systems in the room will be provided to accommodate the room's change of use. The existing Polyaluminum Chloride feed equipment will be relocated to an adjacent room.
2. Prepare site for the lease of a mobile membrane filtration (MF) system which will provide additional water filtration capacity during the Aqueduct shutdown. Site work will include installation of new process piping, a chemical storage shed, neutralization tanks, and electrical service associated with the MF system.

3. Install a 1-MGD packaged pump station for pumping water from the settling basins to the mobile membrane filtration trailer.
4. Provide additional solids storage by constructing a third solid handling tank, associated piping, manholes, and valve.

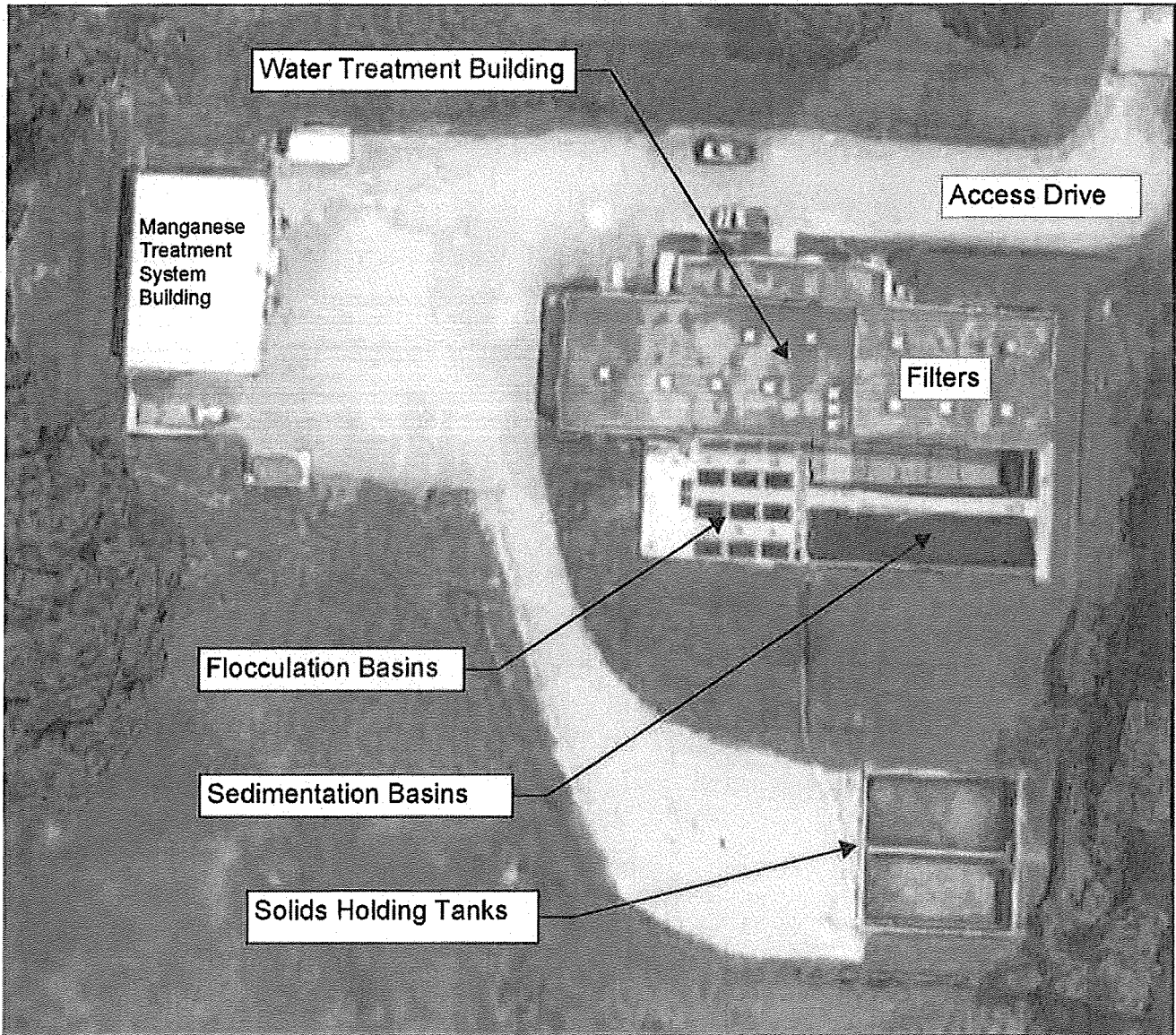


Figure 1. Aerial View

2 Design Basis

2.1 Design Flow

The goal of the design improvements are to provide the minimum flow during the planned Delaware Aqueduct shutdown in 2022. To reliably provide a minimum of 2.0 MGD, and up to 2.7 MGD which is the plant estimated filtering capacity (with both filters in operation), several improvements were identified. The upgrades will allow the plant to achieve it's estimated of 2.7 MGD filtration capacity with improvements to address system redundancy requirements and improve effluent quality.

Refer to Figure 2 for the Process Flow Diagram.

2.2 Site Considerations

2.2.1 Membrane Filtration System

The MF system will be contained in a trailer. Level ground is required for the placement of the trailer and a storage shed for housing the chemical drums and pumps. The trailer will be located west side of the plant access drive adjacent to the Water Treatment Building. This location is selected based on review with plant operations, less site disturbance, and access to chemical delivery. Refer to Figure 3 for location.

2.2.2 Solids Holding Tank

A new solids holding tank will be constructed east of the existing two solids holding tanks as an independent structure. Refer to Figure 4 for location.

2.3 Site Grading

Site grading will be required for the solids holding tank. No change of slope in paved areas are planned. Maximum permissible slope in lawn areas will be 3H:1V.

2.4 Site Stormwater Drainage

The improvements will not increase stormwater runoff quantities. The new solids holding tank addition will reduce runoff area by the tanks.

A new stormwater inlet and piping is added by the temporary MF system location by the Water Treatment Building.

2.5 Site Utilities

Outdoor temporary piping will be heat traced and insulated unless gravity. All buried piping will be provided with minimum cover depth for freezing protection.

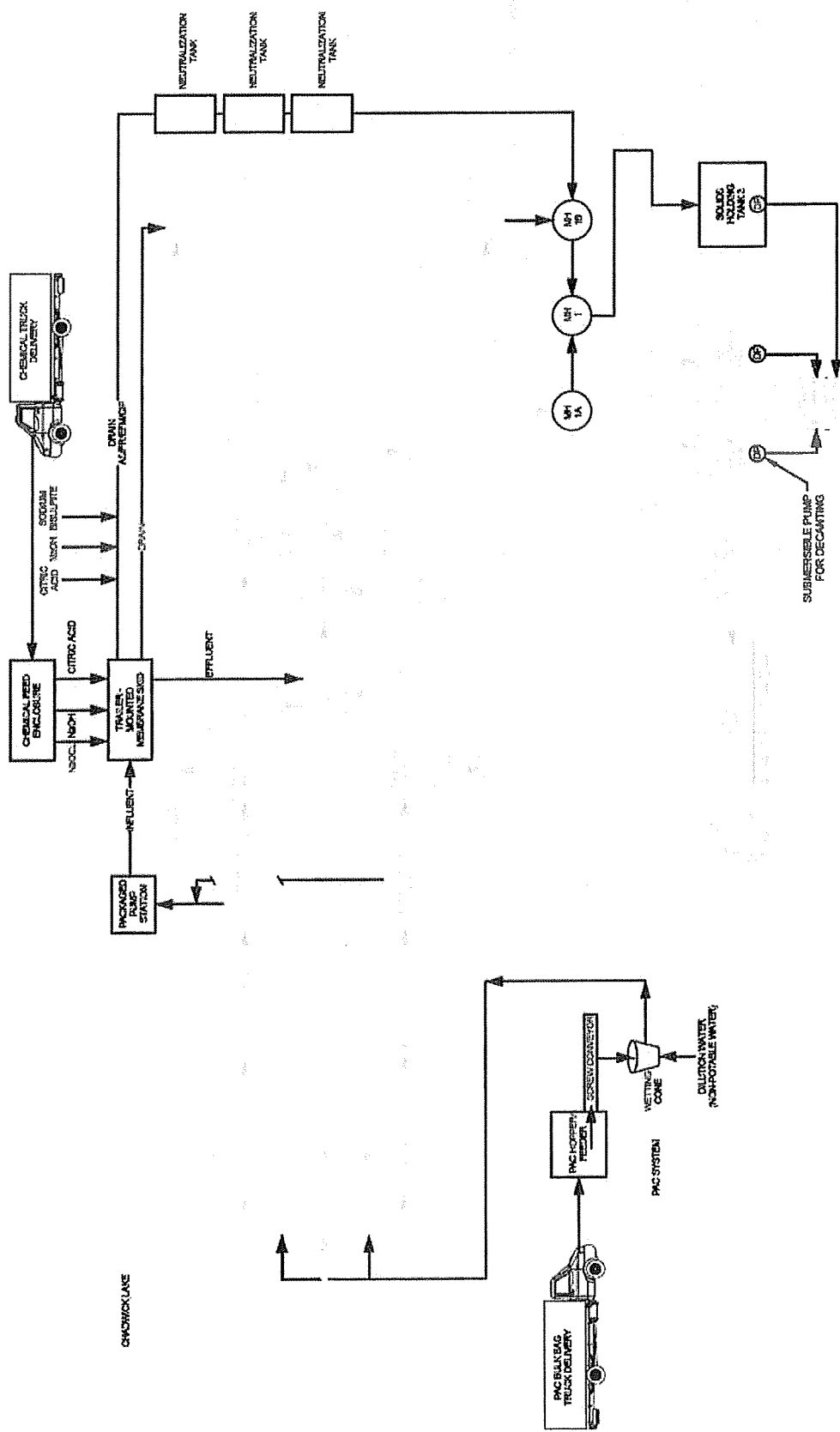


Figure 2. Short Term Flow Schematic, 2.7 MGD

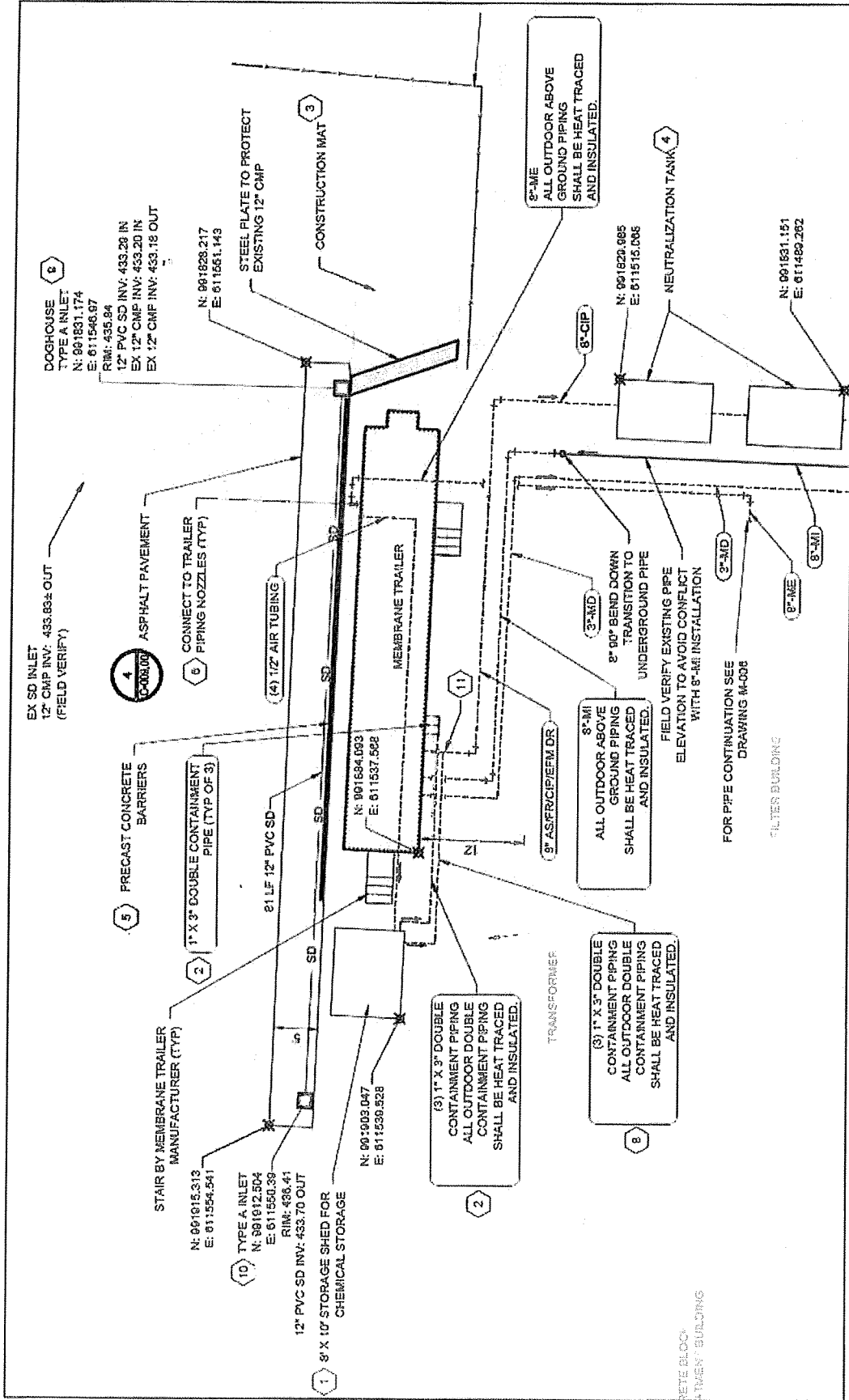


Figure 3. Membrane Trailer Location

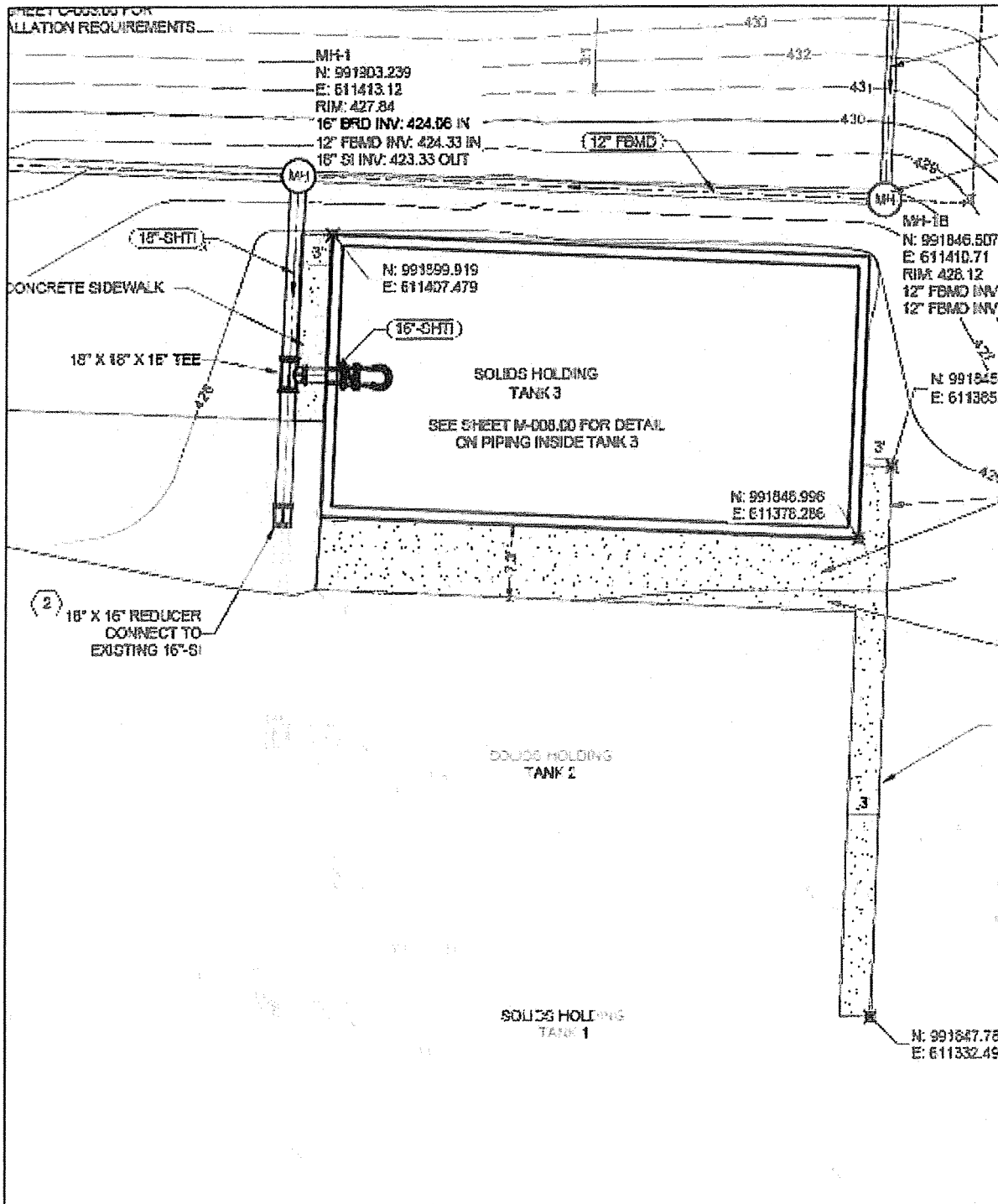


Figure 4. Solids Holding Tank Location

3 Mechanical Process Design Basis

3.1 PAC System

Powered Activated Carbon (PAC) will be used by water treatment plants on either a full-time basis or as needed for taste and odor control or removal of naturally occurring and synthetic organic chemicals. PAC will be fed as a dry powder material using dry feed storage and educator. The dry PAC system will consist of three major components; dry handling unit, screw conveyor, and wetting unit.

PAC is added early in the treatment process and is subsequently removed from the water by the sedimentation process. Residual PAC passing the sedimentation tanks will be removed in the filters.

Table 1 summarizes the PAC process equipment based on pilot study conducted at a nearby facility of similar TOC concentration. Figure 5 shows the layout of PAC equipment.

Table 1. Powered Activated Carbon Process Equipment

Parameter	Quantity	Units
Average PAC Dose	7	mg/L
Max PAC Dose	10	mg/L
Ten State Standard	Up to 40	mg/L
Average bulk density	25	lb/ft ³
Average Day PAC Demand (7 mg/L at 2.7 MGD)	158	lbs
	6.4	ft ³
Maximum Day PAC Demand (10 mg/L at 2.7 MGD)	225	lbs
	9	ft ³
7-Day Storage Volume, average	44	ft ³
PAC bulk bag (30 ft ³ , 700 to 1000 lbs each)	2	each, (one in service, one in storage)
PAC bulk bag deliveries	1	Bag per week

3.2 Membrane System

To allow for immediate expansion of the flow capacity and provide redundancy to the existing traveling bridge filters, a temporary trailer-mounted membrane filtration (MF) system will be provided. The MF System is a self-contained, automated and packaged mobile filtration plant with hollow fiber membrane modules that utilize “outside in” microfiltration.

3.2.1 MF Operating Strategy

A packaged pump station will pump water from the existing sedimentation basins to the MF system and evenly distributed to the MF modules. The MF system will have a net filtrate capacity of 1 MGD. The filtrate water from the MF system will run via gravity to the existing traveling bridge filters common effluent trough and combine with the traveling bridge filtrate water prior to disinfection.

