

Andrew J. Zarutskie
Town Clerk
Town of Newburgh
1496 Route 300
Newburgh NY 12550
Tel. (845) 564-4554

AGENDA

AUDIT/WORKSHOP TOWN COUNCIL MEETING
Wednesday, December 11, 2013
7:00 p.m.

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. MOMENT OF SILENCE
4. CHANGES TO AGENDA
5. APPROVAL OF AUDIT
6. CRYSTAL RUN HEALTHCARE: IDA Application
7. ZONING: Zoning Change: Sunshine Ford
 - A. SEQRA Determination
 - B. Approval of Developers Agreement
 - C. Adoption of Comprehensive Plan Amendment
 - D. Approval of Zoning Map Amendment
 - E. Acceptance of Water Main Easement
 - F. Discontinuance of Road Section
 - G. Authorization to Sell Property
8. TOWN CLERK: Peddler's Permt (Appeal)
9. LOCAL LAW: Residency Requirement
10. BUILDING & GROUNDS: Garbage and Refuse Pick Up
11. WIRELESS TOWER LOCAL LAW AMENDMENT: HDR Consultants Payment Authorization
12. DEPARTMENT OF PUBLIC WORKS:
 - A. (Water Distribution) Senior Water Maintenance Worker
 - B. (Highway) Budget Transfer(s)
13. ENGINEERING:
 - A. MHE Vouchers
 - B. MHE Proposal for Professional Services for Meadow Hill/Sycamore Drive
 - C. North Carpenter Avenue/West Stone Street: Notice of Completion
14. ANIMAL CONTROL: T-94 Withdrawal
15. DATA PROCESSING
16. ADJOURNMENT

5. APPROVAL OF AUDIT

DEC 11 2013

AUDIT # 24
12/11/2013
VOUCHERS: 134958 to 135117

5

Audit Date: December 11, 2013

To the Supervisor:

I certify that the vouchers listed above were audited by the Town Board on the above date and allowed in the amounts shown. You are hereby authorized and directed to pay each of the claimants the amount opposite his name.

I acknowledge the following vouchers are in violation of New York State's General Municipal Law section 103 (Competitive Bidding Laws) and approve payment thereof.

<u>Voucher</u>	<u>Vendor Name</u>	<u>Amount</u>
134961	Amthor welding	375.00
134962	Amthor welding	2,517.50
134963	Amthor welding	494.92
134964	Arkel motors	546.83
134974	Grainger	243.03
134982	Mid hudson mack	27.71
134983	Mid hudson mack	7.49
134999	Spagnoli excavating	1,000.00
135012	Camo pollution	5,148.72
135022	Camo pollution	4,670.00
135062	NY Communication	3,685.00
135079	Schmidts wholesale	2,504.61
135100	Envirotest laboratory	1,190.00
135102	Grainger	52.28
135103	Grainger	582.48
135104	Grainger	132.11
135107	MC Electric	110.50

Dated: _____

Andrew J. Zarutskie, Town Clerk

Town Board:

Exceptions:

AUDIT # 24

December 11, 2013

VOUCHERS: 134958 to 135117

FUND	REGULAR	PREPAID
GENERAL	\$ 154,176.51	\$ 3,671.43
TRUST & AGENCY	35,420.78	-
STREET LIGHTING	16,533.87	-
HIGHWAY	132,633.36	-
WATER	142,957.91	13,243.87
SEWER	6,717.11	397.42
WATER CAPITAL	11,493.36	160,737.93
SEWER CAPITAL	18.50	90,545.45
HIGHWAY CAPITAL	-	8,346.07
GENERAL CAPITAL	-	-
SPECIAL DISTRICT	-	-
TOTAL	\$ 499,951.40	\$ 276,942.17
GRAND TOTAL	<u>\$ 776,893.57</u>	

6. CRYSTAL RUN HEALTHCARE: IDA Application



DEC 11 2013

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e-mail: mheny@mhepc.com

McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY, NJ & PA)
MARK J. EDSALL, P.E. (NY, NJ & PA)

**TOWN OF NEWBURGH
PLANNING BOARD
REVIEW COMMENTS**

WAYNE

PROJECT: CRYSTAL RUN HEALTHCARE MEDICAL OFFICE BUILDING
PROJECT NO.: 13-18
PROJECT LOCATION: SECTION 97, BLOCK 3, LOTS 6,7,8 & 28
SECTION 4, BLOCK 1, LOT 72.2 (NEW WINDSOR)
PROJECT REPRESENTATIVE: LANC & TULLY/ DRAKE, LOEB, HELLER, KENNEDY,
GOGERTY, GABA & RODD
REVIEW DATE: 18 NOVEMBER 2013
MEETING DATE: 21 NOVEMBER 2013

1. The Applicants have submitted a lot line/lot consolidation plan as an initial phase of the project. The following will identify issues pertaining to the lot line plan.

- Existing structures on the site must be removed prior to final approval of the lot line. Several of the existing structures would create zoning bulk compliance issues.
- Demolition permit from Town of Newburgh Building Department is required prior to removal of any structures.
- County Planning review of the lot line is required.
- Easement for storm water discharge onto lands of the City of Newburgh still identified as proposed easement. We believe the easement has already been executed in favor of the parcel.
- The front yard setback for Tax Lot 97-3-1 may require zoning variances as any pre-existing, non-conforming protection would be lost. Use of this structure should be identified for bulk table review. Termination of any existing utilities to the state highway right of way may require a permit from the NYSDOT.
- The project has submitted an application for clearing and grading. Additional information is required including a SWPPP prepared in compliance with NYSDEC and Town of Newburgh requirements.

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- 540 Broadway • Monticello, New York 12701 • 845-794-3399 •

- A grading plan for the area proposed to be cleared and graded should be submitted. It is noted that the current site plan utilizes retaining walls in many locations. Interim grading should be addressed.
- Temporary and permanent vegetative controls must be instituted for the clearing and grading operation. Timing of the clearing and grading should be considered when designing vegetative controls. Current erosion and sediment control plan relying on silt fencing is not adequate for the scope of the project and consideration of the project being tributary to the City of Newburgh water supply.

Respectfully submitted,

***McGoey, Hauser and Edsall
Consulting Engineers, P.C.***

Patrick J. Hines, Associate

ENGINEERS
PLANNERS
SURVEYORS



November 19, 2013

Mr. John Ewasutyn
Planning Board Chairman
Town of Newburgh
308 Gardnertown Road
Newburgh, NY 12550

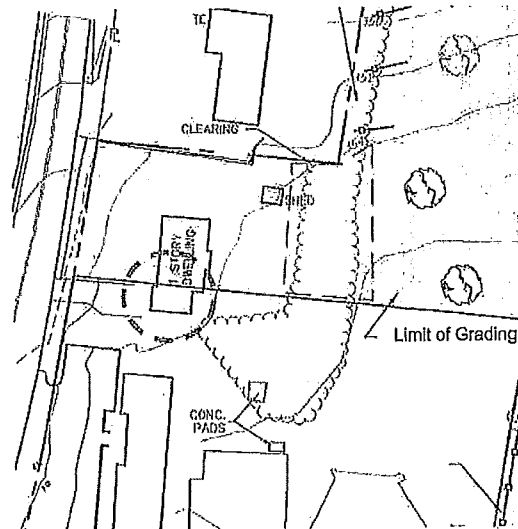
RE: Site Plan Review for Crystal Run Medical Office, Route 300, Town of Newburgh, NY; Town Project No. 2013-18, CM Project No. 113-237.

Dear Mr. Ewasutyn:

Creighton Manning Engineering, LLP (CM) is in receipt of the Clearing and Grading Permit Plan, dated November 1, 2013, the comments response letter dated November 7, 2013, and supplemental traffic information. After a review of the referenced materials, we offer the following comments:

1. The limit of clearing and grading plan along Little Britain Road will include the 1 story building shown to be partially on the Britain Plaza property (subject to the property being transferred per the lot line consolidation plan). See right.

2. The traffic study includes an analysis of the weekday PM peak hour and a Saturday mid-day peak hour. It would be expected that the weekday AM and PM peak hours are the typical peaks for a medical office building, and not a Saturday. The applicant should describe the expected Saturday or weekend operations of the facility.

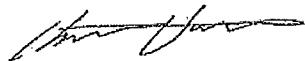


3. We concur with the trip generation estimate for the PM and Saturday peak hours, although ITE has very limited data for this type of facility for a Saturday peak hour. Based on this limited data (just 3 studies), the analysis indicates that more traffic (235 trips) will be generated on a Saturday, versus the weekday PM peak hour (198 trips). It should be noted that when combined with background traffic volumes, the Saturday mid-day peak hour, plus the Crystal Run site generated traffic represents a worst-case peak hour scenario than the weekday AM peak hour. Therefore, we concur that the analysis of the Saturday peak hour represents a worst-case scenario as compared to the typical AM peak hour, although this is traditionally not the typical analysis period for a medical office building.

4. The level of service analysis indicates that the traffic operations at the Route 300/Orr Avenue/Old Little Britain Road will not change substantially with the project. However, the northbound Route 300 approach will operate at approximately 90% capacity at the completion of the project. (V/C: 0.88 No-Build, 0.92 Build). Previously, the South Union Plaza project had proposed a right turn lane on Route 300 approaching Old Little Britain Road. It is advised that the NYSDOT consider whether this lane is needed as part of the current application. Furthermore, the Town should consider whether the applicant, and Britain Plaza, should provide the necessary right-of-way to enable the future construction of a right turn lane.
5. At the Route 300/Wal-Mart/Site access driveway, drivers on the northbound Route 300 approach will experience an average delay increase of approximately 10 seconds during the PM peak hour due to the addition of a southbound left turn phase into the site. Similarly, traffic exiting Wal-Mart will experience a 6-second increase with the addition of a new signal phase exiting the site. Due to the double left turn lanes on Wal-Mart's driveway, the eastbound and westbound phases will operate separately.
6. At the Route 300/Route 207 intersection in New Windsor, signal timing adjustments will minimize most delay increases, but drivers can expect some minor increases in delays (up to 9 seconds of additional delay on the southbound approach, with other approaches averaging an increase of about 3 seconds or less during the PM peak hour).
7. The site driveway approach to Old Little Britain Road will operate with an acceptable 11 to 12 second delay.
8. Overall, the area intersections will generally operate adequately with the project. However, provisions to accommodate future improvements (Route 300 northbound right turn lane at Old Little Britain Road) should be considered.

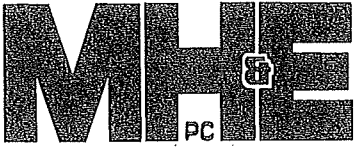
If you have any questions regarding these comments or recommendations, please feel free to contact our office.

Respectfully submitted,
Creighton Manning Engineering, LLP



Kenneth Wersted, PE, PTOE
Project Manager

Cc: Michael Donnelly – PB Attorney
Jim Osborne – Town Engineer
Jerry Canfield – Fire Inspector
Pat Hines – MHE
Karen Arent – KALA



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY, NJ & PA)
MARK J. EDSALL, P.E. (NY, NJ & PA)

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**TOWN OF NEWBURGH
PLANNING BOARD
REVIEW COMMENTS**

PROJECT: VOLKSWAGON OF NEWBURGH
PROJECT NO.: 13-11
PROJECT LOCATION: SECTION 95, BLOCK 1, LOT 53
PROJECT REPRESENTATIVE: JOHN MEYERS CONSULTING
REVIEW DATE: 18 NOVEMBER 2013
MEETING DATE: 21 NOVEMBER 2013

1. A Storm Water Pollution Prevention Plan is under review by our office.
2. A Demolition Permit from Town of Newburgh Building Department is required. Note 3 of the Demolition Plan identifies this requirement.
3. City of Newburgh Flow Acceptance Letter is required.
4. NYSDOT approval for access drive and roadway modifications is required.
5. County Planning referral must be undertaken for the project. Plans are of sufficient design to refer to County at this time.
6. FAA clearance is required due to the proximity to the airport.
7. Check landscaping plans, plantings over pipes near levels spreader.
8. The Applicant's are requested to evaluate the location of the level spreader and emergency spillway. Evaluation should consider moving both in a northerly direction where the existing water course is located at or near the property line preventing overland flow across the adjoining parcel prior to entering stream.
9. Proposed lighting in the parking area is identified at 17 foot 6 inches. This is 1.5 feet higher than design guideline standards. Applicants should evaluate design guidelines and modify detail or provide justification for higher lighting.
10. Proposed level spreader detail identifies 15 and 18 inch pipes, it appears only 18 inch will

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discharge.

