

#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
 New Windsor, NY 12553 **FROM:** MARK C. TAYLOR, ATTORNEY FOR THE TOWN

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

DATE: October 6, 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

Enclosed for the Town Board's consideration following the close of the public hearing scheduled for October 10, 2023 with regard to the second increased estimated project cost is the following draft Order:

PUBLIC INTEREST ORDER 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

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

Please note that as with the first project cost increase, we did not request bond counsel to prepare a resolution increasing the bond authorization for the increased cost as we understand the increase is being funded from other sources, including New York City. Should the Board determine that financing is required, please advise so that we may coordinate the preparation of the appropriate resolution with bond counsel.

cc: Town Clerk Lisa M. Vance Ayers (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)
 Douglas Goodfriend, Esq., Bond Counsel (via e-mail)

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300 or by video conference pursuant to the Governor's Executive Orders, in the Town of Newburgh, Orange County, New York on the 10th day of October, 2023 at 7:00 P.M., Prevailing Time.

PRESENT:

Gilbert J. Piaquadio
Supervisor

Elizabeth J. Greene
Councilwoman

Paul I. Ruggiero
Councilman

Scott M. Manley
Councilman

Anthony R. LoBiondo
Councilman

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

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	PUBLIC INTEREST ORDER
--	-----------------------------

WHEREAS, the Town Board of the Town of Newburgh, Orange County, New York, has caused to be prepared a map, plan and report, including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the increase and improvement of the facilities of the Consolidated Water District, in the Town of Newburgh, Orange County, New York (the "Consolidated Water District:"), being 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,, at a maximum estimated cost of \$1,823,900; and

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 such increase and improvement of the facilities of the Consolidated Water District, in the Town of Newburgh, Orange County, New York, in the matter described above, 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 was \$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, at a meeting of said Town Board duly called and held on the 28th day of August, 2023, an order was duly adopted by it and entered in the minutes reciting the filing of such map, plan and report including an estimated of cost, the improvement proposed and the increased maximum aggregate amount proposed to be expended for the improvement, to-wit: the sum of \$2,625,689 for the Consolidated Water District, and specifying that said Board would meet to consider the map, plan and report, including an estimate of cost and the increase and improvement of the facilities of the Consolidated Water District and to hear all persons interested in the subject thereof concerning the same at 1496 Route 300 in Newburgh, New York, in said Town on the 10th day of October, 2023 at 7:20 o'clock, p.m., Prevailing Time; and

WHEREAS, the Notice of Public Hearing duly authorized by said order and duly certified by the Town Clerk was duly published and posted as required by law, to-wit: a duly certified copy thereof was published in The Mid-Hudson Times, which is hereby designated as an official newspaper of this Town for such purpose on _____, 2023, and a copy of such Notice of Public Hearing was posted on _____, 2023, on the signboard maintained by the Town Clerk of the Town of Newburgh pursuant to Section 30, subdivision 6 of the Town Law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard.

NOW, THEREFORE, IT IS HEREBY

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

Section 1. A copy of the Notice of Public Hearing set forth in the Order calling a public hearing as recited in the preambles hereof duly certified by the Town Clerk was duly published and posted as required by law.

Section 2. Upon the evidence given at the aforesaid public hearing, it is hereby 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 2024 in and for said Town, including the original furnishings, equipment, machinery and apparatus, appurtenances, as well as incidental costs and expenses in connection therewith, at a maximum estimated cost of \$2,625,689.

Section 3. The Town Engineer is hereby directed to prepare or to cause a licensed professional engineer retained for said purposes to prepare definite plans and specifications and to make a careful estimate of the expense of the aforesaid improvements, and to prepare a proposed contract for the execution of the work.

Section 4. The Town Clerk shall cause a copy of this Order to be filed with the County Clerk of the County of Orange.

Section 5. 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:

<u>Elizabeth Greene, Councilwoman</u>	<u>voting</u>
<u>Paul I. Ruggiero, Councilman</u>	<u>voting</u>
<u>Scott M. 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 order was thereupon declared duly adopted.

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 10th day of October, 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)

Mic-Hudson Times on the ___ day of _____, 2023

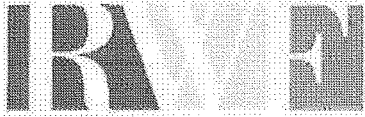
POSTING (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

Town Hall Lobby Posting on the ___ day of _____, 2023

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

Lisa M. Vance Ayers, Town Clerk

(CORPORATE SEAL)



MEMORANDUM

P: 845.562.9100
F: 845.562.9126

655 Little Britain Road
New Windsor, NY 12553

P.O. Box 2280
Newburgh, NY 12550

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

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

RE: CHADWICK LAKE RESERVOIR AND WATER
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. Viflacci

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 \$2,209,229. 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

<p>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</p>	<p>ORDER CALLING PUBLIC HEARING</p>
---	---

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:

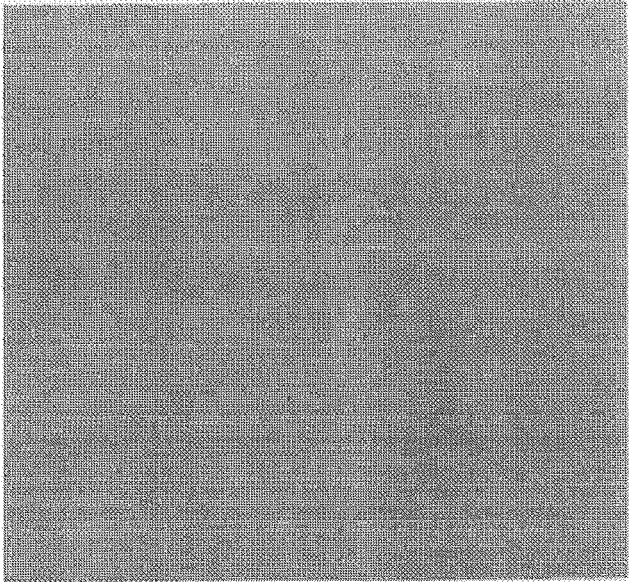
PUBLICATION (here insert newspaper(s) and date(s) of publication - should be a date or dates falling prior to the date set forth above in item 1)

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

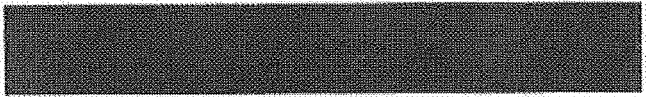
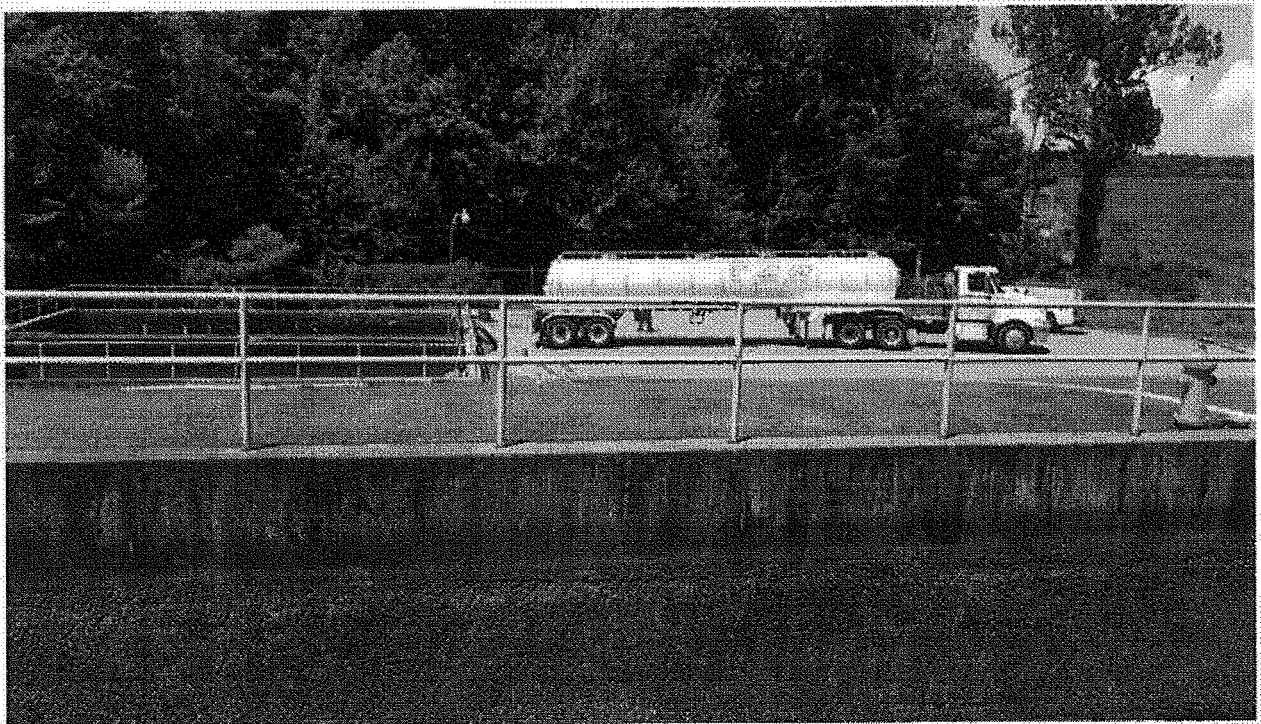
(CORPORATE SEAL)