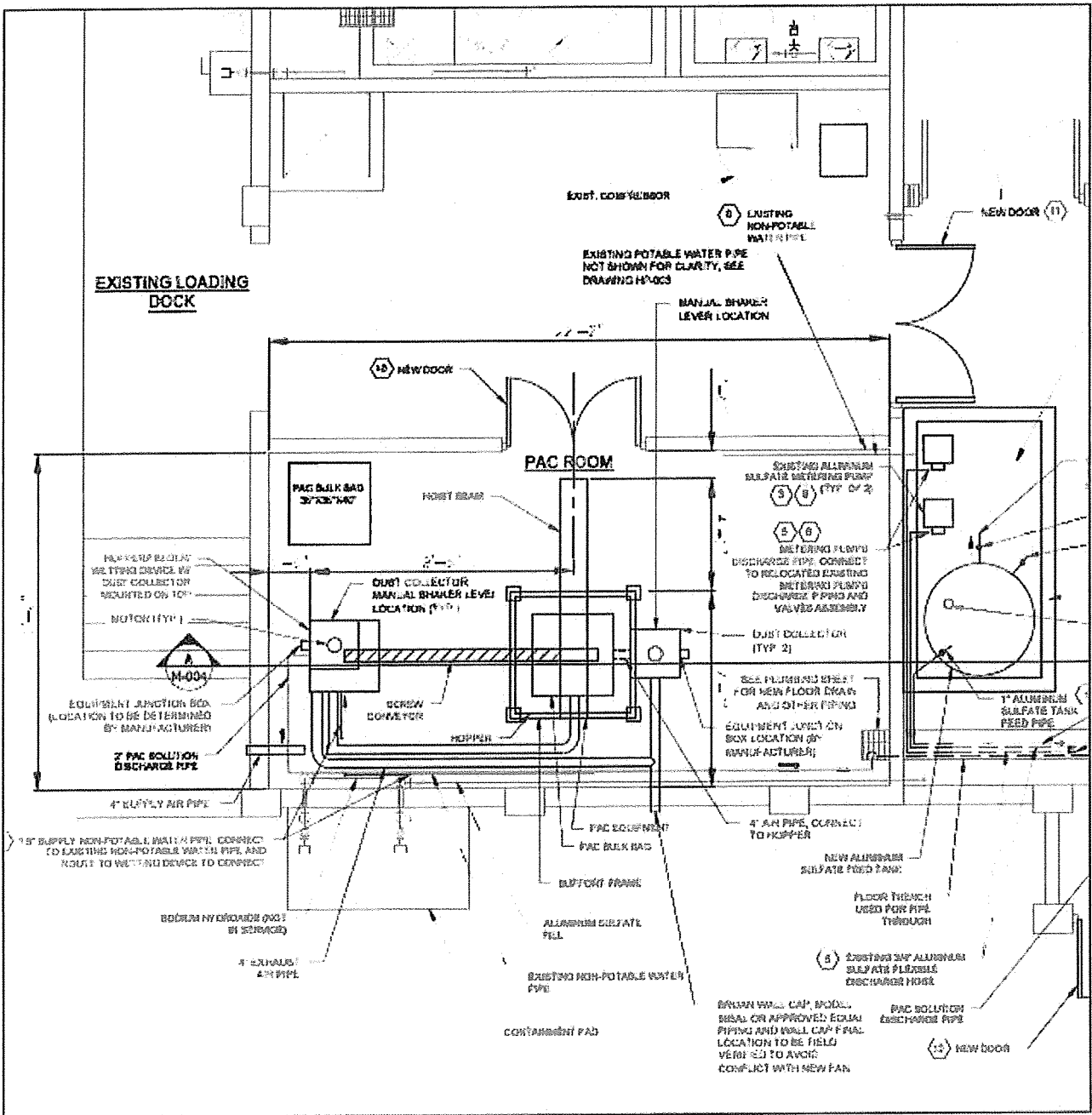


Figure 5. PAC Room

3.2.2 Feed Water Characteristics

Quality of the water pumped to the MF System provided in Table 2 and is based on historical plant data and estimated removals through sedimentation process. Additional removal of manganese and iron may be required.

Table 2. Feed Water Characteristics

Parameter	95th Percentile	Max
Temp (oC)	22	27
pH	7.4	7.6
Turbidity (NTU)	0.71	3.7
Color (PCU)	25	35
Total Mn (mg/L)*		<0.1
Iron (mg/L)*		<0.1
TOC (mg/L)	3.99	11.83
TSS	5	20
Total Hardness (mg/L as CaCO3)	150	350
Calcium (mg/L)	100	150

* MF System Manufacturer Requirements

3.2.3 Treated Water Objectives

The MF System shall provide filtrate with the following:

- Turbidity of less than 0.10 NTU
- SDI less than 3
- 99.999% removal of bacteria and particles > 1 um

3.2.4 Design Criteria

MF System design criteria is provided in Table 3.

Table 3. MF System Design Criteria

Design Parameter	
Number of MF Trains (1 trailer)	2
Net filtrate capacity, MGD	1.0
Flow per MF Train, MGD	0.5
Design feed pressure, psig	15
Membrane Type	PVDF hollow fiber
Membrane Size, micron	0.1
Filter area per module, m2	50
Instantaneous Flux, gfd	26
Backwash flowrate, gpd	110,000

3.2.5 MF Residuals Handling

The MF system generates approximately 110,000 gpd of backwash that will flow by gravity to the solids holding tanks. CIP cleaning frequency is estimate once every 30 days at approximately 3000 gallons.

3.2.6 MF Trailer System

The MF trailer has container dimensions of approximately 53'x13.5'x8.5'. The Trailer MF System has a shipping weight of approximately 30,700 lbs and operating weight of 59,000 lbs.

The system will be provided with the following:

- Process control system for standalone system control (Industrial PC, PLC and Instrumentation including influent/effluent turbidimeter);
- Air compressor for valve actuation and process air; Plant will provide a backup air compressor.
- Feed pump with VFD (one per train);
- Automated self-backwashing strainer;
- Reverse filtration pump with VFD;
- Filtrate transfer pump with VFD;
- Integral CIP tank and cleaning system;
- Filtrate Holding Tank;
- Operator work station; and
- HVAC.

3.2.7 Chemical Storage and Containment System

The MF system will require storage of the following chemicals. A prefabricated storage shed will be provided to house a 55 gallons drum with containment for each chemical and associated feed pump and valves. The shed will be provided with a heater for winter operation.

- NaOCl – 170 gal/month usage;
- NaOH – 100 gal/month usage;
- Citric acid – 100 gal/month usage; and
- Sodium bisulfite – 25 gal/month usage.

3.2.8 Other Design Considerations

The MF System will require the following:

- 480 VAC, 3 phase, 60 Hz electrical service with 250 Amp (trailer draws 172 FLA);
- Back-up power will be supplied by Plant generator

3.3 Solids Holding Tank

A new concrete solid holding tank will be provided. The new tank will be designed to handle the existing process solids waste (sedimentation basin settled solids, travelling bridge backwash waste, and Mn filters backwash waste) and the additional solids generated by the MF trailer. New tank size is 25 ft wide X 50 ft long (same as existing tanks dimension).

The new tank will be constructed as an independent structure from the existing tank. The existing influent manhole will be relocated to allow for new piping connection from the new tank. A flow isolation valve will be provided for the new tank similar to existing tanks set up.

3.4 Process Control System (PCS) Overview

New equipment and instrumentation will be integrated into the plant's existing Supervisory Control and Data Acquisition (SCADA) system. Existing Human Machine Interface (HMI) screens will be reconfigured to include new equipment and instrumentation as depicted on the Process & Instrumentation Diagrams (P&IDs).

3.5 Controls Description

Controls associated with new equipment will be coordinated with packaged equipment vendors as applicable and will be in line with the existing controls philosophy in regards to Local Manual, Local Automatic, SCADA Manual and SCADA Automatic control modes.

4 Schedule

Construction schedule based on March 2021 bid results as follows:

1. Contractors award: April 2021.
2. Substantial completion: December 2022.
3. Final Completion: September 2023.

5 Construction Cost

Based on the bid results received and recommendations for award, the cost of Chadwick Lake Filter Plant Resiliency Improvements work is \$2,625,689. This represents the total construction cost associated with the construction, testing, and start-up of the improvements described in this design report.

#8A



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

Attorney-Client privileged
MEMORANDUM

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

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

RE: SETTLEMENT OF TAX CERTIORARI (2021 and 2022);
TOLL ROAD MANOR, LLC
16 PLANK ROAD
OUR FILE NO. 800.24

DATE: AUGUST 18, 2023

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

ATTORNEYS

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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

Enclosed are copies of a letter from Cathy Drobny, Esq. of E. Stewart Jones, Hacker Murphy regarding the above referenced proposed settlement, a proposed Consent Judgment and charts showing the approximate claimed refund amounts and the approximate refunds 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 location of the tax parcel which is the subject of the proceedings which contains a six unit apartment building.

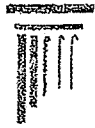
The settlement discontinues the 2021 proceeding and provides for a reduction in assessed value of \$32,775 (taxable assessed value reduction of \$26,220) from \$155,00 (taxable assessed value of \$116,250) to \$122,225 (taxable assessed value of \$97,780) for 2022. The Assessor will be able to advise with regard to the exemption(s). The Consent Judgment specifies that the provisions of RPTL Section 727 apply, holding the Assessed Value at \$122,225 for the 2023, 2024 and 2025 assessment rolls, subject to the statutory exceptions.

The chart indicates that the refund liability for the Town (including Highway but not including special districts and the Fire District) will be approximately \$407.872 versus claimed refund liability of approximately \$2,338.42. Middlehope Fire District will have a refund liability of approximately \$121.81.

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

MCT/sel
Enc.

cc: Lisa M. Vance Ayers, Town Clerk
Molly Carhart, Assessor (*via e-mail*)
Joseph P. Pedi, Receiver of Taxes (*via e-mail*)
Ronald Clum, Town Accountant (*via e-mail*)
Cathy L. Drobny, Esq. (*via e-mail*)



E. STEWART
Jones Hacker Murphy LLP
ATTORNEYS & COUNSELORS AT LAW

August 1, 2023

Please send all mail to:
SCHENECTADY

MAIN OFFICE:
28 SECOND STREET
TROY, NY 12180

200 HARBORSIDE DRIVE, SUITE 300
SCHENECTADY, NY 12305

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SARATOGA SPRINGS, NY 12866

41 STATE STREET, SUITE 604-05
ALBANY, NY 12207

PHONE: (518) 274-5820
FAX: (518) 274-5875

VIA E-MAIL - mtaylor@riderweiner.com

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P.O. Box 2280
Newburgh, New York 12550

RE: Toll Road Manor, LLC v. Town of Newburgh
Index Nos. EF005229-2021, EF004013-2022
Our File No. 5018.183

www.joneshacker.com

Dear Mark:

Attached please find the proposed Consent Judgment relative to the above-referenced proceedings. There are currently two years pending (2021 and 2022).

The subject parcel is a six-unit apartment building located at 16 Plank Road (Tax Map #84-3-9) with total rentable sq. footage of +/-5,520 sq. ft. The FMV in 2021 is \$548,700 and \$627,530 in 2022 (assessed value is \$155,000 for both years). After review of the income and expense statements, rent rolls and comparable properties, this settlement was negotiated.

The proposed settlement discontinues the 2021 proceeding and reduces the 2022 assessment of the subject property to an equalized FMV of \$627,530 (AV \$122,225). The 2022 assessed value, as reduced, will be held for 2023, 2024 and 2025 pursuant to RPTL §727, subject to the usual statutory exceptions. After considering the costs of trial-ready appraisals and litigation, we feel that this is a good settlement.

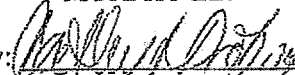
I have attached for your review a copy of the refund liability charts, which show the potential liability versus the proposed settlement refund liability.

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. Once the Resolution passes, please let me know and I will sign the Order.

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

Very truly yours,

E. STEWART JONES HACKER
MURPHY LLP

By: 

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

CLD:kah
Attachments
cc: Molly Carhart, Assessor
Gilbert Piaquadio, Supervisor

At an IAS Term of the Supreme Court of the State of New York held in and for the County of Orange, at 285 Main Street, Goshen, New York on the ____ day of _____, 2023.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ORANGE

-----X

In the Matter of the Application of
TOLL ROAD MANOR, LLC

CONSENT JUDGMENT

Petitioner,

-against-

TOWN OF NEWBURGH, a Municipal Corporation, its ASSESSOR, and its BOARD OF ASSESSMENT REVIEW,

Index Nos.:
EF005229-2021
EF004013-2022

Respondents.

Assigned Justice:
Hon. E. Loren Williams, J.S.C.

For Review of the Assessment of Certain Real Property under Article 7 of the Real Property Tax Law.

-----X

The above petitioner having heretofore served and filed Petitions and Notices to review the tax assessment fixed by the Town of Newburgh for the 2021 and 2022 assessment rolls, upon certain real property located in the Town of Newburgh, Orange County, New York, and designated as: 84-3-9 (16 Plank Road), on the Official Assessment Map of the Town of Newburgh, and

The petitioner having appeared by Stenger, Diamond & Glass, LLP, Karen E. Hagstrom, Esq., and the respondents having appeared by E Stewart Jones Hacker Murphy, LLP, Cathy L. Drobny, Esq., Attorneys for the Town of Newburgh, and the parties having

made their settlement, it is hereby

ORDERED, that the assessment of the property referred to herein, be and the same is hereby reduced, corrected, and fixed for the 2021 and 2022 assessment rolls as follows:

DESCRIPTION (Tax Map No.: 84-3-9) 16 Plank Road

<u>Assessment Roll</u>	<u>Original AV</u>	<u>Original Taxable AV</u>	<u>Settlement AV</u>	<u>Settlement Taxable AV</u>	<u>Amount of Reduction</u>
2021	155,000	116,250	155,000	116,250	0
2022	155,000	124,000	122,225	97,780	26,220

, and it is further

ORDERED, that the officer or officers having custody of the assessment roll upon which the above-mentioned assessment and any taxes levied thereon are entered shall correct the said entries in conformity with this Order and shall note upon the margin of said roll, opposite of said entries, that the same have been corrected by the authority of this Order, and it is further

ORDERED, that there shall be audited, allowed and paid to the petitioner by the Orange County Commissioner of Finance or the Town of Newburgh for (Tax Map No.: 84-3-9) 16 Plank Road, the amount of Town, Special District and any other ad valorem taxes paid by the petitioner as taxes against the said erroneous assessment in the excess of what the taxes would have been had the said assessment made in the aforesaid year been determined by this Order, together with interest thereon from the date of payment thereof as provided by statute, provided, however, notwithstanding any other provision herein to

the contrary, interest shall be waived in the event that payment is made within sixty (60) days from the date of service of this Order with notice of entry, and it is further,

ORDERED, 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 pay to the petitioner the amount of County taxes or County special district taxes paid by the petitioner as taxes against the erroneous assessment in excess of what the taxes would have been had the assessment been determined by this Order, together with interest thereon from the date of payment thereof as provided by statute; provided, however, notwithstanding any other provision herein to the contrary, interest shall be waived in the event that payment is made within sixty (60) days from the date of service of this Order upon the Commissioner of Finance with notice of entry; and it is further

ORDERED, that there shall be audited, allowed and paid to the petitioner by the Newburgh Enlarged City School District for (Tax Map No.: 84-3-9) 16 Plank Road, the amount of School taxes, and Library taxes if applicable, paid by the petitioner as taxes against the said erroneous assessment in the excess of what the taxes would have been had the said assessment made in the aforesaid year been determined by this Order, together with interest thereon from the date of payment thereof as provided by statute, provided, however, notwithstanding any other provision herein to the contrary, interest shall be waived in the event that payment is made within sixty (60) days from the date of service of this Order with notice of entry, and it is further

ORDERED, that unless paid within sixty (60) days from service of this Order and of the Audit and Demand for payment all tax refunds are to be made with statutory interest from the date the taxes indicated herein were paid, pursuant to Section 726 of the Real Property Tax Law of the State of New York, and it is further

ORDERED, that all tax refunds hereinabove directed to be made by respondents, the Orange County Commissioner of Finance, Town of Newburgh, Newburgh Enlarged City School District and/or any of the various taxing authorities, be made by check or draft payable to the order of Stenger, Diamond & Glass, LLP, as attorneys for the petitioner, who is to hold the proceeds as trust funds for appropriate distribution, and who is to remain subject to the further jurisdiction of the Court in regard to its attorney's lien, pursuant to Judiciary Law Section 475, and it is further

ORDERED, that the assessment for (Tax Map No.: 84-3-9) 16 Plank Road, shall not be changed for the next three (3) succeeding assessment rolls prepared on the basis of the three (3) taxable status dates next occurring on or after the taxable status date of the most recent assessment under review, for the 2023, 2024 and 2025 tax rolls, pursuant to § 727(1) of the Real Property Tax Law of the State of New York; and it is further

ORDERED, that this Order hereby constitutes and represents full settlement of the tax 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, the above-entitled proceedings be and the same are settled and discontinued.

Dated: Goshen, New York
_____, 2023

ENTER,

HON. E. LOREN WILLIAMS, J.S.C.

Signing and entry of the within Order is hereby Consented to:

E STEWART JONES HACKER MURPHY LLP

BY: _____
CATHY L. DROBNY, ESQ.
Attorneys for Respondents
28 Second Street
Troy, NY 12180
(518) 213-0116
cdrobny@joneshacker.com

STENGER, DIAMOND & GLASS, LLP

BY: _____
KAREN E. HAGSTROM, ESQ.
Attorneys for Petitioner
1136 Route 9
Wappingers Falls, NY 12590
(845) 298-2000 x133
khagstrom@sdglaw.com

Toll Road Manor LLC v Town of Newburgh - 16 Plank Road

Year	Parcel Number	Assessed Value	Taxable AV	Claimed AV	Claimed Taxable AV	Eq. Rate	FMV	Claimed FMV	Taxable AV and Claimed Taxable AV	Tax Rate	Refund Liability	
2021	84-3-9	\$155,000	\$116,250	\$70,625	\$52,969	28.25%	\$548,673	\$250,000	\$63,281	County Town Highway Middlehope FD* Consol It Consol wtr 1 Consol wtr 2 School Library	12,129.2 10,844.5 4,734.4 4,582.1 0,362.9 1,462.7 2,529.2 71,473.31 3,521.783	767.55 686.25 299.60 323.61 22.96 92.56 160.05 4,522.92 222.86
2022	84-3-9	\$155,000	\$124,000	\$49,400	\$37,050	24.70%	\$627,530	\$200,000	\$86,950	County Town Highway Newb Ambulance Middlehope FD* Consol It Consol wtr 1 Consol wtr 2 School Library	11,091.7 10,913.4 4,642.3 0,407.1 4,645.7 0,476.5 1,460.3 2,530.4 71,391.3 3,589.386	964.42 948.92 403.65 35.40 929.14 41.43 126.97 220.02 6,207.47 312.10
*Middlehope FD is taxed at the assessed value and not the taxable assessed value												
										County Town Highway Middlehop Ambulance Consol It Consol wtr School Library	1,731.97 1,635.17 703.25 1,252.75 35.40 64.40 219.53 380.07 10,730.39 534.96	

Toll Road Motor LLC v. Town of Newburgh - 16 Plank Road

Year	Parcel Number	Assessed Value	Taxable AV	Reduced AV	Reduced Taxable AV	Eq. Rate	FMV	Reduced FMV per Settlement	Taxable AV and Reduced Taxable AV	Tax Rate	Refund Liability
2021	84-3-9	\$155,000	\$116,250	\$155,000	\$116,250	28.25%	\$548,673	\$411,504	\$0	12.1292	\$ -
										10.8445	\$ -
										4.7344	\$ -
										4.5821	\$ -
										0.3629	\$ -
										1.4627	\$ -
										2.5292	\$ -
										71.47331	\$ -
										3.521783	\$ -
										11.0917	\$ 290.82
2022	84-3-9	\$155,000	\$124,000	\$122,225	\$97,780	24.70%	\$627,530	\$395,870	\$26,220	10.9134	\$ 286.15
										4.6423	\$ 121.72
										0.4071	\$ 10.67
										4.6457	\$ 121.81
										0.4765	\$ 12.49
										1.4603	\$ 38.29
										2.5304	\$ 66.35
										71.3913	\$ 1,871.88
										3.589386	\$ 94.11

