

#5A1



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: TOWN OF NEWBURGH 2024 ANNUAL BUDGET
OUR FILE NO. 800.1(B)() (2023)

DATE: OCTOBER 19, 2022

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
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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 please find the follow proposed Resolution for the fiscal year 2023 following the close of the public hearing.

1. Resolution Approving Annual Town Budget for 2024

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

cc: Lisa M. Vance Ayers, Town Clerk (via e-mail)
Joseph P. Pedi, Receiver of Taxes (via e-mail)
Ronald Clum, Town Accountant (via e-mail)
James Osborne, P.E. (via e-mail)
Molly Carhart, Assessor (via e-mail)

At a special 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 23rd 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

RESOLUTION APPROVING ANNUAL TOWN BUDGET FOR 2024

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

WHEREAS, the Town Board of the Town of Newburgh, duly held on October 23, 2023 commencing at 7:00 o'clock p.m., a public hearing on the preliminary budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2024; and

WHEREAS, following the close of the public hearing, the Town Board approved changes, alterations or revisions to the preliminary budget as permitted by New York State Town Law Section 108 in order to bring the budget under the tax cap levy limit imposed by General Municipal Law; and

WHEREAS, the matter of the budget for this Town for the upcoming fiscal year having been fully discussed and considered, it is

NOW, THEREFORE,

RESOLVED, that the preliminary budget, as revised and amended by the Town Board and hereinafter set forth, is hereby adopted as the annual budget of the Town of Newburgh for the fiscal year beginning January 1, 2024, and that the same shall be entered into the minutes of the Town Board, and be it further

RESOLVED, that the Town Clerk of this Town shall prepare and certify as provided by law, duplicate copies of said annual budget hereby adopted, and deliver such copies to the Supervisor of the Town who shall present such copies of the annual budget to the Legislature of the County of Orange as required by law.

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 M. Manley, Councilman</u>	<u>voting</u>
<u>Anthony R. LoBiondo, Councilman</u>	<u>voting</u>
<u>Gilbert J. Piacquadio, Supervisor</u>	<u>voting</u>

The resolution was thereupon declared duly adopted.

#5B1



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: TOWN OF NEWBURGH 2024 TOWN AND IMPROVEMENT
DISTRICT BUDGETS
OUR FILE NO. 800.1(B)(24)(2023)

DATE: OCTOBER 19, 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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COUNSEL

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

OF COUNSEL

Craig F. Simon
Irene V. Villacci

Enclosed please find the follow proposed Resolutions for the fiscal year 2023:

1. Resolution of Final Adoption of Assessment Rolls, Budgets and Benefit Formula in the Town of Newburgh For All Sewer Districts Billed Quarterly (Crossroads Consolidated, inclusive of the following areas of assessment; Crossroads, Meadow Hill South, Meadow Hill North, Algonquin, Gidney, Wintergreen) (total benefit units to be confirmed by Assessor);
2. Resolution of Final Adoption of Assessment Roll & Budget/Consolidated Water District (total assessed values for user units and access units to be verified by Assessor);
3. Resolution of Final Adoption of Assessment Roll & Budget – Laurie Lane Highway Improvement Area
4. Resolutions of Final Adoption of Assessment Roll & Budget for Drainage Districts (Amber Fields, Autumn Ridge, Blue Sky, Candlestick Hill, Chesterfield Court, Cox, Fini, Margate, Mountain Lake, Orchard Ridge, Pinnacle, Tarben Subdivision, Tarsio Subdivision and Woodlawn Heights);
5. Resolutions of Final Adoption of Assessment Roll & Budget for Lighting Districts (Colden Park, Consolidated, Fleetwood, Orange Lake and Lakeside);



HON. GILBERT J. PIAQUADIO, SUPERVISOR
TOWN BOARD MEMBERS
PAGE 2

6. Resolution of Final Adoption of Assessment Roll & Budget – Nob Hill Sewer District;
7. Resolution of Final Adoption of Assessment Roll & Budget – Roseton Hills Sewer District;
8. Resolution of Final Adoption of Assessment Roll & Budget – Town of Newburgh Ambulance District County Tax Warrant.
9. Resolution Approving Town, Highways and All Special Improvement Districts Budget;
10. Resolution Establishing the Operating & Maintenance Rates of the Town's Sewer Districts.

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

cc: Lisa M. Vance Ayers, Town Clerk (via e-mail)
Joseph P. Pedi, Receiver of Taxes (via e-mail)
Ronald Clum, Town Accountant (via e-mail)
James Osborne, P.E. (via e-mail)
Molly Carhart, Assessor (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 23rd day of October, 2023 at 7:00 P.M., Prevailing Time.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggerio, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

RESOLUTION OF FINAL ADOPTION OF ASSESSMENT ROLLS, BUDGETS AND BENEFIT FORMULA IN THE TOWN OF NEWBURGH/ SEWER DISTRICTS BILLED QUARTERLY

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

WHEREAS, the Town Board of the Town of Newburgh duly adopted a resolution finally approving a Benefit Formula to spread a portion of the cost of maintaining and operating the Town Districts and the payment of the debt service due for the fiscal year beginning January 1, 2024 over the properties within the Districts in proportion to the benefit derived, and

WHEREAS, the Annual Budget and Special Assessment Roll for the said district were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard; and

WHEREAS, the JOINT CONSOLIDATION AGREEMENT BETWEEN THE CROSSROADS CONSOLIDATED SEWER DISTRICT OF THE TOWN OF NEWBURGH, NEW YORK AND THE WINTERGREEN SEWER DISTRICT OF THE TOWN OF NEWBURGH, NEW YORK AND THE FLEETWOOD-HOLIDAY PARK SEWER DISTRICT OF THE TOWN OF NEWBURGH, NEW YORK AND THE 17K/UNION AVENUE SEWER DISTRICT OF THE TOWN OF NEWBURGH, NEW YORK AND THE MEADOW HILL NORTH SEWER DISTRICT OF THE TOWN OF NEWBURGH, NEW YORK AND THE MEADOW HILL SOUTH SEWER DISTRICT OF THE TOWN OF NEWBURGH, NEW YORK AND THE GIDNEY SEWER DISTRICT OF THE TOWN OF NEWBURGH, NEW YORK AND THE ALGONQUIN SEWER DISTRICT OF THE TOWN OF NEWBURGH, NEW YORK PURSUANT TO ARTICLE 17-A OF THE GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK (the "Joint

Consolidation Agreement") provides, *inter alia* that existing debt of the individual sewer districts, as defined by the Joint Consolidation Agreement, shall remain the responsibility of the owners of property and users who were responsible for such debt prior to consolidation, and they shall be assessed on a benefit basis for that debt service, and that future improvements of the new Consolidated Crossroads Sewer District encompassing all eight former sewer districts, which are financed, will be paid for by indebtedness of the consolidated district assessed and paid for on a benefit basis by all property owners and users of the Consolidated Crossroads Sewer District," and

WHEREAS, pursuant to the provisions of the Joint Consolidation Agreement, separate assessment rolls will be maintained for the areas of the former sewer districts within the new Consolidated Crossroads Sewer District, notwithstanding their consolidation and a new assessment roll will additionally be prepared for the Consolidated Crossroads Sewer District consisting of the combined assessment rolls of the eight former sewer districts; and

WHEREAS, certain of the former sewer districts had no debt upon consolidation and accordingly, maintenance of those old assessment rolls was discontinued or had not been previously prepared.

NOW, THEREFORE BE IT RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the budgets as compiled and presented at the said hearing, together with the Assessment Rolls accompanying the same to be entered in full in the minutes of the proceedings of this Town Board, the Benefit Formula and sum per unit to be apportioned and assessed according to the said roll for the benefit sewer districts in the Town of Newburgh set forth hereafter, as hereby adopted, being as follows:

1. Each single family residential building lot within the district as listed on the latest completed Assessment Roll shall be assigned 25 benefit units, except non-contiguous substandard lots which cannot be built upon because they do not meet the Town Municipal Code's requirements shall be assigned zero (0) benefit units.
2. Each single family residential building lot with a residence thereon shall be assigned 25 additional benefit units, except for such building lots whose boundaries or the residence thereon are more than 500 feet from a sewer main or lateral which is existing or the installation of which has been finally approved by the Town pursuant to the appropriate procedures. In such instances those lots, unless actually connected to the sewer system, shall be assigned 3 benefit units

and each such lot containing a residence shall be assigned 3 additional benefit units for each residence, with excess bulk area of each such lot containing a residence to be assigned an additional 3 benefit units per acre.

3. Two family residential building lots with such buildings thereon shall be assigned 25 benefit units for the lot, plus 25 benefit units for each of the residences thereon, except for such building lots whose boundaries or the residence thereon are more than 500 feet from a sewer main or lateral which is existing or the installation of which has been finally approved by the Town pursuant to the appropriate procedures. In such instances those lots unless actually connected to the sewer system, shall be assigned 3 benefit units for the lot, plus 3 benefit units for each residence, with excess bulk area of each such lot containing a residence to be assigned an additional 3 benefit units per acre.
4. Undeveloped bulk land parcels shall be assigned 25 benefit units per acre, except in the event the land cannot be developed due to its being part of a clustered development, where the land has been used to satisfy zoning area requirements for developed parcels and is titled in a homeowners association or similar entity, and is subject to an irrevocable conservation easement or similar restriction which prohibits its development, then it shall be assigned 0 benefit units. For purposes herein, a cluster development shall be defined as a tract in which common open space has been gained by use of lot dimensions smaller than the minimums required by the bulk regulations for the zoning district in which the tract is located, as authorized under Section 281 of the Town Law
5. Developed commercial/industrial parcels shall be assigned a base charge of 50 benefit units plus 25 units per acre plus one of the following assignments based upon estimated volume of sewage discharge:

Heavy user	30 units per 1,000 sq. ft. of structure
Average user	20 units per 1,000 sq. ft. of structure
Low user	10 units per 1,000 sq. ft. of structure
6. Trailer Parks shall be assigned a base charge of 50 units plus 25 units per pad plus 25 units per acre.
7. Developed commercial/industrial with residence parcels shall be assigned a base charge of 50 units for each residence plus 25 units per acre plus one of the assessments based upon estimated volume of sewage discharge above.
8. Apartments and condominiums shall be assigned a base charge of 50 units plus 50 units per apartment or unit plus 25 units per acre.

9. Motels shall be assigned a base charge of 50 units plus 25 units per acre plus one of the assignments based upon estimated volume of sewage discharge above.

The term "residential building lot" shall mean any parcel of land identified on the Orange County tax map by Section, Block and Lot number, occupied, unoccupied or to be occupied by a building and its accessory buildings, together with such open spaces as are required under the provisions of Chapter 185 entitled "Zoning" of Code of the Town of Newburgh, containing, when vacant, not less than the minimum area and dimensions required by Chapter 185 for a lot in the Zoning District in which such land is situated so as to be adequate as a condition to the issuance of a building permit for a building on such land. In the event an individual, tax map parcel is not so adequate, but is contiguous to another inadequate tax map parcel or parcel in the same ownership, and the parcels together contain not less than the minimum area and dimensions required so as to be so adequate, then the combined tax map parcels shall be considered one building lot for purposes of the benefit formula, and be it

FURTHER RESOLVED,

- (a) Consolidated Crossroads Sewer District there being 453,574 units on said roll to be charged \$0.00 each, yielding \$0.00 total revenue, said revenue to be collected quarterly by the Receiver of Taxes in accordance with the authority granted by Resolution No. 222 of 1991 of the Orange County Legislature.
- (b) Crossroads Consolidated Sewer District (old) Area of Assessment there being 316,188 units on said roll to be charged \$0.00 each, yielding \$0.00 total revenue, said revenue to be collected quarterly by the Receiver of Taxes in accordance with the authority granted by Resolution No. 222 of 1991 of the Orange County Legislature.
- (c) Meadow Hill South Sewer District Area of Assessment there being 26,573 units on said roll to be charged \$3.00 each, yielding \$79,719 total revenue, said revenue to be collected quarterly by the Receiver of Taxes in accordance with the authority granted by the Resolution 222 of 1991 of the Orange County Legislature.
- (d) Meadow Hill North Sewer District Area of Assessment there being 21,676 units on said roll to be charged \$0 each, yielding \$0 total revenue, said revenue to be collected quarterly by the Receiver of Taxes in accordance with the authority granted by the Resolution 222 of 1991 of the Orange County Legislature.

- (e) Algonquin Sewer District Area of Assessment there being 7,345 units on said roll to be charged \$0 each, yielding \$0 total revenue, said revenue to be collected quarterly by the Receiver of Taxes in accordance with the authority granted by the Resolution 222 of 1991 of the Orange County Legislature.
- (f) Gidney Sewer District Area of Assessment there being 57,028 units on said roll to be charged \$0 each, yielding \$0 total revenue, said revenue to be collected quarterly by the Receiver of Taxes in accordance with the authority granted by the Resolution 222 of 1991 of the Orange County Legislature.
- (g) Wintergreen Sewer District Area of Assessment there being 3,275 units on said roll to be charged \$0.00 each, yielding \$0 total revenue, said revenue to be collected quarterly by the Receiver of Taxes in accordance with the authority granted by the Resolution 222 of 1991 of the Orange County Legislature, and it be

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budgets and Assessment Rolls as so adopted for presentation as required by law.

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

The resolution was thereupon declared duly adopted.

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 23rd 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

RESOLUTION OF FINAL
ADOPTION OF ASSESSMENT
ROLL & BUDGET/CONSOLIDATED
WATER DISTRICT

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

WHEREAS, the Town Board of the Town of Newburgh duly adopted a resolution
finally approving a Benefit Formula to spread a portion of the cost of maintaining and operating
the Consolidated Water District and the payment of the debt service due for the fiscal year
beginning January 1, 2024 over the properties within the said district in proportion to the benefit
derived, and

WHEREAS, the Annual Budget and Special Assessment Roll for the said district were
duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by
law, was held by this Town Board and the Board having met at the appointed time and place as
specified in the Notice of Hearing duly published by the Town Clerk and all persons interested
and desiring to be heard thereon having been heard.

RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the
budget as compiled and presented at the said hearing, together with the Assessment Roll
accompanying the same as the Annual Budget and Assessment Roll for Consolidated Water
District of the Town of Newburgh for the fiscal year beginning January 1, 2024 and that such
Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the
proceedings of this Town Board, the Benefit Formula and sum per unit to be apportioned and
assessed according to the said roll, as hereby adopted, being as follows:

NOW, THEREFORE, BE IT RESOLVED as follows:

- (a) **USER UNITS WATER DISTRICT #1** - Each parcel within the Consolidated Water District of the Town of Newburgh and its duly constituted extensions, as listed on the latest completed Assessment Roll of said Town totaling \$938,080,069 shall be charged at a rate of \$1.5400 per \$1,000 of total assessment, or fraction thereof, on the said latest roll yielding \$1,369,597
- (b) **ACCESS UNITS WATER DISTRICT #2** - Each parcel within the Consolidated Water District of the Town of Newburgh and its duly constituted extensions, as listed on the latest completed Assessment Roll of the said Town totaling \$711,570,897 and fronting on a water main or lateral installed as part of and in connection with the Chadwick Lake Water System, the installation of which caused the said System to incur debt service, shall be charged at the rate of \$2.6600 per \$1,000.00 of total assessment, or fraction thereof, on the said latest roll yielding \$1,800,274.38; and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budget and Assessment Roll as so adopted and deliver one certified copy thereof to the Supervisor for him to present to the Legislature of Orange County.

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 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 resolution was thereupon declared duly adopted.