Basis of Design Report

Chadwick Lake Filter Plant Resiliency Improvements

Updated May 2023



Contents

1	Introduction.....	1
	1.1 Project Background.....	1
	1.2 Project Goals and Objectives.....	1
2	Design Basis.....	3
	2.1 Design Flow.....	3
	2.2 Site Considerations	3
	2.2.1 Membrane Filtration System	3
	2.2.2 Solids Holding Tank	3
	2.3 Site Grading	3
	2.4 Site Stormwater Drainage	3
	2.5 Site Utilities.....	3
3	Mechanical Process Design Basis	7
	3.1 PAC System.....	7
	3.2 Membrane System	7
	3.2.1 MF Operating Strategy	7
	3.2.2 Feed Water Characteristics.....	9
	3.2.3 Treated Water Objectives	9
	3.2.4 Design Criteria.....	9
	3.2.5 MF Residuals Handling	10
	3.2.6 MF Trailer System	10
	3.2.7 Chemical Storage and Containment System	10
	3.2.8 Other Design Considerations	10
	3.3 Solids Holding Tank	11
	3.4 Process Control System (PCS) Overview.....	11
	3.5 Controls Description	11
4	Schedule.....	11
5	Construction Cost.....	11

Tables

Table 1. Powered Activated Carbon Process Equipment.....	7
Table 2. Feed Water Characteristics	9
Table 3. MF System Design Criteria.....	9

Figures

Figure 1. Aerial View	2
Figure 2. Short Term Flow Schematic, 2.7 MGD.....	4
Figure 3. Membrane Trailer Location.....	5
Figure 4. Solids Holding Tank Location	6
Figure 5. PAC Room	8

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.

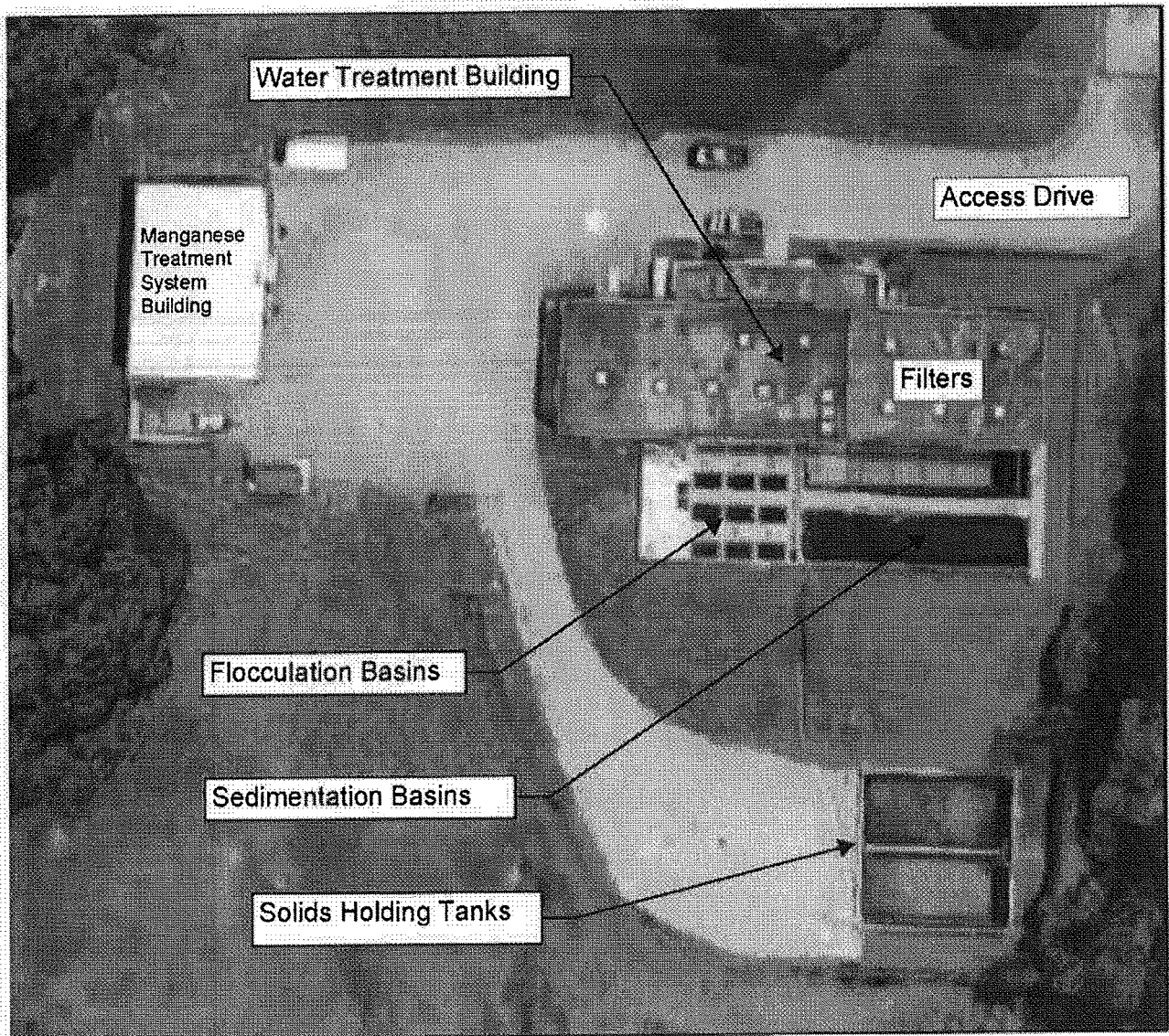


Figure 1. Aerial View

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.