28-11

SECTION 82

Subject parcel

INTERSTATE

HIGHWAY

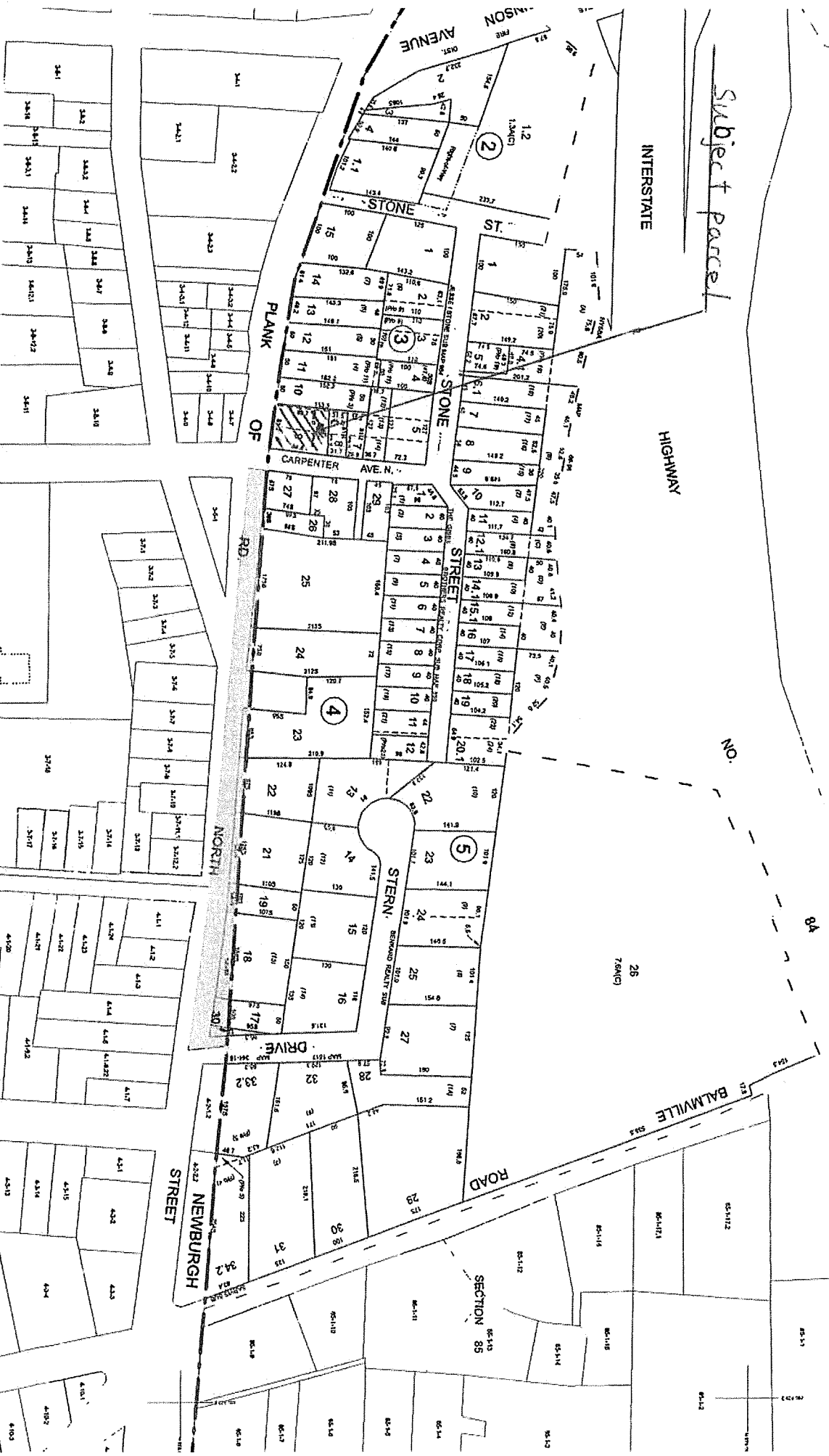




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Commercial

- [Property Info](#)
- [Owner/Sales](#)
- [Inventory](#)
- [Improvements](#)

Tax Info

- [Report](#)
- [Comparables](#)

Municipality of Newburgh

SWIS:	334600	Tax ID:	84-3-9
-------	--------	---------	--------

Tax Map ID / Property Data

Status:	Active	Roll Section:	Taxable
Address:	16 Plank Rd		
Property Class:	411 - Apartment	Site Property Class:	411 - Apartment
Ownership Code:			
Site:	Com 1	In Ag. District:	No
Zoning Code:	-	Bldg. Style:	Not Applicable
Neighborhood:	40101 -	School District:	Newburg
Property Description:	Pt Lts 1-3 J1 Stone Sub		
Total Acreage/Size:	95 x 82	Equalization Rate:	----
Land Assessment:	2023 - \$11,100	Total Assessment:	2023 - \$122,225
Full Market Value:	2023 - \$566,119		
Deed Book:	13334	Deed Page:	1574
Grid East:	624261	Grid North:	978205
Bank Code:	L140289		

Special Districts for 2023

Description	Units	Percent	Type	Value
AM010-Newburgh Ambulance	0	0%		0
FD025-Middlehope fire	0	0%		0
LT004-Consol It	0	0%		0
WD001-Consol wtr 1	0	0%		0
WD002-Consol wtr 2	0	0%		0

Land Types

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

Type	Size
Primary	81 × 94

Orange County



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Commercial

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- [Owner/Sales](#)
- [Inventory](#)
- [Improvements](#)
- [Tax Info](#)
- [Report](#)
- [Comparables](#)

Municipality of Newburgh				
SWIS:	334600	Tax ID:	84-3-9	
Ownership Information				
Name	Secondary Name	Address		
Toll Road Manor, LLC	c/o Onxy Poperty Management	15 Steves Ln Gardnier NY 12525		
Sale Information				
Sale Date	Price	Property Class	Sale Type	Prior Owner
4/10/2012	\$100,000	411 - Apartment	Land & Building	36-38 Chamber, LLC
	Value Usable	Arms Length	Deed Book	Deed Page
	No	No	13334	1574
Sale Date	Price	Property Class	Sale Type	Prior Owner
1/29/2009	\$75,000	411 - Apartment	Land & Building	Mjn Corp
	Value Usable	Arms Length	Deed Book	Deed Page
	Yes	Yes	12776	1753
Sale Date	Price	Property Class	Sale Type	Prior Owner
5/1/2003	\$0	411 - Apartment	Land & Building	Intercounty Management
	Value Usable	Arms Length	Deed Book	Deed Page
	No	No	11037	205
Sale Date	Price	Property Class	Sale Type	Prior Owner
11/27/2001	\$200,000	411 - Apartment	Land & Building	2-4 North Plank Corp

Photographs

No Photo Available

[Pictometry Connect](#)

Documents

No documents found for this parcel

Maps

[View Tax Map](#)

[Pin Property on GIS Map](#)

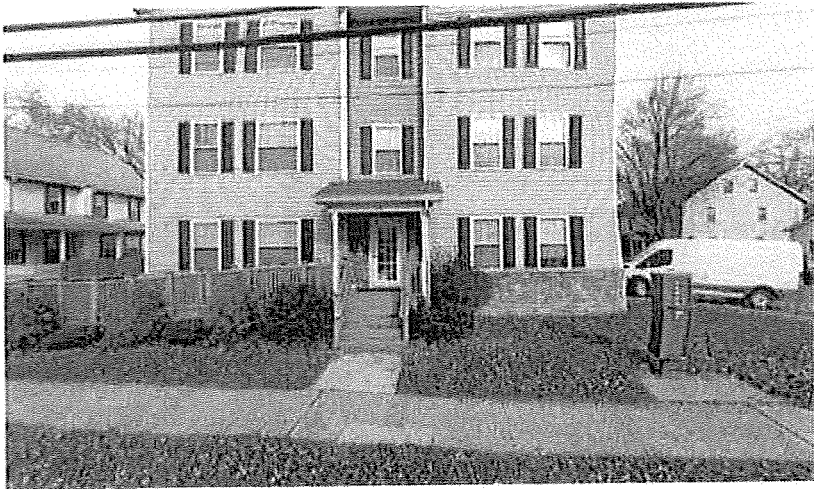
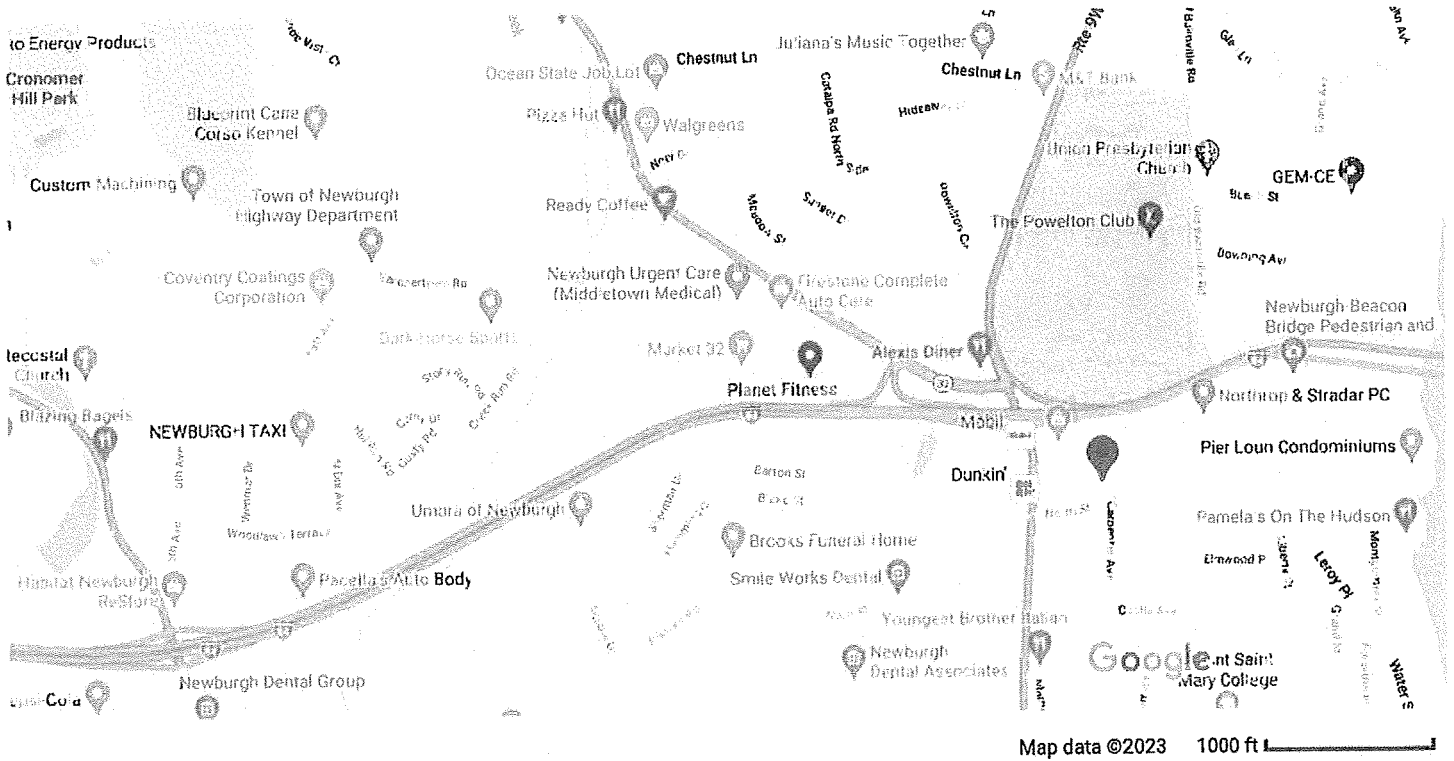
[View in Google Maps](#)

[View in Bing Maps](#)

Map Disclaimer

	Value Usable	Arms Length	Deed Book	Deed Page
	No	Yes	5694	155
Historic Deed Information				
Book	Page	Prior Printkey		
13334	1574			
12776	1753			
11037	205			

Google Maps 41°31'04.0"N 74°01'02.9"W



41°31'04.0"N 74°01'02.9"W

41.517773, -74.017462



Directions



Save



Nearby



Send to phone



Share



16 Plank Rd, Newburgh, NY 12550

GX9M+423 Balmville, New York

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 28th day of August, 2023 at 7:00 o'clock p.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

RESOLUTION OF TOWN BOARD
AUTHORIZING SETTLEMENT OF
PROCEEDINGS UNDER ARTICLE
7 OF THE REAL PROPERTY
TAX LAW:
SBL #84-3- 9
TOLL ROAD MANOR, LLC
(16 PLANK ROAD)
INDEX NUMBERS 2021-EF005229, 2022-
EF004103

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

WHEREAS, TOLL ROAD MANOR, LLC (the "Petitioner") has 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 real property in the Town of Newburgh, Orange County, New York, consisting of a six unit apartment building and related improvements located on a parcel of land at 916 Plank Road (Section 84-Block 3-Lot 9) on the tax assessment roll for the tax years 2021 and 2022; and

WHEREAS, special counsel to the Town, E. Stewart Jones Hacker Murphy, LLP, has negotiated a settlement of the proceeding with the Petitioner, the terms of which are embodied in a proposed Consent 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 E. Stewart Jones Hacker Murphy, LLP to execute and deliver the Consent Judgment on behalf of the Town; and

BE IT FURTHER RESOLVED, that E. Stewart Jones Hacker Murphy, LLP, the Supervisor, the Attorney for the Town, the Town's 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:

Elizabeth J. Greene, Councilwoman voting _____

Paul I. Ruggiero, Councilman voting _____

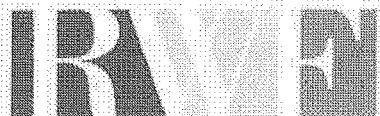
Scott M. Manley, Councilman voting _____

Anthony R. LoBiondo, Councilman voting _____

Gilbert J. Piaquadio, Supervisor voting _____

The resolution was thereupon declared duly adopted

#8B



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

Attorney-Client privileged
MEMORANDUM

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

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

RE: SETTLEMENT OF TAX CERTIORARI (2020, 2021, AND
2022);
CONEW, LLC (1425, 1429 AND 1433 ROUTE 300)
OUR FILE NO. 800.24

DATE: AUGUST 22, 2023

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

Enclosed are copies of a letter from Cathy Drobny, Esq. of E. Stewart Jones, Hacker Murphy regarding the above referenced proposed settlement, a proposed Consent Order and Judgment and charts showing the claimed refund liability and the approximate refunds 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 location of the tax parcels which are the subject of the proceedings which contain a shopping center use and related commercial buildings.

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

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

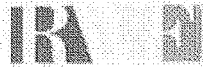
COUNSEL
Stephen P. Duggan, III
John K. McGuirk
(1942-2018)

OF COUNSEL
Craig F. Simon
Irene V. Villacci

The settlement provides for no reduction for Lots 32.11 and 32.21 for the 2020, 2021 and 2022 proceedings. The 2023 Assessed Value will also remain the same for Lot 32.21 at \$3,000,000. But for Lot 32.11, the 2023 Assessed Value will be reduced by \$166,085 from \$425,000 to \$258,915. No refund liability is associated with the 2023 Assessed Value reduction. The settlement further provides for no reduction in the 2020 Assessed Value of Lot 29.11, but a reduction of in the 2021 Assessed Value of \$340,000 from \$3,147,500 to \$2,807,500, and a reduction of \$500,000 from 3,147,500 to \$2,647,500 for 2022. Lot 26.11's 2023 Assessed Value will then return to \$3,147,500 and will hold for 2024, 2025 and 2026 as will the 2023 Assessed Value for the other two lots pursuant to the provisions of RPTL Section 727., subject to the statutory exceptions.

The chart indicates that the refund liability for the Town (including Highway but not including special districts and the Fire District) will be approximately \$13,074.68 versus claimed refund liability of approximately \$276,551.54. The Orange Lake Fire District's refund liability under the settlement will be approximately \$3,592.69. I've advised the Fire District's attorney of the pending settlement. The Newburgh Enlarged City School District's attorneys will be signatories on the Consent Order and Judgment as well.

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



MCT/sel

Enc.

cc: Lisa M. Vance Ayers, Town Clerk
Molly Carhart, Assessor *(via e-mail)*
Joseph P. Pedi, Receiver of Taxes *(via e-mail)*
Ronald Clum, Town Accountant *(via e-mail)*
Cathy L. Drobny, Esq. *(via e-mail)*



E. STEWART
Jones Hacker Murphy LLP
ATTORNEYS & COUNSELORS AT LAW

August 11, 2023

Please send all mail to:
SCHENECTADY

MAIN OFFICE:
28 SECOND STREET
TROY, NY 12180

200 HARBORSIDE DRIVE, SUITE 300
SCHENECTADY, NY 12305

511 BROADWAY
SARATOGA SPRINGS, NY 12866

41 STATE STREET, SUITE 604-05
ALBANY, NY 12207

PHONE: (518) 274-5820
FAX: (518) 274-5875

www.joneshacker.com

VIA E-MAIL - mtaylor@riderweiner.com

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

RE: Conew, LLC v. Town of Newburgh
Index Nos. EF003401-2020, EF004868-2021, EF003674-2022
Our File No. 5018.171

Dear Mark:

Attached please find the proposed Consent Judgment relative to the above-referenced proceedings. There are currently three years pending (2020, 2021 and 2022).

The subject parcel is a neighborhood shopping center located at 1425, 1429 and 1433 Route 300 (Tax Map #60-3-32.11 (AV \$425,000), #60-3-32.21 (AV \$3,000,000) and #60-3-29.11 (AV \$3,147,500). The total AV for all parcels is \$6,572,500 in 2020, 2021 and 2022. The FMV varies from \$23,265,486 in 2020 to \$30,442,344 in 2023. After review of the income and expense statements, rent rolls, leases and comparable properties, this settlement was negotiated.

The assessed value of #60-3-29.11 is not reduced in 2020, is reduced in 2021 to \$2,807,500 (reduction of \$340,000 AV) and reduced in 2022 to \$2,647,500 (reduction of \$500,000 AV). The 2023 assessed value for this parcel will be \$3,147,500 and the assessment will be held for 2024, 2025 and 2026 pursuant to RPTL §727, subject to the statutory exceptions.

The proposed settlement does not reduce the assessed value for parcels #60-3-32.11 & #60-3-32.21 for any of the pending years. The 2023 assessed value for parcel #60-3-32.11 shall be reduced to \$258,915 and this assessment shall be held for 2024, 2025 and 2026 pursuant to RPTL §727, subject to the statutory exceptions. The 2023 assessed value for parcel #60-3-32.21 shall remain at \$3,000,000 for 2024, 2025 and 2026 pursuant to RPTL §727, subject to the statutory exceptions. After considering the costs of trial-ready appraisals and litigation, we feel that this is a good settlement.

I have attached for your review a copy of the refund liability charts, which show the potential liability versus the proposed settlement refund liability.

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. Once the Resolution passes, please let me know and I will sign the Order.

Mark C. Taylor, Esq.
Rider, Weiner & Frankel P.C.
August 11, 2023
Page 2

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

Very truly yours,

E. STEWART JONES HACKER
MURPHY LLP

By: 

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

CLD:kah
Attachments
cc: Molly Carhart, Assessor
Gilbert Piaquadio, Supervisor

At a Special Condemnation and Tax
Certiorari Term of the Supreme Court of the
State of New York, held in and for the County of
Orange, Goshen, New York, on the
day of , 20

P R E S E N T :

HON. E. LOREN WILLIAMS,
Justice

In the Matter of

CONEW LLC,

Petitioner,

-against-

THE BOARD OF ASSESSORS AND/OR THE ASSESSOR
OF THE TOWN OF NEWBURGH AND THE BOARD OF
ASSESSMENT REVIEW,

Respondents.

And

NEWBURGH ENLARGED CITY SCHOOL DISTRICT,

Respondent-Intervenor.

**CONSENT ORDER
& JUDGMENT**

Index No.