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 23rd day of October, 2023 at 7:00 P.M., Prevailing Time.

PRESENT:

Gilbert J. Piacquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

RESOLUTION OF FINAL ADOPTION
OF ASSESSMENT ROLL & BUDGET -
LAURIE LANE HIGHWAY
IMPROVEMENT AREA -

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

WHEREAS, the Annual Budget and Special Assessment Roll for the Laurie Lane Highway Improvement Area for the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard.

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for the Laurie Lane Highway Improvement Area for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board, the Benefit Formula, the final form for which is herein amended to add user units, and sum per unit to be apportioned and assessed according to the said roll, as hereby adopted, being as follows:

USER UNITS - Each parcel fronting or abutting either side of the looped portion of Laurie Lane that commences at the terminus of the existing Town highway section of Laurie Lane as of January 22, 2013 and the entire lengths of Ben's Way and Dee's Way in the Laurie Lane Highway Improvement Area, and has no frontage (0 feet) on the existing Town highway, either dedicated or by use, as listed on the latest completed Assessment Roll of the Town shall constitute one such unit, provided however that in the event a parcel has a portion of its frontage on the existing Town highway, either dedicated or by use, in excess of zero (0) feet but less than

100 percent of any single front yard line as of January 22, 2013 and the remaining portion of the parcel's frontage is on the section of Laurie Lane petitioned to be improved, it shall constitute one-half (1/2) such unit, there being 26 units on said roll to be charged \$408.81 each and 2 one half (½) units on said roll to be charged \$204.41 each, yielding \$11,037.88 revenue, and it be

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budget and Assessment Roll as so adopted and deliver one certified copy thereof to the Supervisor for him to present to the Legislature of Orange County.

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 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 resolution was thereupon declared duly adopted.

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 23rd 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

RESOLUTION OF FINAL ADOPTION OF ASSESSMENT ROLL & BUDGET - AMBER FIELDS DRAINAGE DISTRICT - COUNTY TAX WARRANT

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

WHEREAS, the Annual Budget and Special Assessment Roll for the Amber Fields Drainage District for the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for Amber Fields Drainage District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board, the Benefit Formula, the final form for which is herein amended to add user units, and sum per unit to be apportioned and assessed according to the said roll, as hereby adopted, being as follows:

USER UNITS - Each parcel within the Amber Fields Drainage District, as listed on the latest completed Assessment Roll of the Town, containing up to 80,000 sq. ft. shall constitute one such unit; all parcels therein in excess 80,000 sq. ft. shall constitute one additional such unit for each additional 80,000 sq. ft. or any major fraction thereof, there being 80 units on said roll to be charged \$0.00 each, yielding \$0.00 revenue, and it be

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budget and Assessment Roll as so adopted and deliver one certified copy thereof to the Supervisor for him to present to the Legislature of Orange County.

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 M. Manley, Councilman</u>	<u>voting</u>
<u>Anthony LoBiondo, Councilman</u>	<u>voting</u>
<u>Gilbert J. Piauquadio, Supervisor</u>	<u>voting</u>

The resolution was thereupon declared duly adopted.

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 22rd 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

RESOLUTION OF FINAL
ADOPTION OF ASSESSMENT
ROLL & BUDGET – AUTUMN
RIDGE SUBDIVISION DRAINAGE
DISTRICT-COUNTY TAX WARRANT

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

WHEREAS, the Annual Budget and Special Assessment Roll for the Autumn Ridge Subdivision Drainage District for the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for Autumn Ridge Subdivision Drainage District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board, the Benefit Formula, the final form for which is herein amended to add user units, and sum per unit to be apportioned and assessed according to the said roll, as hereby adopted, being as follows:

USER UNITS - Each parcel within the Autumn Ridge Subdivision Drainage District, as listed on the latest completed Assessment Roll of the Town, excepting municipally owned parcels, shall constitute one unit per lot; there being 14 units on said roll to be charged \$14.29 each, yielding \$200.00 in revenue, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budget and Assessment Roll as so adopted and deliver one certified copy thereof to the Supervisor for him to present to the Legislature of Orange County.

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.

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 23rd day of October, 2023 at 7:00 P.M., Prevailing Time.

PRESENT:

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

RESOLUTION OF FINAL ADOPTION
OF ASSESSMENT ROLL & BUDGET
- BLUE SKY DRAINAGE
DISTRICT - COUNTY TAX
WARRANT

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

WHEREAS, the Annual Budget and Special Assessment Roll for the Blue Sky Drainage District for the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for Amber Fields Drainage District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board, the Benefit Formula, the final form for which is herein amended to add user units, and sum per unit to be apportioned and assessed according to the said roll, as hereby adopted, being as follows:

USER UNITS - Each parcel within the Amber Fields Drainage District, as listed on the latest completed Assessment Roll of the Town, containing up to 80,000 sq. ft. shall constitute one such unit; all parcels therein in excess 80,000 sq. ft. shall constitute one additional such unit for each additional 80,000 sq. ft. or any major fraction thereof, there being 11 units on said roll to be charged \$300.00 each, yielding \$3,300.00 revenue, and it be

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budget and Assessment Roll as so adopted and deliver one certified copy thereof to the Supervisor for him to present to the Legislature of Orange County.

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 LoBiondo, Councilman voting _____

Gilbert J. Piaquadio, Supervisor voting _____

The resolution was thereupon declared duly adopted.

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 23rd 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

RESOLUTION OF FINAL
ADOPTION OF ASSESSMENT
ROLL & BUDGET-CANDLESTICK
HILL DRAINAGE DISTRICT -
COUNTY TAX WARRANT

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

WHEREAS, the Annual Budget and Special Assessment Roll for the Candlestick Hill Drainage District for the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for Candlestick Hill Drainage District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board, the Benefit Formula, the final form for which is herein amended to add user units, and sum per unit to be apportioned and assessed according to the said roll, as hereby adopted, being as follows:

USER UNITS - Each parcel within the Candlestick Hill Drainage District, as listed on the latest completed Assessment Roll of the Town, excepting municipally owned parcels, shall constitute one unit per lot; there being 17 units on said roll to be charged \$117.65 each, yielding \$2,000.00 in revenue, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budget and Assessment Roll as so adopted and deliver one certified copy thereof to the Supervisor for him to present to the Legislature of Orange County.

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.

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 23th day of October, 2023 at 7:00 P.M., Prevailing Time.

PRESENT:

Gilbert J. Piacquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

RESOLUTION OF FINAL
ADOPTION OF ASSESSMENT
ROLL & BUDGET - CHESTERFIELD
COURT DRAINAGE DISTRICT-
COUNTY TAX WARRANT

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

WHEREAS, the Annual Budget and Special Assessment Roll for the Chesterfield Court Drainage District for the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for Chesterfield Court Drainage District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board, the Benefit Formula, the final form for which is herein amended to add user units, and sum per unit to be apportioned and assessed according to the said roll, as hereby adopted, being as follows:

USER UNITS - Each parcel within the Chesterfield Court Drainage District, as listed on the latest completed Assessment Roll of the Town, excepting municipally owned parcels, shall constitute one unit per lot; there being 10 units on said roll to be charged \$3750.00 each, yielding \$3,750.00 in revenue, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budget and Assessment Roll as so adopted and deliver one certified copy thereof to the Supervisor for him to present to the Legislature of Orange County.

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.

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 23rd day of October, 2023 at 7:00 P.M., Prevailing Time.

PRESENT:

Gilbert J. Piacquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

RESOLUTION OF FINAL
ADOPTION OF ASSESSMENT
ROLL & BUDGET - COX
DRAINAGE DISTRICT-COUNTY
TAX WARRANT

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

WHEREAS, the Annual Budget and Special Assessment Roll for the Cox Drainage District for the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for Cox Drainage District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board, the Benefit Formula, the final form for which is herein amended to add user units, and sum per unit to be apportioned and assessed according to the said roll, as hereby adopted, being as follows:

USER UNITS - Each parcel within the Cox Drainage District, as listed on the latest completed Assessment Roll of the Town, excepting municipally owned parcels, shall constitute one unit per lot; there being 13 units on said roll to be charged \$138.46 each, yielding \$1,800.00 in revenue, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budget and Assessment Roll as so adopted and deliver one certified copy thereof to the Supervisor for him to present to the Legislature of Orange County.

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.

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 23rd 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

RESOLUTION OF FINAL
ADOPTION OF ASSESSMENT
ROLL & BUDGET - FINI
SUBDIVISION DRAINAGE
DISTRICT-COUNTY TAX WARRANT

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

WHEREAS, the Annual Budget and Special Assessment Roll for the Fini Subdivision Drainage District for the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for Fini Subdivision Drainage District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board, the Benefit Formula, the final form for which is herein amended to add user units, and sum per unit to be apportioned and assessed according to the said roll, as hereby adopted, being as follows:

USER UNITS - Each parcel within the Fini Subdivision Drainage District, as listed on the latest completed Assessment Roll of the Town, excepting municipally owned parcels, shall constitute one unit per acre; there being 10 units on said roll to be charged \$200.00 each, yielding \$2,000.00 in revenue, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budget and Assessment Roll as so adopted and deliver one certified copy thereof to the Supervisor for him to present to the Legislature of Orange County.

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 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 resolution was thereupon declared duly adopted.

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 23rd 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

RESOLUTION OF FINAL
ROLL & BUDGET -
MARGATE DRAINAGE DISTRICT
- COUNTY TAX WARRANT

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

WHEREAS, the Annual Budget and Special Assessment Roll for the Margate Drainage District for the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for Margate Subdivision Drainage District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board, the Benefit Formula, the final form for which is herein amended to add user units, and sum per unit to be apportioned and assessed according to the said roll, as hereby adopted, being as follows:

USER UNITS - Each parcel within the Margate Drainage District, as listed on the latest completed Assessment Roll of the Town, excepting municipally owned parcels, shall constitute one unit per acre; there being 16 units on said roll to be charged \$0 each, yielding \$0 in revenue, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budget and Assessment Roll as so adopted and deliver one certified copy thereof to the Supervisor for him to present to the Legislature of Orange County.

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 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 resolution was thereupon declared duly adopted.

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 23rd 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

RESOLUTION OF FINAL
ADOPTION OF ASSESSMENT
ROLL & BUDGET - MOUNTAIN
LAKE SUBDIVISION DRAINAGE
DISTRICT-COUNTY
TAX WARRANT

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

WHEREAS, the Annual Budget and Special Assessment Roll for the Mountain Lake Subdivision Drainage District for the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for Mountain Lake Subdivision Drainage District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board, the Benefit Formula, the final form for which is herein amended to add user units, and sum per unit to be apportioned and assessed according to the said roll, as hereby adopted, being as follows:

USER UNITS - Each parcel within the Mountain Lake Subdivision Drainage District, as listed on the latest completed Assessment Roll of the Town, excepting municipally owned parcels, shall constitute one unit per lot; there being 46 units on said roll to be charged \$36.96 each, yielding \$1,700.00 in revenue, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budget and Assessment Roll as so adopted and deliver one certified copy thereof to the Supervisor for him to present to the Legislature of Orange County.

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.

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 23rd 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

RESOLUTION OF FINAL ADOPTION OF ASSESSMENT ROLL & BUDGET – ORCHARD RIDGE SUBDIVISION DRAINAGE DISTRICT-COUNTY TAX WARRANT

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

WHEREAS, the Annual Budget and Special Assessment Roll for the Orchard Ridge Subdivision Drainage District for the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for Orchard Ridge Subdivision Drainage District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board, the Benefit Formula, the final form for which is herein amended to add user units, and sum per unit to be apportioned and assessed according to the said roll, as hereby adopted, being as follows:

USER UNITS - Each parcel within the Orchard Ridge Subdivision Drainage District, as listed on the latest completed Assessment Roll of the Town, excepting municipally owned parcels, shall constitute one unit per lot; there being 40 units on said roll to be charged \$47.50 each, yielding \$1,900.00 in revenue, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budget and Assessment Roll as so adopted and deliver one certified copy thereof to the Supervisor for him to present to the Legislature of Orange County.

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.

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 23rd day of October, 2023 at 7:00 P.M., Prevailing Time.

PRESENT:

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

RESOLUTION OF FINAL
ADOPTION OF ASSESSMENT
ROLL & BUDGET - PINNACLE
SUBDIVISION DRAINAGE
DISTRICT-COUNTY
TAX WARRANT

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

WHEREAS, the Annual Budget and Special Assessment Roll for the Pinnacle Subdivision Drainage District for the fiscal year beginning January 4, 2023 were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for Pinnacle Subdivision Drainage District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board, the Benefit Formula, the final form for which is herein amended to add user units, and sum per unit to be apportioned and assessed according to the said roll, as hereby adopted, being as follows:

USER UNITS - Each parcel within the Pinnacle Subdivision Drainage District, as listed on the latest completed Assessment Roll of the Town, excepting municipally owned parcels, shall constitute one unit per lot; there being 21 units on said roll to be charged \$123.81 each, yielding \$1,600.00 in revenue, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budget and Assessment Roll as so adopted and deliver one certified copy thereof to the Supervisor for him to present to the Legislature of Orange County.

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 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 resolution was thereupon declared duly adopted.

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 23rd 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

RESOLUTION OF FINAL ADOPTION OF ASSESSMENT ROLL & BUDGET - TARBEN SUBDIVISION DRAINAGE DISTRICT-COUNTY TAX WARRANT

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

WHEREAS, the Annual Budget and Special Assessment Roll for the Tarben Subdivision Drainage District for the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for Tarben Subdivision Drainage District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board, the Benefit Formula, the final form for which is herein amended to add user units, and sum per unit to be apportioned and assessed according to the said roll, as hereby adopted, being as follows:

USER UNITS - Each parcel within the Tarben Subdivision Drainage District, as listed on the latest completed Assessment Roll of the Town, excepting municipally owned parcels, shall constitute one unit per lot; there being 16 units on said roll to be charged \$150.00 each, yielding \$2,400.00 in revenue, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budget and Assessment Roll as so adopted and deliver one certified copy thereof to the Supervisor for him to present to the Legislature of Orange County.

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.

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 23rd 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

RESOLUTION OF FINAL
ADOPTION OF ASSESSMENT
ROLL & BUDGET - TARSIO
SUBDIVISION DRAINAGE
DISTRICT-COUNTY
TAX WARRANT

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

WHEREAS, the Annual Budget and Special Assessment Roll for the Tarsio Subdivision Drainage District for the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for the Tarsio Subdivision Drainage District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board, the Benefit Formula, the final form for which is herein amended to add user units, and sum per unit to be apportioned and assessed according to the said roll, as hereby adopted, being as follows:

USER UNITS - Each parcel within the Tarsio Subdivision Drainage District, as listed on the latest completed Assessment Roll of the Town, excepting municipally owned parcels, shall constitute one unit per lot; there being 12 units on said roll to be charged \$200.00 each, yielding \$2,400.00 in revenue, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budget and Assessment Roll as so adopted and deliver one certified copy thereof to the Supervisor for him to present to the Legislature of Orange County.

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.

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 23rd 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

RESOLUTION OF FINAL
ADOPTION OF ASSESSMENT
ROLL & BUDGET - WOODLAWN
HEIGHTS DRAINAGE DISTRICT
-COUNTY TAX WARRANT

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

WHEREAS, the Annual Budget and Special Assessment Roll for the Woodlawn Heights Drainage District for the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for Woodlawn Heights Drainage District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board, the Benefit Formula, the final form for which is herein amended to add user units, and sum per unit to be apportioned and assessed according to the said roll, as hereby adopted, being as follows:

USER UNITS - Each parcel within the Woodlawn Heights Drainage District, as listed on the latest completed Assessment Roll of the Town, excepting municipally owned parcels, shall constitute one unit per lot; there being 19 units on said roll to be charged \$0.00 each, yielding \$0.00 in revenue, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budget and Assessment Roll as so adopted and deliver one certified copy thereof to the Supervisor for him to present to the Legislature of Orange County.