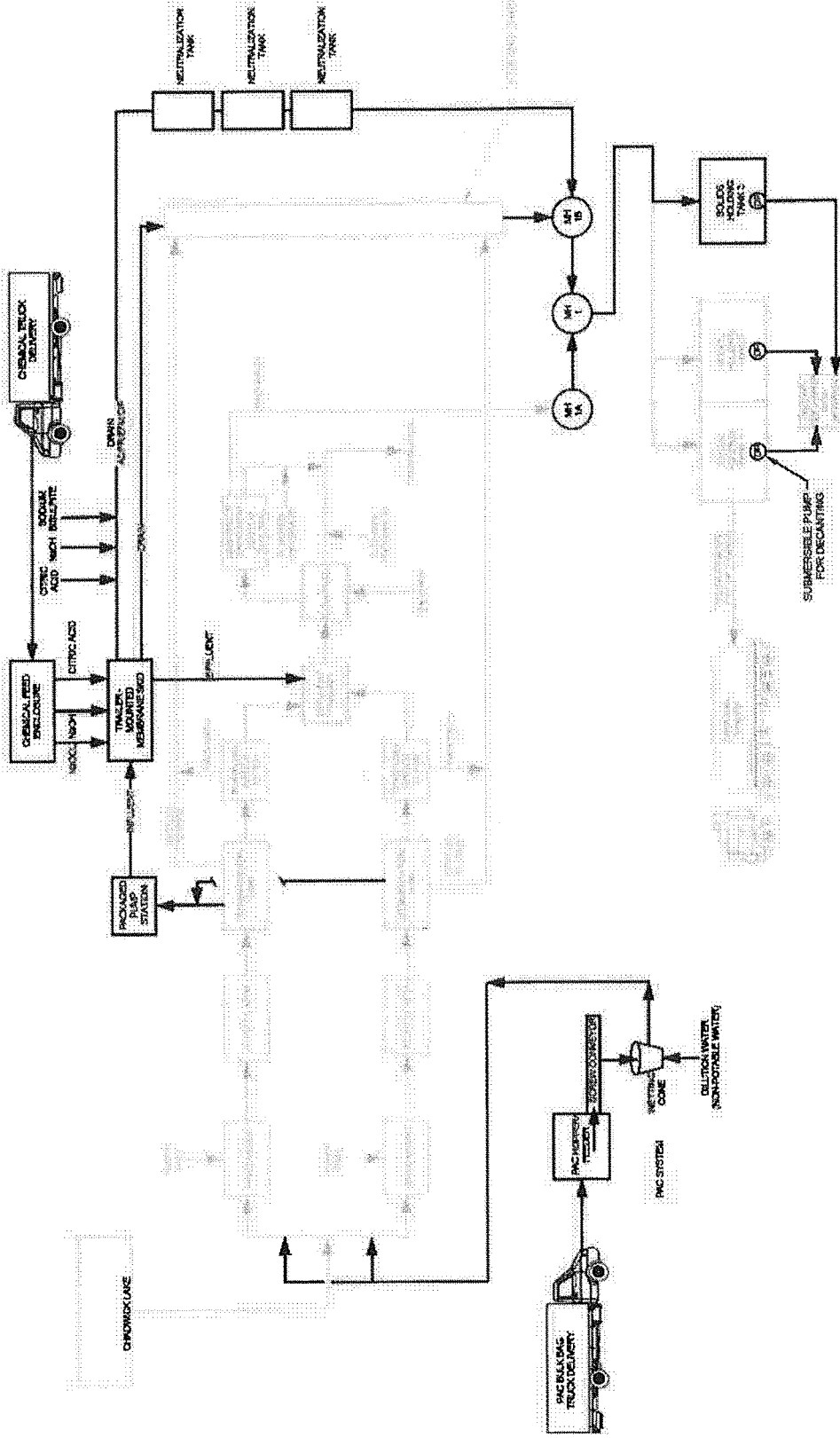


Figure 2. Short Term Flow Schematic, 2.7 MGD

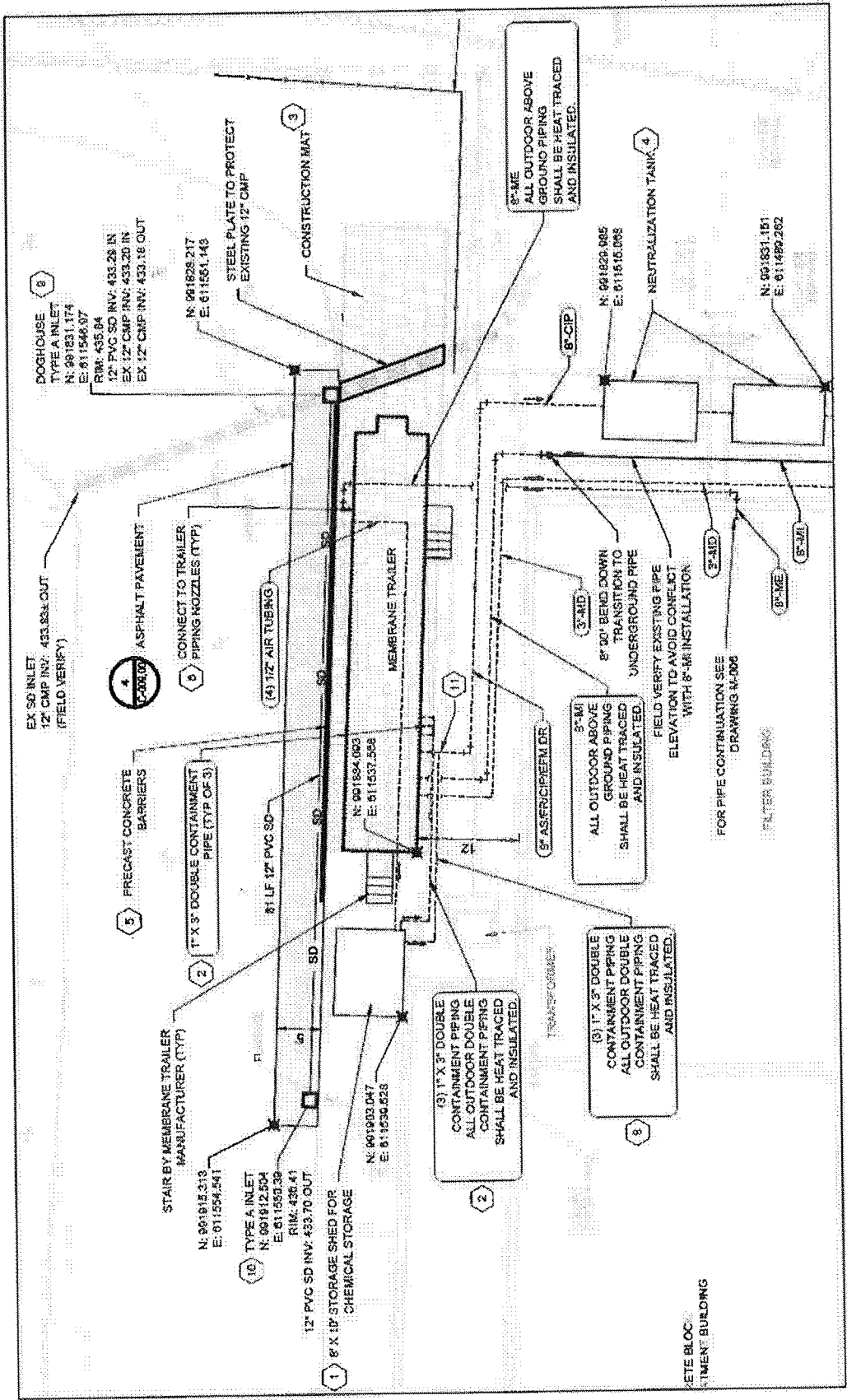


Figure 3. Membrane Trailer Location

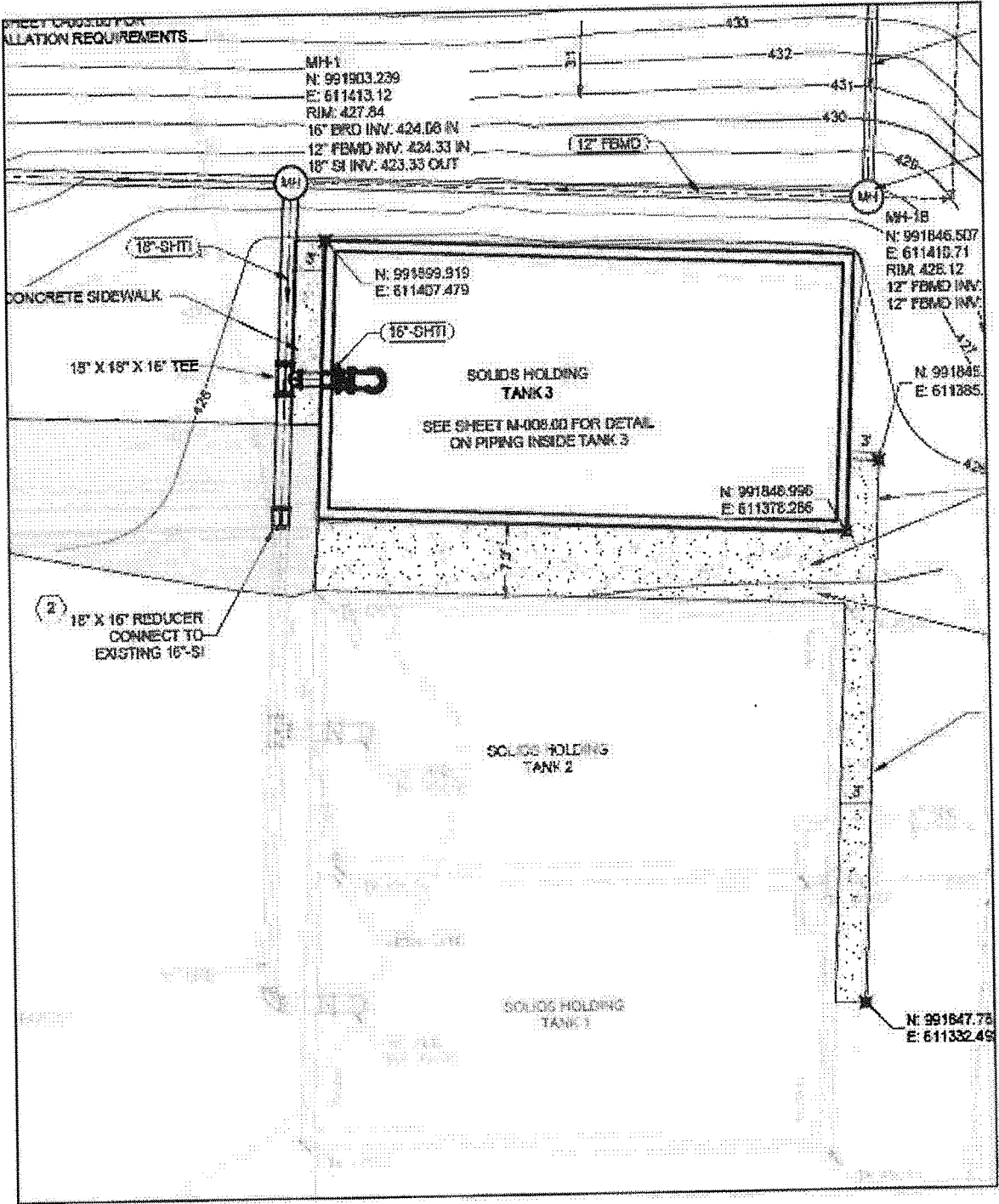


Figure 4. Solids Holding Tank Location

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.