11. Water service to structure must be set up such that potable water is terminated to the structure when fire flow water is terminated. Potable water line fire sprinkler line may be the same line. Valving should be provided consistent with town requirements to terminate potable water once sprinkler line is terminated. Applicant's Representative is requested to evaluate whether the proposed 4 inch ductile iron line provides adequate sprinkler flow to the structure.
12. Jurisdictional Fire Department comments regarding fire protection should be received. Existing hydrant at entrance drive is proposed to be relocated slightly east. No hydrants are provided on the site itself.
13. Show 35 foot landscaped area along Route 17K on the landscaping plan.
14. The Planning Board's attention is called to the extensive retaining walls utilized to develop this site. Retaining walls on the west side of the building are approximately 12 feet high, while retaining walls on the east side are approximately 11 feet high. Design of retaining walls must take into consideration the location of the storm water management facility. Standing water will exist against the eastern retaining wall. Details of the proposed retaining wall will require stamped design plans be submitted for building permits based on wall heights.

Respectfully submitted,

***McGoey, Hauser and Edsall
Consulting Engineers, P.C.***

Patrick J. Hines, Associate

ENGINEERS
PLANNERS
SURVEYORS

November 18, 2013



Mr. John Ewasutyn
Planning Board Chairman
Town of Newburgh
308 Gardnertown Road
Newburgh, NY 12550

**RE: Site Plan Review for VW of Newburgh, Route 17K, Town of Newburgh,
NY; Town Project No. 2013-11, CM Project No. 113-178.**

Dear Mr. Ewasutyn:

Creighton Manning Engineering, LLP (CM) is in receipt of the Site Plan dated November 7, 2013, prepared by John Meyer Consulting. After reviewing the referenced materials, we offer the following comments:

1. The truck circulation route appears reasonable. It will be the applicant's responsibility to notify all delivery drivers of the route and drop off area on site.
2. The level of service analysis should assume the addition of a protected/permitted westbound left turn (concurrent with the eastbound phase). This may result in an impact to the westbound through movement, particularly during the PM peak hour. However, the actual turning volume is very low (10 vehicles per hour), therefore the frequency that the eastbound left turn phase being called will be relatively low, hence minimal impacts to westbound through traffic.
3. Similarly, Sheet CHP-1 should include the modification of a protected/permitted eastbound left turn phase, unless this phase and modification is not required by NYSDOT.

If you have any questions regarding these comments or recommendations, please feel free to contact our office.

Respectfully submitted,
Creighton Manning Engineering, LLP

A handwritten signature in black ink, appearing to read "Kenneth Wersted".

Kenneth Wersted, PE, PTOE
Project Manager

Cc: Pat Hines – MHE
Michael Donnelly – PB Attorney
Jim Osborne – Town Engineer
Jerry Canfield – Fire Inspector
Karen Arent – KALA
Siby Zachariah - NYSDOT

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7. **ZONING: Zoning Change: Sunshine Ford**
 - A. **SEQRA Determination**
 - B. **Approval of Developers Agreement**
 - C. **Adoption of Comprehensive Plan Amendment**
 - D. **Approval of Zoning Map Amendment**
 - E. **Acceptance of Water Main Easement**
 - F. **Discontinuance of Road Section**
 - G. **Authorization to Sell Property**

12-11-13

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DRAFT

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, in the Town of Newburgh, Orange County, New York on the ___th day of December, 2013 at 7:00 o'clock p.m.

PRESENT:

Wayne C. Booth, Supervisor

George Woolsey, Councilman

Gilbert J. Piacquadio, Councilman

Elizabeth J. Greene, Councilwoman

Ernest C. Bello, Jr., Councilman

RESOLUTION OF SEQR LEAD AGENCY DISGNATION AND DETERMINATION: AMENDMENT TO COMPREHENSIVE PLAN UPDATE, ADOPTION OF LOCAL LAW AMENDING CHAPTER 185 ENTITLED 'ZONING' OF THE CODE OF THE TOWN OF NEWBURGH AND THE ZONING MAP OF THE TOWN OF NEWBURGH TO REZONE AN AREA OF LAND ON PUTNAM STREET AND BOULDER FROM R-3 (RESIDENTIAL) TO THE ADJACENT IB (INTERCHANGE BUSINESS) ZONING DISTRICT, PROPOSED ABANDONMENT OF A SECTION OF BOULDER ROAD AND CONVEYANCE OF THE PROPERTY TO THE ABUTTING OWNER, ACCEPTANCE OF AN EASEMENT FOR AN EXISTING WATER MAIN INSTALLED ON PRIVATE PROPERTY AND APPROVAL OF A DEVELOPER'S AGREEMENT WITH THE PETITIONING PROPERTY OWNER: APPLICATION OF COSIMO J. COLANDREA /SUNSHINE FORD-LINCOLN

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

WHEREAS, having received a request from a property owner for a Zoning Map change, pursuant to Town Law Section 272-a the Town Board has prepared an amendment to the adopted Comprehensive Plan Update of the Town of Newburgh providing for the rezoning of an area of land on Putnam Street and Boulder Road from R-3 (Residential) to the adjacent IB (Interchange Business) District Zoning; and

WHEREAS, the Town Board has additionally prepared a local law amending the Zoning Code and Zoning Map of the Town of Newburgh which will implement the proposed Comprehensive Plan Update Amendment; and

WHEREAS, the same owner who requested the rezoning has additionally requested that the Town discontinue and abandon a section of Boulder Road which terminates at his property and which is also abutted by his properties on both sides as unnecessary for public highway purposes and upon said abandonment to convey the property underlying said road section to him for fair market consideration, subject to the Town's retention of a utility easement for an existing municipal water main; and

WHEREAS, the owner has additionally offered to dedicate to the Town without additional consideration a utility easement for the section of the municipal water main which was installed across his property without an easement having been granted to the Town; and

WHEREAS, the Town Board of the Town of Newburgh recognizes the importance of

sound planning as a means of promoting responsible development and protecting the health, safety and general welfare of the citizens of the Town of Newburgh and otherwise fulfilling the legislative findings and intent set forth in Town Law Section 272-a; and

WHEREAS, the petitioning property owner has submitted Part 1 and Town Board of the Town of Newburgh has caused Part 2 of an Environmental Assessment Form (the "EAF") to be prepared for the proposed adoptions of the Amendment to the Comprehensive Plan Update and the Local Law Amending Chapter 185 Entitled 'Zoning' of the Code of the Town of Newburgh and the Zoning Map of the Town of Newburgh to Rezone an Area of Land on Putnam Street and Boulder Road, the proposed abandonment and conveyance of the section of Boulder Road and the proposed acceptance of dedication of the utility easement for the water main; and

WHEREAS, the property owner has additionally agreed to enter into a Developer's Agreement with the Town pursuant to which the property owner agrees to certain conditions on the future development of the properties, including stormwater management, berming and fencing, and access to the properties and the Town Board has considered the approval of such Developer's Agreement as part of the Action; and

WHEREAS, the Town Board has determined that the proposed adoption of the aforesaid Amendment to the Comprehensive Plan Update and local law, abandonment and conveyance of the Section of Boulder Road, acceptance of dedication of the water main easement and approval of the Developer's Agreement should be reviewed as an action (the "Action") under Part 617 of the General Regulations ("Part 617") adopted pursuant to Article 8 of the Environmental Conservation Law ("SEQR") and Chapter 100 entitled "Environmental Quality Review" of the Town of Newburgh Municipal Code; and

WHEREAS, the Town Board proposed to undertake, fund and approve the Action and wishes to assume Lead Agency status in connection with the review of the Action pursuant to the State Environmental Quality Review Act; and

WHEREAS, the Town Board, using all due diligence, identified the following involved agency for the Action:

Town of Newburgh Highway Superintendent; and

WHEREAS, the Town Board, using all due diligence, identified the following agencies as potentially interested agencies for the Action:

the Orange County Planning Department,

the Town of Newburgh Planning Board

the Town of Newburgh Zoning Board of Appeals; and

WHEREAS, the Town Board proposes to undertake, fund and approve the Action; and

WHEREAS, copies of the EAF have been forwarded to all involved and interested agencies for review and comment and the Town Board has advised the involved agency(ies) of

its intention to act as the Lead Agency; and

WHEREAS, the Town Board has (i) thoroughly reviewed the EAF, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, and (ii) thoroughly analyzed the potential relevant areas of environmental concern to determine if the proposed Action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c); and

WHEREAS, the Town Board has not identified relevant areas of environmental concern which would lead to a determination that the Action may have a significant adverse effect on the environment either in the short term, long term or cumulatively given the likely consequences, setting, probability of occurrence, duration, irreversibility, geographic scope, magnitude and the number of people affected.

NOW, THEREFORE, BE IT RESOLVED, the Town Board pursuant to Article 8 of the Environmental Conservation Law ("SEQR"), Part 617 of the General Regulations adopted pursuant thereto ("Part 617") and Chapter 100 entitled "Environmental Quality Review" of the Town of Newburgh Municipal Code, hereby determines that the Action is subject to SEQR and is a Type I Action; and

BE IT FURTHER RESOLVED, that the Town Board hereby declares itself the Lead Agency for the purpose of conducting a review of this Action; and

BE IT FURTHER RESOLVED, that the Town Board, acting in its capacity as Lead Agency, hereby determines that said Action will not have a significant effect on the environment and, accordingly, does issue a Negative Declaration; and

BE IT FURTHER RESOLVED, that The Town Board accordingly determines that an Environmental Impact Statement will not be prepared; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to execute and file the Environmental Assessment Form Determination of Significance and a Negative Declaration with such further amendment and modification as may be required to elaborate the Lead Agency's determination herein, in accordance with the applicable provisions of law, and all other appropriate notices and documents to effectuate these resolutions in accordance with the applicable provisions of law.

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 _____

Gilbert J. Piaquadio, Councilman voting _____

Elizabeth J. Greene, Councilwoman voting _____

Ernest C. Bello, Jr., Councilman voting _____

Wayne C. Booth, Supervisor voting _____

The resolution was thereupon declared duly adopted.

DRAFT

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 ___ day of December, 2013 at 7:00 o'clock p.m.

PRESENT:

Wayne C. Booth, Supervisor

George Woolsey, Councilman

Gilbert J. Piaquadio, Councilman

Elizabeth J. Greene, Councilwoman

Ernest C. Bello, Jr., Councilman

RESOLUTION OF TOWN BOARD
AUTHORIZING EXECUTION AND
DELIVERY OF DEVELOPER'S
AGREEMENT BETWEEN THE
TOWN OF NEWBURGH AND
COSIMIO COLANDREA

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

WHEREAS, Cosimo J. Colandrea ("Developer") has requested that the Town Board of the Town of Newburgh amend the zoning map of the Town of Newburgh from the present R-3 - Resident District to IB - Business District, extending the IB District to the centerline of Putnam Street so as to include properties which he owns which are adjacent to his property presently used for the Sunshine Ford Lincoln Mercury automobile dealership; and

WHEREAS, the Developer also has petitioned the Town's Highway Superintendent for a discontinuance and abandonment and proposes to purchase a stub portion of Boulder Road south of Putnam Street for the sum of \$4,000.00 (Four Thousand dollars and no cents) which is bounded on both sides and terminates at Developer's Property subject to the Town's reservation of a utility easement for its water line; and

WHEREAS, the Developer further proposes to grant a utility easement to the Town for Town water lines on lands of Developer; and

WHEREAS, the Town has undertaken an amendment of its comprehensive plan in order to consider and evaluate the merits of the requested zoning map amendment; and

WHEREAS, in order to guarantee that the Developer's property will be developed as currently proposed and certain additional operational measures pertaining to snowplowing and access will be undertaken, the Developer has offered to enter into a certain Developer's Agreement ("Developer's Agreement") which will impose certain restrictions upon the development of the property and certain snowplowing operations thereon and access thereto should the Town Board grant the requested zoning map amendment.

WHEREAS, the Town Board has reviewed the terms and conditions of the aforesaid Developer's Agreement and finds the Developer's Agreement acceptable; and

WHEREAS, the Town Board desires to authorize the execution of such Developer's Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Newburgh, Orange County, New York, that the execution and delivery of the Developer's Agreement between Cosimo J. Colandrea and the Town of Newburgh by the Town of Newburgh Supervisor is hereby authorized; and

BE IT FURTHER RESOLVED, that the Supervisor and other officers and employees of the Town are hereby authorized and empowered 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, agreements, documents and papers and to take such actions as may be necessary to effectuate and carry out the contents of the foregoing resolutions and the terms and conditions of the Developer's Agreement; 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:

George Woolsey, Councilman voting _____

Gilbert J. Piaquadio, Councilman voting _____

Elizabeth J. Green, Councilwoman voting _____

Ernest C. Bello, Jr., Councilman voting _____

Wayne C. Booth, Supervisor voting _____

The resolution was thereupon declared duly adopted.