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. Piquadio, Supervisor voting _____

The resolution was thereupon declared duly adopted.

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 23rd day of October, 2023 at 7:00 P.M., Prevailing Time.

PRESENT:

Gilbert J. Piauquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

RESOLUTION OF FINAL
ADOPTION OF ASSESSMENT
ROLL & BUDGET - COLDEN PARK
LIGHTING DISTRICT
COUNTY TAX WARRANT

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

WHEREAS, the Annual Budget and Special Assessment Roll for the Colden Park Lighting District for the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for Colden Park Lighting District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board,

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budget and Assessment Roll as so adopted and deliver one certified copy thereof to the Supervisor for him to present to the Legislature of Orange County.

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 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 resolution was thereupon declared duly adopted.

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 23rd 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

RESOLUTION OF FINAL ADOPTION OF ASSESSMENT ROLL & BUDGET - CONSOLIDATED LIGHTING DISTRICT #1 - COUNTY TAX WARRANT

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

WHEREAS, the Annual Budget and Special Assessment Roll for the Consolidated Lighting District #1 for the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for Consolidated Lighting District #1 for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board,

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budget and Assessment Roll as so adopted and deliver one certified copy thereof to the Supervisor for him to present to the Legislature of Orange County.

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>James E. Presutti, Councilman</u>	<u>voting</u>
<u>Scott M. Manley, Councilman</u>	<u>voting</u>
<u>Gilbert J. Piaquadio, Supervisor</u>	<u>voting</u>

The resolution was thereupon declared duly adopted.

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 23rd 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

RESOLUTION OF FINAL
ADOPTION OF ASSESSMENT
ROLL AND BUDGET -
FLEETWOOD LIGHTING
DISTRICT - COUNTY TAX
WARRANT

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

WHEREAS, the Annual Budget and Special Assessment Roll for the Fleetwood Lighting District for the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with the Assessment Roll accompanying the same as the Annual budget and Assessment Roll for Fleetwood Lighting District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board,

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budget and Assessment Roll as so adopted and deliver one certified copy thereof to the Supervisor for him to present to the Legislature of Orange County.

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 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 resolution was thereupon declared duly adopted.

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 23rd 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

RESOLUTION OF FINAL ADOPTION
OF ASSESSMENT
ROLL & BUDGET – ORANGE LAKE
LIGHTING DISTRICT
COUNTY TAX WARRANT

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

WHEREAS, the Annual Budget and Special Assessment Roll for the Orange Lake Lighting District for the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for Orange Lake Lighting District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board,

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budget and Assessment Roll as so adopted and deliver one certified copy thereof to the Supervisor for him to present to the Legislature of Orange County.

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.

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 23rd day of October, 2023 at 7:00 P.M., Prevailing Time.

PRESENT:

Gilbert J. Piauquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

RESOLUTION OF FINAL
ADOPTION OF ASSESSMENT
ROLL & BUDGET - LAKESIDE
LIGHTING DISTRICT -
COUNTY TAX WARRANT

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

WHEREAS, the Annual Budget and Special Assessment Roll for the Lakeside Lighting District for the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for Lakeside Lighting District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budget and Assessment Roll as so adopted and deliver one certified copy thereof to the Supervisor for him to present to the Legislature of Orange County.

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.

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 23rd 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

RESOLUTION OF FINAL ADOPTION OF ASSESSMENT ROLL & BUDGET - NOB HILL SEWER DISTRICT COUNTY TAX WARRANT

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

WHEREAS, the Annual Budget and Special Assessment Roll for the Nob Hill Sewer District for the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for Nob Hill Sewer District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board, the Benefit Formula, the final form for which is herein amended to add user units, and sum per unit to be apportioned assessed according to the said roll, as hereby adopted, being as follows:

USER UNITS - Each parcel within the Nob Hill Sewer District as listed on the latest completed Assessment Roll of the Town, shall containing up to 20,000 sq. ft. shall constitute one such unit; all parcels therein in excess of 20,000 sq. ft. shall constitute one additional such unit for each additional 20,000 sq. ft. or any major fraction thereof, there being 100 units on said roll to be charged \$8.72 each, yielding \$872.00 revenue, and it be

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budget and Assessment Roll as so adopted and deliver one certified copy thereof to the Supervisor for him to present to the Legislature of Orange County.

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 M. Manley, Councilman</u>	<u>voting</u>
<u>Anthony R. LoBiondo, Councilman</u>	<u>voting</u>
<u>Gilbert J. Piauadio, Supervisor</u>	<u>voting</u>

The resolution was thereupon declared duly adopted.

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 23rd day of October, 2022 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

RESOLUTION OF FINAL ADOPTION OF ASSESSMENT ROLL & BUDGET - ROSETON HILLS SEWER DISTRICT

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

WHEREAS, the Annual Budget and Special Assessment Roll for the Roseton Hills Sewer District for the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for Roseton Hills Sewer District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board, the Benefit Formula, the final form for which is herein amended to add user units, and sum per unit to be apportioned assessed according to the said roll, as hereby adopted, being as follows:

USER UNITS – Each residential dwelling unit, whether it be an apartment or condominium unit, on each parcel within the Roseton Hills Sewer District as listed on the latest completed Assessment Roll of the Town, shall constitute one such unit; there being 293 units on said roll to be charged \$650.00 each, yielding \$190,450.00

revenue, said revenue to be collected quarterly by the Receiver of Taxes in accordance with the authority granted by Resolution No. 222 of 1991 of the Orange County Legislature,

and it be

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budget and Assessment Roll as so adopted and deliver one certified copy thereof to the Supervisor for him to present to the Legislature of Orange County.

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 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 resolution was thereupon declared duly adopted.

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 23rd 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

RESOLUTION OF FINAL ADOPTION
OF ASSESSMENT ROLL & BUDGET-
TOWN OF NEWBURGH
AMBULANCE DISTRICT
COUNTY TAX WARRANT

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

WHEREAS, the Annual Budget and Special Assessment Roll for the Town of Newburgh Ambulance District for the fiscal year beginning January 1, 2024 were duly prepared and filed with the Town Clerk as required by law, and

WHEREAS, a public hearing on the said Budget and Assessment Roll as required by law, was held by this Town Board and the Board having met at the appointed time and place as specified in the Notice of Hearing duly published by the Town Clerk and all persons interested and desiring to be heard thereon having been heard;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Newburgh does hereby adopt the budget as compiled and presented at the said hearing, together with Assessment Roll accompanying the same as the Annual Budget and Assessment Roll for the Town of Newburgh Ambulance District for the fiscal year beginning January 1, 2024 and that such Budget and the Assessment Roll accompanying the same be entered in full in the minutes of the proceedings of this Town Board,

FURTHER RESOLVED, that the Town Clerk of the Town of Newburgh prepare and certify in duplicate copies of the said Budget and Assessment Roll as so adopted and deliver one certified copy thereof to the Supervisor for him to present to the Legislature of Orange County.

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.

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 23rd 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

RESOLUTION APPROVING
ANNUAL TOWN, HIGHWAY AND
ALL SPECIAL IMPROVEMENT
DISTRICTS BUDGET

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

WHEREAS, the Town Board of the Town of Newburgh, duly held on October 23, 2023 commencing at 7:00 o'clock p.m., a public hearing on the preliminary budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2024 and a further public hearing on October 23, 2023 pertaining to the budgets and assessment rolls of the special improvement districts and areas of the Town, to wit: Colden Park Lighting District, Consolidated Lighting District, Fleetwood Lighting District, Lakeside Road Lighting District, Orange Lake Lighting District, Consolidated Water #1, Consolidated Water #2, (inclusive of Consolidated, Colden Park and Fleetwood-Holiday Park Water Districts as applicable), Crossroads Consolidated Sewer District (inclusive of the following areas of assessment, Crossroads, Meadow Hill South, Meadow Hill North, Algonquin, Gidney, Wintergreen), Nob Hill Sewer District, Roseton Hills Sewer District, Amber Fields Drainage District, Autumn Ridge Drainage District, Cox Drainage District, Stonewall Estates Drainage District, Fini Subdivision Drainage District, Candlestick Hill Drainage District, Chesterfield Court Drainage District, Margate Drainage District, Woodlawn Heights Drainage District, Mountain Lake Drainage District, Orchard Ridge Drainage District, Pinnacle Subdivision Drainage District, Tarben Drainage District, Tarsio Subdivision Drainage District, Laurie Lane Highway Improvement Area and Town of Newburgh Ambulance District; and

WHEREAS, the matter of the budget for this Town and Districts for the upcoming fiscal year having been fully discussed, modified and considered, it is

NOW, THEREFORE, BE IT

RESOLVED, that the preliminary budget, as revised and amended by the Town Board and hereinafter set forth, is hereby adopted as the annual budget of the Town of Newburgh and its Special Improvement Districts and Areas for the fiscal year beginning January 1, 2024, and that the same shall be entered into the minutes of the Town Board, and be it further

RESOLVED, that the Town Clerk of this Town shall prepare and certify as provided by law, duplicate copies of said annual budget hereby adopted, and deliver such copies to the Supervisor of the Town who shall present such copies of the annual budget to the Legislature of the County of Orange as required by law.

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 M. Manley, Councilman</u>	<u>voting</u>
<u>Anthony R. LoBiondo, Councilman</u>	<u>voting</u>
<u>Gilbert J. Piauquadio, Supervisor</u>	<u>voting</u>

The resolution was thereupon declared duly adopted.

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 23rd day of October, 2023 at 7:00 P.M., Prevailing Time.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilman

Paul I. Ruggiero, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

RESOLUTION ESTABLISHING THE OPERATING & MAINTENANCE AND SINGLE RATES OF THE TOWN OF NEWBURGH'S SEWER DISTRICTS

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

WHEREAS, this Town Board heretofore duly adopted assessment rolls and benefit formulas for all sewer districts in the Town of Newburgh for fiscal year 2024; and

WHEREAS, the Town Board desires to establish the sewer rates for operating and maintenance costs associated with services rendered and work performed in accordance with the aforesaid actions; and

WHEREAS, the Town Board approved the consolidation of the Algonquin, Gidney, Meadow Hill South, Wintergreen, Meadow Hill North, 17K/Union Avenue, Fleetwood and Crossroads into a single sewer district to be known as the Crossroads Consolidated Sewer District effective January 1, 2017; and

WHEREAS, the Town Board has approved the establishment of the Roseton Hills Sewer District which has a single rate for both operating and maintenance costs and capital expenses;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board of the Town of Newburgh does hereby establish the rates for operating and maintenance costs associated with services rendered and work performed for premises connected to the systems of the sewer districts of the Town at a usage charge in dollars per 1,000 gallons (\$/1000 gal) of water consumed for each sewer district as set forth hereinafter beginning January 1, 2024 and orders that such rates for operating and maintenance charges be entered in full in the minutes of the proceedings of this Town Board as follows:

Nob Hill	Usage Charge (\$/1000gal)	\$8.80
Crossroads Consolidated	Usage Charge (\$/1000gal)	\$6.94

The following minimum operating and maintenance charge shall apply to all connected properties, including but not limited to those without water meters:

\$36.00 per quarter; and

BE IT FURTHER RESOLVED, that the single rate charged quarterly to the Roseton Hills Sewer District will be as follows:

\$162.50 per residential dwelling unit per quarter

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.

#6



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: INTRODUCTORY LOCAL LAW AMENDING SECTIONS
166-4 AND 166-18 OF CHAPTER 166 ENTITLED
"TAXATION" OF THE CODE OF THE TOWN OF
NEWBURGH: DEFINITIONS OF ANNUAL INCOME FOR
EXEMPTIONS FOR PERSONS 65 YEARS AND OLDER
AND FOR PERSONS WITH A DISABILITY AND
PROVIDING FOR PUBLIC NOTICE AND PUBLIC
HEARING
OUR FILE NO. 800.1(B)() (2023)

DATE: OCTOBER 16, 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

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 please find for the Town Board's consideration the above referenced Introductory Local Law amending the definitions of "Annual Income" for both "senior" and "persons with a disability" property tax exemptions to conform to the recently amended State statute. For most municipalities, including the Town, the annual income now looked at in determining qualification and percentage level of the exemptions will be the second latest preceding year rather than the year immediately preceding the date of the exemption application. Additionally, the Local Law explicitly excludes veteran's disability compensation received from the VA from the calculation of income and the annual income definition for the disability exemption will conform to the senior exemption.

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

MCT:sel
Enc.

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

**INTRODUCTORY LOCAL LAW NO. _ OF THE YEAR 2023
AMENDING SECTIONS 166-4 AND 166-18
OF CHAPTER 166 ENTITLED "TAXATION"
OF THE MUNICIPAL CODE OF THE TOWN OF NEWBURGH:
DEFINITIONS OF ANNUAL INCOME FOR
EXEMPTIONS FOR PERSONS SIXTY-FIVE YEARS OF AGE OR OVER
AND FOR PERSONS WITH A DISABILITY**

BE IT ENACTED by the Town Board of the Town of Newburgh as follows:

SECTION 1 - TITLE

This Local Law shall be referred to as "A Local Law Amending Sections 166-4 and 166-18 of Chapter 166 entitled 'Taxation' of the Municipal Code of the Town of Newburgh: Definitions of Annual Income for Exemptions for Persons Sixty-Five Years of Age or Over and for Persons with a Disability".

SECTION 2 – AMENDMENT TO SECTION 166-4

The definition of "Annual Income" in Section 166-4 "Definitions" of Chapter 166 entitled "Taxation" of the Code of the Town of Newburgh is hereby amended to read as follows:

"ANNUAL INCOME

The income of the owner or combined income of the owners of the property for the second latest income tax year immediately preceding the date of making application for exemption. Any such income shall be offset by all medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance. Veteran's disability compensation as defined in Title 38 of the United States Code shall be excluded from the computation of income."

SECTION 3 – AMENDMENT TO SECTION 166-18

The definition of "Annual Income" in Section 166-18 "Definitions" of Chapter 166 entitled "Taxation" of the Code of the Town of Newburgh is hereby amended to read as follows:

"ANNUAL INCOME

In accordance with § 459-c of the Real Property Tax Law, the income of the owner or combined income of the owners of the property for the second latest income tax year ~~immediately~~ preceding the date of making application for exemption. Any such income shall be offset by all medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance. Veteran's disability compensation as defined in Title 38 of the United States Code shall be excluded from the computation of income."

SECTION 4 - NO RETROACTIVE EFFECT

The annual income limits for exemptions for persons 65 years and older and persons with a disability which are increased by the amendments contained in Sections 2 and 3 above shall apply to assessed valuations for the March 1, 2024 taxable status date and thereafter. The amendment shall not apply retroactively.

SECTION 5 - VALIDITY

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

SECTION 6 - EFFECTIVE DATE

This Local Law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

#7

TOWN OF NEWBURGH

AUDIT # 20

DATE: October 23, 2023

TOTAL OF ALL PAYMENTS: \$ 1,097,465.39

To Mr. Gilbert Piaquadio and Town Board:

I certify that the invoices contained within this package of \$ 1,097,465.39 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.

Dated : OCT 23 2023

Town Clerk Office

Town Board:

#8
Lisa




TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

PERSONNEL DEPT.