EF003401-2020

EF004868-2021

EF003674-2022

Assessment

Year

2020

2021

2022

Tax Map Nos.:

60-3-29.11

60-3-32.11

60-3-32.21

The above petitioner having heretofore served and filed the Petitions and Notices to review the tax assessments fixed by the Town of Newburgh for the assessment years 2020 through 2022, upon certain real property constituting the following assessment parcels and designated as Tax Map Nos.60-3-29.11; 60-3-32.11 and 60-3-32.21, on the official Assessment Map of the Town of Newburgh, and

The issues of these proceedings having duly come on for trial at an IAS Term of this Court, and the petitioner having appeared by JENNIFER D. HOWER, ESQ., of HERMAN KATZ CANGEMI WILKES & CLYNE, LLP, and the respondents having appeared by CATHY L. DROBNY, ESQ. of E. STEWART JONES HACKER MURPHY LLP, Counsel for the Town of Newburgh and the respondent-intervenor having appeared by IRA S. LEVY, ESQ., Counsel to SHAW PERELSON MAY & LAMBERT, LLP, and the parties having made their settlement, it is

ORDERED, that the assessments on the above-referenced property be and the same are hereby reduced, corrected and fixed for the assessment year as follows:

Section 60, Block 3, Lot 29.11

ASSESSMENT YEAR	COUNTY/TOWN TAX YEAR	SCHOOL TAX YEAR	ORIGINAL ASSESSMENT	REDUCTION	FINAL ASSESSMENT
2020	2021	2020/21	\$3,147,500	\$ -0-	\$3,147,500
2021	2022	2021/22	\$3,147,500	\$340,000	\$2,807,500
2022	2023	2022/23	\$3,147,500	\$500,000	\$2,647,500

Section 60, Block 3, Lot 32.11

ASSESSMENT YEAR	COUNTY/TOWN TAX YEAR	SCHOOL TAX YEAR	ORIGINAL ASSESSMENT	REDUCTION	FINAL ASSESSMENT
2020	2021	2020/21	\$425,000	\$ -0-	\$425,000
2021	2022	2021/22	\$425,000	\$ -0-	\$425,000
2022	2023	2022/23	\$425,000	\$ -0-	\$425,000

Section 60, Block 3, Lot 32.21

ASSESSMENT YEAR	COUNTY/TOWN TAX YEAR	SCHOOL TAX YEAR	ORIGINAL ASSESSMENT	REDUCTION	FINAL ASSESSMENT
2020	2021	2020/21	\$3,000,000	\$ -0-	\$3,000,000
2021	2022	2021/22	\$3,000,000	\$ -0-	\$3,000,000
2022	2023	2022/23	\$3,000,000	\$ -0-	\$3,000,000

and so reduced and confirmed, and it is further

ORDERED, ADJUDGED AND DECREED that as part of this settlement, the parties have agreed and the Assessor for the Town of Newburgh has reduced the 2023 assessment for Lot 60-3-32.11 from \$425,000 to \$258,915; while the assessments for Lots 60-3-29.11 (\$3,147,500) and 60-3-32.21 (\$3,000,000) shall remain at these values for 2023, as follows:

Section 60, Block 3, Lot 29.11

ASSESSMENT YEAR	COUNTY/TOWN TAX YEAR	SCHOOL TAX YEAR	ORIGINAL ASSESSMENT	REDUCTION	FINAL ASSESSMENT
2023	2024	2023/24	\$3,147,500	\$ -0-	\$3,147,500

Section 60, Block 3, Lot 32.11

ASSESSMENT YEAR	COUNTY/TOWN TAX YEAR	SCHOOL TAX YEAR	ORIGINAL ASSESSMENT	REDUCTION	FINAL ASSESSMENT
2023	2024	2023/24	\$425,000	\$166,085	\$258,915

Section 60, Block 3, Lot 32.21

ASSESSMENT YEAR	COUNTY/TOWN TAX YEAR	SCHOOL TAX YEAR	ORIGINAL ASSESSMENT	REDUCTION	FINAL ASSESSMENT
2023	2024	2023/24	\$3,000,000	\$ -0-	\$3,000,000

and it is further

ORDERED AND DIRECTED, that the terms of R.P.T.L. §727 shall apply to this settlement as stated in the above paragraph, with respect to the 2024, 2025 and 2026 assessments years, and it is further

ORDERED, ADJUDGED AND DECREED that the officer or officers having custody of the assessment rolls upon which the above-mentioned assessments and any taxes levied thereon are entered shall correct the said entries in conformity with this Order 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 it is further

ORDERED, that there shall be audited, allowed and paid to the petitioner by the Newburgh Enlarged City School District of the Town of Newburgh, the amount of School taxes paid by the petitioner 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, 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 are hereby directed and authorized to audit, allow and to pay to the petitioner the amount, if any, of State, County, Town, Judiciary, Sewer District, Orange Lake Fire District, if applicable, and any special taxes paid by the petitioner 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, 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 judgment with Notice of Entry, then interest is 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 HERMAN KATZ CANGEMI WILKES & CLYNE, LLP, as attorneys for the petitioner, 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 attorney's lien, pursuant to Judiciary Law §475, and it is further

ORDERED, that this Order hereby constitutes and represents full settlement of each of the tax 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, the above-entitled proceedings be and the same are settled and discontinued.

ENTER,

J.S.C.

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

E. STEWART JONES HACKER MURPHY LLP
Attorneys for Respondents

By: CATHY L. DROBNY, ESQ.
200 Harborside Drive, #300
Schenectady, NY 12305
(518) 621-0710
cdrobny@joneshacker.com

HERMAN KATZ CANGEMI WILKES & CLYNE, LLP
Attorneys for Petitioner



By: JENNIFER D. HOWER, ESQ.
538 Broadhollow Road, Suite 307
Melville, NY 11747
(631) 501-5011
jhower@hermankatz.com

SHAW PERELSON MAY & LAMBER, LLP
Attorneys for Respondent-Intervenor

BY: IRA S. LEVY, ESQ.
115 Stevens Avenue
Valhalla, NY 10595
(914) 741-9870
ilevy@shawperelson.com

Town of Newburgh v. Conew LLC

Year	Parcel Number	Assessed Value	Claimed Assessed Value	Eq. Rate	FMV	Claimed FMV	Difference AV and Claimed AV	Tax Rate	Refund Liability
2020	60-3-29.11	\$3,147,500	\$3,147,750	29.95%	\$10,509,182	\$1,050,918	\$2,832,750	County Town	\$ 11,8689 \$ 10,8692
								Highway	\$ 4,7485
								Orange lk fire	\$ 4,114
								Consol lt	\$ 11,653.93
								Consol wtr 1	\$ 1,024.61
								Consol wtr 2	\$ 1,4641
								School	\$ 2,5209
								Library	\$ 71,885193
2020	60-3-32.11	\$425,000	\$42,500	29.96%	\$1,419,032	\$141,903	\$382,500	County Town	\$ 11,8689 \$ 10,8692
								Highway	\$ 4,7485
								Orange lk fire	\$ 4,114
								Consol lt	\$ 0,3617
								Consol wtr 1	\$ 1,4641
								Consol wtr 2	\$ 2,5209
								School	\$ 71,885193
								Library	\$ 3,542079
2020	60-3-32.21	\$3,000,000	\$300,000	29.95%	\$10,016,694	\$1,001,669	\$2,700,000	County Town	\$ 11,8689 \$ 10,8692
								Highway	\$ 4,7485
								Orange lk fire	\$ 4,114
								Consol lt	\$ 0,3617
								Consol wtr 1	\$ 1,4641
								Consol wtr 2	\$ 2,5209
								School	\$ 71,885193
								Library	\$ 3,542079

Town of Newburgh v Conew LLC

Year	Parcel Number	Assessed Value	Claimed Assessed Value	Eq. Rate	FMV	Claimed FMV	Difference AV and Claimed AV	Tax Rate	Refund Liability
2021	60-3-29.11	\$3,147,500	\$3,147,500	28.25%	\$11,141,593	\$1,114,159	\$2,832,750	County	12.1292 \$ 34,358.99
								Town	10.8445 \$ 30,719.76
								Highway	4.7344 \$ 13,411.37
								Orange lk fire	4.2357 \$ 11,998.68
								Consol It	0.3629 \$ 1,028.00
								Consol wtr 1	1.4627 \$ 4,143.46
								Consol wtr 2	2.5292 \$ 7,164.59
								School	71.47331 \$ 202,466.02
								Library	3.521783 \$ 9,976.33
								County	12.1292 \$ 4,639.42
2021	60-3-32.11	\$425,000	\$425,000	28.25%	\$1,504,425	\$150,442	\$382,500	Town	10.8445 \$ 4,148.02
								Highway	4.7344 \$ 1,810.91
								Orange lk fire	4.2357 \$ 1,620.16
								Consol It	0.3629 \$ 138.81
								Consol wtr 1	1.4627 \$ 559.48
								Consol wtr 2	2.5292 \$ 967.42
								School	71.47331 \$ 27,338.54
								Library	3.521783 \$ 1,347.08
								County	12.1292 \$ 32,748.84
								Town	10.8445 \$ 29,280.15
2021	60-3-32.21	\$3,000,000	\$3,000,000	28.25%	\$10,619,469	\$1,061,947	\$2,700,000	Highway	4.7344 \$ 12,782.88
								Orange lk fire	4.2357 \$ 11,436.39
								Consol It	0.3629 \$ 979.83
								Consol wtr 1	1.4627 \$ 3,949.29
								Consol wtr 2	2.5292 \$ 6,828.84
								School	71.47331 \$ 192,977.94
								Library	3.521783 \$ 9,508.81
								County	12.1292 \$ 4,639.42
								Town	10.8445 \$ 4,148.02
								Highway	4.7344 \$ 1,810.91

Town of Newburgh v. Conew LLC

Year	Parcel Number	Assessed Value	Claimed Assessed Value	Eq. Rate	FMV	Claimed FMV	Difference AV and Claimed AV	Tax Rate	Refund Liability
2022	60-3-29.11	\$3,147,500	\$314,750	24.70%	\$12,742,915	\$1,274,291	\$2,832,750	County Town Highway Newb Ambulance Orange lk fire Consol lt Consol wtr 1 Consol wtr 2 School Library	\$ 11,0917 \$ 10,9134 \$ 4,6423 \$ 0,4071 \$ 4,3051 \$ 0,4765 \$ 1,4603 \$ 2,5304 \$ 71,391298 \$ 3,589386 \$ 10,16783
2022	60-3-32.11	\$425,000	\$42,500	24.70%	\$1,720,648	\$172,065	\$382,500	County Town Highway Newb Ambulance Orange lk fire Consol lt Consol wtr 1 Consol wtr 2 School Library	\$ 11,0917 \$ 10,9134 \$ 4,6423 \$ 0,4071 \$ 4,3051 \$ 0,4765 \$ 1,4603 \$ 2,5304 \$ 71,391298 \$ 3,589386 \$ 10,16783
2022	60-3-32.21	\$3,000,000	\$300,000	24.70%	\$12,145,749	\$1,214,575	\$2,700,000	County Town Highway Newb Ambulance Orange lk fire Consol lt Consol wtr 1 Consol wtr 2 School Library	\$ 11,0917 \$ 10,9134 \$ 4,6423 \$ 0,4071 \$ 4,3051 \$ 0,4765 \$ 1,4603 \$ 2,5304 \$ 71,391298 \$ 3,589386 \$ 1,37294 \$ 29,94759 \$ 29,46618 \$ 12,53421 \$ 1,09917 \$ 11,62377 \$ 1,28655 \$ 3,94281 \$ 6,83208 \$ 192,75650 \$ 9,69134 \$ 207,56494 \$ 192,99745 \$ 83,55409 \$ 2,40810 \$ 74,85631 \$ 7,10481 \$ 25,95079 \$ 44,84055 \$ 1,270,28876 \$ 63,01663

Town of Newburgh v Conew LLC - Settlement

Year	Parcel Number	Assessed Value	Reduced Assessed Value	Eq. Rate	FMV	Reduced FMV	Difference AV and Claimed AV	Tax Rate	Refund Liability
2020	60-3-29.11	\$3,147,500	\$3,147,500	29.95%	\$10,509,182	\$10,509,182	\$0	County Town Highway Orange lk fire Consol It Consol wtr 1 Consol wtr 2 School Library	11.8689 \$ 10.8692 \$ 4.7485 \$ 4.114 \$ 0.3617 \$ 1.4641 \$ 2.5209 \$ 71.885193 \$ 3.542079 \$
2020	60-3-32.11	\$425,000	\$425,000	29.95%	\$1,419,032	\$1,419,032	\$0	County Town Highway Orange lk fire Consol It Consol wtr 1 Consol wtr 2 School Library	11.8689 \$ 10.8692 \$ 4.7485 \$ 4.114 \$ 0.3617 \$ 1.4641 \$ 2.5209 \$ 71.885193 \$ 3.542079 \$
2020	60-3-32.21	\$3,000,000	\$3,000,000	29.95%	\$10,016,694	\$10,016,694	\$0	County Town Highway Orange lk fire Consol It Consol wtr 1 Consol wtr 2 School Library	11.8689 \$ 10.8692 \$ 4.7485 \$ 4.114 \$ 0.3617 \$ 1.4641 \$ 2.5209 \$ 71.885193 \$ 3.542079 \$

Town of Newburgh v Conew LLC - Settlement

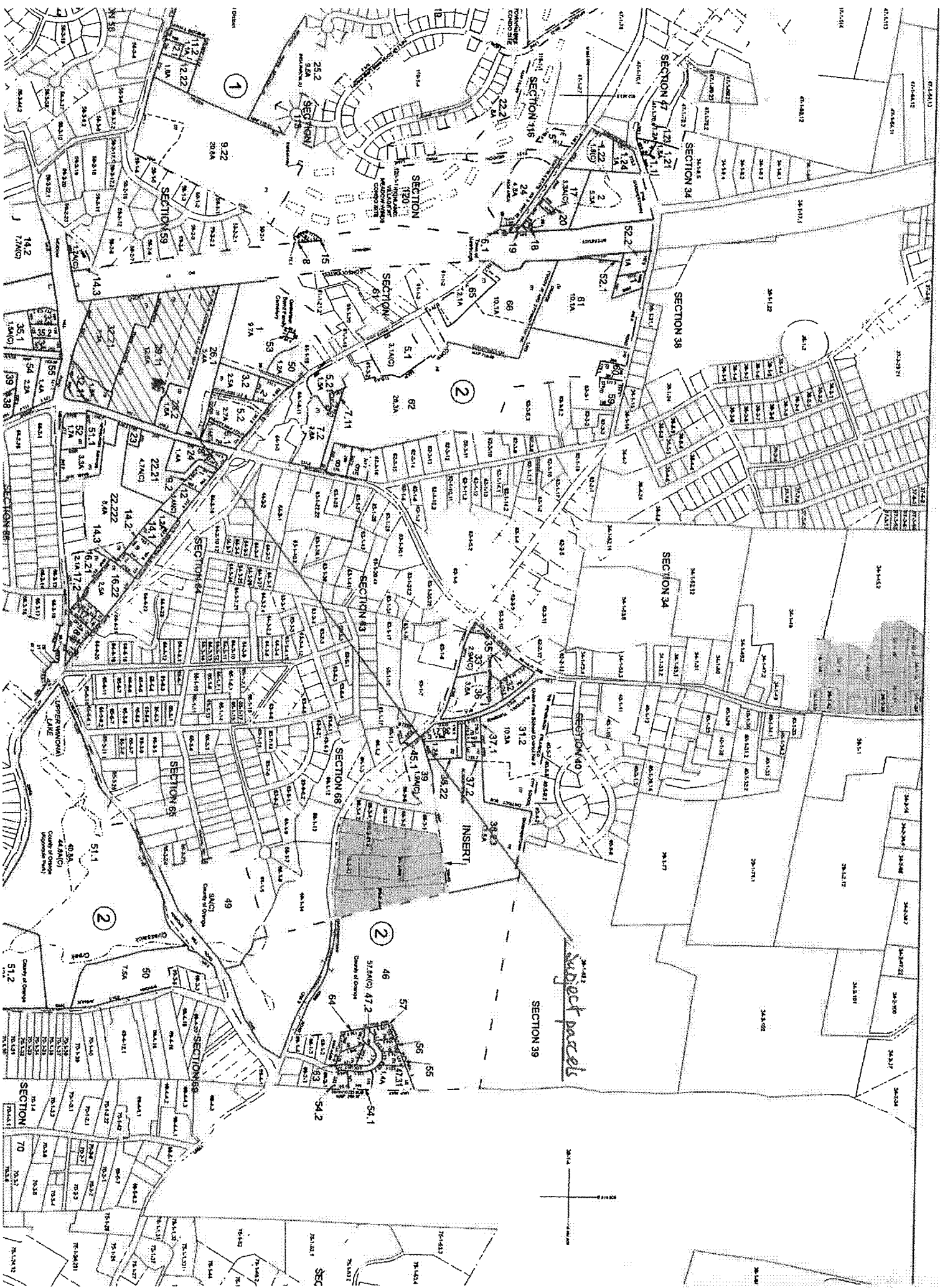
Year	Parcel Number	Assessed Value	Reduced Assessed Value	Eq. Rate	FMV	Reduced FMV	Difference AV and Claimed AV	Tax Rate	Refund Liability	
2021	60-3-29.11	\$3,147,500	\$2,807,500	28.25%	\$11,141,593	\$9,938,053	\$340,000	County Town Highway Orange lk fire Consol It Consol wtr 1 Consol wtr 2	12,1292 \$ 10,8445 \$ 4,7344 \$ 4,2357 \$ 1,4627 \$ 2,5292 \$ 71,47331 \$ 3,521783 \$	4,123.93 3,687.13 1,609.70 1,440.14 123.39 497.32 859.93 24,300.93 1,197.41
2021	60-3-32.11	\$425,000	\$425,000	28.25%	\$1,504,425	\$1,504,425	\$0	County Town Highway Orange lk fire Consol It Consol wtr 1 Consol wtr 2 School Library	12,1292 \$ 10,8445 \$ 4,7344 \$ 4,2357 \$ 0,3629 \$ 1,4627 \$ 2,5292 \$ 71,47331 \$ 3,521783 \$	- - - - - - - - -
2021	60-3-32.21	\$3,000,000	\$3,000,000	28.25%	\$10,619,469	\$10,619,469	\$0	County Town Highway Orange lk fire Consol It Consol wtr 1 Consol wtr 2 School Library	12,1292 \$ 10,8445 \$ 4,7344 \$ 4,2357 \$ 0,3629 \$ 1,4627 \$ 2,5292 \$ 71,47331 \$ 3,521783 \$	- - - - - - - - -

Town of Newburgh v. Conew LLC - Settlement

Year	Parcel Number	Assessed Value	Reduced Assessed Value	Eq. Rate	FMV	Reduced FMV	Difference AV and Claimed AV	Tax Rate	Refund Liability
2022	60-3-29.11	\$3,147,500	\$2,647,500	24.70%	\$12,742,915	\$10,718,623	\$500,000	11.0917	\$ 5,545.85
								10.9134	\$ 5,456.70
								4.6423	\$ 2,321.15
								0.4071	\$ 203.55
								4.3051	\$ 2,152.55
								0.4765	\$ 238.25
								1.4603	\$ 730.15
								2.5304	\$ 1,265.20
								71.391298	\$ 35,695.65
								3.589386	\$ 1,794.69
2022	60-3-32.11	\$425,000	\$425,000	24.70%	\$1,720,648	\$1,720,648	\$0	11.0917	\$ -
								10.9134	\$ -
								4.6423	\$ -
								0.4071	\$ -
								4.3051	\$ -
								0.4765	\$ -
								1.4603	\$ -
								2.5304	\$ -
								71.391298	\$ -
								3.589386	\$ -
2022	60-3-32.21	\$3,000,000	\$3,000,000	24.70%	\$12,145,749	\$12,145,749	\$0	11.0917	\$ -
								10.9134	\$ -
								4.6423	\$ -
								0.4071	\$ -
								4.3051	\$ -
								0.4765	\$ -
								1.4603	\$ -
								2.5304	\$ -
								71.391298	\$ -
								3.589386	\$ -

TOWN OF NEWBURGH V. CONEW LLC - Settlement

Year	Parcel Number	Assessed Value	Reduced Assessed Value	Eq. Rate	FMV	Reduced FMV	Difference AV and Claimed AV	County	Tax Rate	Refund Liability
2023	60-3-29.11	\$3,147,500	\$3,147,500	21.59%	\$14,578,509	\$14,578,509	\$0	County	11.0917	\$
								Town	10.9134	\$
								Highway	4.6423	\$
								Newb Ambulance	0.4071	\$
								Orange lk fire	4.3051	\$
								Consol lk	0.4765	\$
								Consol wtr 1	1.4603	\$
								Consol wtr 2	2.5304	\$
								School	71.391298	\$
								Library	3.589386	\$
2023	60-3-32.11	\$258,915	\$258,915	21.59%	\$1,199,236	\$1,199,236	\$0	County	11.0917	\$
								Town	10.9134	\$
								Highway	4.6423	\$
								Newb Ambulance	0.4071	\$
								Orange lk fire	4.3051	\$
								Consol lk	0.4765	\$
								Consol wtr 1	1.4603	\$
								Consol wtr 2	2.5304	\$
								School	71.391298	\$
								Library	3.589386	\$
2023	60-3-32.21	\$3,000,000	\$3,000,000	21.59%	\$13,895,322	\$13,895,322	\$0	County	11.0917	\$
								Town	10.9134	\$
								Highway	4.6423	\$
								Newb Ambulance	0.4071	\$
								Orange lk fire	4.3051	\$
								Consol lk	0.4765	\$
								Consol wtr 1	1.4603	\$
								Consol wtr 2	2.5304	\$
								School	71.391298	\$
								Library	3.589386	\$



1

2

2

2

subject parcels



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 ___rd day of August, 2023 at 7:00 o'clock p.m.