DRAFT

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, in the Town of Newburgh, Orange County, New York on the ___th day of December, 2013 at 7:00 o'clock p.m.

PRESENT:

Wayne C. Booth, Supervisor

George Woolsey, Councilman

Gilbert J. Piaquadio, Councilman

Elizabeth J. Greene, Councilwoman

Ernest C. Bello, Jr., Councilman

RESOLUTION OF TOWN BOARD IN THE MATTER OF THE ADOPTION OF THE PROPOSED AMENDMENT TO THE COMPREHENSIVE PLAN UPDATE OF THE TOWN OF NEWBURGH PERTAINING TO THE REZONING OF AN AREA OF LAND ON PUTNAM STREET AND BOULDER ROAD FROM R-3 TO THE ADJACENT IB ZONING DISTRICT

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

WHEREAS, the Town Board recognizes the importance of sound planning as a means of promoting responsible development and protecting the health, safety and general welfare of the citizens of the Town of Newburgh and otherwise fulfilling the legislative findings and intent set forth in Town Law Section 272-a; and

WHEREAS, the participation of citizens in an open, responsible and flexible planning process is essential to the designing of the optimum Town comprehensive plan; and

WHEREAS, pursuant to Town Law Section 272-a, having received petitions from the property owner, the Town Board prepared a proposed amendment to the adopted Comprehensive Plan Update of the Town of Newburgh providing for the rezoning of certain properties on Putnam Street and Boulder Road from R-3 (Residential) District to IB (Interchange Business) District Zoning ; and

WHEREAS, the Zoning Map shows boundaries of the IB Zoning District to which the subject properties are proposed to be rezoned as adjacent to the properties; and

WHEREAS, Town Law Section 272-a provides that in the event a town board prepares a proposed town comprehensive plan amendment, the town board shall hold one or more public hearings and such other meetings as it deems necessary to assure full opportunity for citizen participation in the preparation of such proposed plan amendment, and in addition, the town board shall hold one or more public hearings prior to adoption of such proposed plan amendment; and

WHEREAS, the Town Board called and duly held a public hearing on the 6th day of May, 2013 at 7:00 o'clock, p.m. to solicit citizen comment for the preparation of the proposed Amendment to the Comprehensive Plan Update for the Rezoning of Properties on Putnam Street

and Boulder Road to the adjacent IB zoning district, and all parties in attendance were permitted to speak and comment; and

WHEREAS, the Town Board called and duly held a second public hearing prior to the adoption of the proposed Amendment to the Comprehensive Plan Update the Town Board prepared on the 17th day of June, 2013 at 7:00 o'clock, p.m. Prevailing Time and all parties in attendance were permitted to speak and comment ; and

WHEREAS, the Town Board has additionally considered the future housing needs of the region and the consistency of the Amendment with the needs and goals identified by the April, 2009 *Tri-County Affordable Housing Study*, conducted jointly by Orange, Dutchess, and Ulster Counties, and the potential affects of the Action on the Town's ability to meet goals for providing rental and owner occupied affordable housing; and

WHEREAS, pursuant to a certain Developer's Agreement, the owner of the subject properties has agreed with the Town to certain conditions on the future development of and access to the properties and the Town Board's adoption of the local law implementing the rezoning of those properties will be conditioned on the execution and delivery of said Agreement; and

WHEREAS, the Town Board of the Town of Newburgh, acting as lead agency, has duly considered the approval of the Amendment to the Comprehensive Plan Update of the Town of Newburgh as part of a Type I Action under the State Environmental Quality Review Act which also includes the adoption of a Local Law amending the Town of Newburgh Zoning Code and Zoning Map to Rezone the subject area of land on Putnam Street and Boulder Road from R-3 to the Adjacent IB Zoning District, the proposed abandonment of a section of Boulder Road and the acceptance of a utility easement for an existing water main and execution of a Developer's Agreement and has duly issued a negative declaration; and

WHEREAS, the Town Board after due deliberation has determined it is in the best interest of the Town to adopt the proposed Amendment to the Comprehensive Plan Update of the Town of Newburgh providing for the rezoning of certain properties on Putnam Street and Boulder Road from R-3 (Residential) to IB (Interchange Business) District Zoning.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Town Board of the Town of Newburgh hereby adopts the Amendment to the Comprehensive Plan Update of the Town of Newburgh providing for the rezoning of certain properties on Putnam Street and Boulder Road from R-3 (Residential) to IB (Interchange Business) District Zoning attached as Exhibit "A" hereto.
2. The Town Clerk is hereby directed to enter this resolution in the minutes of this meeting.

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 _____
Gilbert J. Piaquadio, Councilman voting _____
Elizabeth J. Greene, Councilwoman voting _____
Ernest C. Bello, Jr., Councilman voting _____
Wayne C. Booth, Supervisor voting _____

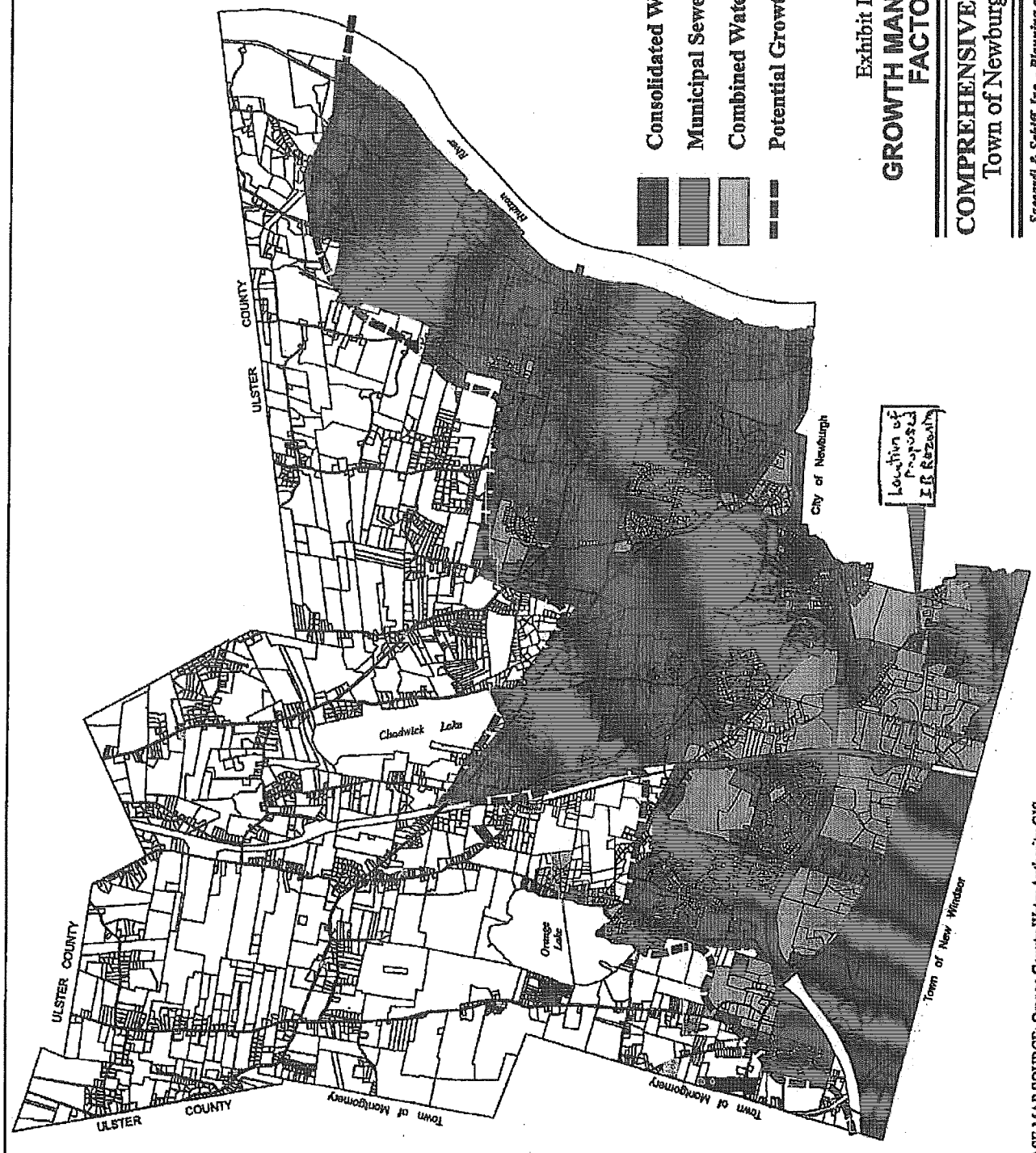
The resolution was thereupon declared duly adopted.

AMENDMENT
TO THE
COMPREHENSIVE PLAN UPDATE
OF THE
TOWN OF NEWBURGH:
REZONING OF AN AREA OF LAND
ON PUTNAM STREE AND BOULDER ROAD
FROM R-3 TO THE ADJACENT IB ZONING DISTRICT

ADOPTED BY THE TOWN BOARD OF THE TOWN OF NEWBURGH
ON DECEMBER , 2013



0 1 Mile

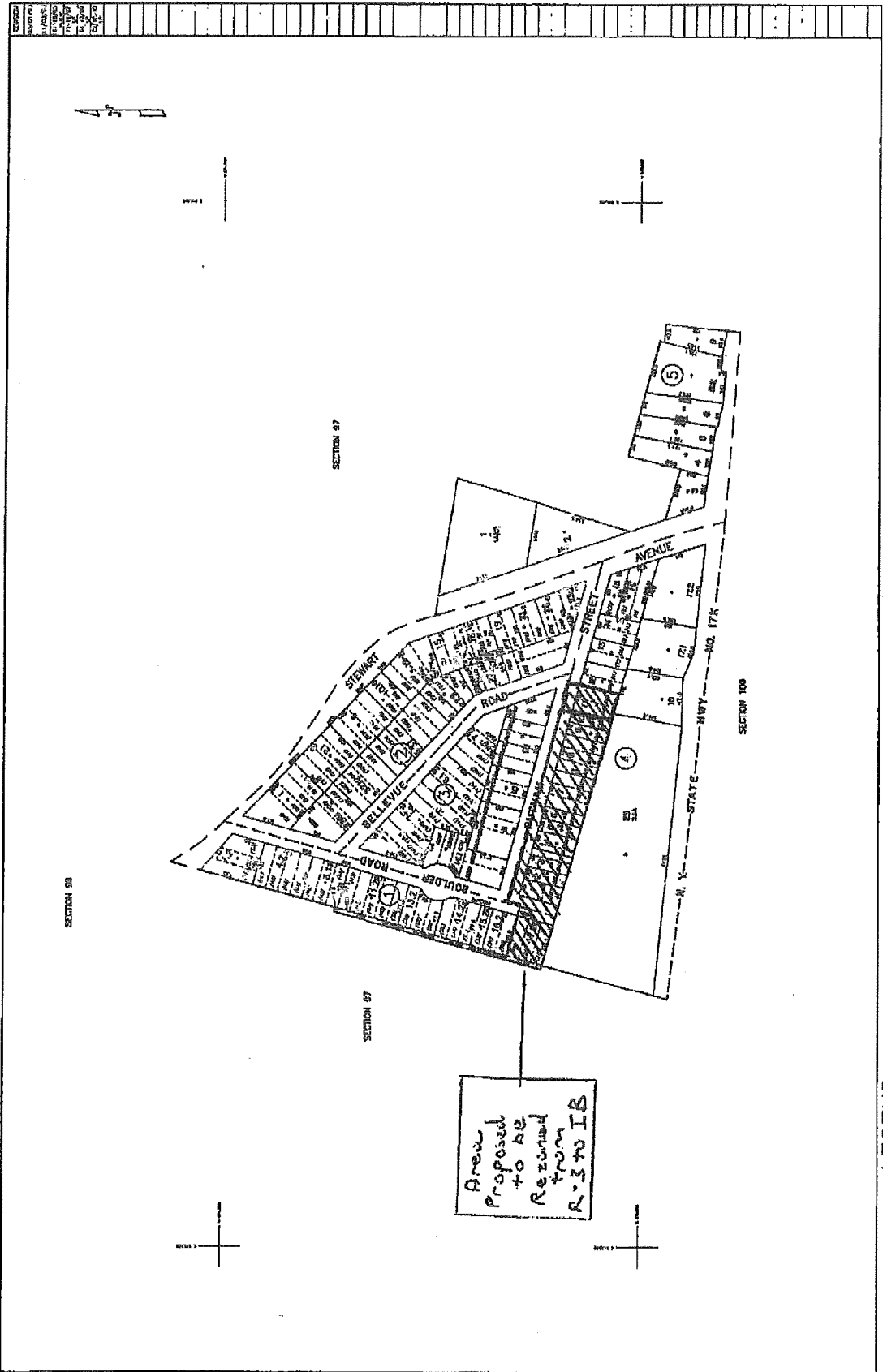


- Consolidated Water District
- Municipal Sewer Districts
- Combined Water and Sewer Coverage
- Potential Growth Boundary

Exhibit III-3
**GROWTH MANAGEMENT
 FACTORS**
COMPREHENSIVE PLAN UPDATE
 Town of Newburgh, New York

Saccardi & Schiff, Inc. - Planning and Development Consultants

BASE MAP SOURCE: Orange County Water Authority GIS



CLASS OF ZONING	AREA AFFECTED	DATE OF ADOPTION	EXPIRES	APPLICABLE TO
RESIDENTIAL SINGLE-FAMILY (R-1)	100	1962	2012	...
RESIDENTIAL SINGLE-FAMILY (R-2)	101	1962	2012	...
RESIDENTIAL SINGLE-FAMILY (R-3)	102	1962	2012	...
...