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

To: Supervisor Piaquadio
Town Board Members

From: Charlene M Black, Personnel 

Date: October 11, 2023

Re: Part-time Building Inspector III

There is a request from Gerald Canfield, Code Compliance Supervisor, to hire Seth Woodbury as a part-time Building Inspector III. His salary will be \$20.00 per hour. Mr. Woodbury will need to complete his paperwork, physical, drug/alcohol testing and fingerprints. His hire date will be contingent on him completing all the above and your approval. The earliest date of hire would be on or after November 6, 2023.

Thank you for your time in this matter.

TOWN OF NEWBURGH


Crossroads of the Northeast

21 Hudson Valley Professional Plaza
Newburgh, NY 12550

CODE COMPLIANCE DEPARTMENT
TELEPHONE 845-564-7801
FAX LINE 845-564-7802

October 10, 2023

To: Supervisor Piaquadio
Town Board Members
Charlene Black Personnel
Ron Klum Accountant

From: Gerald Canfield Code Compliance Supervisor 

Re: Part Time . . . Building Inspector Vacant position

I would like the Boards authorization to hire Seth Woodbury to fulfill the vacant position of part time Building Inspector in the Code Compliance Department. The funds for this position are available in the 2023 budget line # 3410.5100. Mr. Woodbury will be subject to all new hire requirements per our personnel department.

TOWN OF NEWBURGH

EMPLOYMENT REQUEST FORM

To: Personnel Department

NAME OF CANDIDATE: Seth Woodbury

DEPARTMENT: Code Compliance

TITLE OF POSITION: Building Insp III

FULL TIME OR PART TIME: Part Time

HOURLY RATE: 20.00

IS POSITION FUNDED IN CURRENT BUDGET: YES OR NO

FUND APPROPRIATION NUMBER: 3410.5100

PROPOSED HIRE DATE: A.S.A.P.

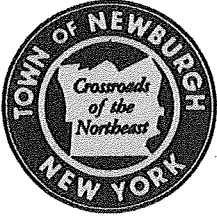
NOTE: CANDIDATE CANNOT BEGIN WORK WITHOUT FINGERPRINTS, PRE-EMPLOYMENT PHYSICAL, DRUG/ALCOHOL TESTING AND COMPLETION OF ALL REQUIRED PAPERWORK.

[Signature]
DEPARTMENT HEAD SIGNATURE

10/10/2023
DATE

**ORIGINAL APPLICATION SHOULD BE ON FILE IN THE PERSONNEL
DEPARTMENT**

#9A



TOWN OF NEWBURGH ANIMAL CONTROL & SHELTER

645 GIDNEY AVE. NEWBURGH, NY 12550

TEL: (845)561-3344

FAX: (845) 561-2220

To: Town Board

From: Tracey Carvell, Animal Control

Subject: Authorization to pay Vet Services Utilizing T-94 Account

Date: 10-11-23

I am requesting authorization to use the T-94 account to pay for Vet service: F. A. H.

*Totaling: \$ 366.10

Canine: \$ 44.70

Feline: \$ 321.40

Other: \$

TOWN OF NEWBURGH

1488 ROUTE 300
NEWBURGH, N.Y. 12550

VOUCHER **1569533**

DEPARTMENT **TONAC**

CLAIMANT'S NAME AND ADDRESS
**VCA Flannery Animal Hospital
789 Little Britain Road
New Windsor, NY 12553**

TERMS **Sept. 2023 Voucher**

Order No.

DO NOT WRITE IN THIS BOX

Date Voucher Received		FUND - APPROPRIATION	AMOUNT	VOUCHER NO.
		TOTAL		
Abstract No.				
Vendor's Ref. No.				

Date	Quantity	Description of Materials or Services	Unit Price	Amount
9-11-23	INU ⁺ 535 665 5129	9-11-2023 Stimulac Feline (F)		760.70 320.72
9-11-23	INU ⁺ 535 665 5131	9-11-2023 Yoodle Feline (F)		160.70 220.79
9-14-23	INU ⁺ 535 665 5360	2023-09-13 Whole PIT (M)		\$ 44.70
(See Instructions on Reverse Side)			TOTAL	596.36

CLAIMANT'S CERTIFICATION
I, JEAN TOBIN, certify that the items, services and disbursements charged, were rendered to or for the municipality on the dates stated, that no part has been paid or satisfied; that taxes, from which the municipality is exempt, are not included and that the amount claimed is actually due. **\$ 596.36** (366.10)

DATE 9-15-23 SIGNATURE Jean Tobin TITLE Act. Manager

(Space Below for Municipal Use)

DEPARTMENT APPROVAL

The above services or materials were rendered or furnished to the municipality on the dates stated and the charges are correct.

DATE _____ AUTHORIZED OFFICIAL _____

APPROVAL FOR PAYMENT

This claim is approved and ordered paid from the appropriations indicated above.



VCA Flannery Animal Hospital PC
 789 Little Britain Rd. | New Windsor, NY 12553 | (845) 565 - 7387

Dr. Grau | Date: 9/13/2023 at 13:33 | Invoice: 5356655129 | Cashier: Jean T

Client

Town Of Newburgh 2023- Animal Control
 (#69533)
 Tracey ACO
 645 Gidney Ave
 Newburgh, NY 12550

Patient

09-11-2023 Stinker (#157286)
 Species: Feline (Domestic Short Hair)
 Sex: Female | Color: Gray
 Birth: | Age: | Weight: 7.25 lb

Detailed Visit Information

Date	Description	Qty	Price	Discount	Tax	Total Price
9/11/2023	Boarding Animal Control	1.00	\$44.70		\$0.00	\$44.70
	Nail Trim w/ Board	1.00	\$1.50		\$0.00	\$1.50
	Pain Management Level 1	1.00	\$72.05	-\$18.01	\$0.00	\$54.04
	Robenacoxib (Onsior) 6mg Fel 3ct	1.00	\$26.55	-\$2.66	\$0.00	\$23.89
	Cefovecin (Convenia) 80mg/mL/mL	0.30	\$89.55	-\$8.96	\$0.00	\$80.59
	Your purchase may be eligible for rewards. Please visit zoetispetcare.com/rewards for more information.					
9/12/2023	Revolution + Fel 5.6-11lb Free First Dose	1.00	\$0.00		\$0.00	\$0.00
	Boarding Animal Control	1.00	\$44.70		\$0.00	\$44.70
	Euthanasia	1.00	\$163.09	-\$114.16	\$0.00	\$48.93
	Group Cremation		\$62.50	-\$40.13	\$0.00	\$22.37

Subtotal: \$320.72

Discounts	Shelters/PetStore	-\$183.92
-----------	-------------------	-----------

Handwritten:
 - 140.02
 \$160.70

Invoice Summary

Patient Name	Total Price	Total Discount	Total Tax	Total Due
09-11-2023 Stinker	\$504.64	- 343.94	\$0.00	

Prev Balance:	\$0.00
Total Due:	160.70
Amount Paid:	\$0.00
Amount Due:	160.70

For information on how we collect and use information about you and your pet, and how you may opt-out of some uses, please see our Privacy Policy at vcahospitals.com/privacy-policy.

Thank you for trusting us with your pet's care. Your friends at VCA Flannery Animal Hospital PC.



VCA Flannery Animal Hospital PC
 789 Little Britain Rd. | New Windsor, NY 12553 | (845) 565 - 7387

Dr. Grau | Date: 9/13/2023 at 13:36 | Invoice: 5356655131 | Cashier: Jean T

Client

Town Of Newburgh 2023- Animal Control
 (#69533)
 Tracey ACO
 645 Gidney Ave
 Newburgh, NY 12550

Patient

09-11-2023 Yoodle (#157285)
 Species: Feline (Domestic Short Hair)
 Sex: Female | Color: Black And White
 Birth: | Age: | Weight: 23.5 lb



Detailed Visit Information

Date	Description	Qty	Price	Discount	Tax	Total Price
9/11/2023	Boarding Animal Control	1.00	\$44.70		\$0.00	\$44.70
	Revolution + Fel 11.1-22lb Free First Dose	1.00	\$0.00		\$0.00	\$0.00
9/12/2023	Boarding Animal Control	1.00	\$44.70		\$0.00	\$44.70
	Claro Otic Solution/dose (per ear) InHouse Use	2.00	\$78.05	-\$7.81	\$0.00	\$78.24
	Euthanasia Group Cremation	1.00	\$163.09	-\$114.16	\$0.00	\$48.93
			\$62.50	-\$40.13	\$0.00	\$22.37

Subtotal: **\$230.94**

Discounts	Shelters/PetStore	-\$162.10
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Handwritten:
 -70.24
 \$ 160.70

Invoice Summary

Patient Name	Total Price	Total Discount	Total Tax	Total Due
09-11-2023 Yoodle	\$393.04	-\$162.10	\$0.00	\$230.94

Prev Balance:		
Total Due:		\$ 160.70
Amount Paid:		\$0.00
Amount Due:		



For information on how we collect and use information about you and your pet, and how you may opt-out of some uses, please see our Privacy Policy at vcahospitals.com/privacy-policy.

Thank you for trusting us with your pet's care. Your friends at VCA Flannery Animal Hospital PC.



VCA Flannery Animal Hospital PC
 789 Little Britain Rd. | New Windsor, NY 12553 | (845) 565 - 7387

Flannery Animal Hospital | Date: 9/14/2023 at 16:00 | Invoice: 5356655360 | Cashier: Jean T

Client	Patient
Town Of Newburgh 2023- Animal Control (#69533) Tracey ACO 645 Gidney Ave Newburgh, NY 12550	2023-09-13 White Pit (#157359) Species: Canine (Pitbull Mix) Sex: Male Intact Color: White And Black Birth: Age: Weight: 57.3 lb

Detailed Visit Information

Date	Description	Qty	Price	Tax	Total Price
9/14/2023	Boarding Animal Control	1.00	\$44.70	\$0.00	\$44.70

Subtotal: \$44.70

A Message from VCA

Please note all prescription refill request require at least 24-hour notice. For home delivery, download the myVCA app.

Invoice Summary

Patient Name	Total Price	Total Tax	Total Due
2023-09-13 White Pit	\$44.70	\$0.00	\$44.70

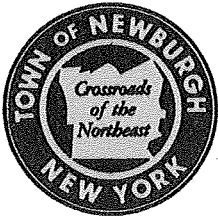
Prev Balance:	\$551.66
Total Due:	\$44.70
Amount Paid:	\$0.00
Amount Due:	\$596.36



For information on how we collect and use information about you and your pet, and how you may opt-out of some uses, please see our Privacy Policy at vcahospitals.com/privacy-policy.

Thank you for trusting us with your pet's care. Your friends at VCA Flannery Animal Hospital PC.

#9B



TOWN OF NEWBURGH ANIMAL CONTROL & SHELTER

645 GIDNEY AVE. NEWBURGH, NY 12550

TEL: (845)561-3344

FAX: (845) 561-2220

To: Town Board

From: Tracey Carvell, Animal Control

Subject: Authorization to pay Vet Services Utilizing T-94 Account

Date: 10.3.23

I am requesting authorization to use the T-94 account to pay for Vet service: F.A.H.

*Totaling: \$ 47.85

Canine: \$ 47.85

Feline: \$

Other: \$

* Boarding has increased again

TOWN OF NEWBURGH
 1486 ROUTE 300
 NEWBURGH, N.Y. 12550

Order No.

DO NOT WRITE IN THIS BOX

VOUCHER
 TONAL

DEPARTMENT

107 69533

CLAIMANT'S
 NAME
 AND
 ADDRESS

VCA Flannery Animal Hospital
 789 Little Britain Road
 New Windsor, NY 12553

TERMS

Sept 2023 Voucher

Date Voucher Received		FUND - APPROPRIATION	AMOUNT	VOUCHER NO.
TOTAL				
Abstract No.				

Vendor's
 Ref. No.

Date	Quantity	Description of Materials or Services	Unit Price	Amount
9-18-23		INV# 535 665 6025 2023-09-18 BIK. Weiner Lab		47.85
TOTAL				47.85

(See Instructions on Reverse Side)

CLAIMANT'S CERTIFICATION

I, Jean Tobin, certify that the above account in the amount of \$ 47.85 is true and correct; that the items, services and disbursements charged were rendered to or for the municipality on the dates stated; that no part has been paid or satisfied; that taxes, fees which the municipality is exempt, are not included; and that the amount claimed is actually due.

9-27-23
 DATE

Jean Tobin
 SIGNATURE

Acct. Manager
 TITLE

(Space Below for Municipal Use)

DEPARTMENT APPROVAL

The above services or materials were rendered or furnished to the municipality on the dates stated and the charges are correct.

10-2-23
 DATE

[Signature]
 AUTHORIZED OFFICIAL

APPROVAL FOR PAYMENT

This claim is approved and ordered paid from the appropriations indicated above.

COPY



VCA Flannery Animal Hospital PC
 789 Little Britain Rd. | New Windsor, NY 12553 | (845) 565 - 7387

Dr. Grau | Date: 9/19/2023 at 11:39 | Invoice: 5356656025 | Cashier: Jean T

Client

Town Of Newburgh 2023- Animal Control
 (#69533)
 Tracey ACO
 645 Gidney Ave
 Newburgh, NY 12550

Patient

2023-09-18 Blk Wiener Lab (#157456)
 Species: Canine (Dachshund Mix)
 Sex: Male Unknown | Color: Black
 Birth: | Age: | Weight:

Detailed Visit Information

Date	Description	Qty	Price	Tax	Total Price
9/18/2023	Boarding Animal Control	1.00	\$47.85	\$0.00	\$47.85
9/19/2023	Boarding Go Home Day	1.00	\$0.00	\$0.00	\$0.00

Subtotal: \$47.85

A Message From VCA

Please note all prescription refill request require at least 24-hour notice. For home delivery, download the myVCA app.

Invoice Summary

Patient Name	Total Price	Total Tax	Total Due
2023-09-18 Blk Wiener Lab	\$47.85	\$0.00	\$47.85

Prev Balance:	\$596.36
Total Due:	\$47.85
Amount Paid:	\$0.00
Amount Due:	\$644.21

COPY

For information on how we collect and use information about you and your pet, and how you may opt-out of some uses, please see our Privacy Policy at vcahospitals.com/privacy-policy.

Thank you for trusting us with your pet's care. Your friends at VCA Flannery Animal Hospital PC.



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 (2022 and 2023);
MANUFACTURERS AND TRADERS TRUST COMPANY
(5075 NYS ROUTE 9W)
OUR FILE NO. 800.24

DATE: OCTOBER 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
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 are copies of a letter from Cathy Drobny, Esq. of E. Stewart Jones, Hacker Murphy regarding the above referenced proposed settlement, a proposed Settlement Agreement and Judgment and Order 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 bank.

The settlement provides for a reduction in assessed value of \$62,750 from \$495,000 to \$432,250 for 2022 and a reduction of assessed value of \$117,175 from \$495,000 to \$377,825 for 2023. Attorney Drobny in her letter advises that the provisions of RPTL Section 727 will apply, holding the Assessed Value at \$377,825 for the 2024, 2025 and 2026 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 \$2,800.32 versus claimed refund liability of approximately \$11,604.95. Cronomer Fire District will have a refund liability of approximately \$853.21. Newburgh Enlarged City School District's attorneys will also be signing the Settlement Agreement.

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

Please send all mail to:
SCHENECTADY

September 26, 2023

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

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

RE: Manufacturers and Traders Trust Company v. Town of Newburgh
Index Nos. EF004086-2022 & EF004860-2023
Our File No. 5018.074

www.joneshacker.com

Dear Mark:

Attached please find the proposed Consent Judgment relative to the above-referenced proceedings. There are currently two years pending (2022 and 2023).