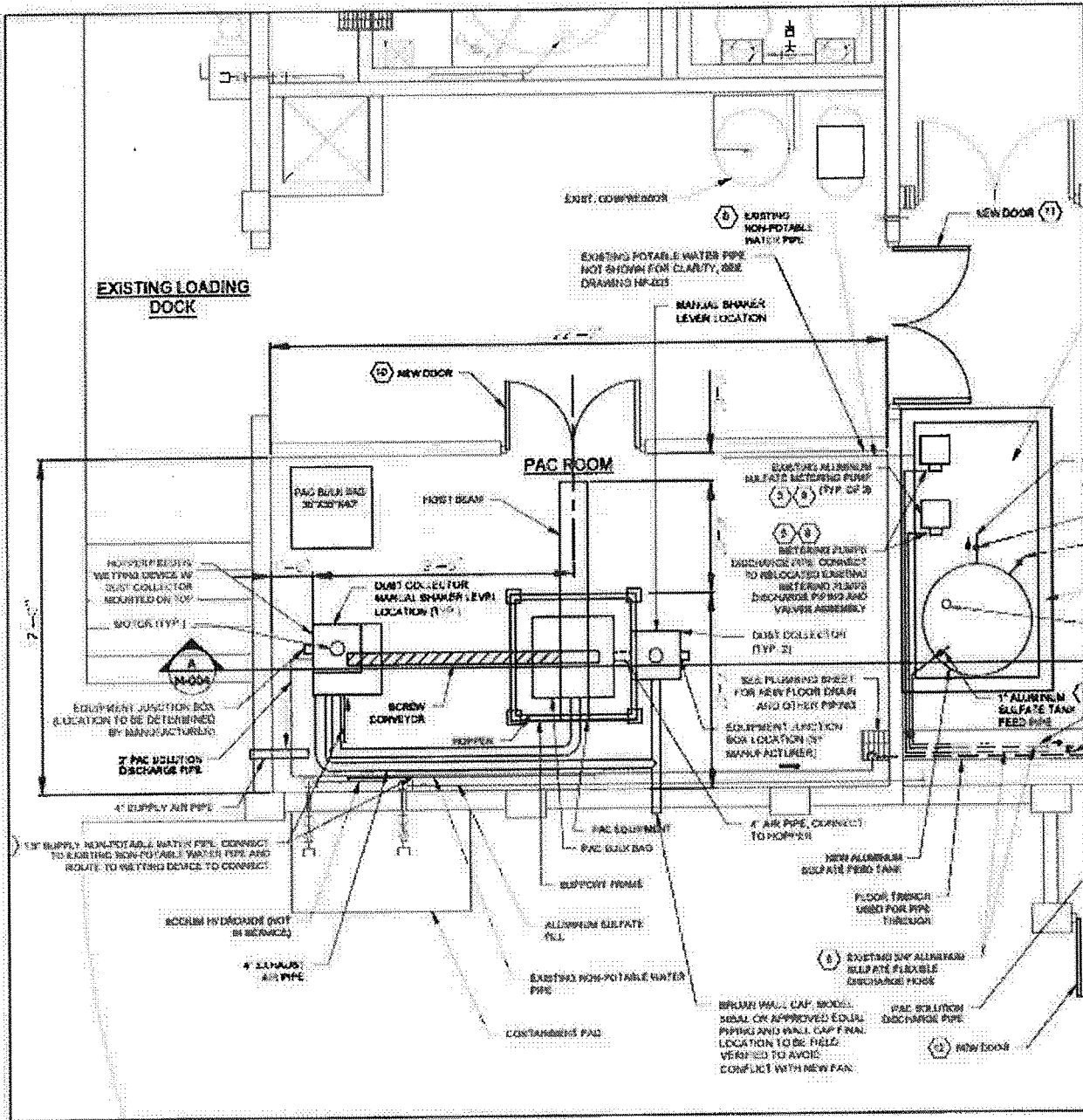


Figure 5. PAC Room

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.

#9

**FIRST AMENDMENT AND EXTENSION TO
CONTRACT FOR AMBULANCE SERVICES**

THIS AMENDMENT AND EXTENSION AGREEMENT (“Amendment No. 1”) is made the ___ day of _____, 2023 by and between THE TOWN OF NEWBURGH, a municipal corporation of the State of New York, maintaining its offices at 1496 NYS Route 300, NEWBURGH, NY 12550, hereinafter referred to as the Town; and **TOWN OF NEWBURGH EMERGENCY MEDICAL SERVICES, INC.**, a not-for-profit corporation, maintaining its office at 97 SOUTH PLANK RD., NEWBURGH, NY 12550, hereinafter referred to as TONEMS.

WHEREAS, the Town has lawfully established an ambulance district within the Town of Newburgh (the “District”); and

WHEREAS, upon the establishment of the District the Town Board is authorized to provide an emergency medical service, a general ambulance service or a combination of such services for the purpose of providing prehospital emergency medical treatment or transporting sick or injured persons found within the boundaries of the district to a hospital, clinic, sanatorium or other place for treatment of such illness or injury; and

WHEREAS, to that end, the Town Board is further authorized pursuant to the provisions of section 198 (10-f) of the Town Law to contract with an organization to supply, staff and equip emergency medical service or ambulance vehicles suitable or a combination thereof for such purposes and operate such vehicles for the furnishing of prehospital emergency services; and

WHEREAS, TONEMS is a not-for-profit corporation organized on a volunteer basis to provide rescue, first aid and ambulance services to sick or injured people in the Town and within the District; and

WHEREAS, TONEMS possesses and is able to supply ambulances, additional emergency medical service vehicles and equipment for the provision of such services to the District; and

WHEREAS, TONEMS is staffed with volunteers and professionals with sufficient training and experience for operation of ambulance vehicles and for the furnishing of pre-hospital emergency treatment services; and

WHEREAS, TONEMS holds all necessary New York State Department of Health operating certificates for Basic Life Support (BLS); and

WHEREAS, TONEMS is available to provide proper service to the residents of the Town within the District; and

WHEREAS, the Town and TONEMS entered into the certain Agreement dated the 17th day of November, 2022 pursuant to which TONEMS agreed to provide emergency medical services (BLS) and ambulance services within the District (the “Agreement”); and

WHEREAS, the term of the Agreement was for one (1) year, commencing on January 1, 2023 and ending on December 31, 2023 (“Initial Term”);

WHEREAS, the Town and TONEMS now desire to renew and extend the term of the Agreement for up to three (3) additional periods of one (1) year each (individually a “Renewal Term” and collectively the “Renewal Terms”), and to amend the Agreement, upon the terms and conditions set forth below.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, it is hereby agreed as follows:

1. The foregoing recitals are true and correct and are hereby incorporated into this Amendment No. 1 as if set forth at length herein.
2. The Agreement is hereby extended for an additional one (1)-year period, commencing on January 1, 2024 and ending on December 31, 2024 (“Renewal Term #1”). Unless either party shall give to the other party at least thirty (30) days advance written notice prior to an anniversary date of the commencement of any Renewal Term of its intention not to renew the Agreement, the Agreement as amended herein shall automatically be renewed for two (2) additional successive one (1) year periods the first commencing on January 1, 2025 and ending on December 31, 2025 (“Renewal Term #2”) and the second commencing on January 1, 2026 and ending on December 31, 2026 (“Renewal Term #3”).
3. At the conclusion of Renewal Term #3, unless either party shall have given to the other party at least thirty (30) days advance written notice of its intention not to renew the agreement, this agreement shall automatically be extended on a month to month basis commencing on January 1, 2027 on the same terms and conditions as set forth herein, except the payment set forth in Subsection 3 below shall be prorated to a monthly amount of THIRTY FOUR THOUSAND SEVEN HUNDRED TWENTY SIX and 97/100 DOLLARS (\$34,726.97), which amount shall be payable on or before the 15th day of each month of the extended month to month term.. During the month to month term extensions, either party may give to the other party written notice of termination at least 30 days in advance of the 1st day of the next succeeding month, in which event the Agreement shall terminate at midnight of the day preceding that 1st day of the month so noticed. At the conclusion of any unrenewed Renewal Term or extended term, as the case may be, unless this Agreement is renewed, neither party shall have any further obligation to the other, but this shall not relieve a party from concluding obligations which were incurred or accrued prior to the end of the term.
4. In consideration of TONEMS providing ambulance and emergency medical services to the District during the Renewal Terms, the Town covenants and agrees to pay TONEMS:
 - A. the sum of THREE HUNDRED NINETY TWO THOUSAND EIGHT HUNDRED TWO and N0/100 DOLLARS (\$392,802.00) for Renewal Term #1 with payment to be made in installments in accordance with the schedule annexed hereto as Exhibit “B-1”;

- B. the sum of FOUR HUNDRED FOUR THOUSAND FIVE HUNDRED EIGHTY SIX and N0/100 DOLLARS (\$404,586.00)) for Renewal Term #2 with payment to be made in installments in accordance with the schedule annexed hereto as Exhibit "B-2"; and
- C. the sum of FOUR HUNDRED SIXTEEN THOUSAND SEVEN HUNDRED TWENTY FOUR and N0/100 DOLLARS (\$416,724.00) for Renewal Term #3 with payments to be made in instalments in accordance with the schedule annexed hereto as Exhibit "B-3".

TONEMS shall submit vouchers for payment in the form prescribed by the Town.

- 5. Pursuant to Town Law Section 198[10-f][b)], the Town Board additionally continues to authorize TONEMS to collect charges for use of ambulance and emergency medical services provided pursuant to the Agreement in accordance with the Schedule of Charges established by the Town Board annexed to the Agreement as Exhibit "C" as amended from time to time with approval of the Town Board, during Renewal Term #1, Renewal Term #2, Renewal Term #3 and any month to month extension thereafter.
- 6. Except as modified by this Amendment No. 1, the Agreement remains unchanged and in full force and effect. The terms used in this Amendment No.1, unless otherwise defined herein, shall have the meanings as set forth in the Agreement. If there shall be any conflict or inconsistency between the terms and conditions of this Amendment #1 and the Agreement, the terms and conditions of this First Amendment and Extension shall control.

IN WITNESS WHEREOF, the parties have caused this Amendment No. 1 to be approved by their respective governing bodies and to be executed by their duly authorized officers as of the date and year first above written.

