

**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, March 14, 2012**  
**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. ENGINEERING**
  - A. Bond Reduction: Chesterfield Court Subdivision**
  - B. Grandview Water Extension**
- 7. RECREATION:**
  - A. Chadwick Lake Capital Projects SEQRA Determination**
  - B. Chadwick Lake Capital Project (s) Approval**
- 8. ZONING:**
  - A. Discussion on 84 Realty LLC**
  - B. Parke Lane LLC**
- 9. DATA PROCESSING: Approval of Expenditure from Computer Reserve**
- 10. TOWN CLERK: Carnival Application at Newburgh Mall**
- 11. FLEET MAINTENANCE: Hiring of Mechanic**
- 12. PLANNING BOARD: Performance Security Release: Ghikas Subdivision**
- 13. ASSESSOR:**
  - A. WGNV Tower Sunset Crest Utility Certiorari**
  - B. CINTAS Certiorari**
- 14. PERMA: Insurance Contract 2012-2013**
- 15. ADJOURNMENT**

## **1. APPROVAL OF AUDIT**

MAR 14 2012

AUDIT # 5

5

3/14/2012

VOUCHERS: 120930 to 121125

Audit Date: March 14, 2012

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>
120995	NY Communications	9,340.00
120996	NY Communications	1,544.42
120997	NY Communications	646.67
121047	Mid hudson mack	39.72
121052	NY Communications	3,725.00
121076	NY Communications	2,828.00

Dated: \_\_\_\_\_

\_\_\_\_\_  
Andrew J. Zarutskie, Town Clerk

Town Board:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Exceptions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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AUDIT # 5

March 14, 2012

VOUCHERS: 120930 to 121125

FUND	REGULAR	PREPAID
GENERAL	\$ 117,344.55	\$ 1,000.00
TRUST & AGENCY	17,114.45	-
STREET LIGHTING	16,069.85	-
HIGHWAY	33,916.47	7,474.00
WATER	532,488.98	492.76
SEWER	16,897.83	329.99
WATER CAPITAL	41,866.71	708,974.55
SEWER CAPITAL	1,796.02	-
HIGHWAY CAPITAL	138.06	-
GENERAL CAPITAL	-	-
SPECIAL DISTRICT	-	-
TOTAL	\$ 777,632.92	\$ 718,271.30
GRAND TOTAL	<u>\$ 1,495,904.22</u>	

**6. ENGINEERING**

**A. Bond Reduction: Chesterfield Court Subdivision**

**B. Grandview Water Extension**

MAR 14 2012

6A

**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:** March 5, 2012  
**RE:** **PB \ CHESTERFIELD COURT SUBDIVISION**

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Sandcastle Homes, Inc. has requested a reduction in their performance security to account for credit for completed work (see attached letter dated 2/12/12). They also submitted a revised cost estimate dated December, 2011 prepared by Eustance & Horowitz, P.C.

Based on my review, I am recommending that the performance security be reduced from its original amount of \$618,076 to an amount of \$187,123. This revised figure retains a minimum of 10 percent for any completed items and for protection against damage prior to dedication, a retainage of 25 percent for the road sub-base and 50 percent for any installed asphalt.

As the above 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.

JWO/id

Attachment

cc: M. Taylor, Attorney  
D. Benedict, Hwy. Supt.  
Sewer Dept.  
Water Dept.  
N. Cardaropoli, Sandcastle Homes  
L. Powell, E & H

6a

# Sandcastle Homes Inc.

PO Box 487  
Cornwall-on-Hudson, NY 12520  
E-mail: nnnjc@aol.com

Phone (845) 558-0914  
Fax (845) 561-5746

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*Via Hand Delivery*

2/12/12

James W. Osborne, P.E.  
Town of Newburgh  
1496 Route 300  
Newburgh, NY 12550

Subject: Chesterfield Court Subdivision – Bond Estimate  
Max Way (Off Lakeside Road)  
Town of Newburgh, NY

Dear Jim:


Attached you will find a revised Bond Estimate for the above project. The Bond Estimate has been revised based on completion of work to date.

We request that you review the attached, make a site inspection to verify items completed and make a recommendation to the Town Board for a reduction in the Bond Estimate to complete the public improvements for the project.

Thank you very much for your consideration to this matter.

Regards,

SANDCASTLE HOMES INC.



Nicholas J. Cardaropoli, Jr.  
President

Enclosure

Cc: Lewis T. Powell, P.L.S.