The subject parcel is the M&T branch bank located at 5075 Route 9W, Tax Map #79-3-20 (AV \$495,000). The FMV is \$2,004,049 in 2022 and \$2,292,700 in 2023. After review of the petitioner's pro forma, the subject property and comparable properties, this settlement was negotiated.

The FMV is reduced to \$1,750,000 in 2022 and 2023 (reduction of \$62,750 AV in 2022 and reduction of \$117,175 AV in 2023). The 2023 assessment will be held 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.

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 Piaquadro, Supervisor

STATE OF NEW YORK
SUPREME COURT COUNTY OF ORANGE

In the Matter of the Application of

MANUFACTURERS AND TRADERS TRUST
COMPANY,

Petitioner,

v.

ASSESSOR OF THE TOWN OF NEWBURGH
and THE TOWN OF NEWBURGH,

Respondents.

**SETTLEMENT
AGREEMENT**

Index No.:
EF 004086-2022
EF 004860-2023

Tax Identification
Number:

79-3-20

WHEREAS, Petitioner Manufacturers and Traders Trust Company (“Petitioner”) has commenced proceedings under Article 7 of New York’s Real Property Tax Law (“RPTL”) for the 2022-2023 and 2023-2024 tax years, by which Petitioner sought to obtain judicial review and reduction of the 2022 and 2023 assessments on a certain parcel of real property located in the Town of Newburgh, County of Orange, State of New York, located at 5075 Route 9W (described on the Town assessment roll as Tax Map Parcel Number 79-3-201) in the Town of Newburgh (the “Subject Property”), which is the subject of this Settlement Agreement; and

WHEREAS, the parties entered into settlement negotiations attempting to resolve their differences in these proceedings; and

WHEREAS, after due consideration of all material facts, the parties have agreed to resolve their differences without further litigation and to terminate the proceedings;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and

between the attorneys for the respective parties hereto as follows:

1. The 2022 and 2023 assessments for the Subject Property shall be reduced as follows:

Assessment Year	Original Assessment	Original Equalized Assessed Value	Revised Assessment	Revised Equalized Assessed Value
2022	\$495,000	\$2,004,049	\$432,250	\$1,750,000
2023	\$495,000	\$2,292,700	\$377,825	\$1,750,000

2. It is further specifically agreed by and between the parties that the provisions of RPTL §727 will apply to this proceeding.

3. That each and every taxing entity levying and collecting taxes upon the basis of the 2022 and 2023 assessment rolls are directed to make changes to correct said assessments pursuant to the terms of the Settlement Agreement, and pay refunds based on the difference between the taxes collected on the original assessments and the taxes that would have been due pursuant to the revised assessments.

4. The parties agree that this Settlement Agreement is in their best interest, and that it is made only for the purpose of resolving pending litigation in order to avoid the expenses incident to such litigation and for such other reasons as the parties deem material. In no event shall the Settlement Agreement, or the contents thereof, be offered to or admitted in these proceedings if prosecution thereof is carried forward, or in any other proceeding by the parties or third parties, as competent evidence of any fact.

5. The parties agree that the 2022 and 2023 pending proceedings shall be discontinued, and that a Judgment and Order incorporating the terms of this Settlement Agreement may be entered.

6. This Agreement may be executed in two or more counterparts, each of which shall be deemed to be an original but all of which, taken together, constitute one agreement.

Dated: September ___, 2023

**E. STEWART JONES HACKER
MURPHY LLP**

By: _____
Cathy L. Drobny, Esq.
Attorneys for Respondents
200 Harborside Drive, Suite 300
Schenectady, New York 12305
(518) 274-5820

Dated: September ___, 2023

CHALIFOUX LAW, PC

By: _____
Sheila M. Chalifoux, Esq.
Attorneys for Petitioner
15 Fishers Road, Suite 125
Pittsford, New York 14534
(585) 485-0512
sheila@chalifouxlaw.com

Dated: September ____, 2023

**SHAW, PERELSON, MAY &
LAMBERT, LLP**

By: _____
Ira S. Levy, Esq.
Attorney for the Intervenor
Newburgh Enlarged City School District
115 Stevens Avenue
Valhalla, New York 10595
(914) 741-9870

STATE OF NEW YORK
SUPREME COURT COUNTY OF ORANGE

In the Matter of the Application of

MANUFACTURERS AND TRADERS TRUST
COMPANY,

Petitioner,

**JUDGMENT AND
ORDER**

Index No.:

**EF 004086-2022
EF 004860-2023**

v.

ASSESSOR OF THE TOWN OF NEWBURGH
and THE TOWN OF NEWBURGH,

Respondents.

Tax Identification
Number:

79-3-20

WHEREAS, Petitioner Manufacturers and Traders Trust Company (“Petitioner”) has commenced the above-referenced proceeding under Article 7 of the Real Property Tax Law to review the assessment of a certain parcel of real property located in the Town of Newburgh (“Town”), County of Orange, on the Town’s 2022 and 2023 assessment rolls; and

WHEREAS, in these actions Petitioner challenged the assessment of a certain parcel of real property located at 5075 Route 9W (described on the Town’s assessment roll as Tax Map Parcel Number 79-3-20) in the Town of Newburgh (the “Subject Property”); and

WHEREAS, it is now proposed that the proceedings be settled with respect to the Subject Property upon the terms and conditions set forth in the Settlement Agreement entered into between the attorneys for the respective parties; and

NOW, on the joint motion of the attorneys for Petitioner, Chalifoux Law, PC, Sheila M. Chalifoux, Esq.; and the attorneys for Respondents, E. Stewart Jones Hacker Murphy, LLP, Cathy L. Drobny, Esq.; and the attorneys for Respondent-Intervenor Newburgh Enlarged City School District, Shaw, Perelson, May & Lambert, LLP, Ira S. Levy, Esq.; it is hereby

ORDERED AND ADJUDGED that the proposed settlement as set forth in the Settlement Agreement executed by the attorneys for the respective parties be, and the same hereby is, determined to be reasonable, just and in the best interests of the Town of Newburgh, and that the same be, and hereby is, approved; and it is further

ORDERED AND ADJUDGED that the officials of the Town of Newburgh, County of Orange, Newburgh Enlarged City School District and every other taxing entity, district or municipal corporation having custody of, or levying taxes upon the basis of the 2022 and 2023 Town of Newburgh assessment roll ("Taxing Entities") or any copies thereof, are authorized and directed to make changes to the entries on the tax rolls, tax record cards and other property records that are necessary to correct said assessment pursuant to the terms of the Settlement Agreement; and it is further

ORDERED AND ADJUDGED that the Taxing Entities are directed to refund the difference between the taxes collected on the original assessments and the taxes that would have been due pursuant to the revised assessments, and no interest shall be due if the refunds are paid within sixty (60) days of the date the Consent Judgment is filed; and it is further

ORDERED AND ADJUDGED that this Judgment and Order be entered and docketed in the Orange County Clerk's Office, and that a true copy thereof, with Notice of Entry thereon, together with a true copy of the Settlement Agreement, be filed among the permanent records of the Assessor of the Town of Newburgh; and it is further

ORDERED AND ADJUDGED that the 2022 and 2023 proceedings are discontinued without costs or disbursements against either party.

Dated: September ____, 2023
Goshen, New York

Honorable Timothy P. McElduff, Jr.,
Orange County Supreme Court Justice

ENTERED:

Town of Newburgh v. M & T - Settlement

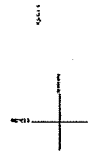
Year	Parcel Number	Assessed Value	Reduced Assessed Value	Eq. Rate	FMV	Reduced FMV	Difference AV and Reduced AV	Tax Rate	Refund Liability
2022	79-3-20	\$495,000	\$432,250	24.70%	\$2,004,049	\$1,750,000	\$62,750	County Town Highway Cronomer Vly FD Consol It Consol wtr 1 Consol wtr 2 School Library	\$ 761.11 \$ 680.49 \$ 297.08 \$ 292.72 \$ 22.77 \$ 91.78 \$ 158.71 \$ 4,484.95 \$ 220.99 \$ 1,299.67 \$ 1,278.78 \$ 543.96 \$ 47.70 \$ 560.49 \$ 55.83 \$ 171.11 \$ 296.50 \$ 8,365.28 \$ 420.59
2023	79-3-20	\$495,000	\$377,825	21.59%	\$2,292,728	\$1,750,000	\$117,175	County Town Highway Newburgh Ambulance Cronomer Vly FD Consol It Consol wtr 1 Consol wtr 2 School Library	\$ 2,060.78 \$ 1,959.27 \$ 841.05 \$ 47.70 \$ 853.21 \$ 78.61 \$ 262.90 \$ 455.21 \$ 12,850.23 \$ 541.58

Town of Newburgh v. M & T

Year	Parcel Number	Assessed Value	Claimed Assessed Value	Eq. Rate	FMV	Claimed FMV	Difference AV and Claimed AV	County	Tax Rate	Refund Liability
2022	79-3-20	\$495,000	\$122,265	24.70%	\$2,004,048	\$495,000	\$372,735	County Town Highway Cronomer Vly FD Consol It Consol wtr 1 Consol wtr 2 School Library		\$ 4,520.98 \$ 4,042.12 \$ 1,764.68 \$ 1,738.73 \$ 135.27 \$ 545.20 \$ 942.72 \$ 26,640.60 \$ 1,312.69
2023	79-3-20	\$495,000	\$122,265	21.59%	\$2,292,728	\$566,304	\$372,735	County Town Highway Newburgh Ambulance Cronomer Vly FD Consol It Consol wtr 1 Consol wtr 2 School Library		\$ 4,134.26 \$ 4,067.81 \$ 1,730.35 \$ 151.74 \$ 1,782.94 \$ 177.61 \$ 544.30 \$ 943.17 \$ 26,610.04 \$ 1,337.89
								County Town Highway Newburgh Ambulance Cronomer Vly FD Consol It Consol wtr 1 Consol wtr 2 School Library		\$ 8,655.24 \$ 8,109.93 \$ 3,495.02 \$ 151.74 \$ 3,521.67 \$ 312.87 \$ 1,089.50 \$ 1,885.89 \$ 53,250.64 \$ 2,650.58



subject parcel



ORANGE COUNTY
NEW YORK
PLAT NO. 100 OF 1988

TOWN OF NEWBURGH
SECTION NO. 79
1/4" = 100'

REVISION TABLE
DATE DESCRIPTION

SPECIAL DISTRICTS
LOCAL GOVERNMENT DISTRICTS

LEGEND
PROPERTY OWNERS
ADJACENT PLATS
ADJACENT TOWNS
ADJACENT COUNTIES
ADJACENT STATES
ADJACENT COUNTRIES



Image Mate Online

Navigation GIS Map Tax Maps | DTF Links

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Commercial

- Property Info
- Owner/Sales
- Inventory
- Improvements

Tax Info

Report

Comparables

Municipality of Newburgh

SWIS:	334600	Tax ID:	79-3-20
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Tax Map ID / Property Data

Status:	Active	Roll Section:	Taxable
Address:	5075 Route 9W		
Property Class:	462 - Branch bank	Site Property Class:	462 - Branch bank
Ownership Code:			
Site:	Com 1	In Ag. District:	No
Zoning Code:	-	Bldg. Style:	Not Applicable
Neighborhood:	40121 -	School District:	Newburg
Property Description:	Legal description not given for property		
Total Acreage/Size:	2.40	Equalization Rate:	---
Land Assessment:	2023 - \$149,300	Total Assessment:	2023 - \$495,000
Full Market Value:	2023 - \$2,292,700		
Deed Book:	1680	Deed Page:	597
Grid East:	623648	Grid North:	981789
Bank Code:	N/A		

Special Districts for 2023

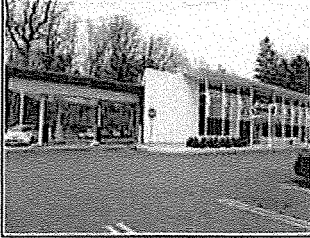
Description	Units	Percent	Type	Value
AM010-Newburgh Ambulance	0	0%		0
FD008-Cronomer vly fire	0	0%		0
LT004-Consol It	0	0%		0
WD001-Consol wtr 1	0	0%		0
WD002-Consol wtr 2	0	0%		0

Land Types

Type	Size
Primary	380 x 300

Photographs

(Click on photo to enlarge it.)



Photo

Photo 1 of 3 →

Pictometry Connect

Documents

No documents found for this parcel

Maps

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

Map Disclaimer



Image Mate Online

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Report

Comparables

Municipality of Newburgh

SWIS:	334600	Tax ID:	79-3-20
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Ownership Information

Name	Secondary Name	Address
First National Bank Highland	Attn: Manufacturers & Traders	One M & T Plz Fl 18 Buffalo NY 14203

Sale Information


No Sales Information Available

Historic Deed Information

Book	Page	Prior Printkey
1680	00597	

Photographs

(Click on photo to enlarge it.)



Photo

Photo 1 of 3 →

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

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 23rd day of October, 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 #79-3- 20
MANUFACTURERS AND TRADERS
TRUST COMPANY
(5075 ROUTE 9W)
INDEX NUMBERS 2022-EF004086 and
2023-EF004860

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

WHEREAS, MANUFACTURERS AND TRADERS TRUST COMPANY (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 bank branch building and related improvements located on a parcel of land at 5075 NYS Route 9W (Section 79-Block 3-Lot 20) on the tax assessment rolls for the tax years 2022 and 2023; 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 Settlement Agreement and Judgment and Order 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:

<u>Elizabeth J. 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 resolution was thereupon declared duly adopted.

#11A

Motion regarding temporary delegation of work assignment authority to Highway Superintendent

Motion was made by Councilman/woman _____, seconded by Councilman/woman _____.

WHEREAS, the Town of Newburgh has heretofore established a Department of Public Works (DPW); and

WHEREAS, the Highway, Water and Sewer Departments were transferred into the DPW and the employees of those Departments continued as employees of the DPW ; and

WHEREAS, the office of DPW Commissioner is currently vacant; and

WHEREAS, the office of Highway Superintendent is currently the highest occupied office/position within the DPW,

NOW, THEREFORE, BE IT MOVED that the authority of the DPW commissioner to make work assignments to DPW employees is hereby temporarily delegated to the Highway Superintendent during the period the office of DPW Commissioner is vacant.

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 17th day of May, 2010 at 7:00 P.M., Prevailing Time.

PRESENT:

Wayne C. Booth, Supervisor

George Woolsey, Councilman

Gilbert J. Piaquadio, Councilman

Elizabeth J. Greene, Councilwoman

Ernest C. Bello, Jr., Councilman

RESOLUTION TO ESTABLISH
THE DEPARTMENT OF PUBLIC WORKS
OF THE TOWN OF NEWBURGH

Councilwoman Greene presented the following resolution which was seconded by Councilman Bello.