PRESENT:

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

RESOLUTION OF TOWN BOARD
AUTHORIZING SETTLEMENT OF
PROCEEDINGS UNDER ARTICLE
7 OF THE REAL PROPERTY
TAX LAW:
SBL #60-3- 29.11, 60-3-32.11 and 60-3-32.21
CONEW, LLC
(1425, 1429 AND 1433 ROUTE 300)
INDEX NUMBER 2020-EF003401,
2021-EF004868 AND 2022-EF003674

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

WHEREAS, CONEW, LLC (the "Petitioner") has 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 real property in the Town of Newburgh, Orange County, New York, consisting of a shopping center-commercial buildings and related improvements located on parcels of land at 1425, 1429 and 1433 NYS Route 300 (Section 60-Block 3-Lots 29.11, 32.11 and 32.21) on the tax assessment rolls for the tax years 2020, 2021 and 2022; and

WHEREAS, special counsel to the Town, E. Stewart Jones Hacker Murphy, LLP, has negotiated a settlement of the proceeding with the Petitioner, the terms of which are embodied in a proposed Stipulation of Settlement and 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 E. Stewart Jones Hacker Murphy, LLP to execute and deliver the Stipulation of Settlement on behalf of the Town; and

BE IT FURTHER RESOLVED, that E. Stewart Jones Hacker Murphy, LLP, the Supervisor, the Attorney for the Town, the Town's 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:

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.



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Municipality of Newburgh					
SWIS:	334600	Tax ID:	60-3-29.11		
Tax Map ID / Property Data					
Status:	Active	Roll Section:	Taxable		
Address:	1433 Route 300				
Property Class:	452 - Nbh shop ctr	Site Property Class:	330 - Vacant comm		
Ownership Code:					
Site:	Com 1	In Ag. District:	No		
Zoning Code:	-	Bldg. Style:	Not Applicable		
Neighborhood:	40826 -	School District:	Newburg		
Property Description:	Lt 1 NY Tel & Coburgh LLC Map 283-99 & Lt 2 Newburgh Towne Center Map 171-98				
Total Acreage/Size:	12.80	Equalization Rate:	---		
Land Assessment:	2023 - \$836,400	Total Assessment:	2023 - \$3,147,500		
Full Market Value:	2023 - \$14,578,500				
Deed Book:	13531	Deed Page:	70		
Grid East:	609066	Grid North:	980633		
Bank Code:	N/A				
Special Districts for 2023					
	Description	Units	Percent	Type	Value
	AM010-Newburgh Ambulance	0	0%		0
	FD030-Orange lk fire	0	0%		0
	LT004-Consol It	0	0%		0
	WD001-Consol wtr 1	0	0%		0
	WD002-Consol wtr 2	0	0%		0
Land Types					
	Type	Size			
	Primary	557,568.00 sq ft			

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Photographs

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No documents found for this parcel

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Municipality of Newburgh				
SWIS:	334600	Tax ID:	60-3-29.11	
Ownership Information				
Name		Secondary Name		Address
Conew, LLC		c/o CBRE, Inc		250 Pehle Ave Ste 600 Saddle Brook NJ 07663
Sale Information				
Sale Date	Price	Property Class	Sale Type	Prior Owner
3/15/2013	\$0	452 - Nbh shop ctr	Land & Building	Cobell Llc
	Value Usable	Arms Length	Deed Book	Deed Page
	No	No	13531	70
Additional Parcels Involved in Sale		60-3-32.11 in Newburgh 60-3-32.21 in Newburgh		
Sale Date	Price	Property Class	Sale Type	Prior Owner
12/16/1999	\$300,000	330 - Vacant comm	Land Only	Ny Tel
	Value Usable	Arms Length	Deed Book	Deed Page
	Yes	Yes	5204	283
Historic Deed Information				
Book	Page	Prior Printkey		
13531	70			
5204	283	60-3-29.1		

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Photo

Photo 1 of 4 →

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No documents found for this parcel

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Orange County



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Municipality of Newburgh

SWIS:	334600	Tax ID:	60-3-32.11
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Tax Map ID / Property Data

Status:	Active	Roll Section:	Taxable
Address:	1425 Route 300		
Property Class:	352 - Comm Shell Bldg	Site Property Class:	352 - Comm Shell Bldg
Ownership Code:			
Site:	Com 1	In Ag. District:	No
Zoning Code:	-	Bldg. Style:	Not Applicable
Neighborhood:	00000 -	School District:	Newburg
Property Description:	Lt 3 Newburgh Towne Center Submap 171-98		
Total Acreage/Size:	1.90	Equalization Rate:	----
Land Assessment:	2023 - \$150,800	Total Assessment:	2023 - \$258,915
Full Market Value:	2023 - \$1,199,200		
Deed Book:	13531	Deed Page:	70
Grid East:	609457	Grid North:	979944
Bank Code:	N/A		

Special Districts for 2023

Description	Units	Percent	Type	Value
AM010-Newburgh Ambulance	0	0%		0
FD030-Orange lk fire	0	0%		0
LT004-Consol It	0	0%		0
WD001-Consol wtr 1	0	0%		0
WD002-Consol wtr 2	0	0%		0

Land Types

Photographs

No Photo Available

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Documents

No documents found for this parcel

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No Land Types

Orange County



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Municipality of Newburgh

SWIS:	334600	Tax ID:	60-3-32.11
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Ownership Information

Name	Secondary Name	Address
Conew, LLC	c/o CBRE, Inc	250 Pehle Ave Ste 600 Saddle Brook NJ 07663

Sale Information

Sale Date	Price	Property Class	Sale Type	Prior Owner
3/15/2013	\$0	460 - Bank/Office	Land & Building	Coburgh II LLC
	Value Usable	Arms Length	Deed Book	Deed Page
	No	No	13531	70

Additional Parcels Involved in Sale	60-3-29.11 in Newburgh 60-3-32.21 in Newburgh
--	--

Sale Date	Price	Property Class	Sale Type	Prior Owner
8/30/1999	\$10	330 - Vacant comm	Land Only	Coburgh Lic
	Value Usable	Arms Length	Deed Book	Deed Page
	No	No	5135	342

Historic Deed Information

Book	Page	Prior Printkey
13531	70	
5135	342	60-3-32.1

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](#)

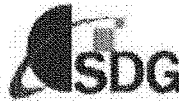


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[Tax Maps](#) |
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Commercial

- [Property Info](#)
- [Owner/Sales](#)
- [Inventory](#)
- [Improvements](#)

[Tax Info](#)

[Report](#)

[Comparables](#)

Municipality of Newburgh

SWIS:	334600	Tax ID:	60-3-32.21
-------	--------	---------	------------

Tax Map ID / Property Data

Status:	Active	Roll Section:	Taxable
Address:	1429 Route 300		
Property Class:	451 - Reg shop ctr	Site Property Class:	454 - Supermarket
Ownership Code:			
Site:	Com 1	In Ag. District:	No
Zoning Code:	-	Bldg. Style:	Not Applicable
Neighborhood:	00000 -	School District:	Newburg
Property Description:	Lt 1 Newburgh Towne Center Submap 171-98		
Total Acreage/Size:	7.30	Equalization Rate:	----
Land Assessment:	2023 - \$458,900	Total Assessment:	2023 - \$3,000,000
Full Market Value:	2023 - \$13,895,300		
Deed Book:	13531	Deed Page:	70
Grid East:	609067	Grid North:	980068
Bank Code:	N/A		

Special Districts for 2023

Description	Units	Percent	Type	Value
AM010-Newburgh Ambulance	0	0%		0
FD030-Orange lk fire	0	0%		0
LT004-Consol It	0	0%		0
WD001-Consol wtr 1	0	0%		0
WD002-Consol wtr 2	0	0%		0

Land Types

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

No Land Types

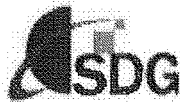


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Commercial

- [Property Info](#)
- [Owner/Sales](#)
- [Inventory](#)
- [Improvements](#)

[Tax Info](#)

[Report](#)

[Comparables](#)

Municipality of Newburgh

SWIS:	334600	Tax ID:	60-3-32.21	
-------	--------	---------	------------	--

Ownership Information

Name	Secondary Name	Address
Conew, LLC	c/o CBRE, Inc	250 Pehle Ave Ste 600 Saddle Brook NJ 07663

Sale Information

Sale Date	Price	Property Class	Sale Type	Prior Owner
3/15/2013	\$0	451 - Reg shop ctr	Land & Building	Coburgh Llc
	Value Usable	Arms Length	Deed Book	Deed Page
	No	No	13531	70

Additional Parcels Involved in Sale	60-3-29.11 in Newburgh 60-3-32.11 in Newburgh
-------------------------------------	--

Historic Deed Information

Book	Page	Prior Printkey
13531	70	
4174	180	60-3-32.2

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



Received Date

Empty box for Received Date

Standard Work Day Resolution for Employees*

#9A

Please type or print clearly in blue or black ink

Employer Location Code

3 0 4 4 8

See Instructions for completing form on reverse side

RS 2418

(Rev. 05/22)

BE IT RESOLVED, that the Town of Newburgh, Location code 30440, hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body:

Title	Standard Work Day (Hrs/day)
Account Clerk	8
Administrative Aide	8
Administrative Assistant	8
Animal Shelter Helper	6
Assessor	8
Assessor Clerk	8
Asst. Fire Inspector	8
Asst Building Inspector III	8

On this _____ day of _____, 20 ____

(Signature of Clerk) Date enacted: _____

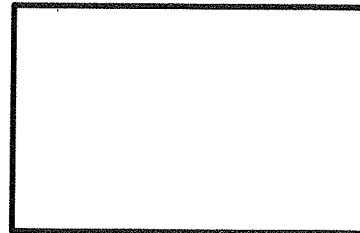
I, _____, clerk of the governing board of the Town of Newburgh
(Name of Employer)

of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the _____ day of _____, 20 ____ on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of _____ members, and that _____ of such members were present at such meeting and that _____ of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I hereunto
Set my hand and the seal of the

(Name of Employer)



(seal)

*To be used for all employees. Please list Elected and Appointed Officials on the form Standard Workday and Reporting Resolution for Elected and Appointed Officials (RS2417-A).

For important information and instructions – See Back Page

Received Date

Standard Work Day Resolution for Employees*

Please type or print clearly
in blue or black ink

Employer Location Code

3 0 4 4 8

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RS 2418

(Rev.05/22)

BE IT RESOLVED, that the TOWN OF NEWBURGH, Location code 30448, hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body:

Title	Standard Work Day (Hrs/day)
Asst Recreation Director	8
Asst Assessor	8
Audit/Data Entry Clerk	8
Automotive Mechanic	8
Building Inspector III	8
Chauffeur	6
Clerk	8
Clerk PT	8

On this _____ day of _____, 20 ____

_____ Date enacted: _____
 (Signature of Clerk)

I, _____, clerk of the governing board of the Town of Newburgh
 (Name of Employer)

of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the _____ day of _____, 20 ____ on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of ____ members, and that ____ of such members were present at such meeting and that ____ of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I hereunto
 Set my hand and the seal of the

_____ (Name of Employer)

(seal)

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For important information and instructions – See Back Page



Received Date

Standard Work Day Resolution for Employees*

3

Please type or print clearly in blue or black ink

Employer Location Code

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RS 2418

(Rev.05/22)

BE IT RESOLVED, that the TOWN OF NEWBURGH, Location code 30440, hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body:

Table with 2 columns: Title, Standard Work Day (Hrs/day). Rows include Clerk to the Supervisor (8), Clerk to the Justice (8), Code Compliance Supervisor (8), Code Enforcement Officer (8), Commissioner of Park, Recreation & Conse (8), Council Persons (8), Court Attendant (6), Court Clerk (8).

On this ___ day of ___, 20 ___

(Signature of Clerk) Date enacted: _____

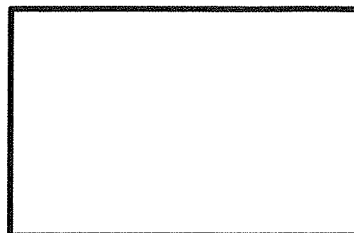
I, _____, clerk of the governing board of the Town of Newburgh (Name of Employer)

of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the ___ day of ___, 20___ on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of ___ members, and that ___ of such members were present at such meeting and that ___ of such members voted in favor of the above resolution.

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(Name of Employer)



(seal)

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For important information and instructions – See Back Page



Received Date

Empty box for Received Date

Standard Work Day Resolution for Employees*

4

Please type or print clearly
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RS 2418

(Rev.05/22)

BE IT RESOLVED, that the TOWN OF NEWBURGH, Location code 30448, hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body:

Title	Standard Work Day (Hrs/day)
Custodians	7
Deputy Police Chief B	8
Deputy Town Clerk	8
Dispatchers	8
Dispatchers Part time	8
Deputy Receiver of Taxes/Assessment	8
Fire Inspector	8
Fire Inspector Part time	8

On this _____ day of _____, 20 ____

(Signature of Clerk) Date enacted: _____

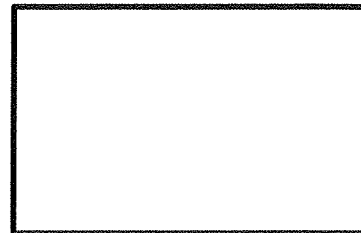
I, _____, clerk of the governing board of the Town of Newburgh,
(Name of Employer)

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(Name of Employer)



(seal)

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For important information and instructions – See Back Page



Please type or print clearly in blue or black ink

Received Date

Standard Work Day Resolution for Employees*

5

Employer Location Code

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RS 2418

(Rev.05/22)

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Title	Standard Work Day (Hrs/day)
Building Inspector III Part time	8
Heavy Equipment Operator	8
Highway Superintendent	8
Laborer	8
Laborer Part time	8
Seasonal Laborer	8
Seasonal Rec Aide	8
Motor Equipment Operator	8

On this _____ day of _____, 20 ____

(Signature of Clerk) Date enacted: _____

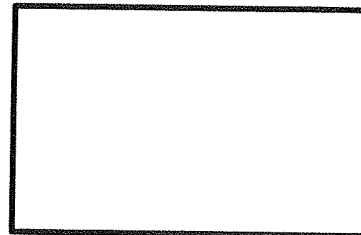
I, _____, clerk of the governing board of the Town of Newburgh
(Name of Employer)

of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the _____ day of _____, 20____ on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

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IN WITNESS WHEREOF, I hereunto
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(Name of Employer)



(seal)

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For important information and instructions – See Back Page



Received Date

Standard Work Day Resolution for Employees*

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Employer Location Code

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RS 2418

(Rev.05/22)

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Title	Standard Work Day (Hrs/day)
Municipal Bingo Inspector	6
Parking Enforcement Officer	6
Police Chief B	8
Police Lieutenant	8
Police Officers	8
Police Sergeant	8
Police Records Clerk	8
Principal Clerk	8

On this _____ day of _____, 20__

(Signature of Clerk) Date enacted: _____

I, _____, clerk of the governing board of the Town of Newburgh,
(Name of Employer)

of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the _____ day of _____, 20__ on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

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IN WITNESS WHEREOF, I hereunto
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(Name of Employer)

(seal)

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For important information and instructions – See Back Page



New York State and Local Retirement System
110 State Street, Albany, New York 12244-0001

Received Date

Standard Work Day Resolution for Employees*

Please type or print clearly
in blue or black ink

Employer Location Code

3 0 4 4 8

See Instructions for completing form on reverse side

RS 2418

(Rev.05/22)

BE IT RESOLVED, that the TOWN OF NEWBURGH, Location code 30448, hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body:

Title	Standard Work Day (Hrs/day)
Principal Payroll Clerk	8
Real Property Data Collector	8
Real Property Data Collector PT	8
Recreation Aide	8
Recreation Aide PT	8
Recreation Attendant	8
Recreation Coordinator	8
Recreation Leader	8

On this _____ day of _____, 20__

(Signature of Clerk) Date enacted: _____

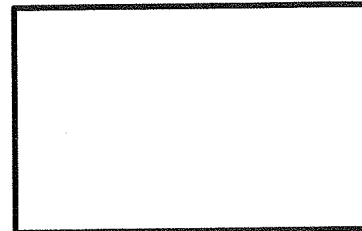
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(Name of Employer)

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(seal)

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Standard Work Day Resolution for Employees*

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Employer Location Code

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RS 2418

(Rev.05/22)

BE IT RESOLVED, that the TOWN OF NEWBURGH, Location code 30440, hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body:

Table with 2 columns: Title, Standard Work Day (Hrs/day). Rows include Reservoir Caretaker (8), Secretary (8), Secretary to the Planning Board (8), Secretary to the Police Chief (8), Skilled Laborer (8), Skilled Laborer PT (8), Senior Auto Mechanic (8), Senior Water Maint. Worker (8).

On this ___ day of ___, 20__

____ Date enacted: _____

(Signature of Clerk)

Town of Newburgh

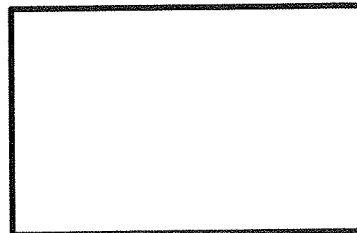
I, _____, clerk of the governing board of the _____ (Name of Employer)

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(Name of Employer)



(seal)

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For important information and instructions - See Back Page



Received Date

Empty box for Received Date

Standard Work Day Resolution for Employees*

Please type or print clearly in blue or black ink

Employer Location Code

3 0 4 4 8

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RS 2418

(Rev.05/22)

BE IT RESOLVED, that the TOWN OF NEWBURGH, Location code 30440, hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body:

Title	Standard Work Day (Hrs/day)
Street Crossing Guard	6
Supervisor	8
Town Clerk	8
Town Engineer	8
Town Engineer PT	8
Town Justice	8
Typist	8
Waste Water Main Worker	8

On this _____ day of _____, 20__

(Signature of Clerk) Date enacted: _____

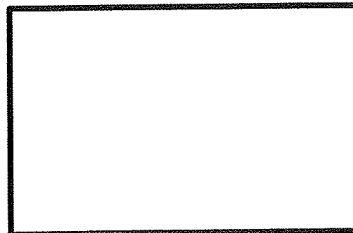
I, _____, clerk of the governing board of the Town of Newburgh
(Name of Employer)

of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the _____ day of _____, 20__ on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

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IN WITNESS WHEREOF, I hereunto
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(Name of Employer)



(seal)

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For important information and instructions - See Back Page



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Received Date

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Standard Work Day Resolution for Employees*

Employer Location Code

3 0 4 4 8

See Instructions for completing form on reverse side

RS 2418

(Rev.05/22)

BE IT RESOLVED, that the TOWN OF NEWBURGH, Location code 30448, hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body:

Title	Standard Work Day (Hrs/day)
Water Main Worker	8
Working Leader	8
Accountant Municipal	8
Animal / Dog Control Officer	8

On this _____ day of _____, 20__

(Signature of Clerk) Date enacted: _____

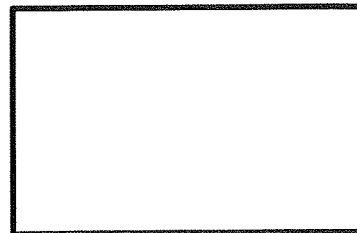
I, _____, clerk of the governing board of the Town of Newburgh,
(Name of Employer)

of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the _____ day of _____, 20__ on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of _____ members, and that _____ of such members were present at such meeting and that _____ of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I hereunto
Set my hand and the seal of the

(Name of Employer)



(seal)

*To be used for all employees. Please list Elected and Appointed Officials on the form Standard Workday and Reporting Resolution for Elected and Appointed Officials (RS2417-A).

