**AT THE WORKSHOP MEETING**

of the Town Board of the Town of Newburgh held

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

on Monday the 28th day of November, 2022

**Present** Elizabeth J. Greene, Councilwoman

Paul I Ruggiero, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

Gilbert J. Piaquadio, Supervisor

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

Lisa M. Vance Ayers Town Clerk

Rachel Vazquez Deputy Town Clerk

*Meeting called to order at 7:02 p.m.*

**1. ROLL CALL**

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

**3. MOMENT OF SILENCE**

**4. CHANGES TO THE AGENDA- No Changes**

**5. APPROVAL OF AUDIT:**

MOTION made by Councilwoman Greene to approve the audit in the amount of

$2,832,380.85 Motion seconded by Councilman Manley VOTE: Councilwoman Greene

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

Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0 abstain; 0 absent.

**6. RECREATION:**

**A.** **Hiring of Part Time Aide:**

James Presutti, Commissioner of Parks and Recreation, is requesting approval to hire Kerry

Dowling as a part Recreation Aide for the Desmond Estate. The applicant hiring is

Contingent on your approval and the completion of her fingerprints, paperwork,

drug/alcohol screening and physical. A start date of on or after December 12th is

anticipated.

MOTION made by Councilwoman Greene to approve hiring part time Recreation Aide.

Motion seconded by Councilman Manley VOTE: Councilwoman Greene –

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

Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0 abstain; 0 absent

**B. Change Order Desmond Exterior Painting – Day One Custom Painting #1**

Change order from Day One Custom Painting and Restoration for Desmond Estate.

Remove and repair the porch posts on main porch. Remove the rotted and or missing

moldings and replace. Remove the rotted wood on posts and replace. Renail any loose

wood and moldings.

Price: $4400.00

Motion made by Councilman Ruggiero to approve change order of Desmond Exterior

Painting #1 in the amount of $4400.00. Motion seconded by Councilwoman Greene

VOTE: Councilwoman Greene – yes; Councilman Ruggiero – yes; Councilman Manley –

yes; Councilman LoBiondo – yes;

Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0 abstain; 0 absent

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**C. Change Order Desmond Exterior Painting – Day One Custom Painting #2**

Change order from Day One Custom Painting and Restoration for Desmond Estate.

Make repairs to and renail where needed to flooring on 2 porch floors. Sand and

bring down to the bare mahogany wood to the front entry deck and the main porch

floor. Stain and seal the above areas. Three flood coats were needed to overcome years

of neglect. Price: $7000.00

Motion made by Councilman Ruggiero to approve change order of Desmond Exterior

Painting #2 in the amount of $7000.00. Motion seconded by Councilman Manley VOTE:

Councilwoman Greene – yes; Councilman Ruggiero – yes; Councilman Manley – yes;

Councilman LoBiondo – yes; Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0

abstain; 0 absent

**7. VERIZON CELL TOWER AGREEMENT:**

Gill Piaquadio, Town supervisor, presented Verizon cell tower lease agreement.

New Rental Amount: $3,100.00 per month, commencing on January, 1 2023, 10%

increase every 4 years.

Motion made by Councilman Ruggiero to approve Verizon Cell Tower Agreement as

Presented. Motion seconded by Councilman Manley VOTE: Councilwoman Greene – yes;

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

Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0 abstain; 0 absent

**8.** **CANNABIS ZONING AMENDMENT:**

Town Attorney Mark C. Taylor addressed the Town Board regarding any concerns they may

have. There is still time to make changes before finalizing the Cannabis Local Law.

**Mark Taylor –** I know there have been some concerns about the distance between

dispensaries and residences. We do have some mixed- use Zoning within the Town.

There is a 200 Ft. requirement between exterior dwellings and the walls of the premises.

I asked David Smith our consultant to do some additional mapping. I circulated those to you

by email.

**Supervisor Piaquadio-** Are we going from building to property line?

**Mark Taylor-** No we are going from building to building. If it is in a strip mall, it is wall to wall,

the actual area it’s occupying, not the entire strip mall.

**Councilman Manley-** On the maps that David Smith did, did he go through all the IB and B

Districts that have residences in them?

**Mark Taylor-** Yes David did go through and tried to catch each one, but again he measured

from property line to property line. We do not know how the unreasonably restrictive

standard is going to be enforced. That will be at the directive of the Cannabis Board.

**Councilman Ruggiero-** At this point all we can do is move forward with the information we

have. If there any issues, we can always make amendments to the Local Law. Do we know how

many dispensaries they are going to allow in Orange County?

**Councilman Manley**- It was originally 17, but because of lawsuits the Hudson Valley has been

placed on hold.

**Councilman Ruggiero-** When will the State set their regulations? I see people smoking

everywhere.

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**Mark Taylor-** The board can make restrictions about smoking on town premises**.** There isState

Health Law prohibiting smoking in parks. The board may want to enact something in respect to

smoking in general in town parks and town property.

**Councilman Manley-** I think it makes sense to say no smoking at all.

**Mark Taylor-** You do have employees who smoke tobacco.

**Councilman Manley-** Well at least in parks

**Mark Taylor-** That would be a town policy, not a law.

**Councilman Ruggiero-** Will New York State have a law stating where you can and cannot

smoke cannabis?

**Mark Taylor-** There is a health regulation already enacted, which prohibits smoking in parks.

The difficulty is the town enforcing that. That would need to be adopted into the town code.

If anyone has any concern’s please let me know and we will address them.

**9. WATER DEPARTMENT: Budget Transfer**

Jeff Guido, Water Department, is requesting a Budget Transfer. The Chadwick Lake Filter

Plant is temporarily shut down for upgrade improvements. As a result of the shutdown,

More water is being treated at the DAT resulting in higher costs for purchased water from

The NYC DEC.

From: Account Number: 4001.5457 Amount: $ (175,000.00)

Account Description: Sludge Hauling\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_

From: Account Number: 4001.5459 Amount: $ (25,000.00)

Account Description: Chemicals\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

$ (200,000.00)

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To: Account Number: 4002.543 Amount: $ 200,000.00\_

Account Description: DAT Purchased water \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_

Total: $200,000.00

MOTION made by Councilwoman Greene to approve Budget Transfer as presented.

Motion seconded by Councilman Manley VOTE: Councilwoman Greene

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

Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0 abstain; 0 absent.

**10. ENGINEERING: DP66, LLC Stormwater Agreement**

Patrick Hines Engineering Representative presented the Town Board with a Stormwater

agreement between the Town and DP66, LLC, formally Orange County Choppers. The

agreement provides for long term maintenance and continuation of stormwater control

measure approved by the town.

MOTION made by Councilwoman Greene to approve the Stormwater agreement with DP66,

LLC as presented. Motion seconded by Councilman LoBiondo VOTE: Councilwoman Greene

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

Supervisor Piaquadio – yes. Motion passed: 5 yes; 0 no; 0 abstain; 0 absent.

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**11. ADJOURNMENT:**

MOTION made by Councilman Ruggiero to adjourn the meeting at 7:19 p.m.

Motion seconded by Councilman Manley VOTE: Councilwoman Greene – yes;

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

Supervisor Piaquadio – yes Motion passed: 5 yes; 0 no; 0 abstain; 0 absent

*Meeting adjourned at 7:19 p.m.*

*Respectfully submitted,*

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Lisa M. Vance Ayers Rachel Vazquez

Town Clerk Deputy Town Clerk