WHEREAS, Section 64(21-a) of the New York State Town Law authorizes the town board of any town of the first class or of any town having a population of ten thousand or more as shown by the latest federal census, and in which town the office of town superintendent of highways is an appointive office, to adopt a resolution establishing a department of public works, and to appoint and fix the salary of a commissioner of public works, who shall be the administrative head of the department; and

WHEREAS, the Town of Newburgh is a town of the first class with a population of more than ten thousand as shown by the latest federal census and the office of town superintendent of highways of the Town of Newburgh is an appointive office; and

WHEREAS, the Town Board of the Town of Newburgh has considered the matter carefully and finds that it is in the best interests of the Town to establish a Department of Public Works in order to achieve administrative efficiencies and to better serve the taxpayers of the Town

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Newburgh hereby establishes the Department of Public Works of the Town of Newburgh; and

BE IT FURTHER RESOLVED, that the Department of Public Works will not perform any new functions but will consolidate the functions of certain existing departments transferred to the Department of Public Works by separate resolution(s) of the Town Board which may be adopted from time to time; and

BE IF FURTHER RESOLVED, that the aforesaid resolution 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>George Woolsey, Councilman</u>	voting	<u>AYE</u>	___	___
<u>Gilbert J. Piaquadio, Councilman</u>	voting	<u>AYE</u>	___	___
<u>Elizabeth J. Greene, Councilwoman</u>	voting	<u>AYE</u>	___	___
<u>Ernest C. Bello, Jr., Councilman</u>	voting	<u>AYE</u>	___	___
<u>Wayne C. Booth, Supervisor</u>	voting	<u>AYE</u>	___	___

The resolution was thereupon declared duly adopted

I, Andrew J. Zarutskie, the duly elected and qualified Town Clerk of the Town of Newburgh, New York, do hereby certify that the following resolution was adopted at a regular meeting of the Town Board held on May 17, 2010 and is on file and of record and that said resolution has not been altered, amended or revoked and is in full force and effect.

Andrew J. Zarutskie, Town Clerk
Town of Newburgh

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 17th day of May, 2010 at 7:00 P.M., Prevailing Time.

PRESENT:

Wayne C. Booth, Supervisor

George Woolsey, Councilman

Gilbert J. Piaquadio, Councilman

Elizabeth J. Greene, Councilwoman

Ernest C. Bello, Jr., Councilman

RESOLUTION TO AUTHORIZE
THE TRANSFER OF THE
HIGHWAY DEPARTMENT,
THE SEWER DEPARTMENT
AND THE WATER DEPARTMENT
(BOTH WATER DISTRIBUTION
SECTION AND WATER
SUPPLY/PURIFICATION SECTION)
TO THE DEPARTMENT OF PUBLIC
WORKS OF THE TOWN OF NEWBURGH
EFFECTIVE UPON THE APPOINTMENT
OF A COMMISSIONER OF PUBLIC WORKS

Councilman Bello presented the following resolution which was seconded by Councilman Piaquadio.

WHEREAS, the Town Board of the Town of Newburgh has heretofore established the Department of Public Works of the Town of Newburgh in accordance with Section 64(21-a) of the New York State Town Law; and

WHEREAS, upon the establishment of a department of public works, a town board by appropriate resolution may transfer to said department the functions of one or more of the departments, bureaus, improvement districts and services that are now or may hereafter come under the jurisdiction of the town board, and such other duties in the nature of public works as may be prescribed by law or the town board may determine, not inconsistent with law. All costs and expenses incurred by the department or its officers, agents and employees on behalf of a special improvement district, shall be charged against such district and paid from the funds duly appropriated for the purpose of such district; and

WHEREAS, whenever a town board shall transfer to a department of public works any department, bureau, improvement district or service as provided in Section 64(21-a) of the New York State Town Law, the employees of such department, bureau, improvement district or service shall be continued as employees in the department of public works, with the same classification, pension and retirement rights and privileges as they had immediately prior to such transfer, provided, however, that nothing herein contained shall deprive the town board of any power it now has with respect to any such employees.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Newburgh hereby transfers to the Department of Public Works of the Town of Newburgh the following Town departments, including, subject to any applicable legal limitations, all their respective property, equipment and budgetary appropriations:

The Highway Department

The Sewer Department; and

The Water Department, including both its Water Distribution Section and its Water Supply/ Purification Section

; and

BE IT FUTHER RESOLVED, subject to any applicable negotiated collective bargaining agreement provisions, the employees of such departments shall be continued as employees in the Department of Public Works, with the same classification, pension and retirement rights and privileges as they had immediately prior to such transfer, provided, however, that nothing herein contained shall deprive the town board of any power it now has with respect to any such employees; and

BE IT FURTHER RESOLVED, any and all rights currently existing by virtue of any negotiated collective bargaining agreement will continue in full force and effect and without interruption; and

BE IF FURTHER RESOLVED, that the Department of Public Works shall serve the various sewer, water and drainage improvement districts of the Town of Newburgh as were heretofore served by the Highway, Sewer and Water Departments and all costs and expenses incurred by the department or its officers, agents and employees on behalf of a special improvement district, shall be charged against such district and paid from the funds duly appropriated for the purpose of such district; and

BE IF FURTHER RESOLVED that the aforesaid resolution shall take effect upon the effective date of the appointment of a Commissioner of Public Works for the Town of Newburgh.

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

George Woolsey, Councilman voting AYE ___

Gilbert J. Piaquadio, Councilman voting AYE ___

Elizabeth J. Greene, Councilwoman voting AYE ___

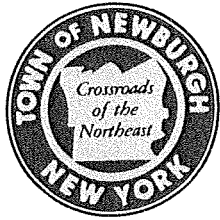
Ernest C. Bello, Jr., Councilman voting AYE ___

Wayne C. Booth, Supervisor voting AYE
The resolution was thereupon declared duly adopted

I, Andrew J. Zarutskie, the duly elected and qualified Town Clerk of the Town of Newburgh, New York, do hereby certify that the following resolution was adopted at a regular meeting of the Town Board held on May 17, 2010 and is on file and of record and that said resolution has not been altered, amended or revoked and is in full force and effect.

Andrew J. Zarutskie, Town Clerk
Town of Newburgh

#11B
Lisa



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

PERSONNEL DEPT.

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

To: Town Supervisor
Town Board

From: Charlene M Black, Personnel

Date: October 12, 2023

Re: 1-Full Time MEO 1A & 1 Full Time Laborer

Mark Hall, Highway Superintendent is recommending the hiring of one full-time MEO 1A and one full-time laborer. Mr. Hall would like to hire David Guerrero as an MEO 1A and Kenneth Fuentes as a full-time laborer. Both gentlemen will need to complete their paperwork, fingerprinting, and CDL physical and regular physical, with Drug / Alcohol testing. The intended start date will be on or after Monday, November 6, 2023. The salary for MEO 1A is \$25.6190 per hour and the laborer \$17.7038 per hour. Thank you



HIGHWAY DEPARTMENT

90 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

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

MARK HALL
HIGHWAY SUPERINTENDENT

TO: Charlene Black, Personnel Department

FROM: Mark Hall, Highway Superintendent 

DATE: October 2, 2023

RE: Laborer & Drivers (MEO 1A)

After interviewing the candidates for the positions of Laborer & Drivers (MEO 1A) positions with Paul Ruggiero, Charlene Black & myself we feel the following are the best qualified for the positions:

Kenneth Fuentes – Laborer
David Guerrero – Driver (MEO 1A)

I am requesting that a start date on or about November 6, 2023 Thank you.

MH:ch

TOWN OF NEWBURGH

EMPLOYMENT REQUEST FORM

To: Personnel Department

NAME OF CANDIDATE: KENNETH FUENTES

DEPARTMENT: HIGHWAY

TITLE OF POSITION: LABORER

FULL TIME OR PART TIME: FULL TIME

HOURLY RATE: \$17.7038

IS POSITION FUNDED IN CURRENT BUDGET: YES OR NO

FUND APPROPRIATION NUMBER: 5110.5100

PROPOSED HIRE DATE: NOVEMBER 6, 2023

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


DEPARTMENT HEAD SIGNATURE

10/2/23
DATE

ORIGINAL APPLICATION SHOULD BE ON FILE IN THE PERSONNEL
DEPARTMENT

COPY TO ACCOUNTING DEPARTMENT
5-22-2017

TOWN OF NEWBURGH

EMPLOYMENT REQUEST FORM

To: Personnel Department

NAME OF CANDIDATE: DAVID GUERRERO

DEPARTMENT: HIGHWAY

TITLE OF POSITION: MEO 1A

FULL TIME OR PART TIME: FULL TIME


HOURLY RATE: \$ 25,6190

IS POSITION FUNDED IN CURRENT BUDGET: YES OR NO

FUND APPROPRIATION NUMBER: 5110.5100

PROPOSED HIRE DATE: NOVEMBER 6, 2023

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


DEPARTMENT HEAD SIGNATURE

10/2/22
DATE

ORIGINAL APPLICATION SHOULD BE ON FILE IN THE PERSONNEL
DEPARTMENT

COPY TO ACCOUNTING DEPARTMENT
5-22-2017

#12A



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

JOSEPH P. PEDI
Receiver of Taxes
and Assessments

845-564-4553
Fax: 845-566-1432
e-mail: receiveroftaxes@townofnewburgh.org

Date: October 23, 2023
To: Town Board
From: Joseph P. PEDI, Receiver of Taxes
Subject: Chargebacks for 2023

Total Charge backs to the Town of Newburgh for the property year 2023 per attached sheets:

Total \$52,271.87

It is the board's decision whether pay it through a voucher or to have it deducted from our 2024 tax warrant. Below is the summary of charge backs that I have received from the County as of October 4, 2023. I have also attached a voucher to be signed by three board members if you choose to pay this.

Cc: Ronald Clum, Town Accountant
Mark Taylor, Attorney

Total Chargebacks	Paid By Town	Owed to County	
\$51,673.93	\$14,761.95	(\$14,761.95)	County
\$51,536.60	\$14,527.65	\$37,008.95	Town
\$22,087.73	\$6,178.43	\$15,909.30	Highway
\$1,880.87	\$634.17	\$1,246.70	Consolidated Lighting
\$6,851.43	\$1,943.50	\$4,907.93	Consolidated Water 1
\$11,328.65	\$3,367.71	\$7,960.94	Consolidated Water 2
\$145,359.21	\$41,413.41	\$52,271.87	Total

#12B



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

JOSEPH P. PEDI
Receiver of Taxes
and Assessments

845-564-4553
Fax: 845-566-1432
e-mail: receiveroftaxes@townofnewburgh.org

Date: October 23, 2023
To: Town Board
From: Joseph P. PEDI, Receiver of Taxes
Subject: Relevy Unpaid Water & Sewer

Attached are the delinquent Water & Sewer Accounts in the Town of Newburgh from July 1, 2022 through June 30, 2023. Accounts are to be transferred to the County and Town Roll. A Resolution requesting the Orange County Legislature to authorize the procedure is attached. The total to be relieved is \$659,294.33 The following breakdown applies:

	Amount
Crossroads Consolidated (Includes districts listed below)	\$596,689.08
8	<i>Algonquin</i>
1,2,4,16,17,18,24,25,26,28,29,31,32,33,34	<i>Crossroads</i>
11	<i>Fleetwood</i>
3,6,7,12,13,14,20	<i>Gidney</i>
9	<i>Meadow Hill South</i>
10,19	<i>Meadow Hill North</i>
22	<i>Route 17K U/A</i>
5	<i>Wintergreen</i>
15,23	Nob Hill
36	Roseton
Water General All Districts	\$0.00
TOTAL	\$659,294.33



TOWN OF NEWBURGH

EMERGENCY MEDICAL SERVICES

#13

97 S. Plank Road
Newburgh, NY 12550
Office: 845-561-0950 / Fax: 845-561-8081

Schedule of Fees November 2023

Schedule of Fees November 2023	
Basic Life Support Emergency	\$1,325
Basic Life Support Non-Emergency	\$1,325
Advanced Life Support Emergency	\$1,425
Advanced Life Support II Emergency	\$1,650
Mileage	\$20 per mile

#14A

**FIRST AMENDMENT TO
OUTSIDE USER AGREEMENT**

THIS FIRST AMENDMENT is made this ____ day of August, 2022 to a certain Outside User Agreement dated May 31, 2007 (the "OUTSIDE USER AGREEMENT") by and between the TOWN OF NEWBURGH, a municipal corporation of the State of New York, with principal offices located at 1496 Route 300, Newburgh, New York, 12550, for and on behalf of the CROSSROADS SEWER DISTRICT and GIDNEY SEWER DISTRICT, together now known as the CROSSROADS CONSOLIDATED SEWER DISTRICT (hereinafter the "TOWN"), and ELM FARM ESTATES LLC, a New York Limited Liability Company qualified to do business in New York State, having an address at 9 Meron Drive #303, Monroe, New York, 10950 (hereinafter the "OUTSIDE USER").

WITNESSETH

WHEREAS, the TOWN and the OUTSIDE USER entered into the OUTSIDE USER AGREEMENT pursuant to which the TOWN agreed to provide sewer service to a 54 lot single family residential subdivision of real property in the Town of Newburgh, County of Orange, State of New York, consisting of approximately ±45.1 acres and shown on the Tax Map as Section 39, Block 1, Lot 12.44, (the "PREMISES") described in greater detail on a subdivision plan dated September 20, 2002 (the "PROJECT"), 43 of said lots being situated outside the boundaries of any TOWN sewer district, pursuant to the terms and conditions of said agreement, and

WHEREAS, pursuant to the terms of the OUTSIDE USER AGREEMENT, the OUTSIDE USER paid to the Town the sum of TWENTY ONE THOUSAND (\$21,000.00) upon execution for the Gidney Sewer District as the first installment of the fee payable to the TOWN

pursuant to said agreement; and

WHEREAS, the Crossroads Sewer District and Gidney Sewer District, together with other sewer districts of the TOWN, have subsequently been consolidated by the TOWN into the CROSSROADS CONSOLIDATED SEWER DISTRICT; and

WHEREAS, the Outside Sewer Agreement was subject to and contingent upon the OUTSIDE USER commencing construction of the required sewer facilities within three (3) years of the date of the Outside User Agreement (the "TERM") subject to an extension for one (1) additional year after which the TOWN has the authority, in its sole discretion, to cancel the Agreement; and

WHEREAS, the OUTSIDE USER submitted updated plans for the PROJECT in 2021 and the Planning Board acting as lead agency adopted a Negative Declaration under the State Environmental Quality Review Act ("SEQRA") on November 4, 2021 for the PROJECT and granted preliminary and final subdivision approval of a subdivision plan dated February 11, 2015 for the PROJECT on April 7, 2022; and

WHEREAS, the parties have agreed to amend the Outside User Agreement in order to extend the Term and to address the consolidation of the sewer districts.

NOW THEREFORE, in consideration of the provisions set forth herein, the TOWN and the OUTSIDE USER agree as follows:

1. The TERM for the OUTSIDE USER to commence construction of the required sewer facilities is hereby extended for a period which ends one (1) year from the date of this Amendment. If construction of the sewer facilities is not commenced within the extension of the TERM provided for herein or any permitted extension thereof, the TOWN has the authority, in its sole discretion, to cancel this Agreement.

2. Wherever the terms "Gidney Sewer District" or "GIDNEY" and "Crossroads Sewer District" or "CROSSROADS" appear in the OUTSIDE USER AGREEMENT, the term "CROSSROADS CONSOLIDATED SEWER DISTRICT" shall be substituted, reflecting the consolidation of those sewer districts and others pursuant to proceedings heretofore had and taken by the Town Board of the Town of Newburgh in accordance with the provisions of Section 751 of the General Municipal Law, into a single sewer district known as the Crossroads Consolidated Sewer District and in accordance with the terms and conditions of the certain JOINT CONSOLIDATION AGREEMENT PURSUANT TO ARTICLE 17-A OF THE GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK dated November 8, 2016 .

3. Upon the execution of this First Amendment by all parties, an original shall be recorded in the Office of the Clerk of the County of Orange to provide notice of the terms and provisions of the Agreement as Amended to all subsequent owners of all or any portion of the PREMISES. OUTSIDE USER shall execute or cause the owner of the PREMISES to execute, as the case may be, and deliver all additional documents required for the recording of this First Amendment. OUTSIDE USER shall pay or reimburse the recording costs.