**TOWN OF NEWBURGH  
CONSOLIDATED WATER DISTRICT**

**GRANDVIEW DRIVE  
PROPOSED LATERAL WATER MAIN EXTENSION**

**ITEM**

8" D.I. WM (In Easement)  
320 L.F. x \$ 65 / L.F. = \$ 20,800

**HYDRANT ASSEMBLY**

1 ea. x \$ 4,500 = \$ 4,500

**WATER SERVICES**

2 ea. x \$1,000 = \$ 2,000

2 ea. x \$2,000 = \$ 4,000

**EASEMENT RESTORATION**

1 ea. x \$1,500 = \$ 1,500

SUB-TOTAL \$32,800

Engineering 6,000

**TOTAL \$38,800**



**7. RECREATION:**

**A. Chadwick Lake Capital Projects SEQRA Determination**

**B. Chadwick Lake Capital Project (s) Approval**

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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 14th day of March, 2012 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 SEQR LEAD AGENCY STATUS AND DETERMINATION: PROPOSED 2012 CAPITAL PROJECTS FOR CHADWICK LAKE PARK INCLUDING INSTALLATION OF NEW GAZEBO AND PLAYGROUND BY THE TOWN OF NEWBURGH, NEW YORK (A TYPE I ACTION)

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

**WHEREAS**, the Town Board of the Town of Newburgh proposes to approve, fund and undertake certain capital improvements during the fiscal year 2012 at Chadwick Lake Park including the installation of a new 12 foot by 12 foot gazebo, new playground equipment on the west side of the Lake, a new tether ball/block ball playset, relocation of the existing bocci ball courts, a water garden and certain lighting, electrical and public address upgrades (collectively the "Action"); and

**WHEREAS**, the Town Board is authorized to undertake such Action; and

**WHEREAS**, the Town Board has caused a full Environmental Assessment Form for the proposed Action to be prepared; and

**WHEREAS**, the Town Board has determined that the Action is subject to SEQR and is a Type I Action under Town Code §100.11 as it is within the Chadwick Lake Critical Environmental Area; and

**WHEREAS**, the Town Board has determined that the Action is not located in an agricultural district; and

**WHEREAS**, the Town Board has determined that the Action involves no federal agencies; and

**WHEREAS**, the Town Board, using all due diligence, has identified no other involved agencies for the Action; and

**WHEREAS**, the Town Board accordingly is the sole involved agency with respect to this Action; and

**WHEREAS**, pursuant to Section 617.6(b)(1) of Part 617, "[w]hen a single agency is

involved, that agency will be the lead agency when it proposes to undertake, fund or approve a Type I or Unlisted action that does not involve another agency"; and

**WHEREAS**, recognizing that the impact that an action may have on existing community character or population patterns is a relevant concern in an environmental analysis since the statute includes these concerns as elements of the environment, the Town Board has considered and analyzed information pertaining to those potential impacts; and

**WHEREAS**, the Town Board has undertaken further information gathering and these further analyses in recognition that conclusory statements unsupported by empirical or experimental data, scientific authorities or any explanatory information will not suffice as a reasoned elaboration for its determination of environmental significance or nonsignificance; 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 finds and declares that it is the Lead Agency for this Type I Action for the purpose of conducting a coordinated review; and

**BE IT FURTHER RESOLVED**, that the Town Board, 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 authorizes the Supervisor to execute and file the Environmental Assessment Form Determination of Significance annexed hereto 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 \_\_\_\_\_

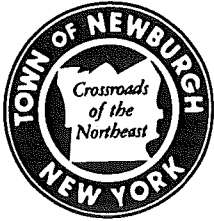
The resolution was thereupon declared duly adopted.

## 2012 CAPITAL PROJECTS FOR CHADWICK LAKE PARK

<u>New Restrooms for West Side of Lake</u>	
1. 10 x 16 building on south end of Commissioners Office to include two handicap accessible bathrooms (160 sq. ft. @ \$150/sq. ft.)	\$ 24,000.00
2. Septic system installed that conforms to Board of Health standards in a critical area.	\$ 17,949.74
	\$ 41,949.74
<u>Solar Lights Along Entrance of Chadwick Lake Park</u>	
New proposal coming in	\$ 15,000.00
<u>Install Two New Bocci Courts on North Side of Hockey Rink</u>	
Two – 80' x 10' Courts ( <i>see attached</i> )	\$ 14,445.00
<u>Seal Coating &amp; Stripping Parking Areas</u>	
1. Seal Coat:	
a) Road to Commissioners Office and Back Parking Lot	\$ 3,262.00
b) Chadwick Lake Entrance and Main Lot	\$ 11,912.16
c) Upper Court Parking Area	\$ 5,795.40
	\$ 20,969.56
2. Tar and Chip Lower Recreation Lot	\$ 11,951.00
<u>Gazebo</u>	
Center piece for the new handicapped gardens and home of the Park arboretum	
a) 12' x 12' Pressure Treated / Sub Base	\$ 6,857.00
b) Electric and Water to Gazebo	\$ 4,000.00
c) Shrubs/Pavers/Fieldstone	\$ 3,000.00
d) Drainage (pipe, stone, Hwy. Dept.)	\$ 3,643.00
	\$ 17,500.00
<u>Ice Skating</u>	
Additional lights for better visibility on the ice	
a) Two – 400 watt floods on existing poles	\$ 1,525.00