LEGEND



ORANGE COUNTY—NEW YORK

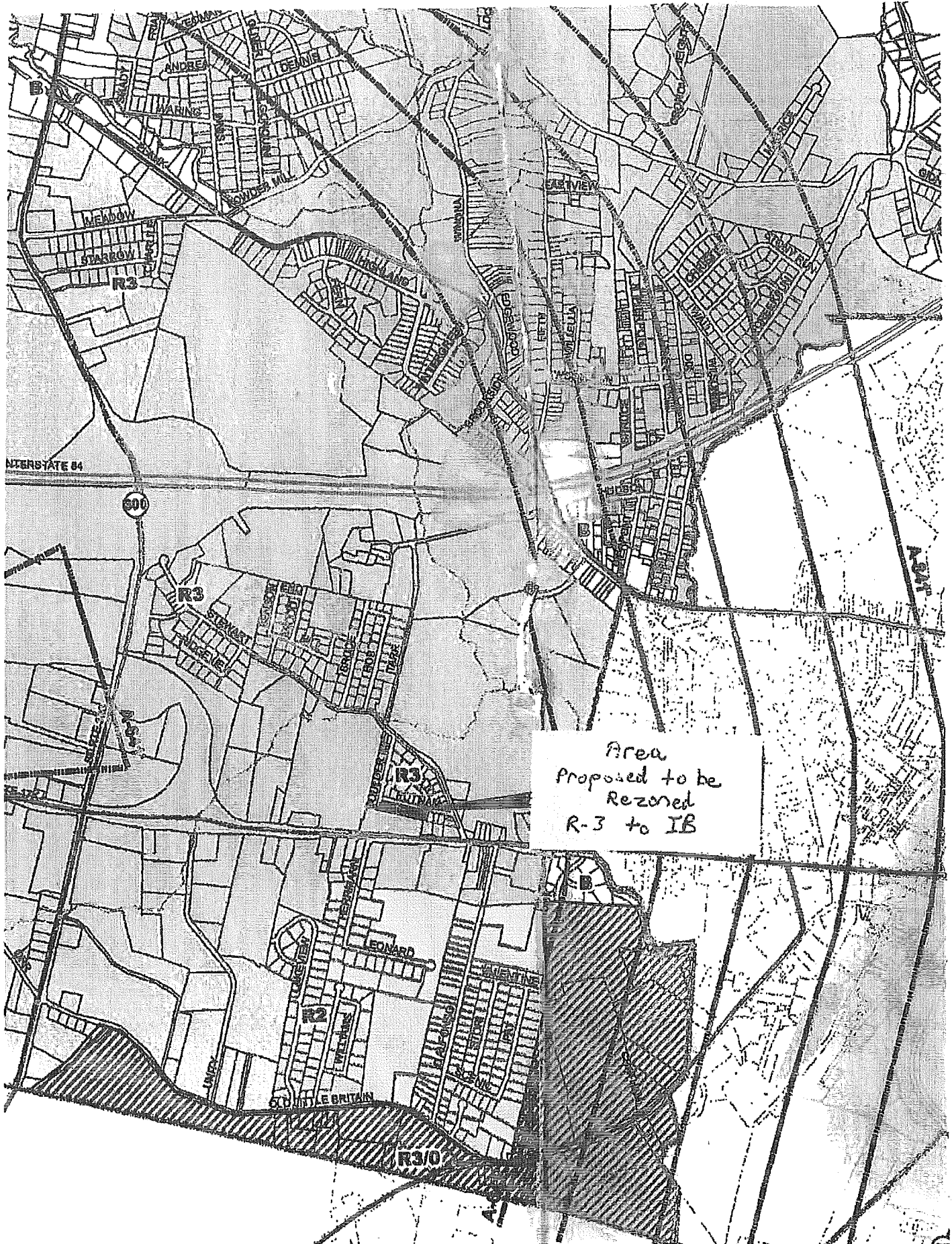
Orange County, New York, is a county in the state of New York. It is named in honor of the English Duke of Orange-Nassau, William III, who became the third King of England in 1689. The county is located in the southeast corner of the state and is bordered by Dutchess County to the north, Sullivan County to the west, and Ulster County to the southwest. The county is one of the most rural in the state and is known for its scenic beauty and historic sites.

TOWN OF NEWBURGH

Scale 1" = 400'

Section No. 96

TOWN OF NEWBURGH
 SECTION NO. 96
 SCALE 1" = 400'
 ADJOURNING INSTRUMENT



Area
Proposed to be
Rezoned
R-3 to IB

DRAFT

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, in the Town of Newburgh, Orange County, New York on the ___th day of December, 2013 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 OF ADOPTION OF LOCAL LAW NO. ___ OF 2013 - AMENDING CHAPTER 185 ENTITLED "ZONING" OF THE CODE OF THE TOWN OF TOWN OF NEWBURGH AND THE ZONING MAP OF THE TOWN OF NEWBURGH TO REZONE AN AREA OF LAND ON PUTNAM STREET AND BOULDER ROAD

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

WHEREAS, a Local Law Amending Chapter 185 entitled "Zoning" of the Code of the Town of Newburgh and the Zoning Map of the Town of Newburgh to Rezone An Area of Land on Putnam Street and Boulder Road was introduced before the Town Board of the Town of Newburgh in the County of Orange and State of New York on the 15th day of April, 2013; and

WHEREAS, pursuant to resolution of the Town Board, copies of the aforesaid local law were forwarded to the Orange County Department of Planning and the Town of Newburgh Planning Board for their reports in accordance with the provisions of the New York State General Municipal Law and the Town of Newburgh Zoning Code respectively, and to the Town of Newburgh Zoning Board of Appeals; and

WHEREAS, the Town Board of the Town of Newburgh adopted a resolution on the 15th day of April, 2013 ordering a public hearing to be held on the 6th day of May, 2013 at 7:00 o'clock p.m., prevailing time, to hear all interested parties on said proposed local law entitled "A Local Law Amending Chapter 185 Entitled "Zoning" of the Code of the Town of Newburgh and the Zoning Map of the Town of Newburgh to Rezone An Area of Land on Putnam Street and Boulder Road"; and

WHEREAS, a notice of public hearing was mailed to the clerks of the municipalities and counties with boundaries within 500 feet of the properties affected by the zoning amendment at least ten days prior to the date of the public hearing; and

WHEREAS, a notice of said Public Hearing was duly advertised on the ___th day of April, 2013 in The Mid-Hudson Times and on the ___th day of April, 2013 in The Sentinel and posted on the Town Clerk's sign board on the ___th day of April, 2013; and

WHEREAS, the Public Hearing was duly held on the 6th day of May, 2013 at 7:00 o'clock p.m., at Town Hall, 1496 Route 300, Newburgh, New York and all parties in attendance were

permitted to speak on behalf or in opposition of the proposed Local Law or any part thereof; and

WHEREAS, the Public Hearing was held open and reconvened on the 17th day of June, 2013, when all parties in attendance were afforded the opportunity to speak on behalf or in opposition of the proposed Local Law or any part thereof prior to the close of the Public Hearing; and

WHEREAS, the Town Board of the Town of Newburgh, acting as lead agency, has duly considered the adoption of said Local Law amending the Town of Newburgh Zoning Code and Zoning Map to Rezone an area of land on Putnam Street and Boulder Road from R-3 to the Adjacent IB Zoning District as part of a Type I Action under the State Environmental Quality Review Act which also includes an Amendment to the Comprehensive Plan Update of the Town of Newburgh, the proposed abandonment of a section of Boulder Road and the acceptance of a utility easement for an existing water main and execution of a Developer's Agreement and has duly issued a negative declaration; and

WHEREAS, the Town Board of the Town of Newburgh has duly considered the reports and responses it has received from the Orange County Planning Department and the Town of Newburgh Planning Board; and

WHEREAS, the Town Board of the Town of Newburgh has additionally considered the future housing needs of the region and the consistency of the Amendment with the needs and goals identified by the April, 2009 *Tri-County Affordable Housing Study*, conducted jointly by Orange, Dutchess, and Ulster Counties, and the potential affects of the Action on the Town's ability to meet goals for providing rental and owner occupied affordable housing; and

WHEREAS, pursuant to a certain Developer's Agreement (the "Developer's Agreement"), the owner of the subject properties on Putnam Street and Boulder Road and has agreed with the Town with respect to certain conditions on access and development of the property; and

WHEREAS, due to the adoption of intervening local laws, said local law designated as Introductory Local Law No. ___ of 2013 of the Town of Newburgh will be designated as Local Law No. ___ of 2013 of the Town of Newburgh; and

WHEREAS, the Town Board of the Town of Newburgh, after due deliberation finds it in the best interest of the Town to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED as follows that, upon condition of the execution, acknowledgment and delivery of the Developer's Agreement to the Town by the other party thereto:

1. The Town Board of the Town of Newburgh hereby adopts said Local Law No. ___ of Year 2013 entitled "A Local Law Amending Chapter 185 entitled 'Zoning' of the Code of the Town of Newburgh and the Zoning Map of the Town of Newburgh to Rezone An Area of Land on Putnam Street and Boulder Road".
2. The Town Clerk is hereby directed to enter this resolution and said Local Law in the minutes of this meeting and the Local Law Book of the Town of Newburgh and

to give due notice of the adoption of said Local Law to the Secretary of State and to the public.

3. A report of final action in the matter of the adoption of said Local Law amending the Zoning Code of the Town of Newburgh shall be delivered to the Orange County Planning Department in accordance with the requirements of the General Municipal Law.

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 _____

Gilbert J. Piaquadio, Councilman voting _____

Elizabeth J. Greene, Councilwoman voting _____

Ernest C. Bello, Jr., Councilman voting _____

Wayne C. Booth, Supervisor voting _____

The resolution was thereupon declared duly adopted.

**INTRODUCTORY LOCAL LAW #_ OF 2013
A LOCAL LAW AMENDING
CHAPTER 185 ENTITLED "ZONING"
OF THE CODE OF THE TOWN OF NEWBURGH
AND
THE ZONING MAP
OF THE TOWN OF NEWBURGH
TO REZONE
AN AREA OF LAND
ON PUTNAM STREET AND BOULDER ROAD**

SECTION 1 - TITLE

This Local Law shall be referred to as "A Local Law Amending Chapter 185 Entitled 'Zoning' of the Code of the Town of Newburgh and the Zoning Map of the Town of Newburgh to Rezone An Area of Land on Putnam Street and Boulder Road."

SECTION 2 - PURPOSE

The purpose of this local law is to rezone a certain area of land located on Putnam Street and Boulder Road from the R-3 (Residential) Zoning District to the adjoining IB (Interchange Business) Zoning District.

The rezoning will encompass approximately 1.84 acres of land. The area is comprised of portions of Putnam Street and Boulder Road and lots fronting on those streets which are adjacent to the property designated as tax parcel Section 99 Block 4 Lot 23 on the tax map of the Town of Newburgh.

SECTION 3 - AMENDMENT TO CHAPTER 185 AND ZONING MAP

1. The Zoning Map of the Town of Newburgh, adopted and made a part of Chapter 185 of the Code of the Town of Newburgh pursuant to Section 185-5, as last amended by Local Law No. 1 of 2013, is hereby amended to change the Zoning District from R-3 to IB for the property described in Schedule A annexed hereto and made a part hereof.

2. The Zoning Map of the Town of Newburgh, as amended by this local law, shall be maintained on file in the office of the Town Clerk

SECTION 4 - REPEAL All ordinances and local laws and any parts thereof inconsistent with this Local Law are hereby repealed.