TOWN OF NEWBURGH

**TOWN SUPERVISOR
GILBERT J. PLAQUADIO**

**TOWN OF NEWBURGH
EMS**

**EXECUTIVE DIRECTOR
GEORGE C NAPOLITANO**

EXHIBIT 'B-1'
SCHEDULE OF INSTALLMENT PAYMENTS
TO TONEMS
Renewal Term #1

Payment Dates: Amounts:	Installment
February 1, 2024	\$117,840.00
March 1, 2024	\$274,962.00

EXHIBIT 'B-2'
SCHEDULE OF INSTALLMENT PAYMENTS
TO TONEMS
Renewal Term #2

Payment Dates:
Amounts:

Installment

February 1, 2025

\$121,376.00

March 1, 2025

\$283,210.00

EXHIBIT 'B-3'
SCHEDULE OF INSTALLMENT PAYMENTS
TO TONEMS
Renewal Term #3

Payment Dates: Amounts:	Installment
February 1, 2026	\$125,017.00
March 1, 2026	\$291,707.00

#16B

**TOWN OF NEWBURGH
TOWN ENGINEER**

MEMORANDUM

TO: Gilbert Piaquadio, Town Supervisor and Town Board

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

DATE: 10 October 2023

RE: Hillside Land Development – Stormwater Improvements
Town of Newburgh PB Project # 22-27
24 Jeanne Drive
Section 4, Block 2, Lot 66

The Hillside construction site plan proposes a one-story 25,971 square foot warehouse facility located at Jeanne Drive. The project has conditional final approval from the Planning Board. One of the conditions is the establishment of security for the stormwater and erosion and sediment control for the site. The applicant's representative, Fellenzer Engineering, has submitted a cost estimate for the stormwater improvements on the site (copies attached). Stormwater security in the amount \$228,068.00 is required. An inspection fee in accordance with the Town's prevailing fee schedule is required. 4% inspection fee is required based on Town Code. This equates to an inspection fee of \$9,123.00. Based on the above, we request the Town Board establish the stormwater security and inspection fees based on these amounts. Establishment of the stormwater security requires Town Board action.

Enclosure: Stormwater Improvements Cost Estimate

Cc: John P. Ewasutyn, Town Planning Board Chairman
Gerald Canfield, Code Compliance Supervisor

Project Name: Hillside Land Development
 Planning Board No.: 22-27

Municipality: Town of Newburgh
 Date: 17-Aug-23

PUBLIC IMPROVEMENT UNIT PRICES
(Interim Update Dec. 2018)

Description	Unit	Unit Cost	Total		Completed Quantity	Completed Cost	Remaining Cost
			Quantity	Total Cost			
<u>Roadway and Parking Lot</u>							
Grade Subgrade in ROW	SY	\$ 1.20		\$		\$	-
Cut and Chip Trees	AC	\$ 8,820.50		\$		\$	-
Stump removal and disposal	AC	\$ 6,105.50		\$		\$	-
Erosion Control	AC	\$ 4,340.00		\$		\$	-
Silt Fence	LF	\$ 6.50		\$		\$	-
Roadway Subbase							
Roadway Subbase (8" Course)	CY	\$ 62.40		\$		\$	-
Roadway Subbase (12" Course)	SY	\$ 14.40		\$		\$	-
Roadway Subbase (15" Course)	SY	\$ 21.00		\$		\$	-
Roadway Subbase (15" Course)	SY	\$ 25.90		\$		\$	-
Asphalt Pavement							
Asphalt Pavement (1.5" top)	TN	\$ 183.20		\$		\$	-
Asphalt Pavement (2" top)	SY	\$ 16.10		\$		\$	-
Asphalt Pavement (3" course)	SY	\$ 20.75		\$		\$	-
Asphalt Pavement (3.5" course)	SY	\$ 31.00		\$		\$	-
Asphalt Pavement (3.5" course)	SY	\$ 36.25		\$		\$	-
Asphalt Pavement (4" course)	SY	\$ 42.00		\$		\$	-
Asphalt Pavement (5" course)	SY	\$ 51.75		\$		\$	-
Asphalt Pavement (intensive handwork)	TN	\$ 285.25		\$		\$	-
Tack Coat							
Tack Coat	SY	\$ 1.00		\$		\$	-
Double Surface Treatment							
Double Surface Treatment	SY	\$ 11.00		\$		\$	-
Roadway ROW Topsoil (6") & Seeding							
Roadway ROW Topsoil (6") & Seeding	SY	\$ 17.55		\$		\$	-
Concrete Monuments							
Concrete Monuments	EA	\$ 196.75		\$		\$	-
Roadway As-Builts (50' Wide)							
Roadway As-Builts (50' Wide)	LF	\$ 1.50		\$		\$	-
Street Signs (Traffic Control)							
Street Signs (Traffic Control)	EA	\$ 305.35		\$		\$	-
Street ID							
Street ID	EA	\$ 340.00		\$		\$	-
Concrete Curbing							
Concrete Curbing	LF	\$ 50.00		\$		\$	-

Project Name: Hillside Land Development
 Planning Board No.: 22-27

Municipality: Town of Newburgh
 Date: 17-Aug-23

PUBLIC IMPROVEMENT UNIT PRICES
 (Interim Update Dec. 2018)

Description	Unit	Unit Cost	Total Quantity	Total Cost	Completed Quantity	Completed Cost	Remaining Cost
Concrete Sidewalk up to 1000 SY	SY	\$ 115.00	-	-	\$	-	\$
Concrete Sidewalk >1000 SY	SY	\$ 80.00	-	-	\$	-	\$
Concrete Sidewalk (4' Wide)	LF	\$ 52.00	-	-	\$	-	\$
Concrete Sidewalk (5' Wide)	LF	\$ 63.85	-	-	\$	-	\$
Street Trees (2.5" Cal; w/ frame and grate)	EA	\$ 1,700.00	-	-	\$	-	\$
Street Trees (2.5" Cal)	EA	\$ 770.00	-	-	\$	-	\$
Street Lights (std. luminair, u/g feed)	EA	\$ 9,200.00	-	-	\$	-	\$
Guide Rail (W-Beam)	LF	\$ 67.90	-	-	\$	-	\$
Guide Rail (Box Beam)	LF	\$ 95.00	-	-	\$	-	\$
End Section (W-Beam, Wrap)	EA	\$ 1,208.00	-	-	\$	-	\$
End Section (W-Beam, Concrete Anchor)	EA	\$ 3,000.00	-	-	\$	-	\$
Modular Block Retaining Wall (upto 6' High)	SF	\$ 55.00	-	-	\$	-	\$
Modular Block Retaining Wall (over 6' High)	SF	\$ 65.00	-	-	\$	-	\$
Concrete Retaining Wall (upto 6' High)	CY	\$ 950.00	-	-	\$	-	\$
Concrete Retaining Wall (over 6' High)	CY	\$ 1,155.75	-	-	\$	-	\$
Drainage							
Catch Basin (Standard Depth)	EA	\$ 4,888.00	16	\$ 78,208.00	\$	-	\$ 78,208.00
Stormwater Manhole (Standard Depth)	EA	\$ 5,428.00	-	-	\$	-	\$
Connection to Existing Catch Basin	EA	\$ 1,360.00	-	-	\$	-	\$
Stormwater Pipe (HDPE - 15")	LF	\$ 75.00	794	\$ 59,550.00	\$	-	\$ 59,550.00
Stormwater Pipe (HDPE - 18")	LF	\$ 92.00	-	-	\$	-	\$
Stormwater Pipe (HDPE - 24")	LF	\$ 101.75	-	-	\$	-	\$
Stormwater Pipe (HDPE - 30")	LF	\$ 122.00	-	-	\$	-	\$
Stormwater Pipe (HDPE - 36")	LF	\$ 143.00	-	-	\$	-	\$
Stormwater Pipe (HDPE - 48")	LF	\$ 190.00	-	-	\$	-	\$
End Section (HDPE)	EA	\$ 815.00	-	-	\$	-	\$
Stormwater Pipe (RCP - 15")	LF	\$ 81.75	-	-	\$	-	\$
Stormwater Pipe (RCP - 18")	LF	\$ 92.00	-	-	\$	-	\$
Stormwater Pipe (RCP - 24")	LF	\$ 101.75	-	-	\$	-	\$
Stormwater Pipe (RCP - 30")	LF	\$ 162.75	-	-	\$	-	\$

Project Name: Hillside Land Development
 Planning Board No.: 22-27

Municipality: Town of Newburgh
 Date: 17-Aug-23

PUBLIC IMPROVEMENT UNIT PRICES
(Interim Update Dec. 2018)