<u>Pavilion</u> 1. Upgraded Electrical Outlets 2. Installation of Public Address System w/Two Wireless Microphones 3. Install Winter Curtains on North and West Sides of Pavilion	\$ 2,295.00 \$ 4,006.00 <u>\$ 7,830.00</u> \$ 14,131.00
<u>Tether Ball and Block Ball Area</u> North Side of Hockey Rink – Black Top Pads for Both Activities Highway Dept.	\$ 3,000.00
<u>Small Playground on West Side of Lake Near Small Pavilion</u> 1. Highway to Excavate and Supply Sub Base 2. Playground Equipment and Installation 3. Fencing	\$ 25,000.00
<u>Water Garden</u> To catch the run off from main parking lot before it enters the retention pond. A slow release of water thru fieldstone and shrubs. Highway to excavate and supply stone. Fieldstone wall amount to be determined.	\$ 6,500.00
<u>Extend West Side Parking Lot</u> Blacktop an additional 15' on West side of lot. (Striping) Material and work by Highway Dept.	

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# TOWN OF NEWBURGH RECREATION DEPARTMENT

311 ROUTE 32, NEWBURGH, NY 12550

Robert J. Petrillo  
Commissioner of Parks, Recreation & Conservation

845-564-7815  
FAX: 845-564-7827

**REVISED**

February 27, 2012

TO: Wayne Booth, Supervisor  
Town Board Members

FROM: Robert J. Petrillo, Commissioner

RE: 2012 Capital Projects for Chadwick Lake Park

The Recreation Department is requesting your approval for a transfer of \$92,500 from the Parkland Trust account to a Capital Project Fund for the following projects:

- |                                                                                                            |             |
|------------------------------------------------------------------------------------------------------------|-------------|
| 1. Install Solar Lights Along Entrance of Chadwick Lake Park                                               | \$15,000.00 |
| 2. Install Two New Bocci Courts on North Side of Hockey Rink                                               | \$14,445.00 |
| 3. 12' x 12' Gazebo Pressure Treated With Water, Electric, Fieldstone, Shrubs, Pavers And Drainage         | \$17,500.00 |
| 4. Additional Lighting for Ice Skating – Two 400 Watt Bulbs                                                | \$ 1,525.00 |
| 5. Pavilion – New Electrical Outlets, Public Address System, Installation of Winter Curtains on North Side | \$14,130.00 |
| 6. Tether Ball and Block Ball Area                                                                         | \$ 3,500.00 |

7. Small Playground on West Side of Lake Near Small Pavilion	\$20,000.00
8. Water Garden	<u>\$ 6,400.00</u>
Total	\$92,500.00

All project costs are estimated at a not to exceed cost. Thank you for your consideration.

Regards,

Robert J. Petrillo  
Commissioner



At this time we would like to get started on the following Capital Projects:

Solar Lighting at Park

Waiting for new redesigned proposal.

Bocci Court

Labor – Michaels Associates \$4,920.00  
Lumber and materials supplied by Highway Dept. and local lumber yards.  
Not to exceed price \$14,445.00

Water Garden

This project will catch the street flow from the parking lot and slowly release it into the retention pond before it enters into the Lake.  
All work to be performed in house with a material and labor cost not to exceed \$6,500.00

Gazebo

Due to the time constraints at the Park, I recommend we purchase the gazebo from Greys Woodworks at a cost of \$4,000. This is the upgraded unit and will be installed on site in two days. The cost for the YCIP program to build is less expensive \$3,276.62 but the time to completion is suspect.  
The electric will cost \$3,195.00 with the water supply problem in the hands of the Water Dept. for the most efficient way to get to the flower beds.  
This project along with drainage, shrubs and pavers will not exceed the presented cost of \$17,500.00.

Skating Lights

Install two lights on existing pole for skating - \$1,525.00

Pavillion Upgrade

Install new upgraded electrical outlets and a public address system. The installation of the winter curtains will be done at a later date. The project will not exceed \$14,131.00 with the price of the curtains not to exceed \$7,830.00

Tether Ball / Blockball Area

Highway to perform and supply materials – two tether ball courts and two areas of blacktop for blockball. Price not to exceed \$3,000.00

Small Playground

Applied for Little Tikes grant of 30% of equipment and installation. The playground will be between the boat pavilion and the parking lot. Cost of equipment not to exceed \$8,000. With the highway supplying labor and materials - the total cost of the project with fencing and materials will not exceed \$25,000