SECTION 5 - VALIDITY

If any clause, sentence, paragraph, word, section or part of this local law shall be

MCT/Town of Newburgh/Zoning Map Amendment – Colandrea – Putnam Street.wpd

adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder of this local law or the application thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. The Town Board of the Town of Newburgh hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

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.

Schedule "A"

Description
Zoning Amendment
Zone IB – Putnam Street

All that tract or parcel of land situate in the Town of Newburgh, County of Orange, State of New York, bounded and described as follows:

Beginning at a point in the center of Putnam Street, said point being the intersection of the center of Putnam Street with the westerly line of lands now or formerly Breitenbach (L.1139 P.201) extended; thence over and through Putnam Street and along lands now or formerly Breitenbach (L.1139 P.201), South 27-34-50 East 125.95' to a point; thence along lands of Colandrea, North 62-38-40 West 36.78', North 62-22-47 West 176.77', North 60-15-24 West 106.87', North 62-05-35 West 209.44', North 60-15-56 West 43.07' and North 60-34-06 West 99.86' to a point; thence along lands now or formerly Target Corp. (D.11836 P.956), North 61-20-50 West 9.50' and North 28-39-10 East 89.08' to a point; thence along lands now or formerly Fayó (L.4668 P.142), South 61-02-54 East 109.82' and North 28-57-08 East 29.16' to a point; thence over and through Boulder Road and along the center of Putnam Street, South 62-25-10 East 569.97' to the point or place of beginning. Containing 1.84 acres of land, more or less.

-----X

IN THE MATTER
OF THE
DISCONTINUAND AND ABANDONMENT
OF A CERTAIN PORTION OF A TOWN
HIGHWAY IN THE TOWN OF NEWBURGH,
ORANGE COUNTY, NEW YORK

CONSENT OF
TOWN BOARD TO
DISCONTINUANCE AND
ABANDONMENT OF
A PORTION OF
BOULDER ROAD

-----X

WHEREAS, pursuant to Highway Law §207, whenever a town superintendent of highway shall determine that any portion of any highway or street, not within the limits of an incorporated village, which is the terminus of such street or highway, is unnecessary for highway purposes, said town superintendent may, by an order to be duly entered in the town clerk's office, direct such highway to be discontinued and abandoned for public purposes. Provided, however, that no portion of such highway to be discontinued shall be greater than one thousand feet of the terminus thereof and that the owners of the land on both sides of such highway or street, for the distance it is proposed to discontinue the same, shall, by written petition to such town superintendent have requested the discontinuance thereof; and

WHEREAS, Cosimo J. Colandrea, the owner of the land on both sides of that portion of the Town of Newburgh highway known and designated as "Boulder Road" described in Schedule "A" annexed hereto has petitioned the Superintendent of Highways of the Town of Newburgh to abandon and discontinue for public purposes said portion of Boulder Road.

NOW, THEREFORE, BE IT RESOLVED, that consent be and the same hereby is given to the Town Superintendent of Highways of the Town of Newburgh to file and cause to be recorded in the Town Clerk's Office an order discontinuing and abandoning that portion of the Town of Newburgh highway known and designated as "Boulder Road" described in Schedule "A" annexed hereto described in Schedule "A" annexed hereto, s in accordance with the provisions of the Highway Law of New York and any other statutes applicable thereto.

Dated the ___th day of December, 2013.

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

WAYNE BOOTH, SUPERVISOR
GEORGE WOOLSEY, COUNCILMAN
GILBERT J. PIAQUADIO, COUNCILMAN
ELIZABETH J. GREENE, COUNCILWOMAN
ERNEST C. BELLO, JR., COUNCILMAN

SCHEDULE "A"

DESCRIPTION FOR PORTION OF BOULDER ROAD
TO BE
DISCONTINUED AND
ABANDONED BY THE
TOWN OF NEWBURGH

ALL that certain lot, piece or parcel of an abandoned portion of Second Street in the Town of Newburgh, County of Orange, State of New York and being more accurately bounded and described on Schedule A-1 annexed hereto:

8. TOWN CLERK: Peddler's Permit (Appeal)

DEC 11 2013

11/7/13 8

To Town of Newburgh Board 8

I Thomas J. Amodio Jr

am Appealing the decision
of my mobile Food Truck to

Be Located at Big Boyz Toyz

at 5512 RT. 9W Town of

Newburgh NY 12542.

Thomas Amodio

please call so I can be
at the Town Board meeting

Thankyou
Thomas Amodio

845 234-1074

9. LOCAL LAW: Residency Requirement

**INTRODUCTORY LOCAL LAW #__ OF 2013
PROVIDING FOR THE RESIDENCY REQUIREMENTS
FOR CERTAIN OFFICES
OF THE TOWN OF NEWBURGH**

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 Providing for the Residency Requirements for Certain Offices of the Town of Newburgh".

SECTION 2 - RESIDENCY REQUIREMENTS AMENDMENT

A new Chapter 42 entitled "Residency Requirements" is hereby added to the Town of Newburgh Municipal Code to read as follows:

"Chapter 42

Residency Requirements

§42-1 Authority. This local law is adopted pursuant to Municipal Home Rule Law, §10(1)(ii)(a)(1) which grants to local governments the authority to enact local laws regarding the qualifications of local officers. This local law recognizes that the State Legislature previously amended Public Officers Law, §3 expanding the residency requirements for any appointed public office, thereby rendering Public Officers Law a special law with respect to any appointed town officer.

§42-2 Supersession. This local law shall supersede the requirement of local residency set forth in § 3, Subdivision 1, of the Public Officers Law of the State of New York and shall also supersede the requirement of being a local elector set forth in § 23, Subdivision 1, of the Town Law of the State of New York with respect to the certain Town officers specified in Section 41-3 below.

§42-3 Eligibility for Certain Town Offices. Notwithstanding any other provision of law to the contrary, individuals otherwise qualified, appointed to hold the following offices, shall not be required to be a resident or an elector of the Town of Newburgh at the time of appointment and during the term of office, but must reside with the County of Orange or an adjoining county within the State of New York, provided the individual's residence in an adjoining county is within thirty (30) linear miles of the nearest boundary of the Town:

Second (Additional) Deputy Town Clerk and
Second (Additional) Deputy Receiver of Taxes and Assessments."

SECTION 3 - INCONSISTENCY

Any other Local Laws and ordinances of the Town of Newburgh that are inconsistent with the provisions of this Local Law are hereby repealed; provide however, that such repeal shall only be to the extent of such inconsistency and in all other respects this Local Law shall be in addition to such other Local Laws or ordinances regulating and governing the subject matter covered by the Local Law.

SECTION 4 - UNCONSTITUTIONALITY OR ILLEGALITY

If any clause, sentence, paragraph, word, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 5 - 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.

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, in the Town of Newburgh, Orange County, New York on the ___th day of December, 2013 at 7:00 o'clock p.m.

PRESENT:

Wayne C. Booth, Supervisor

George Woolsey, Councilman

Gilbert J. Piaquadio, Councilman

Elizabeth J. Greene, Councilwoman

Ernest C. Bello, Jr., Councilman

RESOLUTION OF TOWN BOARD
INTRODUCING LOCAL LAW
PROVIDING FOR THE
RESIDENCY REQUIREMENTS FOR
CERTAIN OFFICES
OF THE TOWN OF NEWBURGH
AND PROVIDING FOR PUBLIC NOTICE
AND PUBLIC HEARING

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

BE IT RESOLVED that a Local Law Providing for the Residency Requirements for Certain Offices of the Town of Newburgh be and hereby is introduced before the Town Board of the Town of Newburgh in the County of Orange and State of New York, and

BE IT FURTHER RESOLVED that a copy of the aforesaid proposed local law in final form be laid upon the desk of each member of the Town Board at least seven (7) days prior to a public hearing on said proposed local law, and

BE IT FURTHER RESOLVED that the Town Board shall hold a public hearing in the matter of the adoption of the aforesaid local law to be held at the Town Hall at 1496 Route 300 in the Town of Newburgh, New York on the ___ day of December, 2013 at 7:___ o'clock, p.m., and; and

BE IT FURTHER RESOLVED that the Town Clerk give notice of such public hearing by the publication of a notice in the official newspapers of the Town, specifying the time when and the place where such public hearing will be held at least three (3) days prior to the public hearing, and posting of such notice together with a copy of such local law in accordance with the requirements of the Municipal Home Rule Law and Chapter 25 of the Code of 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 _____

Gilbert J. Piaquadio, Councilman voting _____

Elizabeth J. Greene, Councilwoman voting _____

Ernest C. Bello, Jr., Councilman voting _____

Wayne C. Booth, Supervisor voting _____

The resolution was thereupon declared duly adopted.

10. BUILDING & GROUNDS: Garbage and Refuse Pick Up

DEC 11 2013

10

NOTICE OF BID INVITATION GARBAGE AND RECYCLABLE COLLECTION

The Town Board of the Town of Newburgh, County of Orange, New York, hereby invites the submission of sealed bids for garbage and recyclable collection for Town buildings/properties for the calendar year January 1, 2014 to December 31, 2014.

Alternate bids will also be accepted for pick-up services extended over a two year period commencing January 1, 2014 and ending December 31, 2015 and a three year period commencing January 1, 2014 and ending December 31, 2016. The Town Board shall have the right, at its election, to award the contract for one, two or three years.

Bids must be in writing on the forms furnished by the Town Clerk's office and are subject to the conditions contained in the Instruction to Bidders.

Detailed specifications for the above item(s) may be secured at the Town Clerk's Office, 1496 Route 300, Newburgh, New York 12550.

All bids are to be submitted on bid forms obtainable at the Town Clerk's Office, 1496 Route 300, Newburgh, New York 12550 and shall be contained in sealed envelopes marked "Refuse and Garbage Collection Bids".

Sealed bids will be received by the undersigned on behalf of the Town Board up until 2:00 p.m. on Wednesday, November 20, 2013, at the Town Clerk's Office, 1496 Route 300, Newburgh, New York 12550 when the same will be publicly opened and read aloud. The Town Board reserves the right to reject any or all bids and to waive any irregularity in a bid as the interests of the Town may require.

BY ORDER OF THE TOWN BOARD OF
THE TOWN OF NEWBURGH
ANDREW J. ZARUTSKIE,
TOWN CLERK

Dated: October 24, 2013

BID PROPOSAL TO THE TOWN OF NEWBURGH
FOR THE GARBAGE AND RECYCLABLE COLLECTION FOR TOWN
BUILDINGS/PROPERTIES IN RESPONSE TO THE NOTICE
OF BID, THE INFORMATION FOR BIDDERS AND
SPECIFICATIONS FOR PROVIDING
GARBAGE AND RECYCLABLE COLLECTION SERVICE

The undersigned, having familiarized himself/herself with the terms and conditions of the Bid Invitation, Information for Bidders and Specifications and being experienced and responsible for the performance of the same, proposes to provide garbage and recyclable collection for Town of Newburgh buildings and properties as follows:

OPTION A

For the calendar year January 1, 2014 to December 31, 2014, including garbage and recyclable collection as specified in Paragraphs 4 and 5 of the "Contract Conditions and Specifications for Providing Garbage and Recyclable Collection Services for the Town of Newburgh, New York." For the price of:

\$23,965.44 (price in figures)

TWENTY THREE THOUSAND, NINE HUNDRED SIXTY FIVE DOLLARS & FORTY FOUR CENTS (price in words)

For collection of garbage and recyclables in excess of those specified in Paragraphs 4 and 5 of the specifications as ordered by the Director of Buildings:

\$15.00 per cubic yard (price in figures)

\$FIFTEEN DOLLARS per cubic yard (price in words)

OPTION B

For the two (2) calendar year period commencing January 1, 2014 and ending December 31, 2015, including garbage and recyclable collection as specified in Paragraph 4 and 5 of the "Contract Conditions and Specifications for Providing Garbage and Recyclable Collection Services for the Town of Newburgh, New York." For the price of:

2014 Price: \$22,800.00 (price in figures) per year
TWENTY TWO THOUSAND,
EIGHT HUNDRED DOLLARS (price in words) per year

2015 Price: \$23,484.00 (price in figures) per year
TWENTY THREE THOUSAND,
FOUR HUNDRED EIGHTY FOUR DOLLARS (price in words) per year

Average of

2014 and 2015 (MUST EQUAL THE MEAN OF THE TWO ABOVE PRICES)

Prices: \$23,142.00 (price in figures) per year
TWENTY THREE THOUSAND,
ONE HUNDRED FORTY TWO DOLLARS (price in words) per year

For collection of garbage and recyclables in excess of those specified in Paragraphs 4 & 5 of the specifications as ordered by the Director of Buildings **FOR BOTH 2014 AND 2015:**

\$15.00 per cubic yard (price in figures)
\$FIFTEEN DOLLARS per cubic yard (price in words)

THE ABOVE PRICES WILL BE IN EFFECT FOR BOTH CALENDAR YEARS 2014 AND 2015.