4. All the terms and conditions of the OUTSIDE USER AGREEMENT except as otherwise stated herein shall remain in full force and effect. Capitalized terms used herein shall have the same definition as in the OUTSIDE USER AGREEMENT, unless the context otherwise requires. This First Amendment along with the OUTSIDE USER AGREEMENT previously executed by the parties constitutes the entire agreement between the OUTSIDE USER and the TOWN with respect to the subject matter hereof and together supersedes all prior written or oral understandings, agreements, or representations from one party to the other. This First Amendment and the OUTSIDE USER AGREEMENT may not be further modified or extended

orally.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

THE TOWN OF NEWBURGH

By: _____
Gilbert J. Piaquadio, Supervisor

ELM FARM ESTATES, LLC

By: W. Wolf
Name: _____
Title: Member MEMBER

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

On the ___ day of _____, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared Gilbert J. Piaquadio, personally known to me or provided to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

NOTARY PUBLIC - STATE OF NEW YORK

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

On the 11th day of October, 2022³, before me, the undersigned, a Notary Public in and for said State, personally appeared Wulf Werberge, personally known to me or provided to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Linda A. Kump
NOTARY PUBLIC - STATE OF NEW YORK

LINDA A. KUMP
NOTARY PUBLIC-STATE OF NEW YORK
No. 01KU6273152
Qualified In Orange County
My Commission Expires 12-03-2024

RIDER, WEINER & FRANKEL, P.C.

ATTORNEYS & COUNSELLORS AT LAW

655 LITTLE BRITAIN ROAD
NEW WINDSOR, NEW YORK 12553

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

MEMORANDUM

DAVID L. RIDER
CHARLES E. FRANKEL
MICHAEL J. MATSLER
MAUREEN CRUSH
MARK C. TAYLOR
RODERICK E. DE RAMON
MICHELLE F. RIDER (NY AND FL)
DONNA M. BADURA
M. JUSTIN RIDER (NY AND FL)
SHAY A. HUMPHREY
JEFFREY S.E. SCULLEY (NY AND IL)

M.J. RIDER (906-1968)
ELLIOTT M. WEINER (915-1990)

STEPHEN P. DUGGAN, III
BRUCE C. DUNN, SR.
COUNSEL

CRAIG F. SIMON
OF COUNSEL

firm@riderweiner.com
www.riderweiner.com

TO: ANDREW J. ZARUTSKIE, TOWN CLERK

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

RE: ELM FARM ASSOCIATES, LLC; OUTSIDE USER AGREEMENT
SECTION 39 BLOCK 1 LOT 12.44
OUR FILE NO. 801.105

DATE: December 27, 2007

Enclosed please find an original recorded Outside User Agreement between the Town of Newburgh and Elm Farm Associates, LLC for your records.

MCT:kac

cc: Hon. Wayne C. Booth, Supervisor
James Osborne, Town Engineer
Mary Lou Venuto, Receiver of Taxes
Michael Fogarty, IAO, Town Sole Assessor
Code Compliance Supervisor
Planning Board

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE

THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



TYPE IN BLACK INK:

NAME(S) OF PARTY(S) TO DOCUMENT

SECTION 39 BLOCK 1 LOT 12.44

ELM FARM ASSOCIATES, LLC

TO

TOWN OF NEWBURGH

RECORD AND RETURN TO:
(name and address)

MARK C. TAYLOR, ESQ.
RIDER, WEINER & FRANKEL, P.C.
P.O. BOX 2280
NEWBURGH, NY 12550

THIS IS PAGE ONE OF THE RECORDING

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH

RECORDED INSTRUMENT ONLY

DO NOT WRITE BELOW THIS LINE

INSTRUMENT TYPE: DEED MORTGAGE SATISFACTION ASSIGNMENT OTHER Quit

PROPERTY LOCATION

- 2089 BLOOMING GROVE (TN) _____ 4289 MONTGOMERY (TN)
- 2001 WASHINGTONVILLE (VLG) _____ 4201 MAYBROOK (VLG)
- 2289 CHESTER (TN) _____ 4203 MONTGOMERY (VLG)
- 2201 CHESTER (VLG) _____ 4205 WALDEN (VLG)
- 2489 CORNWALL (TN) _____ 4489 MOUNT HOPE (TN)
- 2401 CORNWALL (VLG) _____ 4401 OTISVILLE (VLG)
- 2600 CRAWFORD (TN) _____ 4600 NEWBURGH (TN)
- 2800 DEERPARK (TN) _____ 4800 NEW WINDSOR (TN)
- 3089 GOSHEN (TN) _____ 5089 TUXEDO (TN)
- 3001 GOSHEN (VLG) _____ 5001 TUXEDO PARK (VLG)
- 3003 FLORIDA (VLG) _____ 5200 WALLKILL (TN)
- 3005 CHESTER (VLG) _____ 5489 WARWICK (TN)
- 3200 GREENVILLE (TN) _____ 5401 FLORIDA (VLG)
- 3489 HAMPTONBURGH (TN) _____ 5403 GREENWOOD LAKE (VLG)
- 3401 MAYBROOK (VLG) _____ 5405 WARWICK (VLG)
- 3689 HIGHLANDS (TN) _____ 5600 WAWAYANDA (TN)
- 3601 HIGHLAND FALLS (VLG) _____ 5889 WOODBURY (TN)
- 3889 MINISINK (TN) _____ 5801 HARRIMAN (VLG)
- 3801 UNIONVILLE (VLG)
- 4089 MONROE (TN)
- 4001 MONROE (VLG)
- 4003 HARRIMAN (VLG)
- 4005 KIRYAS JOEL (VLG)

NO. PAGES 12 CROSS REF. _____
CERT. COPY _____ ADD'L X-REF. _____
MAP # _____ PGS. _____
PAYMENT TYPE: CHECK
CASH _____
CHARGE _____
NO FEE _____

CONSIDERATION \$ _____
TAX EXEMPT _____
MORTGAGE AMT. \$ _____
DATE _____

MORTGAGE TAX TYPE:
 (A) COMMERCIAL/FULL 1%
 (B) 1 OR 2 FAMILY
 (C) UNDER \$ 10,000
 (E) EXEMPT
 (F) 3 TO 6 UNITS
 (I) NAT.PERSON/CR. UNION
 (J) NAT.PER-CR.UN/I OR 2
 (K) CONDO

- CITIES
- 0900 MIDDLETOWN
 - 1100 NEWBURGH
 - 1300 PORT JERVIS

9999 HOLD

Donna L. Benson
DONNA L. BENSON
Orange County Clerk

RECEIVED FROM: *Rider*

RECORDED/FILED
08/21/2007 11:09:37
DONNA L. BENSON
County Clerk
ORANGE COUNTY, NY
FILE # 20070092327
RT WY / BK 12512 PG 0507
RECORDING FEES 66.00
TTX# 000611 T TOX 0.00
Receipt#777733 pete



OUTSIDE USER AGREEMENT

GIDNEY SEWER DISTRICT IN TOWN OF NEWBURGH

AGREEMENT made this 31st day of May, 2007, by and between the TOWN OF NEWBURGH, a municipal corporation of the State of New York, with principal offices located at 1496 Route 300, Newburgh, New York, 12550, for an on behalf of the CROSSROADS SEWER DISTRICT AND THE GIDNEY SEWER DISTRICT (hereinafter the "TOWN"), and ELM FARM ASSOCIATES LLC, a New York Limited Liability Company qualified to do business in New York State, having an address at 8 Overdell Lane, Newburgh, New York, 12550 (hereinafter the "OUTSIDE USER").

WITNESSETH

WHEREAS, the OUTSIDE USER is the owner of real property in the Town of Newburgh, County of Orange, State of New York, consisting of approximately ±45.1 acres and shown on the Tax Map as Section 39, Block 1, Lot 12.44, (the "PREMISES"), and

WHEREAS, the PREMISES have received preliminary subdivision approval from the Town of Newburgh Planning Board (the "PLANNING BOARD") for a 54 lot single family residential subdivision described in greater detail on a subdivision plan dated September 20, 2002 (the "PROJECT"), 43 of said lots being situated outside the boundaries of any TOWN sewer district, and

WHEREAS, the TOWN has agreed to provide sewer service to the PROJECT provided the OUTSIDE USER installs all required sewer facilities to bring sewer service for the PROJECT from the sewer main located in Tamarack Drive, as well as all necessary facilities

within the PROJECT, all such installations to be at no cost to the TOWN and in accordance with all applicable governmental regulations, and

WHEREAS, OUTSIDE USER shall pay to the TOWN (i) the sum of ONE HUNDRED EIGHTY NINE THOUSAND AND NO/100 (\$189,000.00) DOLLARS for and on behalf of the Crossroads Sewer District; and (ii) the sum of TWENTY ONE THOUSAND AND NO/100 (\$21,000.00) DOLLARS for and on behalf of the Gidney Sewer District, for a total payment of TWO HUNDRED TEN THOUSAND (\$210,000.00) DOLLARS; as consideration for the TOWN entering into this agreement to provide sewer service, the precise amount of the payment and the payment terms set forth hereinafter in this agreement, and

WHEREAS, the OUTSIDE USER indicates its consent to the provisions contained herein by execution of this agreement.

NOW THEREFORE, in consideration of the provisions set forth herein, the TOWN and the OUTSIDE USER agree as follows:

1. The TOWN, subject to the notice, permitting and other applicable provisions of the TOWN agreement with the City of Newburgh dated May 6, 2004, and all necessary federal, state and county regulations and approvals, agrees to provide sewer service to the PROJECT provided that the OUTSIDE USER brings the required sewer facilities from the PROJECT to a location designated by the TOWN, and further provided that the OUTSIDE USER installs all other required facilities necessary so that the TOWN can accept the sewerage flow from the PREMISES and PROJECT, all at the sole cost and expense of the OUTSIDE USER. All such installations shall be made in accordance with all applicable state, county and TOWN requirements and shall be acceptable to the TOWN'S Town Engineer. The OUTSIDE USER

agrees to provide the TOWN with a certification from a New York State licensed professional engineer acceptable to the TOWN, certifying to the TOWN that the installation of the sewerage facilities is in accordance with all applicable state, county and TOWN requirements. THE OUTSIDE USER agrees further to provide the TOWN with three sets of "as built" plans for the sewer system, in form acceptable to the TOWN Engineer, as installed by the OUTSIDE USER. Final acceptance by the TOWN of the sewerage facilities shall not relieve the OUTSIDE USER from responsibility for any defects in design, materials or workmanship.

2. The OUTSIDE USER agrees that it shall use the connection to the TOWN'S sewer system solely for the disposal of sanitary sewage. The OUTSIDE USER further agrees that it shall comply with all laws, rules and regulations governing use of TOWN sewers, including but not limited to those laws, rules and regulations contained in the TOWN'S Code.

3. The OUTSIDE USER agrees to pay to the TOWN (i) on behalf of the Crossroads Sewer District in consideration of this Agreement the sum of Four Thousand Five Hundred Dollars AND NO/100 (\$4,500.00) DOLLARS and (ii) on behalf of the Gidney Sewer District in consideration of this Agreement the sum of Five Hundred Dollars AND NO/100 (\$500.00) DOLLARS, equaling a total of Five Thousand and NO/100 (\$5,000.00) Dollars for each single family residential lot minus one within the PROJECT and outside the boundaries of a sewer district, as approved by the TOWN Planning Board on a final subdivision plat filed in the Orange County Clerk's Office. Payment is to be made in accordance with the following schedule.

(A) Five Hundred Dollars AND NO/100 (\$500.00) per single family residential lot minus one for the Gidney Sewer District upon the execution of this agreement, and;

(B) Five Hundred Dollars AND NO/100 (\$500.00) per single family residential lot

minus one lot for the Crossroads Sewer District upon Final Subdivision Approval, which is the date that the Chairman of the Planning Board will execute the Final Subdivision Plat, and;

(B) Four Thousand Dollars AND NO/100 (\$4,000.00) DOLLARS per single family residential lot minus one on the final site plan or final subdivision plat shall be paid to the TOWN upon the issuance of a building permit for construction of a building containing a dwelling in the PROJECT on each single family residential lot minus one outside the boundaries of a sewer district, for the Crossroads Sewer District

4. Upon the execution of this Agreement by all parties, an original shall be recorded in the Office of the Clerk of the County of Orange to provide notice of the terms and provisions of this Agreement to all subsequent owners of all or any portion of the PREMISES. OUTSIDE USER shall execute or cause the owner of the PREMISES to execute, as the case may be, and deliver all additional documents required for the recording of this Agreement. OUTSIDE USER shall pay or reimburse the recording costs.

5. This Agreement is subject to and contingent upon the OUTSIDE USER commencing construction of the required sewer facilities within three (3) years of the date of this Agreement (the "TERM"), which TERM shall be automatically extended for one (1) additional year if in the sole discretion of the TOWN, the OUTSIDE USER is pursuing the PROJECT diligently. If construction of the sewer facilities is not commenced within the TERM or any permitted extension thereof, the TOWN has the authority, in its sole discretion, to cancel this Agreement.

6. The OUTSIDE USER agrees that in the event that the OUTSIDE USER, or OUTSIDE USER'S contractor, causes any damage to the sewer lines, facilities or property of the TOWN arising during OUTSIDE USER'S connection to the TOWN'S sewer system that OUTSIDE

USER will indemnify, save, and hold the TOWN harmless and pay any damages that arise to the TOWN'S facilities during the hookup including all expenses that may be incurred in enforcing this Agreement, such as but not limited to reasonable fees of the TOWN'S attorney and court costs. OUTSIDE USER further agrees that before it enters into any agreement with a contractor with respect to such hookup work that it shall require the contractor to provide the TOWN with a certificate of insurance running to the TOWN providing for payment for any damages arising to the TOWN'S facilities, including but not limited to reasonable counsel fees.

7. The OUTSIDE USER agrees to pay such fees, charges and rents for sewer service including, but not limited to, bonding charges for capital improvements and operation and maintenance charges or sewer rents, as the TOWN may charge provided that said fees and charges are determined on the same basis and are at the same rate as users within the Town and the Gidney Sewer District (hereinafter "GIDNEY"). The TOWN will forward bills to the OUTSIDE USER, its successors or assigns according to the same schedule as other users receiving service from GIDNEY. The OUTSIDE USER agrees to pay all charges in accordance with the payment schedule set forth on said bill.

8. If OUTSIDE USER, or any subsequent owner of all or any portion of the PREMISES or PROJECT, shall default in the obligation to pay any of the charges set forth in the Agreement and does not cure such default within ten (10) days after receipt of written notice of such default, a lien therefore shall attach to the OUTSIDE USER'S or subsequent owner's property within the PREMISES or PROJECT effective on recording of notice thereof in the Office of the Clerk of the County of Orange. Such lien shall be superior and prior in time to all liens recorded subsequent to recordation of this Agreement as if any such lien had been recorded concurrently

with this Agreement. In the event those charges are not paid within ten (10) days after the receipt of written notice of default, all rights of the OUTSIDE USER, its heirs, successors or assigns or subsequent owners to receive sewer service under this Agreement shall cease and the TOWN reserves the right, in addition to other remedies provided for herein, to immediately discontinue the service. TOWN officials thereupon shall have the authority to enter upon the PREMISES or dwelling unit in order to disconnect and block off the service connection, and the OUTSIDE USER acknowledges and agrees that such disconnection and discontinuance of service shall not constitute a sewer or public health emergency. The TOWN may, as its option, enter unpaid operation and maintenance charges, sewer rents and special assessments upon the property tax bill for the PREMISES, and each unit therein.