For important information and instructions – See Back Page

#9B



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: RESOLUTION OF TOWN BOARD OPPOSING DELIVERY
RATE INCREASES BY CENTRAL HUDSON GAS AND
ELECTRIC CORPORATION; CASE NOS, 23-E-0418 and 23-
E-0419
OUR FILE NO. 800.1(B)()(2023)

P: 845.562.9100
F: 845.562.9126

655 Little Britain Road
New Windsor, NY 12553

P.O. Box 2280
Newburgh, NY 12550

DATE: AUGUST 23, 2023

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

In accordance with Supervisor Piaquadio's request, enclosed please find for the Town Board's consideration the above referenced draft Resolution opposing Central Hudson Gas and Electric Corporation's proposed rate increases in electricity and natural gas delivery charges which, if approved, will take effect in 2024. Also enclosed is a copy of the Public Service Commission's Notice Inviting Comment and Announcing Virtual Public Statement Hearings regarding Central Hudson's application for the rate increases. Various other submission may be reviewed on the PSC's website by searching the above case number.

MCT:sel

Enc.

cc: Lisa M. Vance Ayers, Town Clerk

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300 or by videoconference pursuant to the Governor's Executive Orders, in the Town of Newburgh, Orange County, New York on the __th day of August, 2023 at 7:00 o'clock p.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

Scott Manley, Councilman

Anthony R. LoBiondo, Councilman

RESOLUTION OF TOWN BOARD
OF THE TOWN OF NEWBURGH
OPPOSING RATE INCREASES BY
CENTRAL HUDSON GAS AND
ELECTRIC CORPORATION

PSC CASE NO. 23-E-0418
PSC CASE NO. 23-E-0419

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

WHEREAS, Central Hudson Gas & Electric Corp. ("Central Hudson") has applied to the New York State Public Service Commission for an increase in its electricity delivery revenues by approximately \$139.5 million (a 31.9 percent increase in base delivery revenues or a 16.4 percent increase in total revenues), and its natural gas delivery revenues by approximately \$41.5 million (a 29.2 percent increase in base delivery revenues or a 19 percent increase in total revenues) effective July 1, 2024, with the actual bill impacts of these proposed changes on any particular customer class varying based upon revenue allocation and rate design; and

WHEREAS, the PSC has summarized Central Hudson's rationale for the requested rate increases as being needed to ensure

"safe, reliable, and resilient electric and gas systems; provide energy efficiency incentives and services - in support of New York's Climate Leadership and Community Protection Act goals and targets; effectively respond to major storms and extreme weather events, invest in grid modernization to restore power more quickly, and timely recover storm costs; maintain affordability, mitigate customer bill impacts, and upgrade technologies to improve the customer experience; and support workforce growth. For its electric business, Central Hudson states that major drivers of the rate increase are related to capital investments associated with replacing aging infrastructure; increased labor expenses; continued and enhanced low income, energy efficiency, and heat pump programs; increased capitalization and financing costs; and recovery of costs associated with major storms and extreme weather. For its gas business, Central Hudson states that rate increase are attributable to continued and enhanced low income and energy efficiency programs; increased capital investment to eliminate leak prone pipe; labor expense; and capitalization and financing costs."

and;

WHEREAS, Central Hudson justified its last rate increase in part on infrastructure improvements as well as the temporary accommodations it provided to its customers during the Covid-19 pandemic, and it had obtained its previous rate increases based upon the cost of infrastructure improvements, so it is repeating the same infrastructure improvement rationale on which it has already applied for and received at least two rate increases; and

WHEREAS, the New York State Department of Public Service (DPS) announced last month that Central Hudson has agreed to pay for an independent monitor to verify system and operational improvements to correct billing system errors, and to accelerate its plans to perform monthly meter reading for its customers, a DPS investigation and audit having found that Central Hudson wasn't meeting a basic expectation of customers to receive timely and accurate bills for their utility services, and it is untenable that Central Hudson should justify its rate increase, in part, due to the need to improve customer experience, rather than having its' parent corporation's shareholders absorb the costs associated with its problematic billing performance which necessitate to appointment of an independent monitor; and

WHEREAS, customers in a typical home as well as small businesses are already experiencing extraordinary increases in their electric and natural gas bills at a time when many are continuing to experience financial hardships; and

WHEREAS, Fortis, Inc., the parent of Central Hudson recently declared a quarterly dividend of \$C 0.56 cents per share of its common stock paid on August 17, 2023, the share price of Fortis' Common Stock were recently at \$39.72 having fluctuated between \$28.59 and \$44.72 over the past 52 weeks, with Fortis stating it is "a well-diversified leader in the North American regulated electric and gas utility industry with 2022 revenue of \$11 billion and total assets of \$64 billion as at December 31, 2022' and reported net earnings of \$1.3 billion, or \$2.78 per common share in 2022; and

WHEREAS, Central Hudson's area of service includes the Town of Newburgh and the rate increases will cause unnecessary hardship for numerous residents of the Town, particularly those with fixed or limited incomes, as well as placing an additional financial burden on the Town's taxpayers; and

WHEREAS, the proposed rate increases will additionally place further economic strains on small businesses and employers in the Town of Newburgh and discourage economic development; and

WHEREAS, upon consideration, the Town Board finds that such rate increases place an undue financial burden on residents, businesses and local governments, including the Town of Newburgh, and discourage further industrial and commercial development in our region.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Newburgh in its capacity as governing body of the Town, does hereby oppose the 2024 rate increases for delivery of electricity and natural gas for which Central Hudson Gas & Electric Corp. has applied and

BE IT FURTHER RESOLVED, that certified copies of this Resolution be delivered to the Hon. Michelle L. Phillips, Secretary, New York State Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350, the Hon. Robert G. Rollison, Senator for the 39TH District, and the Hon. Jonathan G. Jacobson, Assemblyman for the 104TH District and to the chief executives of surrounding municipalities served by Central Hudson, by the Town Clerk ; and

BE IF 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:

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

The resolution was thereupon declared duly adopted.

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

I, Lisa M. Vance Ayers, Town Clerk of the Town of Newburgh, DO HEREBY CERTIFY that I have compared the foregoing resolution, duly adopted by the Town Board of the Town of Newburgh on the ___th day of August, 2023, and entered in the minutes of the proceedings of said Board, and that the foregoing is a true and correct copy of said resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my name and the seal of said Town on this _____ day of August, 2023.

Lisa M. Vance Ayers, Town Clerk

STATE OF NEW YORK
PUBLIC SERVICE COMMISSION

CASE 23-E-0418 - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Central Hudson Gas & Electric Corporation for Electric Service.

CASE 23-G-0419 - Proceeding on Motion of the Commission as to the Rates, Charges, Rules and Regulations of Central Hudson Gas & Electric Corporation for Gas Service.

NOTICE INVITING COMMENT AND
ANNOUNCING VIRTUAL PUBLIC STATEMENT HEARINGS

(Issued August 18, 2023)

PLEASE TAKE NOTICE that public comment is invited concerning proposed changes in the electric and gas delivery rates and practices of Central Hudson Gas & Electric Corporation (Central Hudson).

Central Hudson filed amendments to its electric and gas tariff schedules on July 31, 2023, proposing to increase its annual electric and gas delivery revenues effective July 1, 2024. Central Hudson proposes to increase its electric delivery revenues by approximately \$139.5 million (a 31.9 percent increase in base delivery revenues or a 16.4 percent increase in total revenues), and its natural gas delivery revenues by approximately \$41.5 million (a 29.2 percent increase in base delivery revenues or a 19 percent increase in total revenues). The actual bill impacts of these proposed changes on any particular customer class will vary based upon revenue allocation and rate design.

Central Hudson states that its rate filings include proposals to: ensure safe, reliable, and resilient electric and gas systems; provide energy efficiency incentives and services

in support of New York's Climate Leadership and Community Protection Act goals and targets; effectively respond to major storms and extreme weather events, invest in grid modernization to restore power more quickly, and timely recover storm costs; maintain affordability, mitigate customer bill impacts, and upgrade technologies to improve the customer experience; and support workforce growth.

For its electric business, Central Hudson states that major drivers of the rate increase are related to capital investments associated with replacing aging infrastructure; increased labor expenses; continued and enhanced low income, energy efficiency, and heat pump programs; increased capitalization and financing costs; and recovery of costs associated with major storms and extreme weather. For its gas business, Central Hudson states that rate increase are attributable to continued and enhanced low income and energy efficiency programs; increased capital investment to eliminate leak prone pipe; labor expense; and capitalization and financing costs.

Central Hudson's pre-filed testimony and exhibits in these proceedings may be reviewed online at the Department of Public Service website, www.dps.ny.gov, by clicking on "File Search" (located under the heading "Commission Files") and entering the case number (23-E-0418 or 23-G-0419) in the box labelled "Search by Case Number."

Under New York State law, the Public Service Commission (Commission) must consider a utility's rate proposal and may adopt or reject it, in whole or in part, or modify it. In doing so, the Commission will consider changes proposed by the participating parties and general public. Administrative Law Judges (ALJs) are presiding over the gathering of public comments and all evidence relating to the proposal. As

indicated in this Notice, public statement hearings will be held over two days to obtain comments from the public concerning Central Hudson's proposals.

PLEASE TAKE NOTICE that virtual public statement hearings will be held before ALJs James A. Costello and Ashley Moreno, as follows:

DATE: Tuesday, September 12, 2023

TIME: 1:00 p.m.

Event Number: 2345 253 2876
Password: Sept12-1pm

Phone Access: 518-549-0500
Access Code: 2345 253 2876
Phone-in password: 73781201

TIME: 5:00 p.m.

Event Number: 2336 265 2934
Password: Sept12-5pm

Phone Access: 518-549-0500
Access Code: 2336 265 2934
Phone-in password: 73781205

DATE: Wednesday, September 20, 2023

TIME: 1:00 p.m.

Event Number: 2338 342 7497
Password: Sept20-1pm

Phone Access: 518-549-0500
Access Code: 2338 342 7497
Phone-in password: 73782001

TIME: 5:00 p.m.

Event Number: 2334 829 1678
Password: Sept20-5pm

Phone Access: 518-549-0500
Access Code: 2334 829 1678

Phone-in password: 73782005

Those wishing to comment on any aspect of these proceedings will have the opportunity to make a statement on the record at the virtual public statement hearings. **Any person wishing to provide a public statement must register in advance of the hearing.**

To register electronically: Participants who would like to provide a statement and will log in to a hearing electronically, must register to do so by clicking on <https://signin.webex.com/join> by **4:30 p.m. on the day before the hearing.** Registrants should enter the appropriate meeting number for the hearing, click "Register" underneath the enter the webinar password box, click "Register" in the box to the right, and provide all requested information.

When logging in to a hearing on the appropriate date and time of the hearing, participants should click on <https://signin.webex.com/join>, enter the appropriate meeting number for the hearing, and input the appropriate webinar password listed above. Participants will be asked to "select audio system." It is recommended that participants opt to have the system "call me" or "call using computer." The "call me" option will require participants to enter their phone numbers.

To register by phone: Any participant who is not able to log in to a hearing electronically may participate by phone. Call-in participants wishing to make a statement at a hearing must register to do so by **4:30 p.m. on the day before the hearing** by calling **1-800-342-3330**, where they should follow prompts to the appropriate hearing and provide the following information: first name and last name, address, and phone number.

On the appropriate day and time of the hearing, all call-in users should dial **1-518-549-0500** and enter the relevant

access code and phone-in password listed above to join the hearing.

All participants will be muted upon entry into the hearing. The ALJs will call on each person who has registered to speak. The ALJs will continue the hearing until everyone wishing to speak has been heard or other reasonable arrangements have been made to include their comments in the record. Time limits may be set for each speaker as necessary to afford all attendees an opportunity to be heard. It is recommended that lengthy comments be submitted in writing and summarized for oral presentation. A verbatim transcript of the hearings will be made for inclusion in the record of these cases.

To listen to the hearings: Any person who would like to listen to the hearings but would not like to make a statement may access the hearings without registering. The hearings will be livestreamed on the internet and available for viewing on the Department of Public Service's YouTube channel on the dates and times listed above. To access the YouTube channel, visit the Department's website, www.dps.ny.gov, and click on the YouTube icon at the bottom of the homepage. In addition, any person without internet access may listen to the hearings by phone by calling **1-518-549-0500** and entering the applicable access code and phone-in password.

Persons with disabilities requiring special accommodations should call the Department of Public Service's Human Resources Management Office at 1-518-474-2520 as soon as possible. TDD users may request a sign language interpreter by placing a call through the New York Relay Service at 711. Individuals with difficulty understanding or reading English are encouraged to call the Department at 1-800-342-3377 for free language assistance services regarding this Notice.

Other Ways to Comment

For those who cannot attend or prefer not to speak at a public statement hearing, there are several other ways to provide your comments to the Commission. Comments should refer to "Case 23-E-0418 and Case 23-G-0419 - Central Hudson."

Although comments will be accepted throughout the pendency of these proceedings, they are requested by September 29, 2023.

Internet or Mail: Go to www.dps.ny.gov, click on "File Search" (located under the heading "Commission Files"), enter the case number (23-E-0418 or 23-G-0419) in the box labelled "Search by Case Number," and then click on "Post Comments" located at the top right of the page.

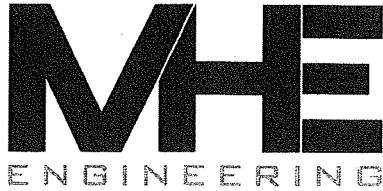
Alternatively, comments may be mailed to the Hon. Michelle L. Phillips, Secretary, Public Service Commission, Three Empire State Plaza, Albany, New York 12223-1350. All written comments will become part of the record considered by the Commission and may be accessed on the Department of Public Service website by searching the case numbers, as described above, and clicking on the "Public Comments" tab.

Toll-Free Opinion Line: Individuals may choose to submit comments by calling the Commission's Opinion Line at 1-800-335-2120. This number is set up to receive in-state calls 24-hours a day. These calls are not transcribed verbatim, but a summary is provided to the Commission.

(SIGNED)

MICHELLE L. PHILLIPS
Secretary

#10A



August 17, 2022

Town of Newburgh
1496 Route 300
Newburgh, NY 12550

ATTENTION: GILBERT PIAQUADIO, TOWN SUPERVISOR AND TOWN BOARD MEMBERS

SUBJECT: Unity Place Warehouse - MS-4 5 ACRE WAIVER REQUEST
PB# 2021-29

Dear Supervisor Piaquadio and Town Board Members,

The subject project has received conditional final approval from the Town of Newburgh Planning Board. The project involves the construction of a 154,7000 square foot office/warehouse facility with associated car and truck parking spaces. A Stormwater Pollution Prevention Plan has been prepared for the subject project addressing Town of Newburgh and NYSDEC requirements. The applicants are requesting a waiver to disturb greater than 5 acres of land at any one time.

Based on the proposed site grading the applicants are requesting to disturb 13.7 +/- acres of property at a single time. The applicants have identified due to the building size and the need to preform grading activities for on-site improvements that the 5 acre limit would be a hardship for the project. The project SWPPP provides for additional controls regarding the 5 acre waiver including a requirement that 2 site inspections be conducted every 7 calendar days that all disturbed areas which meet final grading must be stabilized within 7 calendar days.

Based on a review of the SWPPP prepared for the project which incorporates additional requirements for the 5 acre waiver, this office takes no exception to the Town Board granting the project a waiver of the 5 acre maximum disturbance requirement.

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

Very Truly yours,

MHE Engineering, D.P.C.

A handwritten signature in black ink, appearing to read 'Patrick J. Hines', written in a cursive style.

Patrick J. Hines
Principal
PJH/kbw

NEW YORK OFFICE

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

PENNSYLVANIA OFFICE

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



BROOKER ENGINEERING PLLC

NY OFFICE
74 Lafayette Avenue, Suite 501 845.357.4411 Tel
Suffern, NY 10901 845.357.1896 Fax

NJ OFFICE
22 Paris Avenue, Suite 105 201.750.3527 Tel
Rockleigh, NJ 07647

August 16, 2023

MHE Engineering
33 Airport Drive, Suite 202
New Windsor, NY 12553

Attn: Patrick J. Hines, MHE Engineering

Re: **Unity Place Warehouse**
5 Acre Disturbance Request

Unity Place and Old Little Britain Road, Tax Lots: 97-2-19.12 & 14.1
Town of Newburgh Planning Board Project No. 2021-29
BE # 21202

Dear Mr. Hines,

On behalf of the applicant, Unity Place Newburgh LLC, we are requesting written approval to disturb greater than five (5) acres of land at any one time for the above referenced project, as required by section II-D-3 of the NYSDEC General Permit for Stormwater Discharges for Construction Activities. The current project includes disturbance of 13.7 acres in a single phase.

Having obtained conditional final approval from the Town of Newburgh Planning Board on July 20, 2023, the Unity Place Warehouse project is a 154,700 square foot warehouse with associated parking, loading, and driveway areas to be constructed on a 14.89-acre site. The property is comprised of Tax Lots 97-2-14.1, 97-2-19.12 & 97-2-37.2 in the Town of Newburgh. The property is situated at the northwest corner of the Old Little Britain Road and Unity Place intersection

The applicant is requesting a 5-acre waiver to disturb up to 13.7-acres at any one given time. Construction will consist of a single phase. An erosion and sediment control plan has been prepared. It includes silt fence, orange construction fence, inlet protection, soil stockpile areas, concrete truck wash area, and a stabilized construction entrance. The limits of disturbance will be flagged prior to the commencement of construction to ensure over disturbance does not occur. Areas that are disturbed and graded will be stabilized as soon as possible with appropriate stabilization measures, but within a maximum of seven days, while construction is occurring in other portions of the site. Stabilization methods will include, but not limited to, hydro-seeding, mulching, haying, and spreading wood chips over the disturbed areas once construction within those areas is complete. Stone will be used to stabilize the building pad. Exposed rock areas shall be considered to be stabilized and will be determined by the certified onsite inspector during construction.

The unique characteristics of this site and the proposed development that includes a single building pad of approximately 3.5 acres, make it impractical to limit disturbance to less than 5 acres. However, the SWPPP provides significant controls and erosion control measures to ensure that the disturbance of more than 5 acres does not result in any adverse environmental impact.

A minimum of 2 site inspections will be conducted every 7 calendar days by a qualified inspector to ensure the stability and effectiveness of all protective measures and practices during construction for as long as more than 5.0 acres of land remains disturbed. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.

LAND DEVELOPMENT • MUNICIPAL • STRUCTURAL • WATER RESOURCES • LAND SURVEYING

Brian Brooker, P.E. Eve Mancuso, P.E., C.M.E. Ken DeGennaro, P.E., C.F.M. Anthony Riggi, P.E.
Benjamin Levitz, P.E. Cheng-Yu Ku, P.L.S. Dennis Rocks, P.E., C.F.M. Elvia Baca, P.E. Hillary Chadwick, P.E. Joseph J. Moran, P.E.
Joseph Nyitray, P.E. Matthew Trainor, P.E. Nestor Celiz, P.E. Ryan Zoppa, P.E. Shardul Patel, P.E. Vincent Kane, P.E.

August 16, 2023
Unity Place Warehouse

Considering the above information, we believe there is sufficient information in support of our request to disturb greater than five (5) acres of land at any one time. Please do not hesitate to contact this office, should you have any questions or require any additional information. Thank you.