Description	Unit	Unit Cost	Total Quantity	Total Cost	Completed Quantity	Completed Cost	Remaining Cost
Stormwater Pipe (RCP - 36")	LF	\$ 203.50	-	-	\$	-	\$ -
Stormwater Pipe (RCP - 48")	LF	\$ 291.50	-	-	\$	-	\$ -
End Section (RCP)	EA	\$ 1,020.00	-	-	\$	-	\$ -
Concrete Headwall	EA	\$ 8,280.00	2	16,560.00	\$	-	\$ 16,560.00
Rip Rap Drainage Channel	CY	\$ 120.00	-	-	\$	-	\$ -
Non-lined Drainage Channel	LF	\$ 16.40	-	-	\$	-	\$ -
Preforated Pipe/Stone Underdrain	LF	\$ 35.40	-	-	\$	-	\$ -
Concrete Box Culvert (6'x4') w/wingwalls	LF	\$ 3,122.00	-	-	\$	-	\$ -
Concrete Box Culvert (3'x3'), w/wingwalls	LF	\$ 2,445.00	-	-	\$	-	\$ -
<u>Water</u>							
Watermain (DI - 8")	LF	\$ 110.00	-	-	\$	-	\$ -
Gate Valve (8")	EA	\$ 2,300.00	-	-	\$	-	\$ -
Tapping Sleeve and Valve (8")	EA	\$ 8,165.00	-	-	\$	-	\$ -
Watermain (DI - 12")	LF	\$ 135.00	-	-	\$	-	\$ -
Gate Valve (12")	EA	\$ 6,960.00	-	-	\$	-	\$ -
Tapping Sleeve and Valve (12")	EA	\$ 10,178.00	-	-	\$	-	\$ -
Hydrant Assembly	EA	\$ 7,800.00	-	-	\$	-	\$ -
House service (w/out licensed plumber)	EA	\$ 2,715.00	-	-	\$	-	\$ -
Air relief Valve & Vault	EA	\$ 10,800.00	-	-	\$	-	\$ -
Pressure Reducing Valve & Vault	EA	\$ 14,258.50	-	-	\$	-	\$ -
Watermain Offset (8")	EA	\$ 6,785.00	-	-	\$	-	\$ -
Line Stop and Gate Valve installation (8")	EA	\$ 12,215.00	-	-	\$	-	\$ -
Insertion Valve (8")	EA	\$ 14,950.00	-	-	\$	-	\$ -
6" C900 PVC	LF	\$ 75.00	-	-	\$	-	\$ -
6" Gate Valve	EA	\$ 1,800.00	-	-	\$	-	\$ -
<u>Sewer</u>							
Sewer Main (Strd Depth, PVC - 8")	LF	\$ 92.00	-	-	\$	-	\$ -
Sewer Main (Strd Depth, PVC - 12")	LF	\$ 114.00	-	-	\$	-	\$ -
Sewer PVC Force Main	LF	\$ 92.00	-	-	\$	-	\$ -

#16 C

**TOWN OF NEWBURGH
TOWN ENGINEER**

MEMORANDUM

TO: Gilbert Piaquadio, Town Supervisor and Town Board

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

DATE: 10 October 2023

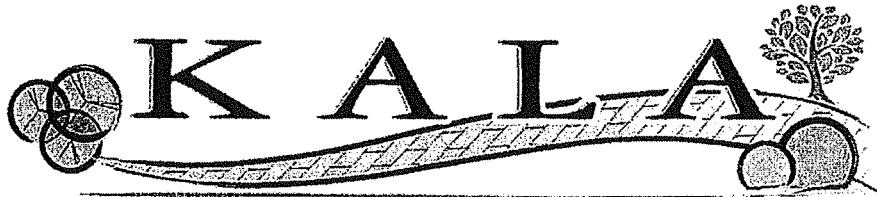
RE: Hillside Land Development – Preservation and Protection
Town of Newburgh PB Project # 22-27
24 Jeanne Drive
Section 4, Block 2, Lot 66

In accordance with Section 172 of the Town Code, as recently revised, a performance security is required. Section 172-9C – “the amount of performance security shall be calculated as 25% of the total Significant Tree and Protected Tree inches shown as preserved that are located within 15-foot of a disturbance zone and multiplied by \$125.00 per inch in diameter plus 100% of the total tree inch in diameter required by the reforestation plan if applicable multiplied by \$125.00 per inch diameter. Performance security shall be \$1,000.00. The amount of performance security shall be maintained at the calculated level until such time as i.) all trees on the site preserved and reforested trees have survived a winter season which is defined as the period 31 October – 30 April for the purpose of this Section and ii.) Town has inspected the site and authorized a reduction of release”.

The applicant’s representative, Fellenzer Engineers, have calculated the performance security for the site in the amount of \$1,781.25. It is recommended that an inspection fee in the amount of \$750.00 be provided for follow up inspections identified in Section 172-9C. The establishment of the performance security and inspection fee requires Town Board action. Please contact me should you have any questions or comments regarding this matter.

Enclosure: Karen Arent memo date 2 October 2023

Cc: John P. Ewasutyn, Town Planning Board Chairman
Gerald Canfield, Code Compliance Supervisor



Karen Arent Landscape Architect

Memorandum

To: Supervisor Gil Piaquadio and the Town of Newburgh Board

From: Karen Arent, Landscape Architect

Date: October 2, 2023

Subject: Hillside Land Development Landscape and Performance Bonds

Town Project Number: 2022-27

Consultant: Fellenzer Engineering LLP

CC: Pat Hines, Dominic Cordisco, Gerald Canfield, Jim Campbell, Scott Manley, Joe Brunning, Ryan Fellenzer, Chairman John Ewasutyn and the Town of Newburgh Planning Board

COMMENTS:

The landscape cost estimate and performance bond estimates for Hillside Land Development were reviewed. Unit costs are reasonable and the landscape bond is recommended for approval. We recommend that the board approve landscape security in the amount of \$58,579. The landscape inspection escrow amount for this project is \$3,000.

We recommend approval of Performance Bond for monitoring trees to remain and be protected that are located within 15 feet of the limit of disturbance. The bond would be \$1,781. A landscape monitoring escrow should be considered as the code requires at least five visits to the site to inspect the trees to be protected, and the inspections would be completed at a different time than the landscape planting inspection.



karenarentdesign

12 Old Minisink Trail Goshen, NY 10924
845-294-9958 Phone KarenArentDesign@frontier.com

www.KarenArentDesigns.com



#16D

**TOWN OF NEWBURGH
TOWN ENGINEER**

MEMORANDUM

TO: Gilbert Piaquadio, Town Supervisor and Town Board

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

DATE: 10 October 2023

RE: Hillside Land Development – Landscape and Performance Security
Town of Newburgh PB Project # 22-27
24 Jeanne Drive
Section 4, Block 2, Lot 66

Representatives of the subject project have provided a cost estimate to Karen Arent, the Town's Landscape Architect Consultant. Attached under cover of this memo is a 2 October 2023 memo from Karen Arent's office recommending the establishment of the landscape security in the amount of \$58,579.00. A landscape inspection fee for the project is recommended at \$3,000.00. Town Board action is required to set the security and inspection fee.

Enclosure: Memo from Karen Arent dated 2 October 2023

Cc: John P. Ewasutyn, Town Planning Board Chairman
Gerald Canfield, Code Compliance Supervisor



Memorandum

To: Supervisor Gil Piaquadio and the Town of Newburgh Board

From: Karen Arent, Landscape Architect

Date: October 2, 2023

Subject: Hillside Land Development Landscape and Performance Bonds

Town Project Number: 2022-27

Consultant: Fellenzer Engineering LLP

CC: Pat Hines, Dominic Cordisco, Gerald Canfield, Jim Campbell, Scott Manley, Joe Brunning, Ryan Fellenzer, Chairman John Ewasutyn and the Town of Newburgh Planning Board

COMMENTS:

The landscape cost estimate and performance bond estimates for Hillside Land Development were reviewed. Unit costs are reasonable and the landscape bond is recommended for approval. We recommend that the board approve landscape security in the amount of \$58,579. The landscape inspection escrow amount for this project is \$3,000.

We recommend approval of Performance Bond for monitoring trees to remain and be protected that are located within 15 feet of the limit of disturbance. The bond would be \$1,781. A landscape monitoring escrow should be considered as the code requires at least five visits to the site to inspect the trees to be protected, and the inspections would be completed at a different time than the landscape planting inspection.



karenarentdesign

12 Old Minisink Trail Goshen, NY 10924
845-294-9958 Phone KarenArentDesign@frontier.com
www.KarenArentDesigns.com



#10 E

**TOWN OF NEWBURGH
TOWN ENGINEER**

MEMORANDUM

TO: Gilbert Piaquadio, Town Supervisor and Town Board
FROM: Patrick J. Hines, Representative, Engineers for the Town
DATE: 10 October 2023
RE: Hillside Land Development – Stormwater Facilities Maintenance Agreement
Town of Newburgh PB Project # 22-27
24 Jeanne Drive
Section 4, Block 2, Lot 66

The project proposes a 25,971 square foot warehouse facility located off Jeanne Drive. The conditionally approved plans contain stormwater management facilities, which will require long-term operation and maintenance. The Planning Board has approved a SWPPP for the project detailing the long-term maintenance requirements. The applicants have submitted the attached Stormwater Facilities Maintenance Agreement and required filing form.

Town Board approval of the Stormwater Facilities Maintenance Agreement is required. We request that this approval be conditioned on approval by the Town Attorney. Please contact me should you have any questions or require any additional information.

Enclosure: Stormwater Maintenance Agreement
Filing Form

Cc: John P. Ewasutyn, Town Planning Board Chairman
Gerald Canfield, Code Compliance Supervisor

Town of Newburgh

Section 34 Block 2 Lot 66

TOWN OF NEWBURGH

Stormwater Control Facility Maintenance Agreement

THIS AGREEMENT is made this ____ day of _____, 2023 by and between the Town of Newburgh, having an address at 1496 Route 300, Newburgh, New York 12550 ("Municipality") and Hillside Land Development Inc., having an address at PO Box 2758 Newburgh, NY 12550 (the "Facility Owner").