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**MICHAELS ASSOCIATES  
CONTRACTORS • MANAGERS**

108 OLD LITTLE BRITAIN RD  
NEWBURGH NY 12550

EMAIL: MichaelsAssocs@aol.com

TEL: 845-784-5315  
FAX: 845-784-5315

**ESTIMATE**

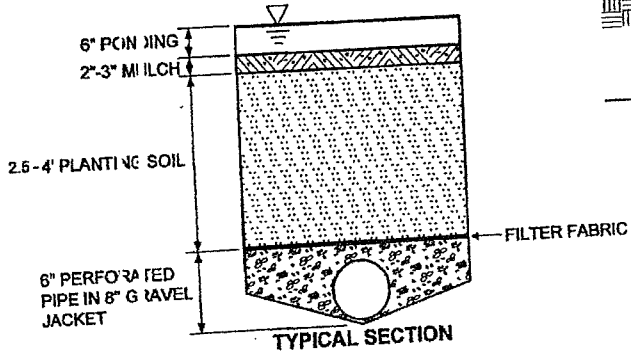
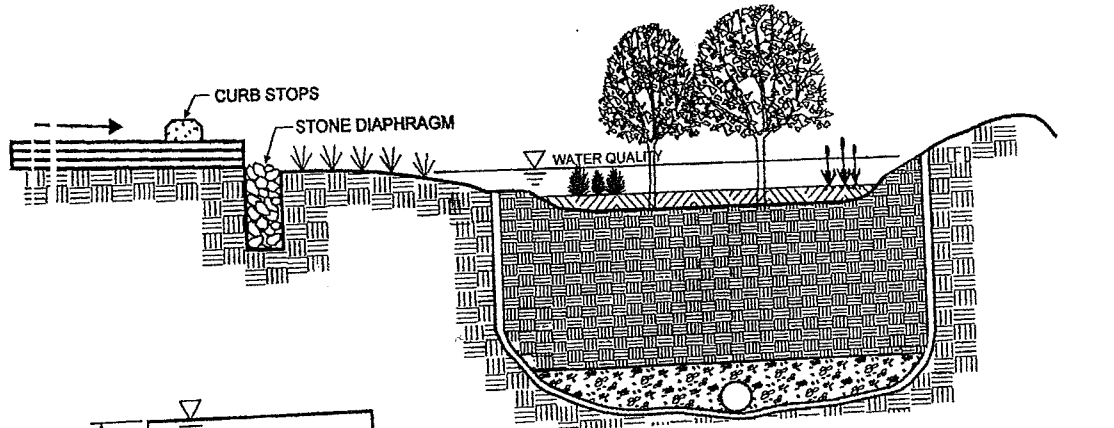
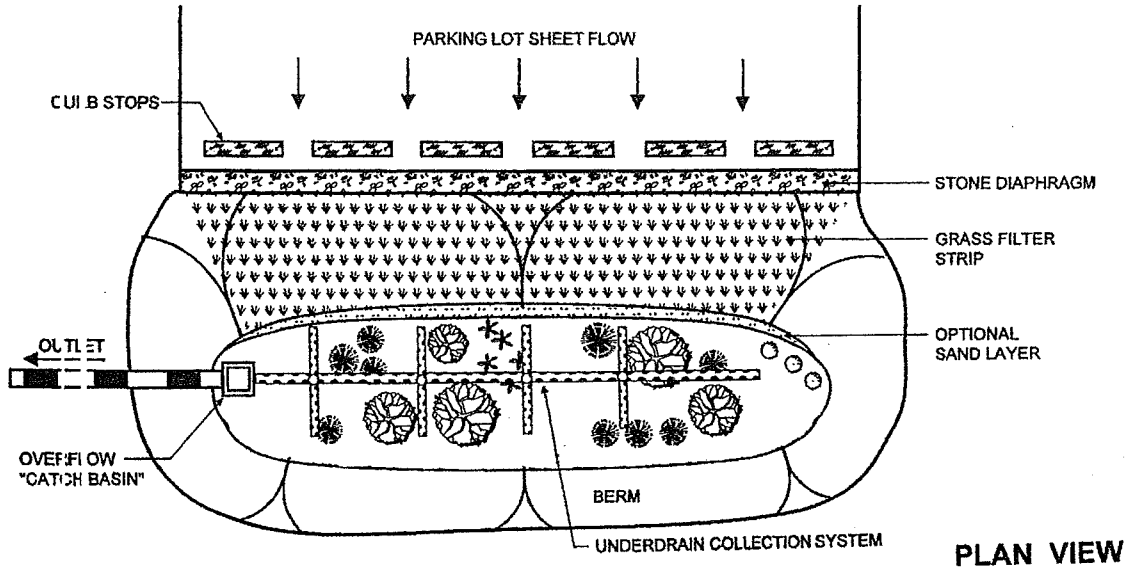
**Client:** TN OF NEWBURGH RECREATION DEPT  
ROBERT PETRILLO  
ROUTE 300  
NEWBURGH NY 12550