Very truly yours,



BROOKER ENGINEERING, P.L.L.C.

Matthew Trainor, P.E.

P:\BBE\21\21202_UnityPlaceWarehouse\Correspondence\2023-08-16 5 Acre Disturbance Request.docx

#10B

TOWN OF NEWBURGH
TOWN ENGINEER

MEMORANDUM

TO: Gilbert Piaquadio, Town Supervisor and Town Board
FROM: Patrick J. Hines, Representative, Engineers for the Town *ASDH*
DATE: 17 August 2023
RE: Santa Monica Holding (The Mansion)
Stormwater and Landscape
Security Release

The Town of Newburgh has received a request to release the remaining combined landscape and stormwater security for the project.

The original letter of credit was issued in the amount of \$138,726.95.

The amount was reduced \$38,775.00 by Town Board action at the 21 Oct 2013 Town Board meeting.

The trust company now is requesting the Town release the reduced amount of \$38,775.00. The landscape security is not needed as significant time has passed.

Release of the letter of Credit #10345 requires Town Board action.

- Cc: G. Canfield, Code Compliance Supervisor
J. Osborne, Town Engineer
J. Ewasutyn, Chairman, Planning Board
L. Ayers, Town Clerk
M. Taylor, Town Attorney

BESSEMER TRUST

630 FIFTH AVENUE
NEW YORK, NY 10111

DATE: NOVEMBER 19, 2013

BENEFICIARY: TOWN OF NEWBURGH
1496 ROUTE 300
NEWBURGH, NY 12550

APPLICANT: SANTA MONICA HOLDINGS, LLC

DATE OF ISSUE: SEPTEMBER 1, 2011

BESSEMER TRUST LETTER OF CREDIT NUMBER 10345

AMENDMENT NO. 1

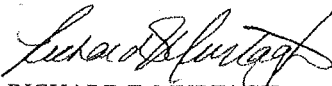
LADIES/GENTLEMEN:

THE ABOVE IRREVOCABLE STANDBY LETTER OF CREDIT ISSUED IN YOUR FAVOR IS
HEREBY AMENDED AS FOLLOWS:

THE AMOUNT IS HEREBY DECREASED BY U.S. \$99,951.95 (NINETY NINE THOUSAND NINE
HUNDRED FIFTY-ONE AND 95/100 UNITED STATES DOLLARS), DOWN TO A NEW AGGREGATE
AMOUNT OF U.S \$38,775.00 (THIRTY EIGHT THOUSAND SEVEN HUNDRED SEVENTY FIVE
AND 00/100 UNITED STATES DOLLARS).

ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED. THIS AMENDMENT IS TO BE
CONSIDERED AN INTEGRAL PART OF THE ORIGINAL LETTER OF CREDIT AND MUST BE
ATTACHED THERETO.

VERY TRULY YOURS,



RICHARD T. MURTAGH
MANAGING DIRECTOR AND CONTROLLER

BESSEMER TRUST COMPANY WOODBRIDGE

BESSEMER TRUST COMPANY OF FLORIDA MIAMI · NAPLES · PALM BEACH

BESSEMER TRUST COMPANY, N.A. ATLANTA · CHICAGO · DALLAS · LONDON · LOS ANGELES · NEW YORK · SAN FRANCISCO · WASHINGTON, D.C.



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

November 7, 2013

RECEIVED

NOV 13 2013

Mr. John Cappello, Esq.
Jacobowitz & Gubits
158 Orange Avenue
Walden, NY 12586

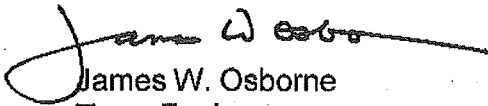
**RE: PB \ SANTA MONICA HOLDINGS – STORMWATER
MANAGEMENT PLAN PERFORMANCE SECURITY**

Dear Mr. Cappello:

Please be advised that at its 21 October 2013 meeting, the Town of Newburgh Town Board voted to authorize the release of the performance security for the completion of the Stormwater Management Plan facilities. This action authorizes the reduction in the amount of the Bessemer Trust Company Letter of Credit No.10345 from \$138,726.95 to \$38,775, which is required as security for the survival in good health of installed landscaping, buffer strips and screening.

At your convenience, please submit an amendment to the original Letter of Credit reflecting the above. Also, if you have not submitted the required *Notice of Termination* for the SPDES permit, please have the responsible engineer complete the necessary form and submit to my attention. I will have the Supervisor execute the *NOT* and return it to you.

Respectfully,


James W. Osborne
Town Engineer

JWO/id

BESSEMER TRUST

630 FIFTH AVENUE
NEW YORK, NY 10111

ISSUING BANK:

Bessemer Trust Company, N.A.
630 Fifth Avenue
New York, NY 10111

RE: IRREVOCABLE STANDBY LETTER OF CREDIT NO: 10345
Landscaping Improvements

Bessemer Trust Company, N.A. hereby establishes our Irrevocable Standby Letter of credit for the account of Santa Monica Holdings, LLC (the "Applicant") in favor of the Town of Newburgh (the "Beneficiary"), available by your drafts at site drawn on us for a sum not to exceed \$138,726.95 (U.S. One Hundred Thirty-Eight Thousand, Seven Hundred Twenty-Six and 95/100 Dollars).

ISSUE DATE: September 1, 2011

BENEFICIARY: Town of Newburgh
1496 Route 300
Newburgh, NY 12550

APPLICANT: Santa Monica Holdings, LLC
5266 Route 9W
Newburgh, NY 12501

This Letter of Credit shall expire at Bessemer Trust Company, N.A.'s counters two years from issuance or any automatically extended date as set forth below.

This Letter of Credit shall be available by presentation of all of the following:

1. The Beneficiary's drafts drawn at sight bearing the clause "Drawn under Bessemer Trust Company, N.A.'s Letter of Credit No. 10345."
2. The original of this Letter of Credit
3. A Certificate upon Beneficiary's letterhead stating the following:

The undersigned, an authorized officer of the Town of Newburgh, New York (the "Beneficiary"), hereby certifies to Bessemer Trust Company, N.A. with reference to Irrevocable Standby Letter of Credit No. 10345 issued by Bessemer Trust Company, N.A. in favor of the Beneficiary, that Santa Monica Holdings, LLC (i) has failed to complete certain landscaping improvements in conformance with the approved landscaping plan or has failed to complete the proper installation and maintenance of erosion and sediment control or storm water management measures and permanent stabilization or restoration requirements for the land disturbance to be carried out in accordance with approved plans for the 5266 Route 9W site plan on 5226 Route 9W in the Town of Newburgh and standards and specifications of the Beneficiary, or (ii) has failed to maintain in good health or replace damaged, unhealthy or dead plant materials and related landscaping and storm water management facilities improvements in accordance with the approved landscaping plan for 5226 Route 9W site plan for a period of two (2) years from the date of acceptance of said landscaping improvements by the Town of Newburgh following inspection of the completed installation by the Town's landscaping consultant or officers, or any subsequent date of replacement or, in the alternative to post an acceptable maintenance bond or other acceptable security with the Town of Newburgh ensuring such maintenance or replacement, or (iii) has failed to reconstruct, restore or repair existing paving, shoulders, drainage improvements, water and/or sewer utilities of the Beneficiary damaged or subsequently affected by the construction or installation of such improvements or (iv) has failed to implement such additional erosion and sediment control or storm water measures associated with the installation of the above referenced improvements for the 5266 Route 9W site plan in accordance with applicable conditions of approval and/or regulations as are required to control or treat the sediment source. Accordingly, the Beneficiary is entitled to and is making a drawing under the Letter of Credit in the amount of the site draft accompanying this Certificate.

The Beneficiary has executed this certificate as of the _____ day of _____, 20__.

TOWN OF NEWBURGH

By: _____
Name
Title

Partial drawings are permitted.

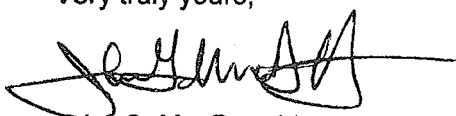
It is a condition of this Letter of Credit that it shall be deemed automatically extended without amendment for one (1) year from the present and any future expiration hereof, unless at least thirty (30) days prior to any such date we shall notify you by certified letter to the above address that we elect not to consider this Letter of Credit renewed for any such additional period. Upon receipt by you of such notice, you may draw the full remaining amount of this Letter of Credit hereunder against your sight draft drawn on us and the original of this Letter of Credit only, without the Certificate mentioned above.

This Letter of Credit is subject to the Uniform Customs and Practice for Documentary Credits (2007 version) International Chamber of Commerce Publication No. 600 (the "UCP"). As to matters not governed by the UCP, this Letter of Credit is subject of the laws of New York State as in effect from time to time, including, without limitation, Article 5 of the Uniform Commercial Code as in effect in the State of New York (the "UCC"). In the event of any conflict between the terms of this Letter of Credit and the UCP or UCC, the terms of this Letter of Credit will prevail.

Bessemer Trust Company, N.A. hereby agrees that all drafts drawn under and in compliance with the terms of this Letter of Credit shall be duly honored upon presentation by mail or overnight courier or in person to Bessemer Trust Company N.A., 630 Fifth Avenue, New York, NY Attn: Letter of Credit Dept., on or before the expiration date or any extended date as hereinbefore set forth.

This Credit sets forth in full Bessemer Trust Company, N.A.'s undertaking.

Very truly yours,

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

John G. MacDonald
Managing Director & CFO

#102

TOWN OF NEWBURGH
TOWN ENGINEER

MEMORANDUM

TO: Gilbert Piaquadio, Town Supervisor and Town Board

FROM: Patrick J. Hines, Representative, Engineers for the Town *JH*

DATE: 17 August 2023

RE: HSC Balmville (Dollar General)
Stormwater Mgmt. Security Release
PB# 2020-04

We have received a request for the release of the security for the subject project. The project is complete and the site is stabilized.

As-Built Plans and a Certification letter have been received.

The release of the Stormwater Bond in the amount of \$75,600.00 (Bond #800127928) requires Town Board action.

Cc: G. Canfield, Code Compliance Supervisor
J. Osborne, Town Engineer
J. Ewasutyn, Chairman, Planning Board
L. Ayers, Town Clerk

BOHLER //

17 Computer Drive West
Albany, NY 12205
518.438.9900

70 Linden Oaks, Third Floor, Suite 15
Rochester, NY 14625
585.866.1000

Electronic Mail Delivery

August 16, 2023

Town of Newburgh

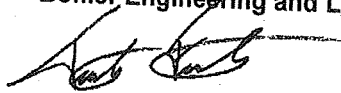
Re: **Dollar General Retail Store**
Parcel # 24-4-1.2
US Route 9W & North Hill Lane
Town of Newburgh, New York

To whom it may concern:

We have reviewed the record map provided by Control Point Associates Inc., dated November 14, 2022, last revised July 19, 2023. Based upon that map and the Grading & Drainage Plan signed by Nathan Dunn of Fulcrum Construction attached, the on-site storm water improvements have been installed in general conformance with the approved plan.

Sincerely,

Bohler Engineering and Landscape Architecture NY, PLLC



Timothy C. Freitag, P.E.

cc: **HSC Balmville, LLC**

REV#	DATE	DESCRIPTION
1		
2		
3		
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8		
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10		

PERMIT
ALWAYS CHECK FOR THE LATEST PERMITS

PROPOSAL PLAN DOC
PROJECT: HS BALMA LL

PROJ. DEVELOPER
U.S. ROUTE 9W
HARRIS COUNTY
STATE OF TX

BOHL
11000 W. WINDYBROOK
DALLAS, TX 75244
PHONE: 972.343.1100
WWW.BOHLER.COM

W.D. GRIFFIN
PROFESSIONAL ENGINEER
NO. 10000
EXPIRES 12/31/2010

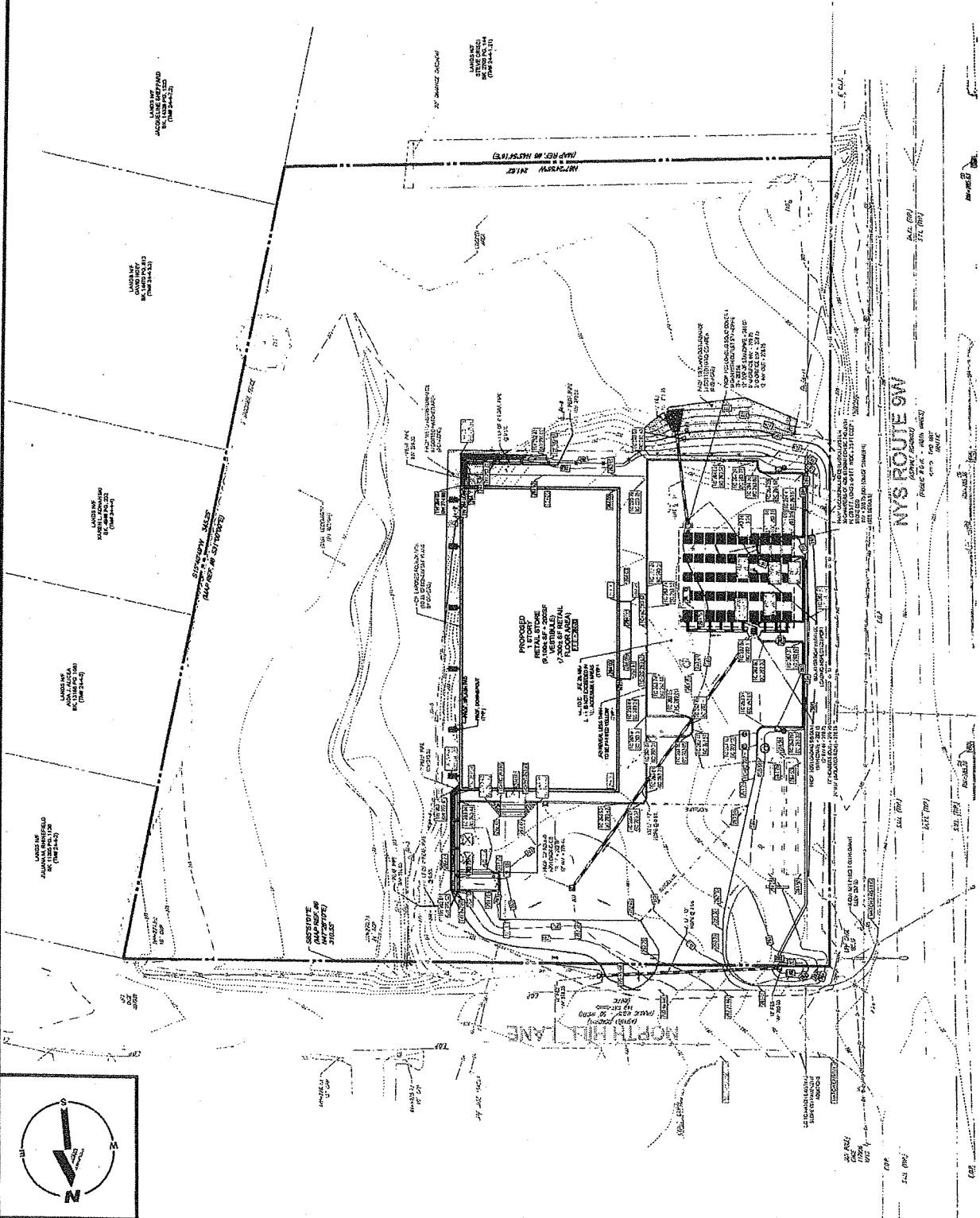
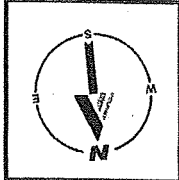
GRAD DRAINAGE

THESE PLANS ARE THE PROPERTY OF BOHLER CONSULTING ENGINEERING. NO PART OF THESE PLANS SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF BOHLER CONSULTING ENGINEERING.

W.D. Griffin
REGISTERED PROFESSIONAL ENGINEER

RECORD DRAWING

THIS PLAN TO BE UTILIZED FOR SITE GRADING PURPOSES ONLY



SUBDIVISION/SITE STORMWATER/EROSION AND SEDIMENT CONTROL BOND

Bond No. 800127928

KNOW ALL MEN BY THESE PRESENTS, that we HSC Balmville, LLC, as Principal, and 805 Trione Avenue, Daphne, AL 36526, as Principal, and Atlantic Specialty Insurance Company, authorized to do business in the State of New York, as Surety, are held and firmly bound unto the Town of Newburgh, New York, a New York municipal corporation, as Obligee, in the penal sum of Seventy Five Thousand Six Hundred Dollars and 00/100 (\$75,600.00) DOLLARS, lawful money of the United States of America, for the payment of which well and truly made, we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly to these presents.

WHEREAS, the Principal has made application to the Town of Newburgh Planning Board in accordance with the Town of Newburgh subdivision regulations, zoning code and stormwater management law for final approval of a site plan dated July 15, 2021 known as Dollar General Project #2020-04 located at Parcel 24-4-1.12 at the Intersection of NYS Route 9W and North Hill Lane and the related stormwater management plan; and

WHEREAS, the Principal is required to furnish a good and sufficient bond to complete the proper installation and maintenance of erosion and sediment control and/or stormwater management measures and permanent stabilization or restoration requirements for the land disturbance to be carried out in conjunction with the development of the approved site plan (hereinafter collectively the "stormwater improvements") at the Principal's own expense in the time and manner specified in the Town of Newburgh Code and/or the plans approved by the Town of Newburgh Planning Board, with such modifications and conditions, if any, as have been imposed by the Obligee, including but not limited to the condition, if stated in the approval, that if full implementation of the approved erosions and sediment control or stormwater management plan does not provide for effective erosion and sediment control or stormwater management measures, the Principal shall implement such additional erosion and sediment control measures as will control or treat the sediment source, and the delivery of "as built" drawings (said conditions hereinafter referred to as the "Agreement")

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said Principal shall complete the proper installation and maintenance of the stormwater improvements in the time and manner specified in the Town of Newburgh Code and/or the plans approved by the Town of Newburgh Planning Board, with such modifications and conditions, if any, as have been imposed by the Obligee, including but not limited to the condition, if stated in the approval, that if full implementation of the approved erosions and sediment control or stormwater management plan does not provide for effective erosion and sediment control or stormwater management measures, the Principal shall implement such additional erosion and sediment control measures as will control or treat the sediment source and the delivery of "as built" drawings, and shall save the Obligee harmless from any loss, cost, or damage by reason of the Principal's failure to complete said stormwater improvements, then this obligation shall be null and void; otherwise to remain in full force and effect and the Surety, upon receipt of a resolution of the Obligee indicating that the improvements have not been properly installed or completed, will properly complete the improvements or pay the Obligee such amount up to the Principal amount of this bond which will allow the Obligee to complete the improvements, and if suit is brought on this bond, the Principal and Surety will pay to the Obligee such reasonable attorneys' fees as shall be fixed by the court.

Signed, sealed, and dated this 21st day of December, 2021

HSC Balmville, LLC

Principal

By: *Haynes S. Snodiker*

Atlantic Specialty Insurance Company

Surety

By: *J. Erick McMichael*

J. Erick McMichael Attorney-in-Fact

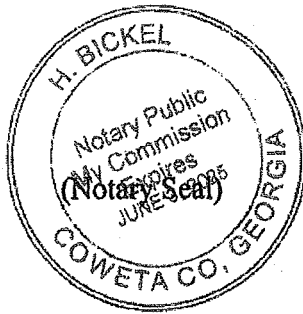


Acknowledgment of Surety

State of Georgia)

County of Coweta) ss.:

On the 21st day of December in the year 2021 before me Holland Bickel , Notary Public personally came to me J. Erik McMichael known, who, being by me duly sworn, did depose and say that he/she resides in Newnan, GA (if the place of residence is in a city, include the street and street number, if any, thereof); that he/she is the duly appointed Attorney-in-Fact of the , Atlantic Specialty Insurance Company the corporation described in and which executed the above instrument; that he/she knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by authority of the board of directors of said corporation, and that he/she signed his/her name thereto by like authority.