Whereas, the Municipality and the Facility Owner want to enter into an agreement to provide for the long term maintenance and continuation of stormwater control measures approved by the Municipality for the below named project; and

Whereas, the Facility Owner is the owner of certain real property in the Town of Newburgh consisting of approximately +/- 3.07 acres more particularly described in Schedule "A" annexed hereto and made a part hereof (the "Property"); and

Whereas, the Municipality and the Facility Owner desire that the stormwater control measures be built in accordance with the approved project plans and thereafter be maintained, cleaned, repaired, replaced and continued in perpetuity in order to ensure optimum performance of the components.

Now, therefore, the Municipality and the Facility Owner agree as follows:

1. This agreement binds the Municipality and the Facility Owner, its successors and assigns to the maintenance provisions depicted in the approved project plans and Stormwater Pollution Prevention Plan which are on file with the Municipality's Stormwater Management Officer.
2. The Facility Owner shall maintain, clean, repair, replace and continue the stormwater control measures depicted on the approved project plans for the Facility known as Hillside Land Development Inc. on and about the Property, as necessary to ensure optimum performance of the measures to design specifications. The stormwater control measures shall include, but shall not be limited to, the following: drainage ditches, swales, dry wells, infiltrators, drop inlets, pipes, culverts, soil absorption devices and retention ponds and other stormwater practices identified in the Stormwater Pollution Prevention Plan (SWPPP) approved by the Municipality [annexed hereto as Schedule "B."]

3. The Facility Owner shall be responsible for all expenses related to the maintenance of the stormwater control measures and shall establish a means for the collection and distribution of expenses among parties for any commonly owned facilities.

4. The Facility Owner shall provide for the periodic inspection of the stormwater control measures, not less than once a year, to determine the condition and integrity of the measures. Such inspection shall be performed by a Professional Engineer licensed by the State of New York. The inspecting engineer shall prepare and submit to the Municipality within 30 days of the inspection, a written report of the findings including recommendations for those actions necessary for the continuation of the stormwater control measures.

5. The Facility Owner shall not authorize, undertake or permit alteration, abandonment, modification or discontinuation of the stormwater control measures except in accordance with written approval of the Municipality. The obligations of the Facility Owner under paragraphs 2, 3, 4 and 6 of this Agreement shall toll upon the completion of the establishment of a drainage district of the Municipality and the acceptance of the dedication of the stormwater control measures by the Municipality. The tolling period shall end upon the discontinuance or dissolution of the municipal drainage district.

6. The Facility Owner shall undertake necessary maintenance, repairs and replacement of the stormwater control measures at the direction of the Municipality or in accordance with the recommendations of the inspecting engineer.

7. The Facility Owner shall provide to the Municipality within 30 days of the date of this agreement, such security for the maintenance and continuation of the stormwater control measures as the Municipality may have required in its approval in the form acceptable to the Town Engineer and Town Attorney (a bond, letter of credit or escrow account).

8. This agreement shall be recorded in the Office of the County Clerk, County of Orange and shall be included in any offering plan and/or prospectus or lease. All rights, title and privileges herein granted, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors, assigns and legal representatives.

9. If ever the Municipality determines that the Facility Owner has failed to construct or maintain the stormwater control measures in accordance with the project plans or has failed to undertake corrective action specified by the Municipality or by the inspecting engineer, the Municipality is authorized to undertake such steps as reasonably necessary for the preservation, continuation or maintenance of the stormwater control measures and to affix the expenses thereof as a lien against the property. The Facility Owner shall reimburse the Municipality for all costs and expenses, including reasonable attorneys' fees, incurred in enforcing this Agreement and curing a violation.

10. This agreement is effective _____, 2023.

THE BALANCE OF THIS PAGE IS INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the parties have duly executed this agreement as of the day and year first above written.

TOWN OF NEWBURGH

Hillside Land Development Inc.

By: _____
Gilbert J. Piaquadio, Supervisor

BY: _____
Printed Name: Paul S Hoffner
Title: President

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

On the _____ day of _____, in the year 2023 before me, the undersigned, personally appeared **GILBERT J. PIAQUADIO** personally known to me or proved to me on the basis of satisfactory evidence to be the individual (s) whose name (s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity (ies), and that by his/her/their signature (s) on the instrument, the individual (s), or the person upon behalf of which the individual (s) acted, executed the instrument.

Notary Public

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

On the 9th day of Aug., in the year 2023 before me, the undersigned, personally appeared Paul S. Hoffner personally known to me or proved to me on the basis of satisfactory evidence to be the individual (s) whose name (s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity (ies), and that by his/her/their signature (s) on the instrument, the individual (s), or the person upon behalf of which the individual (s) acted, executed the instrument.

Maria J. Zaharek
Notary Public
MARIA J. ZAHAREK
Notary Public-State of New York
No. 01ZA5078371
Qualified in Ulster County
Commission Expires May 27, 2027

SCHEUDLE "A"

For conveyances of real property, or interest therein, located in New York City, you must use Form TP-584-NYC.



Department of Taxation and Finance

TP-584 (9/19)

Recording office time stamp

Combined Real Estate Transfer Tax Return, Credit Line Mortgage Certificate, and Certification of Exemption from the Payment of Estimated Personal Income Tax

See Form TP-584-I, Instructions for Form TP-584, before completing this form. Print or type.

Schedule A - Information relating to conveyance

Form with sections for Grantor/Transferor and Grantee/Transferee, including fields for Name, Mailing address, City, State, ZIP code, Social Security number (SSN), and Employer Identification Number (EIN).

Location and description of property conveyed

Table with 5 columns: Tax map designation, SWIS code, Street address, City, town, or village, and County. Row 1: 34-2-66, 334600, 24 Jeanne Dr, Town of Newburgh, Orange.

Type of property conveyed (mark an X in applicable box)

Form with checkboxes for property types (1-5) and date of conveyance (09/27/2023). Percentage of real property conveyed which is residential real property: 0%.

Form with checkboxes for conditions of conveyance (a-s), including 'Conveyance of fee interest', 'Acquisition of a controlling interest', and 'Other (describe) Stormwater agreement'.

Table for recording officer's use with columns: Amount received (Schedule B, Part 1 and 2), Date received, and Transaction number.

Schedule B – Real estate transfer tax return (Tax Law Article 31)

Part 1 – Computation of tax due

- 1 Enter amount of consideration for the conveyance (if you are claiming a total exemption from tax, mark an X in the Exemption claimed box, enter consideration and proceed to Part 3) Exemption claimed
- 2 Continuing lien deduction (see instructions if property is taken subject to mortgage or lien)
- 3 Taxable consideration (subtract line 2 from line 1)
- 4 Tax: \$2 for each \$500, or fractional part thereof, of consideration on line 3
- 5 Amount of credit claimed for tax previously paid (see instructions and attach Form TP-584.1, Schedule G)
- 6 Total tax due* (subtract line 5 from line 4)

1.	0	00
2.	0	00
3.	0	00
4.	0	00
5.	0	00
6.	0	00

Part 2 – Computation of additional tax due on the conveyance of residential real property for \$1 million or more

- 1 Enter amount of consideration for conveyance (from Part 1, line 1)
- 2 Taxable consideration (multiply line 1 by the percentage of the premises which is residential real property, as shown in Schedule A) ...
- 3 Total additional transfer tax due* (multiply line 2 by 1% (.01))

1.	0	00
2.	0	00
3.	0	00

Part 3 – Explanation of exemption claimed on Part 1, line 1 (mark an X in all boxes that apply)

The conveyance of real property is exempt from the real estate transfer tax for the following reason:

- a. Conveyance is to the United Nations, the United States of America, New York State, or any of their instrumentalities, agencies, or political subdivisions (or any public corporation, including a public corporation created pursuant to agreement or compact with another state or Canada) a
- b. Conveyance is to secure a debt or other obligation..... b
- c. Conveyance is without additional consideration to confirm, correct, modify, or supplement a prior conveyance..... c
- d. Conveyance of real property is without consideration and not in connection with a sale, including conveyances conveying realty as bona fide gifts..... d
- e. Conveyance is given in connection with a tax sale..... e
- f. Conveyance is a mere change of identity or form of ownership or organization where there is no change in beneficial ownership. (This exemption cannot be claimed for a conveyance to a cooperative housing corporation of real property comprising the cooperative dwelling or dwellings.) Attach Form TP-584.1, Schedule F f
- g. Conveyance consists of deed of partition..... g
- h. Conveyance is given pursuant to the federal Bankruptcy Act..... h
- i. Conveyance consists of the execution of a contract to sell real property, without the use or occupancy of such property, or the granting of an option to purchase real property, without the use or occupancy of such property..... i
- j. Conveyance of an option or contract to purchase real property with the use or occupancy of such property where the consideration is less than \$200,000 and such property was used solely by the grantor as the grantor's personal residence and consists of a one-, two-, or three-family house, an individual residential condominium unit, or the sale of stock in a cooperative housing corporation in connection with the grant or transfer of a proprietary leasehold covering an individual residential cooperative apartment..... j
- k. Conveyance is not a conveyance within the meaning of Tax Law, Article 31, § 1401(e) (attach documents supporting such claim) k

* The total tax (from Part 1, line 6 and Part 2, line 3 above) is due within 15 days from the date of conveyance. Make check(s) payable to the county clerk where the recording is to take place. For conveyances of real property within New York City, use Form TP-584-NYC. If a recording is not required, send this return and your check(s) made payable to the **NYS Department of Taxation and Finance**, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-0045. If not using U.S. Mail, see Publication 55, *Designated Private Delivery Services*.