**Project:** BOCCE COURT PROJECT  
(2 - 80'x10' Side by Side)  
CHADWICK LAKE PARK  
ROUTE 300  
NEWBURGH

Item	Description		Price
1	6" x 6" x 8' Pressure Treated Timbers	849 LF	\$2,200.00
2	3/4" Stone	75 CY	\$3,000.00
3	Stone Dust	25 CY	\$1,000.00
4	Filter Fabric	1600 SF	\$750.00
5	Rebar Stakes 18" x 1/2"	107 EA	\$680.00
6	Spikes	214 EA	\$650.00
7	Drainage Pipe	249 LF	\$1,245.00
	**** MATERIALS SUPPLIED BY TOWN OF NEWBURGH		
8	Labor & Equipment		\$4,920.00
	<b>Subtotal</b>		<b>\$14,445.00</b>
	<b>NYS Sales Tax</b>	<b>EXEMPT</b>	<b>\$0.00</b>
	<b>TOTAL</b>		<b>\$14,445.00</b>

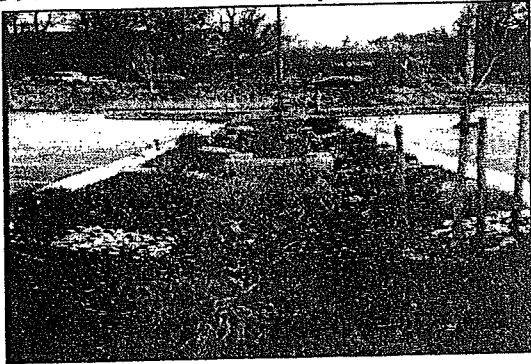
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Figure 6.19 Bioretention (F-5)



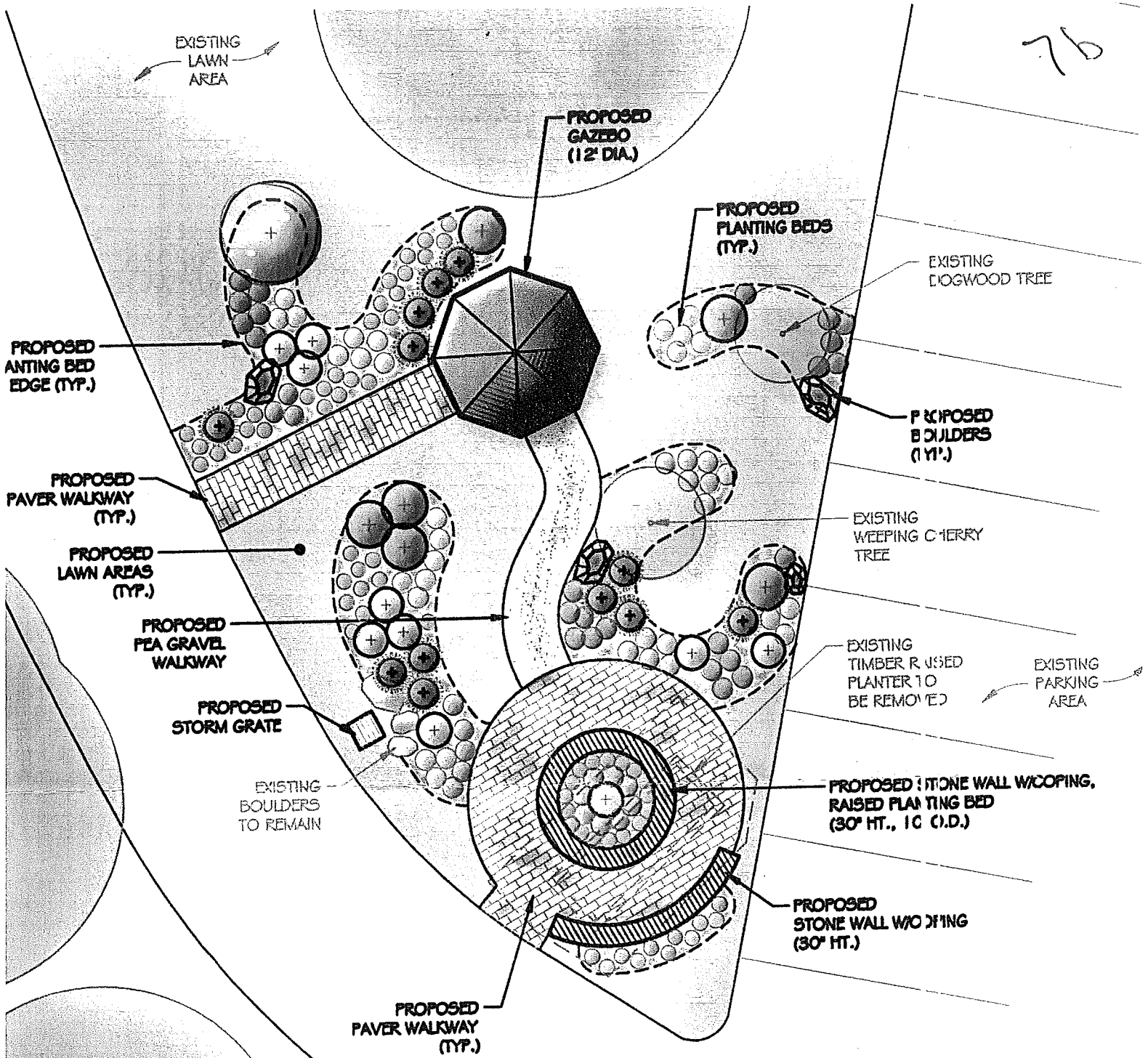
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### Bioretention Areas (F-5)