9. The TOWN shall have and OUTSIDE USER hereby expressly grant to it, all legal and equitable remedies now or hereafter available to such a municipality against the property and the owners thereof who shall default in the payment of any tax, service charge or assessment payable to it, to the same extent and with the same effect as such legal and equitable remedies could be asserted and pursued by the municipality against OUTSIDE USER were the PREMISES located within GIDNEY or any extension thereto.

10. Upon completion of the sewer facilities, the OUTSIDE USER shall offer and the TOWN will accept dedication of only such sewer facilities installed by the OUTSIDE USER as the TOWN'S Board in its sole discretion determines serve and benefit Crossroads Sewer District and/or the GIDNEY Sewer District. Such offer shall be for nominal consideration and shall be in a form acceptable to the TOWN'S attorney. Simultaneously with said offer the OUTSIDE USER shall execute and deliver to the TOWN or cause to be executed and delivered all utility

easements running to the TOWN in a form acceptable to the TOWN'S attorney, having a width of not less than twenty (20) feet for the reconstruction, repair, replacement, maintenance, operation and removal of the sewer facilities and appropriate recording documents as required by the Orange County Clerk. OUTSIDE USER, its successors and assigns shall repair and maintain all facilities that it installs which are not accepted for dedication by the TOWN. In the event a repair or maintenance activity shall, in the sole judgment of the Town, be immediately necessary to protect the TOWN'S sewer system or the public health and safety, however, the Town shall notify the OUTSIDE USER in writing and the OUTSIDE USER shall complete the repairs or maintenance within twenty four (24) hours of receipt of said notice. OUTSIDE USER'S refusal to accept delivery of said notice shall be deemed constructive receipt of same. In the event the OUTSIDE USER fails to complete the repairs or maintenance within the twenty four (24) hour period, the TOWN shall have the right to enter the PREMISES and complete same at the OUTSIDE USER'S sole expense. The Town will present a statement of the costs of the repairs and maintenance within thirty (30) days of completion of same. The OUTSIDE USER shall forward payment within ten (10) days of the receipt of the statement. The OUTSIDE USER shall reimburse all expenses that may be incurred in enforcing this Agreement, such as but not limited to reasonable fees of the TOWN'S attorney and court costs.

11. This Agreement pertains solely to sewer service to the PROJECT, not to exceed Forty Three (43) Units, as approved by the PLANNING BOARD and shall not be construed to grant any entitlement to sewer service to any addition or expansion to such PROJECT on the PREMISES or any other project or facility constructed or installed on the PREMISES.

12. The OUTSIDE USER agrees to submit to the TOWN prior to the issuance of the first

building permit for the PROJECT a map, plan and report prepared by a New York State licensed Professional Engineer for a sewer district extension for the PREMISES served by the installed facilities. If requested by the TOWN, the OUTSIDE USER for itself, its successors and assigns, agrees to duly execute and deliver a petition for the extension of GIDNEYTOWN to include the PREMISES. The OUTSIDE USER acknowledges and agrees that the TOWN shall determine in its sole discretion, when, if ever, it is appropriate to proceed with the district extension.

13. The TOWN'S agreement to provide sewer service is subject to the availability of treatment capacity at the time of actual connection of buildings in the PROJECT. Nothing herein contained shall assure availability of treatment capacity at the City of Newburgh's sewage treatment plants for treatment of the PROJECT'S sewage. The permitting of OUTSIDE USER to connect to the GIDNEYTOWN Sewer District facilities is predicated upon and subject to capacity at the sewage treatment plant in excess of that required by users within the TOWN'S sewer districts at the time of connection; and such permits and approvals as are required by the City of Newburgh, agencies of Orange County and New York State for the granting of connection permits to the premises by the TOWN, such permits and approvals being the sole responsibility of OUTSIDE USER to obtain at its expense. OUTSIDE USER agrees to hold the TOWN harmless from claims arising from any absence of treatment capacity for the PROJECT'S sewage. The TOWN represents that it has approved and is presently undertaking a two million (2,000,000) gallon per day expansion to the City of Newburgh's sewage treatment plant and the TOWN is entitled to use one million eight hundred thousand (1,800,000) gallons per day of such expanded capacity pursuant to the May 6, 2004 agreement between the TOWN and City. Nothing contained in this Agreement shall be construed to afford the OUTSIDE USER

the right to compel the TOWN to enforce its agreement with the City of Newburgh.

14. Any and all notices shall be addressed to the parties at the address set forth in the beginning of this Agreement or to such other address as may hereinafter be designed in writing by either party to the other.
15. No waiver of any breach of any condition of this Agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this Agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.
16. This Agreement is in addition to and not in limitation of any other rights and remedies the TOWN may have by virtue of any other instrument, by law or otherwise. This Agreement is executed in, and shall be construed in accordance with the laws of the State of New York.
17. This Agreement and its amendments may be executed in multiple counterparts, with each counterpart to be deemed an original, but all multiple copies together constituting one and the same instrument.
18. The invalidity or unenforceability of any provision(s) of this Agreement will not affect the validity or enforceability of any other provision(s).
19. This Agreement shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto.

The Balance of This Page is Intentionally Left Blank

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

THE TOWN OF NEWBURGH

By: Wayne C. Booth
Wayne C. Booth, Supervisor

ELM FARM ASSOCIATES, LLC

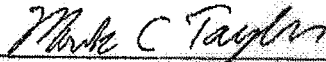
By: Kathryn W. Lang
Name: Kathryn W. Lang
Title: Member

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

On the 18th day of June, 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared Wayne C. Booth, personally known to me or provided to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



NOTARY PUBLIC - STATE OF NEW YORK

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

MARK C. TAYLOR
Notary Public, State of New York
Qualified in Orange County
#4949397
Commission Expires April 3, 2007

On the 18 day of June, 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared KATHRYN W. LANG, personally known to me or provided to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



NOTARY PUBLIC - STATE OF NEW YORK

DANIEL F. SULLIVAN
Notary Public, State of New York
No. 02SU4997917
Qualified in Orange County
Commission Expires June 15, 20 10

F:\wp51\TON\Agreements\ Outside User AgreementCondoForm.DOC

#14B

STEET LIGHT AGREEMENT

AGREEMENT made as of the ____ day of _____, 2023, by and between the **TOWN OF NEWBURGH**, a municipal corporation of the State of New York, with principal offices located at 1496 Route 300, Newburgh, New York 12550 (hereinafter the "TOWN").

AND

ELM FARMS ESTATES LLC, having a business location at 9 Meron Drive, #303, Monroe, New York 10950, for itself, its successors, grantees and assigns, the "Owner" herein, being the legal owner of the real estate herein described.

WHEREAS, the OWNER is the owner, in fee, of premises located in the Town of Newburgh, County of Orange, State of New York, being shown and designated as Lots No. 30, 31, 43, 50, 51, 52, 53, 54 , 55 and 56 identified on a Map entitled "Subdivision Plan for Elm Farm Subdivision" dated _____ and recorded in the Orange County Clerks office on _____, 2023 as Filed Map No. _____ (the "Subdivision"). Being and intended to be the same premises conveyed to the Declarant herein by a Deed dated _____ and recorded in the Orange County Clerk's office on _____ in Liber _____ at Page _____ (Each such lot hereinafter referred to as a "Lot" and collectively as the "Lots"). Those properties being further identified as having the following Section, Block and Lot numbers on the Tax Map of the Town of Newburgh:

- (SBL designations needed)

; and

WHEREAS, the Lots are approved to be improved by single family residences and related accessory structures; and

WHEREAS, in order to address traffic safety concerns, the Town's Planning Board required that the Owner guarantee and install a street light and the necessary approved connection to the electrical grid for the street light to receive electrical power on an existing utility pole on Wells Road, an existing Town street, near the intersection with the Subdivision's entry street known as "Black Gum Court", a street irrevocably offered to be dedicated to the Town (hereinafter the "Street Light"); and

WHEREAS, both the Street Light location and the Lots are outside the boundaries of any established Town Lighting District; and

WHEREAS, the Street Light will be connected to the electrical power system of Central Hudson Gas & Electric ("Central Hudson"), which has informed the Town and Owner that it will only deliver power to and maintain street lights on Town roads under the Town's account and not to any private account; and

WHEREAS, the parties wish to address the provision and expense of electrical power, maintenance, repair and replacement of the Street Light following its installation by the Owner.

WHEREAS, the Owner wishes to create covenants, restrictions and/or reservations, to forever run with the above referenced Lots.

NOW, THEREFORE, IN CONSIDERATION OF THE PROVISIONS SET FORTH HEREIN, IT IS HEREBY AGREED as follows and , that the following covenants, restrictions and reservations shall hereafter affect the above-referenced premises:

1. The Owner agrees upon satisfactory completion of the installation of the Street Light, to transfer to the TOWN, by bill of sale or other instrument acceptable to the Town, free and clear of all liens and encumbrances of any kind, all of the Owner's right, title and interest in the Street Light.

2. The Owner agrees to pay to the Town upon connection of the Street Light an annual charge equal to the aggregate yearly charges by Central Hudson, or any successor power company, providing service for street lights, to the Town, during the prior year for one street light of the same or similar kind including electricity and delivery charges, plus the costs of any maintenance, repairs or replacement of the Street Light incurred by the Town. Such charge shall be payable on or before the 30th of January of each year. The charge shall be pro-rated in equal proportions over the ten (10) Lots, so that the Owner of each Lot shall be annually billed and pay ten (10%) percent of the total charge. The Town reserves the right to add the costs of postage for annual bills and notices to the charges on each such bill. Late payments shall be subject to a \$5.00 penalty.
3. Upon the execution of this Agreement by the parties, an original shall be recorded in the Office of the Clerk of the County of Orange to provide notice of the terms and provisions of this Agreement to all subsequent owners of all or any of the Lots.
4. If the Owner, or any subsequent owner of all or any of the Lots, shall default in the obligation to pay any of the charges set forth in this Agreement and does not cure such default within ten (10) days after receipt of written notice of such default, a lien therefore shall attach to the such owner's Lot or Lots within the Subdivision, effective on recording of notice thereof in the Office of the Clerk of the County of Orange. Such lien shall be superior and prior in time to all liens recorded subsequent to recordation of this Agreement as if any such lien had been recorded concurrently with this Agreement.

5. The TOWN shall have and Owner hereby expressly grants to it, all legal and equitable remedies now or hereafter available to such a municipality against the property and the owners thereof. If any action at law or in equity is necessary to enforce the terms of this Agreement, the Town shall be entitled to reasonable attorneys' fees, costs and necessary disbursements in addition to any other relief to which it may be entitled.
6. 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.
7. Every notice, demand, consent, request, approval or other document or instrument ("Notice") required or permitted to be served upon any of the parties hereto shall be in writing and shall be deemed to have been duly served, if personally delivered or if mailed by first class mail on the date of mailing (it being agreed, however, that, except in an emergency, the time period in which a response must be given to any such notice shall commence to run on the date on which the addressee thereof has received or has refused to receive the same).

IN WITNESS WHEREOF, ELM FARM ESTATES LLC and the Town of Newburgh

hereby execute this Agreement the date and year first above written.

ELM FARM ESTATES LLC


BY:



By: Wolf Werberger, Member

TOWN OF NEWBURGH

BY:


Gilbert J. Piaquadio, Supervisor

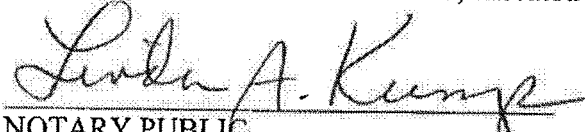
STATE OF NEW YORK

:
:
:

SS:

COUNTY OF ORANGE

On this, the 11th day of October, 2023, before me the undersigned, personally appeared Wolf Werberger, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.


NOTARY PUBLIC

LINDA A. KUMP
NOTARY PUBLIC-STATE OF NEW YORK
No. 01KU6273152
Qualified In Orange County
My Commission Expires 12-03-2024

STATE OF NEW YORK

:
:
:

SS:

COUNTY OF ORANGE

On this, the _____ day of _____, 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 whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

NOTARY PUBLIC

#14C

AGREEMENT made this ____ day of _____, 2018

between the **TOWN OF NEWBURGH**, a municipal corporation of the State of New York, with offices located at Town Hall, 1496 Route 300, Newburgh, New York 12550 (hereinafter "Town") and **ELM FARM ESTATES, LLC**, a New York limited liability company with offices located at 9 Meron Drive #303, Monroe, New York 10950 (hereinafter "Elm Farm"),

WHEREAS, Elm Farm is the owner of a certain subdivision entitled "Elm Farm Subdivision", and

WHEREAS, the Town accepted Black Gum Court, Tamarack Drive and Quince Road as shown on the proposed subdivision map, but has not accepted the drainage facilities within the subdivision including those within Black Gum Court, Tamarack Drive and Quince Road, and

WHEREAS, the Town and Elm Farm wish to formalize the agreement between them concerning the maintenance of the drainage facilities,

NOW, THEREFORE, in consideration of the provisions set forth herein the parties agree as follows:

1. That Elm Farm will continue to be responsible for the operation and maintenance of the drainage facilities at the Elm Farm Subdivision, including those within Black Gum Court, Tamarack Drive and Quince Road, all as shown on the proposed filed map until such time as the Town accepts the drainage

facilities as constructed and installed by Elm Farm. Elm Farm's assumption of the continued operation and maintenance is made notwithstanding the fact that the Town has accepted Black Gum Court, Tamarack Drive and Quince Road as Town roads.

2. That Elm Farm acknowledges that drainage/storm waters from the said road discharge into the drainage facilities and the Town shall have such rights as are necessary to continue such discharge following acceptance of said roads as Town roads.

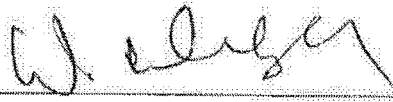
3. That the Town shall have the right to enforce this agreement to the same extent as the Town could otherwise enforce or enjoin violations of law, permits or approvals.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

TOWN OF NEWBURGH

By: _____
Name: Gilbert J. Piaquadio
Title: Supervisor

ELM FARM ESTATES, LLC

By:  _____
Name:
Title: MEMBER

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

On the _____ day of _____, 2018, before me, the undersigned, a notary public in and for said state, personally appeared GILBERT J. PIAQUADIO personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted executed the instrument.

Notary Public

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

On the 11th day of October, 2018²³, before me, the undersigned, a notary public in and for said state, personally appeared Wolf Werberger personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted executed the instrument.

Linda A. Kump
Notary Public

LINDA A. KUMP
NOTARY PUBLIC-STATE OF NEW YORK
No. 01KU6273152
Qualified In Orange County
My Commission Expires 12-03-2024

ACF/ef/620981
13147-68494
1/3/18



GIL PIAQUADIO
Supervisor

TOWN OF NEWBURGH

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PROCLAMATION

2023 HALLOWEEN CURFEW

The Town of Newburgh is concerned about the safety and welfare of our children along with the protection of private property.

I hereby proclaim a Town Wide Curfew on door-to-door "Trick or Treating" and other outdoor Halloween-related activities.

The curfew will run from 9:00 p.m. until 6:00 a.m. starting on Friday, October 27, 2023. The curfew will remain in effect through Tuesday, October 31, 2023.

I am requesting that parents and guardians inform their children about this curfew and supervise the implementation of the Town Wide Curfew, so that we may avoid problems and ensure the safety, health, and welfare of our Town's young people and property owners.

Given Under My Hand and Seal
This 23rd day of October 2023

Gil Piaquadio, Supervisor
Town of Newburgh
County of Orange
State of New York