Please Note: No alternate bid will be considered unless the bidder has submitted a proposal for calendar year 2014.

OPTION C

For the three (3) calendar year period commencing January 1, 2014 and ending December 31, 2016 including garbage and recyclable collection as specified in Paragraph 4 and 5 of the "Contract Conditions and Specifications for Providing Garbage and Recyclable Collection Services for the Town of Newburgh, New York." For the price of:

2014 Price:	<u>\$ 21,900.00</u>	(price in figures) <u>per year</u>
	TWENTY ONE THOUSAND, NINE HUNDRED DOLLARS	(price in words) <u>per year</u>
2015 Price:	<u>\$ 22,557.00</u>	(price in figures) <u>per year</u>
	TWENTY TWO THOUSAND, FIVE HUNDRED FIFTY SEVEN DOLLARS	(price in words) <u>per year</u>
2016 Price:	<u>\$ 23,233.68</u>	(price in figures) <u>per year</u>
	TWENTY THREE THOUSAND, TWO HUNDRED THIRTY THREE DOLLARS & SIXTY EIGHT CENTS	(price in words) <u>per year</u>

Average of

2014, 2015 and (MUST EQUAL THE MEAN OF THE THREE ABOVE PRICES)

2016 Prices:	<u>\$ 22,563.56</u>	(price in figures) <u>per year</u>
	TWENTY TWO THOUSAND, FIVE HUNDRED SIXTY THREE DOLLARS & FIFTY SIX CENTS	(price in words) <u>per year</u>

For collection of garbage and recyclables in excess of those specified in Paragraph 4 & 5 of the specifications as ordered by the Director of Buildings **FOR 2014, 2015 AND 2016:**

<u>\$15.00</u>	per cubic yard (price in figures)
<u>\$FIFTEEN DOLLARS</u>	per cubic yard (price in words)

THE ABOVE PRICES WILL BE IN EFFECT FOR ALL THREE CALENDAR YEARS 2014, 2015 AND 2016.

Please Note: No alternate bid will be considered unless the bidder has submitted a proposal for calendar year 2014.

By signing this Bid Proposal, the undersigned expressly acknowledges that he has reviewed and understands the material contained in the information to bidders and the specifications provided. Further, the undersigned understands that the contract with the Town of Newburgh will contain the material set forth in the Information to Bidders, the Bid Specifications and such additional material as the Town Board may deem appropriate.

DATED: This 15 day of ~~October~~ November, 2013.


BIDDER: MARANGI DISPOSAL

BY: (Title) 
MICHAEL MARANGI (Vice President)

STATE OF NEW YORK)
)
COUNTY OF ORANGE)

On the 15 day of November, in the year 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Michael Marangi, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity (ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individuals(s) acted, executed the instrument.

CHRISTOPHER M. TOSADO
Notary Public, State of New York
Qualified in Rockland County
No. 01TO6285954
My Commission Expires 07/15/2017


Notary Public

**11. WIRELESS TOWER LOCAL LAW AMENDMENT: HDR Consultants Payment
Authorization**

Gerald Canfield

DEC 11 2013

11

From: Musso, Michael P. <Michael.Musso@hdrinc.com>
Sent: Friday, December 06, 2013 11:31 AM
To: codecompliance@townofnewburgh.org
Subject: HDR - summary for cost-to-closure estimate (Wireless code)
Attachments: Copy of Newburgh Code 194875 billing.xls

Jerry –

Attached table provides project summary, in terms of budget and payments.

We are “current” thru Sept ’13 services as far as payments go – THANK YOU. Disregard the \$27 highlighted in yellow.

I will submit Oct and Nov ’13 bills when ready. Bottom of sheet shows \$3150 estimate for Oct, Nov, and Dec ’13 services. I am anticipating that we are at the end of the process, and that HDR work will predominately be completed by end of this calendar year.

Call if you have any questions or comments.

Regards,
Mike

MICHAEL P. MUSSO
P.E., M.S., MPH

HDR
Senior Project Manager

Professional Associate

One Blue Hill Plaza, 12th floor | PO Box 1509 | Pearl River, NY 10965
845.735.8300 Ext. 261 | c: 845-304-9639
Michael.Musso@hdrinc.com | hdrinc.com

Follow Us – [Facebook](#) | [Twitter](#) | [YouTube](#)

Shows billings by BU & Proj

Unit	Customer	Customer Name	Item ID	Orig Item Amt	Item Balance	Acctg Date	Draft ID	Contract
00147	202004	Town of Newburgh	00390212-H	474.800	0.000	11/3/2012	000000000194875	CON00022975
00147	202004	Town of Newburgh	00391348-H	3968.950	0.000	12/29/2012	000000000194875	CON00022975
00147	202004	Town of Newburgh	00391739-H	171.620	0.000	12/29/2012	000000000194875	CON00022975
00147	202004	Town of Newburgh	00392664-H	1777.840	0.000	1/26/2013	000000000194875	CON00022975
00147	202004	Town of Newburgh	00393343-H	1351.860	0.000	2/23/2013	000000000194875	CON00022975
00147	202004	Town of Newburgh	00394180-H	348.800	0.000	3/30/2013	000000000194875	CON00022975
00147	202004	Town of Newburgh	00395104-H	181.210	0.000	5/4/2013	000000000194875	CON00022975
00147	202004	Town of Newburgh	00397405-H	27.250	27.250	6/29/2013	000000000194875	CON00022975
00147	202004	Town of Newburgh	00398363-H	1101.630	0.000	7/27/2013	000000000194875	CON00022975
00147	202004	Town of Newburgh	00399532-H	497.890	497.890	8/24/2013	000000000194875	CON00022975
00147	202004	Town of Newburgh	00400856-H	508.170	508.170	9/28/2013	000000000194875	CON00022975

TOTAL BILLED AS OF 11-12-2013: \$ 10,410.02

PAID AS OF 11-12-2013: \$ 10,382.77

TOTAL UNPAID AS OF 11-12-2013: \$ 27.25

TOTAL ANTICIPATED LOE NEEDED (Oct - Dec '13): \$ 3,150.00

October '13 services: \$ 1,900.00 (S1,844) not submitted
 November '13 projections: \$ 750.00 not submitted
 December '13 projections/close out: \$ 500.00 not submitted

Original Budget:

\$7,400

March '13 add-on:

\$1,300

12. DEPARTMENT OF PUBLIC WORKS:

- A. (Water Distribution) Senior Water Maintenance Worker**
- B. (Highway) Budget Transfer(s)**



JOHN PLATT
COMMISSIONER

DEC 11 2013

TOWN OF NEWBURGH

DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER AND SEWER
311 ROUTE 32
NEWBURGH, NY 12550

PHONE: 845-564-7813
FAX: 845-566-8903

12a

MEMORANDUM

TO: Wayne Booth, Town Supervisor and Town Board Members

From: John Platt, Commissioner of Public Works

Date: December 6, 2013

Re: Recommendation for Promotion – Karl Doderer, Water Maintenance Worker

With the creation and filling of the new working leader position by Derek DeGroat, we need to have an employee in the position of Senior Water Maintenance Worker within the Water Distribution Division of the Public Works Department on a daily basis. The Senior Water Maintenance Worker leads distribution personnel when the Working Leader is absent or not available at the work site and undertakes the more complicated repairs and installations.

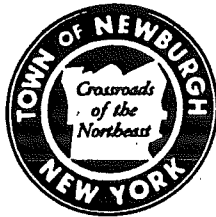
I respectfully request that Karl Doderer be promoted to the title of Senior Water Maintenance Worker. Karl is extremely talented and creative when calculating solutions for repairs to the distribution system. Within Karl's extensive knowledge of the working components of distribution system and the materials and supplies used to make repairs, we are able to fix water main brakes safer and within a more timely manner, whereas, reducing the inconvenience to our residents.

As the attached requires Town Board action, I am requesting that this item be placed on the next available agenda for approval. If you have any questions or comments, I am available to discuss them with you.

Thank you.

DEC 11 2013

12 B.



HIGHWAY DEPARTMENT

90 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

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

DARRELL BENEDICT
HIGHWAY SUPERINTENDENT

TODD DEPEW
DEPUTY HIGHWAY SUPERINTENDENT

TO: Wayne C. Booth, Supervisor
FROM: Darrell Benedict, Highway Superintendent
DATE: December 10, 2013
RE: Transfer Request

I would like to request the following budget transfer could you please put this on the agenda for the next meeting:

FROM:	TO:	AMOUNT:
030.5142.0413	030.5112.0412	\$65,000.00
Sand, Salt, Calcium Chlor	Permanent Improvements Street Paving & Resurfacing	

If you have any questions please feel free to contact me. Thank you.

DB:ch
cc: J. Calarco, Accounting
J. Platt, DPW Commissioner

13. ENGINEERING:

- A. MHE Vouchers**
- B. MHE Proposal for Professional Services for Meadow Hill/Sycamore Drive**
- C. North Carpenter Avenue/West Stone Street: Notice of Completion**

DEC 11 2013

13a

**TOWN OF NEWBURGH
TOWN ENGINEER
1496 Rte. 300
Newburgh, NY 12550
(845) 564-7814**

MEMORANDUM

TO: Wayne Booth, Town Supervisor
FROM: James W. Osborne, Town Engineer *JWO*
DATE: December 11, 2013
RE: **MH&E INVOICES**

The attached invoices from MH&E are for the following tasks:

1. Review of Colandrea Off-site Drainage; these are chargeable to either the Planning Board Site Plan Review or to the Zoning Change Request Escrow.
2. Annual MS4 Summary Report; this is chargeable to both the General Fund (Code Compliance) and the Highway Fund.
3. NYSDEC MS4 Audit; this is a detailed examination of Town records in support of the Town's ongoing obligations with respect to MS4 compliance and is chargeable to the General Fund (Code Compliance) and the Highway Fund.

Please let me know if you need any additional information regarding these invoices.

Attachment

cc: J. Calarco, Town Accountant

DEC 11 2013

138

TOWN OF NEWBURGH
TOWN ENGINEER
1496 Rte. 300
Newburgh, NY 12550
(845) 564-7814

MEMORANDUM

TO: Wayne Booth, Town Supervisor & Town Board
FROM: James W. Osborne, Town Engineer *JWO*
DATE: December 5, 2013
RE: H \ **MEADOW HILL ROAD DRAINAGE**

Attached for your review are two documents as follows:

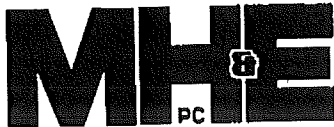
1. Letter proposal from MH&E for engineering services;
2. Letter from NYSTA regarding flooding of the Thruway at mile marker 61.

The NYSTA has contacted NYSDEC with regard to this issue. So far, NYSDEC is choosing not to take any direct action in this matter.

If you have any questions or comments, I am available to discuss them with you.

JWO/id

Attachment



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

Licensed in NEW YORK, NEW JERSEY
and PENNSYLVANIA

2 December 2013

Town of Newburgh
1496 Route 300
Newburgh, New York 12550

ATTENTION: WAYNE BOOTH, SUPERVISOR

**REFERENCE: PROPOSAL FOR PROFESSIONAL SERVICES /MEADOW HILL,
SYCAMORE DRIVE WITH NEW YORK STATE THRUWAY
DRAINAGE ISSUE**

Dear Mr. Booth:

Pursuant to your request we are pleased to provide the following proposal for professional services to assist the Town of Newburgh in addressing concerns regarding drainage identified by the New York State Thruway Authority. During recent significant storm events, a section of the New York state thruway has reportedly experienced flooding south of the Meadow Hill Road overpass. As you are aware the Town of Newburgh installed drainage improvements along the Meadow Hill Road corridor west of the New York State Thruway in 2001. The New York State Thruway Authority has made allegations that this drainage improvement as well as development within the tributary watershed have contributed to the reputed flooding.

The following is a summary of basic of engineering support services to be provided.

- McGoey, Hauser and Edsall will evaluate the upgradient tributary watershed to the Town's storm collection system within the Meadow Hill Road corridor.
- McGoey, Hauser and Edsall will evaluate the historic stormwater management studies performed for projects constructed in the watershed including but not limited to Brighton Green and Meadow Winds developments.
- McGoey, Hauser and Edsall will evaluate construction within the watershed related to the Meadow Hill School to determine the amount of additional impervious surfaces added within that facility.