**Description:** Shallow stormwater basin or landscaped area which utilizes engineered soils and vegetation to capture and treat runoff. The practice is often located in parking lot islands, and can also be used to treat residential areas.

<p style="text-align: center;"><b><u>KEY CONSIDERATIONS</u></b></p> <p><b>CONVEYANCE</b></p> <ul style="list-style-type: none"> <li>• Provide overflow for the 10-year storm to the conveyance system.</li> <li>• Conveyance to the system is typically overland flow delivered to the surface of the system, typically through curb cuts or over a concrete lip.</li> </ul> <p><b>PRETREATMENT</b></p> <ul style="list-style-type: none"> <li>• Pretreatment consists of a grass channel or grass filter strip, a gravel diaphragm, and a mulch layer, sized based on the methodologies described in Section 6.4.2.</li> </ul> <p><b>TREATMENT</b></p> <ul style="list-style-type: none"> <li>• Treatment area should have a four foot deep planting soil bed, a surface mulch layer, and a 6" ponding layer.</li> <li>• Size the treatment area using equations provided in Chapter 6.</li> </ul> <p><b>LANDSCAPING</b></p> <ul style="list-style-type: none"> <li>• Detailed landscaping plan required.</li> </ul> <p><b>MAINTENANCE</b></p> <ul style="list-style-type: none"> <li>• Inspect and repair/replace treatment area components</li> <li>• Stone drop (at least 6") provided at the inlet</li> <li>• Remulch annually</li> </ul>	<p style="text-align: center;"><b><u>STORMWATER MANAGEMENT SUITABILITY</u></b></p> <p><input checked="" type="checkbox"/> Water Quality</p> <p><input type="checkbox"/> Channel Protection</p> <p><input type="checkbox"/> Overbank Flood Protection</p> <p><input type="checkbox"/> Extreme Flood Protection</p> <p>Accepts Hotspot Runoff: Yes <i>(requires impermeable liner)</i></p>
<p style="text-align: center;"><b><u>POLLUTANT REMOVAL</u></b></p> <p><input type="checkbox"/> Phosphorus</p> <p><input type="checkbox"/> Nitrogen</p> <p><input type="checkbox"/> Metals - Cadmium, Copper, Lead, and Zinc removal</p> <p><input type="checkbox"/> Pathogens - Coliform, Streptococci, E. Coli removal</p> <p style="text-align: center;">Key: G=Good F=Fair P=Poor</p>	<p style="text-align: center;"><b><u>IMPLEMENTATION CONSIDERATIONS</u></b></p> <p><input type="checkbox"/> Capital Cost</p> <p><input type="checkbox"/> Maintenance Burden</p> <p><b>Residential Subdivision Use:</b> Yes</p> <p><b>High Density/Ultra-Urban:</b> Yes</p> <p><b>Drainage Area:</b> 5 acres max.</p> <p><b>Soils:</b> <i>Planting soils must meet specified criteria; No restrictions on surrounding soils</i></p> <p><b>Other Considerations:</b></p> <ul style="list-style-type: none"> <li>• <i>Use of native plants is recommended</i></li> </ul> <p style="text-align: center;">Key: L=Low M=Medium H=High</p>



### LEGEND

-  ORNAMENTAL TREE
-  SHRUBS
-  PERENNIALS
-  PLANTING BED EDGE
-  CONCRETE PAVER SURFACE
-  PEA GRAVEL SURFACE

GAZEBO 12'

COST OF MATERIAL

(WITH YCIP CONSTRUCTING)  
INCLUDES CEDAR SHINGLES

3276.62

AMISH

BASE - 5400 } (SALE DEAL @ 3580<sup>00</sup>)