H. Bickel

Holland Bickel Notary Public

June 3, 2025

Notary Public Commission
Expiration Date



Power of Attorney

KNOW ALL MEN BY THESE PRESENTS, that ATLANTIC SPECIALTY INSURANCE COMPANY, a New York corporation with its principal office in Plymouth, Minnesota, does hereby constitute and appoint: **Michelle Deligne, Jennifer S. Freeman, J. Erik McMichael, Suzanne Yeatman, Margaret Holland R. Bickel**, each individually if there be more than one named, its true and lawful Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof; provided that no bond or undertaking executed under this authority shall exceed in amount the sum of: **unlimited** and the execution of such bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof in pursuance of these presents, shall be as binding upon said Company as if they had been fully signed by an authorized officer of the Company and sealed with the Company seal. This Power of Attorney is made and executed by authority of the following resolutions adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the President, any Senior Vice President or Vice-President (each an "Authorized Officer") may execute for and in behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and affix the seal of the Company thereto; and that the Authorized Officer may appoint and authorize an Attorney-in-Fact to execute on behalf of the Company any and all such instruments and to affix the Company seal thereto; and that the Authorized Officer may at any time remove any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That the Attorney-in-Fact may be given full power and authority to execute for and in the name and on behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed and sealed by an Authorized Officer and, further, the Attorney-in-Fact is hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof.

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the signature of an Authorized Officer, the signature of the Secretary or the Assistant Secretary, and the Company seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing an Attorney-in-Fact for purposes only of executing and sealing any bond, undertaking, recognizance or other written obligation in the nature thereof, and any such signature and seal where so used, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

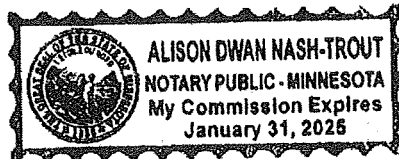
IN WITNESS WHEREOF, ATLANTIC SPECIALTY INSURANCE COMPANY has caused these presents to be signed by an Authorized Officer and the seal of the Company to be affixed this twenty-seventh day of April, 2020.



By *Paul J. Brehm*
Paul J. Brehm, Senior Vice President

STATE OF MINNESOTA
HENNEPIN COUNTY

On this twenty-seventh day of April, 2020, before me personally came Paul J. Brehm, Senior Vice President of ATLANTIC SPECIALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, that he is the said officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the seal of said Company and that the said seal and the signature as such officer was duly affixed and subscribed to the said instrument by the authority and at the direction of the Company.



Alison Nash-Trout
Notary Public

I, the undersigned, Secretary of ATLANTIC SPECIALTY INSURANCE COMPANY, a New York Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked, and the resolutions set forth above are now in force.

Signed and sealed. Dated 21st day of December, 2021.



Kara Barrow
Kara Barrow, Secretary

This Power of Attorney expires
January 31, 2025

#10 D

TOWN OF NEWBURGH
TOWN ENGINEER

MEMORANDUM

TO: Gilbert Piaquadio, Town Supervisor and Town Board

FROM: Patrick J. Hines, Representative, Engineers for the Town *PH*

DATE: 17 August 2023

RE: Polo Club Tree Clearing
Security Release
PB# 2018-12

The Town has received a request from Thompkins Excavating to release the tree clearing Bond for the Polo Club project off Rt. 300. The trees have been removed from the site and the site has naturally revegetated over time. No issues regarding the tree clearing exist of the site.

Release of the security in the amount of \$77,000.00 (Bond #5937174) requires Town Board action.

Cc: G. Canfield, Code Compliance Supervisor
J. Osborne, Town Engineer
J. Ewasutyn, Chairman, Planning Board
L. Ayers, Town Clerk

Bond No. 5937174

KNOW ALL MEN BY THESE PRESENTS, that we Tompkins Landscaping Corp. dba Tompkins Excavating
as Principal, and Old Republic Insurance Company,
authorized to do business in the State of New York, as Surety, are held and firmly bound unto
the Town of Newburgh, New York, a New York municipal corporation, as Obligee, in the penal sum of
Seventy-Seven Thousand and 00/100 (\$77,000.00) DOLLARS, lawful money of the United States of
America, for the payment of which well and truly made, we bind ourselves, our heirs, executors,
administrators, successors, and assigns, jointly and severally, firmly to these presents.

WHEREAS, the Principal or its predecessor in property interest has made application to the Town of
Newburgh Planning Board in accordance with the Town of Newburgh clearing and grading law for
property located at Polo Club Multifamily with Senior Density Bonus PB Project number 2018-12 and
designated on the tax map for the Town of Newburgh as Section 39 Block 1 Lot 1 & 2.12 or Principal is
the authorized agent of such applicant owner ; and

WHEREAS, the Principal is required to furnish a good and sufficient bond to complete stabilization or
restoration requirements, proper installation and maintenance of erosion and sediment control or
stormwater management measures, re-vegetation activities, and permit conditions and Municipal
Code requirements, including but not limited to those pertaining to the preservation of existing
vegetation, fill, debris, and/or watercourse disturbance for the activities to be carried out pursuant
to the Clearing and Grading Permit approved by the Town of Newburgh Planning Board, with
such modifications and conditions, if any, as have been imposed by the Obligee, including but
not limited to the condition, if stated in the permit approval, that if full implementation of the
approved erosion and sediment control or stormwater management measures does not provide
for effective erosion and sediment control or stormwater management for the permit activities,
the Applicant shall implement such additional erosion and sediment control measures as will
control or treat the sediment source.

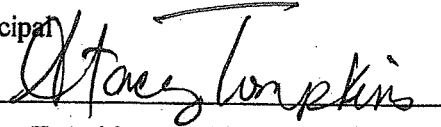
NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said Principal
shall complete stabilization or restoration requirements, proper installation and maintenance of
erosion and sediment control or stormwater management measures, re-vegetation activities, and
permit conditions and Municipal Code requirements, including but not limited to those
pertaining to the preservation of existing vegetation, disposition or placement of fill and debris,
and/or protections against watercourse disturbance for the activities to be carried out pursuant to
the the Clearing and Grading Permit granted to Tompkins Excavating approved by the Town of
Newburgh Planning Board, with such modifications and conditions, if any, as have been imposed
by the Town, including but not limited to the condition, if stated in the permit approval, that if
full implementation of the approved erosion and sediment control or stormwater management
measures for the clearing and grading activities does not provide for effective erosion and
sediment control or stormwater management, the Applicant shall implement such additional
erosion and sediment control measures as will control or treat the sediment source, and shall save
the Obligee harmless from any loss, cost, or damage by reason of the Principal's failure to complete the
permitted work and satisfy the conditions of the Clearing and Grading Permit and the Municipal Code,
then this obligation shall be null and void; otherwise to remain in full force and effect and the Surety,
upon receipt of notice from the Obligee indicating that the permitted work has not been completed by the
Principal or the Principal has failed to satisfy the conditions of the Clearing and Grading Permit or the
Municipal Code, will properly complete the work and satisfy the permit and conditions and Municipal
Code requirements or pay the Obligee such amount up to the Principal amount of this bond which will
allow the Obligee to complete the work and satisfy the conditions and Municipal Code requirements, and
if suit is brought on this bond, the Principal and Surety will pay to the Obligee such reasonable attorneys'
fees as shall be fixed by the court.

Signed, sealed, and dated this 4th day of March, 2021

Tomkins Landscaping Corp. dba Tompkins Excavating

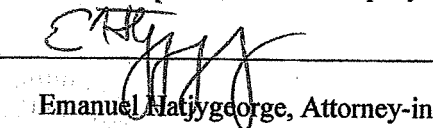
Principal

By:


Stacey Tompkins, President

Surety Old Republic Insurance Company

By:


Emanuel Natjygeorge, Attorney-in-Fact

ACKNOWLEDGMENT

OF CORPORATE SURETY

STATE OF NEW YORK)

SS:

COUNTY OF WESTCHESTER)

On this 4th day of March, 2021 before me appeared Emanuel Hatjygeorge to me personally known, who being by me duly sworn, did say that the is the aforesaid officer or attorney in fact of the Old Republic Insurance Company, a corporation; that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by the aforesaid officer, by authority of its Board of Directors and the aforesaid officer acknowledged said instrument to be the free act and deed of said corporation.

Emanuel Hatjygeorge

PATRICK JAMES HATJYGEORGE
NOTARY PUBLIC-STATE OF NEW YORK
No. 01HA6330070
Qualified in Westchester County
My Commission Expires September 14, 2019

2023
ACKNOWLEDGMENT

OF PRINCIPAL, IF A CORPORATION

STATE OF NEW YORK)

SS:

COUNTY OF PUTNAM)

On this 4 day of MARCH, 2021, before me personally came Stacey Tompkins to me known, who, being by me duly sworn, did depose and say that she resides in PUTNAM Valley, that she is the President of Tompkins Landscaping Corp. dba Tompkins Excavating, the corporation described in and which executed the above instrument; and that she signed her name thereto by order of the Board of Directors of said corporation.

Denise A. Matthews

My Commission Expires: *12/19/24*

Notary Public

DENISE A MATTHEWS
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01MA6352142
QUALIFIED IN PUTNAM COUNTY
My Commission Expires December 19, 2024

OLD REPUBLIC INSURANCE COMPANY
OF MT. PLEASANT, PENNSYLVANIA

STATUTORY FINANCIAL STATEMENT AS OF DECEMBER 31, 2019

ADMITTED ASSETS

Bonds	\$1,700,421,473
Common stocks	697,255,292
Cash, cash equivalents and short-term investments	91,915,363
Bonds, short-term investments and cash held under retrospective rating agreements	22,635,707
Premiums and considerations - uncollected premiums and agents' balances in the course of collection	251,065,666
Deferred premiums, agents' balances and installments booked but deferred and not yet due	6,683,519
Accrued retrospective premiums	430,089
Funds held by or deposited with reinsured companies	392,657
Amounts recoverable from reinsurers	70,113,985
Electronic data processing equipment and software	362,660
Investment income due and accrued	16,546,264
Receivables from parent, subsidiaries and affiliates	3,337,943
Other assets	8,759,887
TOTAL ADMITTED ASSETS	<u>\$2,869,920,515</u>

LIABILITIES AND SURPLUS

Losses	\$771,719,416
Reinsurance payable on paid losses and loss adjustment expenses	8,803,210
Loss adjustment expenses	152,191,364
Commissions payable, contingent commissions and other similar charges	6,209,349
Other expenses (excluding taxes, licenses and fees)	19,559,435
Taxes, licenses and fees (excluding federal income taxes)	72,694,006
Current federal income taxes	1,060,956
Net deferred tax liability	14,730,878
Unearned premiums	292,772,015
Dividends declared and unpaid - policyholders	851,532
Advance premium	46,082
Ceded reinsurance premiums payable (net of ceding commissions)	169,762,316
Funds held by company under reinsurance treaties	103,948,022
Amounts withheld or retained by company for account of others	32,753,655
Remittances and items not allocated	634,002
Provision for reinsurance	13,338,946
Payable to parent, subsidiaries and affiliates	2,666,572
Other liabilities	3,000,644
TOTAL LIABILITIES	<u>\$1,668,742,400</u>
Common capital stock	3,800,004
Surplus notes	155,000,000
Gross paid in and contributed surplus	103,869,422
Unassigned funds (surplus)	938,508,689
SURPLUS AS REGARDS POLICYHOLDERS	<u>\$1,201,178,115</u>
TOTAL LIABILITIES AND SURPLUS	<u>\$2,869,920,515</u>

Securities carried at \$367,439,547 are deposited with States or Other Authorities as required by law.

STATE OF WISCONSIN)

)SS

COUNTY OF WAUKESHA)

Alan P. Pavlic, Vice President, and Karen J. Haffner, Vice President of Old Republic Insurance Company of Mt. Pleasant, Pennsylvania being duly sworn, each for himself, deposes and says that they are the above described officers of the said company, and that on the 31st day of December, 2019, the company was actually possessed of the assets set forth in the foregoing statement and that such assets were available for the payment of losses and claims and held for the protection of its policyholders and creditors, except as here-in-before indicated, and that the foregoing statement is a correct exhibit of such assets and liabilities of the said company on the 31st day of December, 2019, according to the best of their information, knowledge and belief, respectively.

Alan P. Pavlic, Vice President

Karen J. Haffner, Vice President

Sworn to and subscribed before me this 12th day of March, 2020.

Notary Public, State of Wisconsin

My Commission expires: July 31, 2023



OLD REPUBLIC INSURANCE COMPANY

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That OLD REPUBLIC INSURANCE COMPANY, a Pennsylvania stock insurance corporation, does make, constitute and appoint:

EMANUEL HATJYGEORGE of ELMSFORD, NY

its true and lawful Attorney(s)-in-Fact, with full power and authority, not exceeding \$50,000,000, for and on behalf of the Company as surety, to execute and deliver and affix the seal of the Company thereto (if a seal is required), bonds, undertakings, recognizances or other written obligations in the nature thereof, (other than self-insurance workers compensation bonds guaranteeing payment of benefits, asbestos abatement contract bonds, waste management bonds, hazardous waste remediation bonds or black lung bonds), as follows:

ALL WRITTEN INSTRUMENTS

and to bind OLD REPUBLIC INSURANCE COMPANY thereby, and all of the acts of said Attorneys-in-Fact, pursuant to these presents, are ratified and confirmed. This appointment is made under and by authority of the board of directors at a meeting held on March 14, 2014. This Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolutions adopted by the board of directors of the OLD REPUBLIC INSURANCE COMPANY on March 14, 2014.

RESOLVED FURTHER, that the chairman, president or any vice president of the Company's surety division, in conjunction with the secretary or any assistant secretary of the Company, be and hereby are authorized and directed to execute and deliver, to such persons as such officers of the Company may deem appropriate, Powers of Attorney in the form presented to and attached to the minutes of this meeting, authorizing such persons to execute and deliver and affix the seal of the Company to bonds, undertakings, recognizances, and suretyship obligations of all kinds, other than bail bonds, bank depository bonds, mortgage deficiency bonds, mortgage guaranty bonds, guarantees of installment paper and not guaranty bonds. The said officers may revoke any Power of Attorney previously granted to any such person. The authority of any Power of Attorney granted by any such officer of the Company as aforesaid shall not exceed fifty million dollars (\$50,000,000.00), except (a) bonds required to be filed as open penalty bonds, and (b) bonds filed with any court or governmental authority requiring an unlimited penalty in bonds filed in that court.

RESOLVED FURTHER that any bond, undertaking, recognizance, or suretyship obligation shall be valid and binding upon the Company (i) when signed by chairmen, president or any vice president of the Company's surety division and attested and sealed (if a seal be required) by any secretary or assistant secretary; or (ii) when signed by a duly authorized Attorney-in-Fact and sealed with the seal of the Company (if a seal be required).

RESOLVED FURTHER, that the signature of any officer designated above, and the seal of the Company, may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, OLD REPUBLIC INSURANCE COMPANY has caused these presents to be signed by its proper officer, and its corporate seal to be affixed this 28th day of August, 2019.

Sheila M. Applegate
Assistant Secretary



OLD REPUBLIC INSURANCE COMPANY

Alan Pavlic

Vice President

STATE OF WISCONSIN, COUNTY OF WAUKESHA - SS

On this 28th day of August, 2019, personally came before me, Alan Pavlic and Sheila M. Applegate, to me known to be the individuals and officers of the OLD REPUBLIC INSURANCE COMPANY who executed the above instrument, and they each acknowledged the execution of the same, and being by me duly sworn, did severally depose and say: that they are the said officers of the corporation aforesaid, and that the seal affixed to the above instrument is the seal of the corporation, and that said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority of the board of directors of said organization.



Kathryn R. Pearson

Notary Public

My Commission Expires: September 28, 2022

CERTIFICATE

(Expiration of notary's commission does not invalidate this instrument)

I, the undersigned, assistant secretary of the OLD REPUBLIC INSURANCE COMPANY, a Pennsylvania corporation, CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolutions of the board of directors set forth in the Power of Attorney, are now in force.

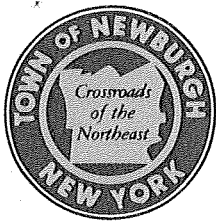


95-0065

Signed and sealed at the City of Brookfield, WI this 4th day of MARCH, 2021

Sheila M. Applegate
Assistant Secretary

#11



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

PERSONNEL DEPT.

To: Supervisor Piaquadio ✓
Town Board Members

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

From: Charlene M Black, Personnel

Date: August 22, 2023

Re: Part-time Clerk

Please find attached an employee request form and a memo from Lisa Ayers, Town Clerk requesting the hire of Dominique Rivera as a part-time clerk. If approved Ms. Rivera needs to fill out paperwork, have a pre-employment physical, fingerprints and drug/alcohol test done. A start date of September 11, 2023 is anticipated. Thank you.



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

Lisa M. Vance Ayers
Town Clerk

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

TO: Gil Piaquadio, Supervisor
Town Board Members

CC: Charlene Black, Personnel

FROM: Lisa M. Vance Ayers, Town Clerk

DATE: August 23, 2023


RE: Request to Hire Part Time Clerk

At this time, I am requesting your approval to hire Dominique Rivera as a Part Time Clerk for a current vacancy in my office. Ms. Rivera will be hired at the rate of \$17.31/hour

This position is currently funded in the 2023 Town Clerk Budget. The start date for the position will be on or after September 11, 2023.

Thank you for your consideration.

Regards,


Lisa M. Vance Ayers
Town Clerk

TOWN OF NEWBURGH

EMPLOYMENT REQUEST FORM

To: Personnel Department

NAME OF CANDIDATE: Dominique Rivera

DEPARTMENT: Town Clerk

TITLE OF POSITION: Clerk

FULL TIME OR PART TIME: Part time

HOURLY RATE: \$17.31 hr.

IS POSITION FUNDED IN CURRENT BUDGET: YES OR NO

FUND APPROPRIATION NUMBER: _____

PROPOSED HIRE DATE: ^{on or} After September 11, 2023

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

[Signature]
DEPARTMENT HEAD SIGNATURE

August 23, 2023
DATE

ORIGINAL APPLICATION SHOULD BE ON FILE IN THE PERSONNEL DEPARTMENT



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

Lisa
#12

PERSONNEL DEPT.

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

To: Supervisor Piaquadio
Town Board

From: Charlene M Black, Personnel

Date: August 24, 2023

Re: Full-time Dispatcher

Please find attached a letter and Employee Request form from Chief Campbell requesting the approval of Full Time Dispatcher, Jessica Guiliano. Approval is pending the outcome of all the necessary paperwork, fingerprints, and physical and drug/alcohol testing, with a hire date on or after September 8, 2023. Thank you.



TOWN OF NEWBURGH POLICE DEPARTMENT

300 Gardnertown Road, Newburgh, New York 12550

DONALD B. CAMPBELL
CHIEF OF POLICE

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

August 24, 2023

To: Newburgh Town Board

Cc: Charlene Black/Personnel Department

From: Chief Donald B. Campbell

Subject: Full-Time Dispatcher Position

I am requesting authorization to hire Jessica Guiliano as a Full-time dispatcher at a rate of \$24.44 per hour. Jessica is currently immediately reachable on the Orange County Dispatcher Exam List. I am requesting she receive a start date effective on or after September 08, 2023 pending a background investigation, physical exam and fingerprinting. This is a budgeted position that is currently vacant (Fund appropriation # 001-3120-0100-000).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Donald B. Campbell", is written over a horizontal line.

Donald B. Campbell
Chief of Police

TOWN OF NEWBURGH EMPLOYMENT REQUEST FORM

To: Personnel Department

NAME OF CANDIDATE: Jessica Guiliano

DEPARTMENT: Police

TITLE OF POSITION: Dispatcher

FULL TIME OR PART TIME: F/T

HOURLY RATE: 829.44

IS POSITION FUNDED IN CURRENT BUDGET: YES OR NO

FUND APPROPRIATION NUMBER: 001 - 3120 - 0100 - 000

PROPOSED HIRE DATE: 9/08/23

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


DEPARTMENT HEAD SIGNATURE

8/24/23
DATE

ORIGINAL APPLICATION SHOULD BE ON FILE IN THE PERSONNEL
DEPARTMENT