Schedule C – Credit Line Mortgage Certificate (Tax Law Article 11)

Complete the following only if the interest being transferred is a fee simple interest.

This is to certify that: (mark an X in the appropriate box)

1. The real property being sold or transferred is not subject to an outstanding credit line mortgage.
2. The real property being sold or transferred is subject to an outstanding credit line mortgage. However, an exemption from the tax is claimed for the following reason:
 - a The transfer of real property is a transfer of a fee simple interest to a person or persons who held a fee simple interest in the real property (whether as a joint tenant, a tenant in common or otherwise) immediately before the transfer.
 - b The transfer of real property is (A) to a person or persons related by blood, marriage or adoption to the original obligor or to one or more of the original obligors or (B) to a person or entity where 50% or more of the beneficial interest in such real property after the transfer is held by the transferor or such related person or persons (as in the case of a transfer to a trustee for the benefit of a minor or the transfer to a trust for the benefit of the transferor).
 - c The transfer of real property is a transfer to a trustee in bankruptcy, a receiver, assignee, or other officer of a court.
 - d The maximum principal amount secured by the credit line mortgage is \$3 million or more, and the real property being sold or transferred is not principally improved nor will it be improved by a one- to six-family owner-occupied residence or dwelling.

Note: for purposes of determining whether the maximum principal amount secured is \$3 million or more as described above, the amounts secured by two or more credit line mortgages may be aggregated under certain circumstances. See TSB-M-96(6)-R for more information regarding these aggregation requirements.

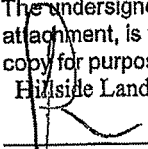
 - e Other (attach detailed explanation).
3. The real property being transferred is presently subject to an outstanding credit line mortgage. However, no tax is due for the following reason:
 - a A certificate of discharge of the credit line mortgage is being offered at the time of recording the deed.
 - b A check has been drawn payable for transmission to the credit line mortgagee or mortgagee's agent for the balance due, and a satisfaction of such mortgage will be recorded as soon as it is available.
4. The real property being transferred is subject to an outstanding credit line mortgage recorded in _____ (insert liber and page or reel or other identification of the mortgage). The maximum principal amount of debt or obligation secured by the mortgage is _____. No exemption from tax is claimed and the tax of _____ is being paid herewith. (Make check payable to county clerk where deed will be recorded.)

Signature (both the grantors and grantees must sign)

The undersigned certify that the above information contained in Schedules A, B, and C, including any return, certification, schedule, or attachment, is to the best of their knowledge, true and complete, and authorize the person(s) submitting such form on their behalf to receive a copy for purposes of recording the deed or other instrument effecting the conveyance.

Hillside Land Development, Inc.

Town of Newburgh

 Grantor signature Paul Hoffner	9/29/23 Date	President Title	Grantee signature Gil Piaquadio	Supervisor Title
Grantor signature	Date	Title	Grantee signature	Title

Reminder: Did you complete all of the required information in Schedules A, B, and C? Are you required to complete Schedule D? If you marked e, f, or g in Schedule A, did you complete Form TP-584.1? Have you attached your check(s) made payable to the county clerk where recording will take place? If no recording is required, send this return and your check(s), made payable to the **NYS Department of Taxation and Finance**, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-0045. If not using U.S. Mail, see Publication 55, *Designated Private Delivery Services*.

Schedule D – Certification of exemption from the payment of estimated personal income tax (Tax Law, Article 22, § 663)

Complete the following only if a fee simple interest or a cooperative unit is being transferred by an individual or estate or trust.

If the property is being conveyed by a referee pursuant to a foreclosure proceeding, proceed to Part 2, mark an X in the second box under *Exemption for nonresident transferors/sellers*, and sign at bottom.

Part 1 – New York State residents

If you are a New York State resident transferor/seller listed in Form TP-584, Schedule A (or an attachment to Form TP-584), you must sign the certification below. If one or more transferor/seller of the real property or cooperative unit is a resident of New York State, each resident transferor/seller must sign in the space provided. If more space is needed, photocopy this Schedule D and submit as many schedules as necessary to accommodate all resident transferors/sellers.

Certification of resident transferors/sellers

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor/seller as signed below was a resident of New York State, and therefore is not required to pay estimated personal income tax under Tax Law § 663(a) upon the sale or transfer of this real property or cooperative unit.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

Note: A resident of New York State may still be required to pay estimated tax under Tax Law § 685(c), but not as a condition of recording a deed.

Part 2 – Nonresidents of New York State

If you are a nonresident of New York State listed as a transferor/seller in Form TP-584, Schedule A (or an attachment to Form TP-584) but are not required to pay estimated personal income tax because one of the exemptions below applies under Tax Law § 663(c), mark an X in the box of the appropriate exemption below. If any one of the exemptions below applies to the transferor/seller, that transferor/seller is not required to pay estimated personal income tax to New York State under Tax Law § 663. Each nonresident transferor/seller who qualifies under one of the exemptions below must sign in the space provided. If more space is needed, photocopy this Schedule D and submit as many schedules as necessary to accommodate all nonresident transferors/sellers.

If none of these exemption statements apply, you must complete Form IT-2663, *Nonresident Real Property Estimated Income Tax Payment Form*, or Form IT-2664, *Nonresident Cooperative Unit Estimated Income Tax Payment Form*. For more information, see *Payment of estimated personal income tax*, on Form TP-584-I, page 1.

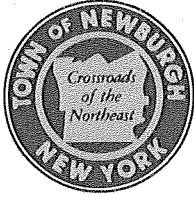
Exemption for nonresident transferors/sellers

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor/seller (grantor) of this real property or cooperative unit was a nonresident of New York State, but is not required to pay estimated personal income tax under Tax Law § 663 due to one of the following exemptions:

- The real property or cooperative unit being sold or transferred qualifies in total as the transferor's/seller's principal residence (within the meaning of Internal Revenue Code, section 121) from _____ to _____ (see instructions).
Date Date
- The transferor/seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure, or in lieu of foreclosure with no additional consideration.
- The transferor or transferee is an agency or authority of the United States of America, an agency or authority of New York State, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

18 A



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

GIL PIAQUADIO
Supervisor

845-564-4552
Fax: 845-566-9486
e-mail: supervisor@townofnewburgh.org

Date: October 10, 2023

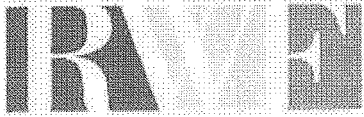
From: Supervisor Gil Piaquadio

To: Town of Newburgh Town Board Members

Re: Declaring Rink at Chadwick Lake Park Surplus

I am looking for a motion to declare the Rink at Chadwick Lake Park surplus.

This will make room for the new Recreation Center.



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

MEMORANDUM

P: 845.562.9100
F: 845.562.9126

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

ATTORNEYS

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

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

COUNSEL

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

OF COUNSEL

Craig F. Simon
Irene V. Villacci

TO: HON. GILBERT J. PIAQUADIO, SUPERVISOR
TOWN BOARD MEMBERS
FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN
RE: JCAP GRANT RESOLUTION;
OUR FILE NO. 800.1(B)() (2023)
DATE: October 6, 2023

Enclosed for the Town Board's consideration at its October 10, 2023 meeting is the following draft resolution with the specific language which the Justice Court has advised that the Office of Court Administration requires:

RESOLUTION OF SUPPORT TO CERTAIN INITIATIVES OF THE JUSTICE COURT OF THE TOWN OF NEWBURGH IN SUBMITTING AN APPLICATION FOR THE 2023-24 JUSTICE COURT ASSISTANCE PROGRAM (JCAP)

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

MCT:kac
Enclosure

cc: Lisa M. Vance Ayers, Town Clerk (via e-mail)
Ronald Clum, Town Accountant (via e-mail)
Abigail Puntar, Chief Clerk to Justice Clarino (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 10th day of October, 2023 at 7:00 P.M., Prevailing Time.

PRESENT:

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

RESOLUTION OF SUPPORT
TO CERTAIN INITIATIVES OF THE
JUSTICE COURT OF THE TOWN OF
NEWBURGH IN SUBMITTING AN
APPLICATION FOR THE 2023-24 JUSTICE
COURT ASSISTANCE PROGRAM (JCAP)

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

WHEREAS, the Town of Newburgh Justice Court has taken the initiative of seeking authorization to apply for a grant under the 2023-24 Justice Court Assistance Program (JCAP);
and

WHEREAS, the Town of Newburgh Justice Court has provided each member of the Town Council with all the details regarding this grant application, including the proposed use of any monies granted as a result of this application.

NOW, THEREFORE, BE IT RESOLVED that:

The Board of the Town of Newburgh authorizes the Newburgh Town Court to apply for a JCAP grant in the 2023-24 grant cycle up to \$30,000.00.”

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 10th day of October, 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 October, 2023.

Lisa M. Vance Ayers, Town Clerk