BENCHES - 315

CEDAR SHINGLES @ 395 sq ft (NEED 598)

FREE DELIVERY

(295) FREE LIGHTING KIT

GREYS

BASE 3780

CEDAR SHAKES INCLUDED

3780

UPGRADE 4000

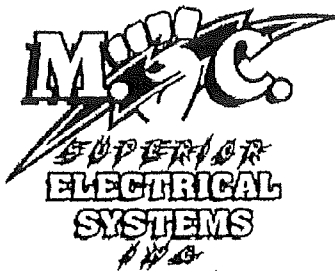
DECORATED SPINDLES

4000

DELIVERED ; INSTALLED

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PO BOX 453  
Walden, NY 12586  
845-778-6565 , FAX  
-845- 778-6560



# Estimate

Date	Estimate #
1/24/2012	1265

Name / Address
TOWN OF NEWBURGH RECREATION DEPT. 311 ROUTE 32 NEWBURGH, NY 12550

Terms
Net 30

Description	Total
" GAZEBO "	
THE FOLLOWING PRICE QUOTE IS FOR :	3,195.00
- INSTALLING PVC CONDUIT UNDERGROUND FROM NEAREST HAND HOLE TO THE NEW GAZEBO ( EXCAVATION BY OTHERS )	
- INSTALLING # 4 CU. THHN CONDUCTORS FROM OLD PANEL IN BATH HOUSE THROUGH EXISTING CONDUITS IN THE BATH HOUSE & UNDERGROUND , ALL THE WAY TO THE GAZEBO ( THIS RUN IS ROUGHLY 445', CAUSING US TO UPGRADE THE WIRE SIZE SUBSTANTIALLY )	
- INSTALL 2- WEATHER PROOF G.F.I. OUTLETS , 1- WEATHERPROOF SWITCH & 1- 2-LAMP 42-WATT COMPACT FLUORESCENT CANOPY FIXTURE, WIRING IN PVC CONDUIT.	
Sales Tax	0.00

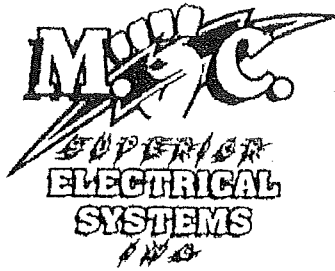
Thank you for the opportunity to bid on this job.	<b>Total</b> \$3,195.00
---------------------------------------------------	-------------------------

Signature \_\_\_\_\_



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PO BOX 453  
Walden, NY 12586  
845-778-6565 , FAX  
-845- 778-6560



# Estimate

Date	Estimate #
1/24/2012	1267

Name / Address
TOWN OF NEWBURGH RECREATION DEPT. 311 ROUTE 32 NEWBURGH, NY 12550

Terms
Net 30

Description	Total
" ICE SKATING LIGHTS "	
THE FOLLOWING PRICE QUOTE IS FOR :	1,525.00
- INSTALLING 2- 400 WATT METAL HALIDE FLOODS , MOUNTED ON THE EXISTING POLES , FED OFF THE EXISTING FLOOD FEEDS , INSTALLED WITH A BUCKET TRUCK.	
Sales Tax	0.00

Thank you for the opportunity to bid on this job.	<b>Total</b> \$1,525.00
---------------------------------------------------	-------------------------

Signature \_\_\_\_\_

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A COMMERCIAL PA SYSTEM FOR THE CHADWICK LAKE PAVILION.  
Submitted to: MR. ROBERT PETRILLO – RECREATION DIRECTOR  
(845) 564-2429 voice (845) 674-6849 cell [commissioner@hvc.rr.com](mailto:commissioner@hvc.rr.com)  
Submitted by: MR. CHARLES ROMAINE – CDR ELECTRONICS Co., INC.  
(845) 561-7890 voice (845) 562-7890 fax [www.cdrelectronics.com](http://www.cdrelectronics.com) web  
January 13, 2012

## **A COMMERCIAL PA SYSTEM FOR THE CHADWICK LAKE PAVILION.**

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**WE HEREBY SUBMIT SPECIFICATIONS AND  
ESTIMATES AS FOLLOWS:**

### **SCOPE OF WORK –**

TO PROVIDE AMPLIFICATION, SPEAKERS AND CORDLESS  
MICROPHONE TO FURNISH A FUNCTIONING PA SYSTEM.