Main Office
33 Airport Center Drive
Suite 202
New Windsor, New York 12553

(845) 567-3100
Fax: (845) 567-3232
e-mail: mheny@mhepc.com

- o McGoey, Hauser and Edsall will prepare design plans for repair of the eroded ditch between the Meadow Hill drainage system outfall and the New York State Thruway properties within the "Shunpike".
- o McGoey, Hauser and Edsall will assist the Town of Newburgh by attending any meetings and providing support services to the Town as necessary with the New York State Thruway Authority and the New York State Department of Environmental Conservation.

Although we cannot guarantee the action of the approving agencies, our office will make every effort to respond to all questions raised toward gaining such approvals.

For purposes of proper scheduling of the work, this proposal shall remain valid for a period of thirty (30) days, after which time an extension or a new proposal will be required.

Invoicing for this project will be forwarded on a monthly basis or upon completion of each phase of the work and payment is expected within thirty (30) days thereafter; overdue accounts will be charged 1 1/2% interest per month, which shall be due and payable after thirty (30) days. Costs for collection and reasonable Attorney's fees shall be due and payable on delinquent accounts. Our office cannot guarantee that work can be continued should payments become overdue. McGoey, Hauser and Edsall reserves the right to terminate work without liability for consequential or other damages if payment is not received within fifteen (15) days of notice that we intend to stop work for this reason.

The Client agrees to limit the Engineer's liability to the Client and to all the Contractors, persons or firms furnishing services, materials or labor in connection with this Proposal, due to negligent acts, errors or omissions, such that the total aggregate liability of the Engineer shall not exceed the cost of services under this Proposal or Fifty Thousand Dollars (\$50,000.00); whichever is less.


The Engineer (McGoey, Hauser and Edsall Consulting Engineers, P.C.) shall not, in any way, be responsible for the Contractor's performance or failure to perform in compliance with the plans and specifications nor with any applicable Codes, Rules and Regulations. The Engineer shall in no way be responsible for Contractors' means, methods or techniques of construction, nor safety precautions incident thereto.

This instrument constitutes the entire agreement between the parties hereto and sets forth the rights, duties and obligations of each to the other as of its date. Any prior agreements, promises, negotiation or representations not expressly set forth in this Proposal are of no force in effect. This Contract shall inure to and be binding on the heirs, executors, administrators, successors and assigns to the parties hereto. By signature of this Proposal, the signee agrees that they will be personally responsible for payment of the fees due and agree to the scope of services and conditions described above.

If the above is acceptable, please sign where shown below authorizing us to proceed with the work. Thank you for the opportunity of submitting this Proposal, and we look forward to your favorable reply.

Very truly yours,

**McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS, P.C.**



Patrick J. Hines
Associate

**ACCEPTED AND AUTHORIZED
TOWN OF NEWBURGH**

Wayne Booth
Supervisor

Date: _____



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

MAIN OFFICE
33 Airport Center Drive
Suite 202
New Windsor, New York 12553

(845) 567-3100
fax: (845) 567-3232
e-mail: mheny@mhhepc.com

**MUNICIPAL
STANDARD FEE SCHEDULE**

A. HOURLY AND PER DIEM RATES*:

Firm Representative	Hourly	Per Diem
Principal	\$140.00	\$1,120.00
Associate	\$115.00	\$ 920.00
GIS Manager	\$115.00	\$ 920.00
Structural Engineer II	\$107.00	\$ 856.00
Senior Engineer/Designer	\$ 96.00	\$ 768.00
GIS Programmer	\$ 96.00	\$ 768.00
Structural Engineer/Designer I	\$ 87.00	\$ 696.00
Project Engineer/Designer	\$ 85.00	\$ 680.00
GIS Field Supervisor	\$ 85.00	\$ 680.00
Staff Engineer/Designer	\$ 74.00	\$ 592.00
GIS Mapping Technician	\$ 74.00	\$ 592.00
Engineering Technician II	\$ 69.00	\$ 552.00
Engineering Technician I	\$ 62.00	\$ 496.00
CAD Technician II	\$ 71.00	\$ 568.00
CAD Technician I	\$ 60.00	\$ 480.00
Field Representative**	\$ 59.00	\$ 472.00
GIS Field Data Collector	\$ 60.00	\$ 480.00
Administrative Services	\$ 49.00	\$ 392.00
Clerical/Secretarial	\$ 36.00	\$ 288.00

* Except expert testimony and consulting for legal procedures, which are charged at \$1,450 per day or any part thereof.

** See #6 below

B. GENERAL CONDITIONS:

1. Fees for services or tasks for engineering design, field construction observation, surveys, etc. will be computed based on the firm representative(s) performing the services and the hours expended, unless a lump sum agreement has been executed.
2. Per diem charges are based on an eight hour day. Time in excess of same will be chargeable at the hourly rate (1-1/2 overtime rate, if applicable). When services are away from office, chargeable time is continuous from leaving office until time of return to office after services are rendered.
3. In addition to the above fees, all out-of-pocket and traveling expenses, blueprint and reproduction charges, telephone calls, telegrams, mailing charges, and other disbursements are chargeable, plus a 20% service charge, unless any such charges are specifically noted as included in the agreement. Mileage will be chargeable at a rate of \$0.52 per mile.
4. Without a prior appointment, services of personnel cannot be assured for any certain day.
5. Reproduction charges are based on \$0.15 per photocopy and \$3.00 per D size plan(24' x 36") and \$4.00 per E size plan (30" x 42"), unless otherwise stipulated by agreement.
6. Field Representative rate is based on work between the hours of 8:00 am and 5:00 pm, weekdays. Other time periods will be billable at an overtime rate (1-1/2 rate).

Municipal Fee Schedule – December, 2008

REGIONAL OFFICES

- 111 Wheatfield Dr. – Suite One • Milford, Pennsylvania 18337 • 570-296-2765 •
- 540 Broadway • Monticello, New York 12701 • 845-794-3399 •



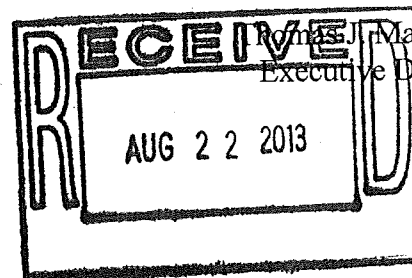
New York State Thruway Authority
New York State Canal Corporation



Howard P. Milstein
Chairman

4 Executive Blvd; Suite 400
Suffern, New York 10901
www.thruway.ny.gov

August 20, 2013



Thomas J. Madison, Jr.
Executive Director

Mr. Wayne Booth, Supervisor
Town of Newburgh
1496 Route 300
Newburgh, New York 12550

Re: Town of Newburgh, MS4 Coordination
Stormwater Runoff – MP 60.95

Dear Mr. Booth:

The New York State Thruway, at milepost (MP) 60.95, continues to experience significant flooding as a result of increased development on neighboring property within the Town of Newburgh.

As you may recall, Thruway Authority staff met with you on November 29, 2011 and most recently on July 25, 2013 with Town Engineer James Osborne to discuss the flooding of Interstate 87. Pursuant to those discussions, the Thruway Authority has installed medium stone fill and check dams within its right of way in an effort to protect the integrity of the highway. Also, the Authority understands that the Town has installed rock check dams and rip-rap in an attempt to reduce the storm water runoff onto Interstate 87 from the developed area. However, despite these measures, the flooding of Interstate 87 due to stormwater run off of nearby development persists. (See enclosed photographs). Similar photos were electronically sent to the Town Engineer Mr. Osborne on the afternoon of August 9th just after the storm event.

The Authority would like to continue discussions with the Town and other agencies on this issue to reach a mutually agreeable solution to the persistent flooding problem. Two specific items will need to be addressed during future discussions. First, the Authority would like to discuss which permanent controls that have been or will be implemented as required by NYSDEC's General Permit for Construction Activities (GP 0-010-001) for development purposes on lands west of the Thruway at MP 60.95. Copies of any water quantity calculations that Town officials and/or the developer have used to design, review and approve new development that drains to Interstate-87 between mileposts 60.95 (Meadow Hill Bridge) and 61.64 (NYS Route 52) are requested. Secondly, any and all plans, specifications and official correspondence that were used in providing directions to the Town of Newburgh maintenance staff is requested as it relates to Town of Newburgh's maintenance and upgrade activities associated with the storm sewer system that discharges to the ravine west of the Thruway. These documents are important as we move forward. If this information requires a Freedom of Information Law request to obtain the information, please consider this letter as the formal request.

In the interim, we would recommend that the Town of Newburgh consider a moratorium on future development that involves increased impervious areas in the watershed area until the Town of Newburgh can properly evaluate the hydraulics of the runoff onto Thruway property and make recommendations to remediate the increased flow.

If you need further information to clarify the requested information, please give me a call at your earliest opportunity.

Sincerely,

A handwritten signature in black ink that reads "Stephen Grabowski / W.J.R." The signature is written in a cursive style.

Stephen Grabowski, P.E.

Cc: P. Scully, Regional Director, DEC Region 3
S. Karimipour, Regional Water Engineer, DEC Region 3

015 11 733

13c

**TOWN OF NEWBURGH
TOWN ENGINEER**
1496 Rte. 300
Newburgh, NY 12550
(845) 564-7814

MEMORANDUM

TO: Wayne Booth, Town Supervisor & Town Board
FROM: James W. Osborne, Town Engineer *JWO*
DATE: December 4, 2013
RE: S \ **WEST STONE STREET EXTENSION OF
CROSSROADS SEWER DISTRICT**

Attached is a *Notice of Completion* for the above referenced project. Town Code requires that this notice be published at least twice in the official paper designated by the Town. Recommended publication dates are given below:

Mid-Hudson Times Dec. 18, 2013 & Jan. 8, 2014
Sentinel Dec. 20, 2013 & Jan. 10, 2014

If you have any questions or comments, I am available to discuss them with you.

JWO/id

Attachment

cc: M. Taylor, Attorney
J. Platt, DPW Comm.
A. Cagney, Assessor's Office

**TOWN OF NEWBURGH
WEST STONE STREET EXTENSION OF THE
CROSSROADS SEWER DISTRICT
NOTICE OF COMPLETION**

The Town of Newburgh hereby provides official notice of the completion of the public sewerage system installed for the West Stone Street Extension of the Crossroads Sewer District. Pursuant to Town of Newburgh Code Section 148-10, within two years of the first publication of official notification of the completion of a public sewerage system or extension of a Town sewer district, the main drain of every building upon premises abutting on any street, road, lane or right-of-way in which a public sewer has been installed within 200 feet of the property shall be connected to the sewer main. All slops, contaminated water, liquid waste and spent water supplied of every description, except if it shall be of such nature as specifically prohibited by Code, shall be discharged into a properly laid pipe emptying directly into the public sewer. Sewer mains were installed in all or a section of the following streets and rights-of-way for this project: Stone Street (aka West Stone Street) and North Carpenter Avenue.

Date:

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF NEWBURGH

Andrew J. Zarutskie, Town Clerk

14. ANIMAL CONTROL: T-94 Withdrawal

DEC 11 2013

14



TOWN OF NEWBURGH ANIMAL CONTROL & SHELTER

645 Gidney Ave. Newburgh, NY 12550

December 3, 2013

To: Town Board

Subject: Authorization to Pay Veterinarian Services Utilizing T-94 Account

I am requesting authorization to use the T-94 account to pay for veterinarian services from Newburgh Veterinary Hospital for November for your authorization for payment of this voucher in the total amount of \$1084.08.

Sincerely,

Chantel Haight
Animal Control Supervisor

Cc: Accounting

Chief Clancy

TOWN OF NEWBURGH
 1496 Route 300
 Newburgh, New York 12550
 (845) 564-4552

DO NOT WRITE IN THIS BOX

DEPARTMENT _____

CLAIMANT'S
 NAME
 AND
 ADDRESS

NEWBURGH VETERINARY HOSPITAL
 1716 Route 300
 Newburgh, NY 12550
 Tel: (845) 564-2660
 www.newburghvet.com

Date Voucher Received		VOUCHER NO.
FUND - APPROPRIATION	AMOUNT	
Total		
Abstract #		

TERMS Net 30 Days

Invoice # _____

Dates	Quantity	Description of Materials or Services	Unit Price	Amount
11/6/13	5	Feline lel690		37.50
			TOTAL	37.50

CLAIMANT'S CERTIFICATION

I, Dora M Cast certify that the above account in the amount of \$ 37.50 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, from which the municipality is exempt, are not included; and that the amount claimed is actually due.

11/29/13
 DATE

Dora M Cast
 SIGNATURE

Bookkeeper
 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.

 Date Authorized Official

APPROVAL FOR PAYMENT

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

 Date Auditing Board

INVOICE

Newburgh Veterinary Hospital

1716 Route 300
Newburgh, NY 12550
845 564-2660

"Your pet is part of our family too." Visit us at www.newburghvet.com

FOR: Town of Newburgh - Feline
645 Gidney Ave.
Newburgh, NY 12550
(845) 561-3344

Printed: 11-29-13 at 1:44p
Date: 11-06-13
Account: 4417
Invoice: 561690

Date	For	Qty	Description	Price	Discount	Net Price
11-06-13	Grey Kitten	1	NEUTER/FELINE	50.00	25.00	25.00 **
11-06-13		1	Feline Rhino/Panleuk/Calici #1	25.00	12.50	12.50 **

Your cat has received the first in a series of immunizations to protect him/her against feline distemper, rhinotracheitis, and calicivirus. It is important to return for a followup booster in 3-4 weeks. Occasionally listlessness, lethargy, or localized discomfort may occur. If there is severe listlessness or facial swelling, please call us for advice.

Total charges, this invoice...

37.50

**Total discount included: 37.50

Your invoice total reflects our **13Stray Cat Accounts** discount.

LIKE US ON FACEBOOK.COM!

GOING AWAY?....BOOK YOUR PETS BOARDING RESERVATION TODAY!

In compliance with New York State law, all medications are non-refundable. We regret any inconveniences.

TOWN OF NEWBURGH

1496 Route 300
Newburgh, New York 12550
(845) 564-4552

DO NOT WRITE IN THIS BOX

DEPARTMENT _____

CLAIMANT'S
NAME
AND
ADDRESS

NEWBURGH VETERINARY HOSPITAL
1716 Route 300
Newburgh, NY 12550
Tel: (845) 564-2660
www.newburghvet.com

Date Voucher Received		AMOUNT	VOUCHER NO.
FUND - APPROPRIATION			
Total			
Abstract #			

TERMS Net 30 Days

Invoice # _____

Canine

Dates	Quantity	Description of Materials or Services	Unit Price	Amount
10/29/13	561059			223.33
11/16/13	5611691			428.24
11/19/13	562626			395.01
			TOTAL	1046.58

CLAIMANT'S CERTIFICATION

Dora M Cast certify that the above account in the amount of \$ 1046.58 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, from which the municipality is exempt, are not included; and that the amount claimed is actually due.

11/29/13
DATE

Dora M Cast
SIGNATURE

Bookkeeper
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.

Date Authorized Official

APPROVAL FOR PAYMENT

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

Date Auditing Board

INVOICE

Newburgh Veterinary Hospital

1716 Route 300
Newburgh, NY 12550
845 564-2660

"Your pet is part of our family too." Visit us at www.newburghvet.com

FOR: Town of Newburgh - canine
645 Gidney Ave
Newburgh, NY 12550
(845) 561-3344

Printed: 11-29-13 at 12:42p
Date: 10-29-13
Account: 19984
Invoice: 561059

Date	For	Qty	Description	Price	Discount	Net Price	
10-28-13	Pepsi	1	Fecal Analysis- Pathology review4	60.00	30.00	30.00	**
10-29-13		1	No Ova Seen			0.00	
10-16-13	Rags	1	CONSULT / EXAM - Followup	39.75	19.87	19.88	**
10-16-13		1	Pet Insurance Review			0.00	
Please visit www.petinsurancereview.com and dogtime.com for an independent review of all national pet health insurance plans							
10-16-13		1	BATH Basic 1-35#	26.50	13.25	13.25	**
	Ear cleaning w/bath						
	Pedicure w/bath						
10-16-13		1	Bathe w/MedicatedShampoo add-c	12.00	6.00	6.00	**
10-16-13		1	Pain Medication- Analgesic /Cherry	19.75	9.87	9.88	** ✓
	Items used...	1	Morphine Inject / ml			16.50	✓
10-16-13		1	Shelter board small cage			2.85	**
10-16-13		1	NYS MANDATED BIOLOGICAL W	5.70	2.85	2.85	**
10-16-13		1	Heartworm Test	35.00	17.50	17.50	**
Heartworm disease is an enormous problem in our area, seen in not only outdoor but also indoor dogs. It is transmitted by mosquitos. The AVMA strongly recommends that all dogs be tested once yearly and kept on a monthly preventative year round.							
10-16-13		1	Chemistry / CBC (SA020)	159.50	79.75	79.75	** ✓
	Chemistry panel liver						
	Chemistry panel kidney						
	Chemistry panel pancreas						
	Veterinarian Interpretation +/- Consult						
	Speciman collection						
	White blood cell count						
	Red blood cell count						
	Packed cell volume						
	Differential cytology						
10-18-13		1	Tobramycin Ophthalmic Suspensic	32.45	16.23	16.22	**
10-18-13		1	Flurbiprofen ophthalmic solution	23.00	11.50	11.50	**

Total charges, this invoice...
**Total discount included: 206.82

223.33

Your invoice total reflects our **13Stray Cat Accounts** discount.

Doctor's Instructions

Heartworm Test

Please be sure to continue Heartguard year round for your pet's protection against heartworm disease.

Rags's weight history (in lbs)

10-02-13	14.70
----------	-------

LIKE US ON FACEBOOK.COM!

GOING AWAY?....BOOK YOUR PETS BOARDING RESERVATION TODAY!

In compliance with New York State law, all medications are non-refundable. We regret any inconveniences.

INVOICE

Newburgh Veterinary Hospital

1716 Route 300
Newburgh, NY 12550
845 564-2660

"Your pet is part of our family too." Visit us at www.newburghvet.com

FOR: Town of Newburgh - canine
645 Gidney Ave
Newburgh, NY 12550
(845) 561-3344

Printed: 11-29-13 at 12:39p
Date: 11-06-13
Account: 19984
Invoice: 561691

Date	For	Qty	Description	Price	Discount	Net Price	
11-04-13	Corbin	1	CANINE RABIES / 1YEAR	25.00	12.50	12.50	**
11-04-13		1	CONSULT / EXAM - Annual Welln	49.50	24.75	24.75	**
11-04-13		1	Canine Dist/A2/PI/Parvo1YR	25.00	12.50	12.50	**
Your pet has been vaccinated with Pfizer's new 5 in 1 DA2PPI, the best available protection against Distemper, Adenovirus, Parvovirus, Parainfluenza, and Leptosiprosis							
11-04-13		1	Canine Respiratory Complex- Bord	25.00	12.50	12.50	**
Canine Kennel Cough is A HIGHLY contagious respiratory infection. Dogs can be exposed at any time through coughing or nose to nose contact. Boarding, grooming and or showing dogs can have increased risk of exposure....please be sure to have your pet boosted every 12 months.							
11-04-13		1	Lyme,HW,Ehrlichia Accu Plus4(AC	49.50	21.00	28.50	**
11-05-13		1	4DX Elisa Negative			0.00	
11-04-13	Juicy	1	CANINE RABIES / 1YEAR	25.00	12.50	12.50	**
11-04-13		1	CONSULT / EXAM - Annual Welln	49.50	24.75	24.75	**
11-04-13		1	Canine Dist/A2/PI/Parvo/Lepto1YR	25.00	12.50	12.50	**
Your pet has been vaccinated with Pfizer's new 5 in 1 DA2PPI, the best available protection against Distemper, Adenovirus, Parvovirus, Parainfluenza, and Leptosiprosis							
11-04-13		1	Canine Respiratory Complex- Bord	25.00	12.50	12.50	**
Canine Kennel Cough is A HIGHLY contagious respiratory infection. Dogs can be exposed at any time through coughing or nose to nose contact. Boarding, grooming and or showing dogs can have increased risk of exposure....please be sure to have your pet boosted every 12 months.							
11-04-13		1	Lyme,HW,Ehrlichia Accu Plus4(AC	49.50	21.00	28.50	** ✓
11-05-13		1	4DX Elisa Negative			0.00	
11-06-13	Strays	3	FrontliPlusK9 23-44 lbSingle	52.50	26.25	26.25	** ✓
11-04-13	Taz	1	CANINE RABIES / 1YEAR	25.00	12.50	12.50	** ✓
11-04-13	William	1	CANINE RABIES / 1YEAR	25.00	12.50	12.50	** ✓

11-04-13	1 CONSULT / EXAM - Annual Welln	49.50	24.75	24.75 **
11-04-13	1 FECAL (ParasiteScreen) T808	29.50	14.75	14.75 **
11-04-13	1 Lyme,HW,Ehrlichia Accu Plus4(AC	49.50	21.00	28.50 **
11-04-13	1 Canine Dist/A2/PI/Parvo/Lepto1YR	25.00	12.50	12.50 **
Your pet has been vaccinated with Pfizer's new 5 in 1 DA2PPI , the best available protection against Distemper,Adenovirus, Parvovirus, Parainfluenza,and Leptosiprosis				
11-04-13	1 Canine Respiratory Complex- Bord	25.00	12.50	12.50 **
Canine Kennel Cough is A HIGHLY contagious respiratory infection. Dogs can be exposed at any time through coughing or nose to nose contact. Boarding, grooming and or showing dogs can have increased risk of exposure....please be sure to have your pet boosted every 12 months.				
11-04-13	1 Total Health Profile (85351)*	169.50	84.75	84.75 **
Chemistry 27 Complete blood count/differential Urinalysis Thyroid function testing Specimen collection Veterinarian interpretation +/- consult				
11-05-13	1 URINALYSIS (T760)	48.50	48.50	0.00 **
11-05-13	1 4DX Elisa Negative			0.00
11-05-13	1 No Ova Seen			0.00
11-06-13	14 Ciprofloxacin 750mg tablets #1752	35.47	17.73	17.74 ** ✓

Total charges, this invoice...

428.24

**Total discount included: 454.23

Your invoice total reflects our **13Stray Cat Accounts** discount.

Reminders for: William (Weight: 59.1 lbs - 8y)		Last done
11/14	lyme,HW,Ehrlichia Accu Plus4(A	11-04-13
11/14	CANINE RABIES / 3 YEAR	
11/14	CanineDist/Aden/Para/Parvo/Lep	
11/14	Consultation/Exam- Bi-annual	
11/14	Canine Kennel Cough Vacc -1 ye	11-04-13
05/14	Neuter your pet at 5-6 months	
05/14	FECAL EXAM	11-04-13
01/14	Wellness Blood Screen (SA040)	

Reminders for: Taz		Last done
11/14	CANINE RABIES / 3 YEAR	
05/14	Neuter your pet at 5-6 months	
05/14	Canine Kennel Cough Vacc -1 ye	
05/14	FECAL EXAM	
01/14	Wellness Blood Screen (SA040)	
11/12	CONSULT/EXAM - Annual Wellness	

INVOICE

Newburgh Veterinary Hospital

1716 Route 300
Newburgh, NY 12550
845 564-2660

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645 Gidney Ave
Newburgh, NY 12550
(845) 561-3344

Printed: 11-29-13 at 12:37p
Date: 11-19-13
Account: 19984
Invoice: 562626

Date	For	Qty	Description	Price	Discount	Net Price
11-08-13	Baxter	1	EUTHANASIA - SOMLETHOL PEN			0.00
11-08-13		1	Shelter euth and body care k9 66-1			135.00



15. DATA PROCESSING

December 11th Audit Meeting Data Processing

1. Total purchase from computer reserve account \$ 6757.52

The computer reserve account 001-878 currently has a balance of \$ 34,536.66

2. Purchase of 3 Optiplex 7010 Desktop computers from dell @ \$ 998.40 = \$ 2995.52

1 Power Edge Server from Dell for DPW & Receiver \$ 3473.00

1 Dell 2824 switch for Recreation \$ 289.00

For a total purchase of \$ 6757.52

1 Computer to replace a 2006 computer used by Irene in the Engineers office.

1 Computer to replace a 2006 computer used to make ID cards in the Council Conference Room

1 Computer to be an additional work station in the assessor's office.

1 Power Edge T110 II server to replace server used for off Site printing that has failed.....\$ 3473.00

Purchase of 1 Dell 2824 switch for the Recreation Dept @ \$ 289.00

3. Transfer \$ 10,000.00 from contingency account # 001 1990.0499 to

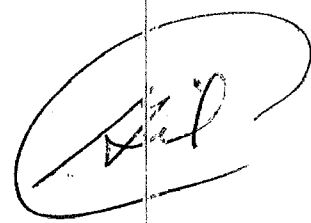
Computer Maintenance Account 001 1680.0497

When Superior Telephone Systems wired the Court House I approved two additions, wiring between server and Toshiba Printer Copier, and an additional cable run to DPW for a total of\$ 573.95

4. Expend \$ 573.96 from the computer maintenance account 001-1680.0497

To Superior Telephone Systems for work completed.

5. Purchase of 37.5 hours at \$ 80.00 per hour from Firthcliffe Technologies for computer maintenance for a total of \$ 3000.00 from the Computer Maintenance account 001-1680.0497



16. ADJOURNMENT