### **EQUIPMENT LIST –**

- 1PC. – CROWN 160 WATT COMMERCIAL AMPLIFIER
- 2PC. – SHURE WIRELESS MICROPHONE AND RECEIVER
- 2PC. – SHURE MIC CABLE
- 10PC. – SPECO 6" OUTDOOR SPEAKER
- 1BOX – SPEAKER WIRE
- 1PC. – CONDUIT AND FITTINGS

**SYSTEM COST – \$4006.63**

### **NOTE –**

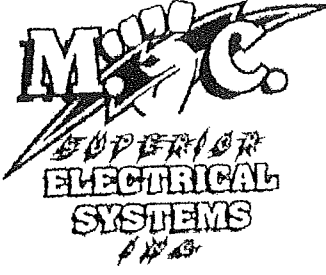
**CDR ELECTRONICS WILL TRENCH FROM PAVILION TO  
ELECTRIC CLOSET FOR PLACEMENT OF AMPLIFIER  
AND MICROPHONE RECEIVER.**

### **WARRANTY –**

ONE YEAR LIMITED WARRANTY – PARTS AND LABOR

76

PO BOX 453  
Walden, NY 12586  
845-778-6565 , FAX  
-845- 778-6560



# Estimate

Date	Estimate #
1/24/2012	1266

Name / Address
TOWN OF NEWBURGH RECREATION DEPT. 311 ROUTE 32 NEWBURGH, NY 12550

Terms
Net 30

Description	Total
" PAVILION OUTLETS "	2,295.00
THE FOLLOWING PRICE QUOTE IS FOR : - REPLACING 3- DAMAGED 2-GANG WEATHER PROOF COVERS - ADDING 2- ADDITIONAL 120 VOLT 20 AMP CIRCUITS TO SEPARATE THE OUTLETS ON THE PAVILION - INSTALL PVC CONDUIT UNDERGROUND FROM 1- HAND HOLE TO ANOTHER TO COMPLETE THE PIPE RUN FROM PANEL TO THE PAVILION ( EXCAVATION BY OTHERS ) - PULL NEW CIRCUITS THROUGH EXISTING CONDUITS - INSTALL 2- NEW G.F.I. OUTLETS ON THE NEW CIRCUITS TO PROTECT OUTLETS DOWN STREAM Sales Tax	0.00

Thank you for the opportunity to bid on this job.	<b>Total</b> 52,295.00
---------------------------------------------------	------------------------

Signature \_\_\_\_\_

76

# Proposal AWNING FX, INC.

## REGIONAL OFFICES

- DUTCHESS (845) 297-2899
- WESTCHESTER (914) 946-8128
- BERGEN, NJ (201) 995-9225

### SHOWROOM

2435 ROUTE 32  
NEW WINDSOR, NY 12553  
PH. (845) 534-5070  
FAX (845) 534-5090

ATTN: Rob Petrillo

PROPOSAL SUBMITTED TO

Newburgh Town Park

PHONE

674-6849

DATE

1-20-12

STREET

Rt 32

JOB NAME

CITY, STATE AND ZIP CODE

Newburgh NY 12550

JOB LOCATION

Tametric Lake Park

CONTACT PERSON

Sales- Pat Brown

JOB PHONE

JOB FAX

~~564-2429~~

564-2429

WE HEREBY SUBMIT SPECIFICATIONS & ESTIMATES FOR THE FOLLOWING PRODUCTS:

Custom winter panels: w/ clear pvc window sections  
(for pavilion area)

11 openings on parking lot side: all 8' wide x 16' high  
\$160. each x 11 = **\$5,060.**

1 large opening in front: 42' wide x 12' high in center  
**\$2,770.** for entire front area  
broken up into 3 sections w/ 2 columns

Approximate Install Date

3-4 weeks

Due to code requirements electrical work performed on site is not included in this proposal and is the sole responsibility of the buyer. You will be notified via telephone to verify the exact date of the installation. The balance stipulated below is due when our installers complete the installation. When necessary, permit acquisition and permit fees are the sole responsibility of the buyer. Awning FX, Inc. will not begin production of any custom product until the necessary permits have been acquired and all permit fees paid by the buyer. You, the buyer, may cancel this transaction at any time prior to midnight of the third business day after the date of this transaction. Cancellation must be done in writing. All awnings are the property of Awning FX, Inc. until paid in full. Due to the custom nature of these products, deposits are not refundable after the three day recession period expires. Initials \_\_\_\_\_

tax-free if exempt / installed prices

We propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

dollars \$ **7,830.**

Job done

Payment to be made as follows:

50% Deposit in the amount of \$ **2,830.** required.

Call Pat w/ questions

Balance Due in the amount of \$ **5,000.** upon completion.

Thanks - RB

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

All materials are guaranteed by our supplier and a copy will be furnished upon request. In the event that litigation occurs, attorney's fees shall be awarded to the prevailing party. Parties sign in this agreement on behalf of a legal entity personally guarantees payment.

All balances past 30 days are subject to additional finance charges.

Note: This proposal is good through \_\_\_\_\_

**Acceptance of Proposal** — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Email \_\_\_\_\_

Date of Acceptance: \_\_\_\_\_

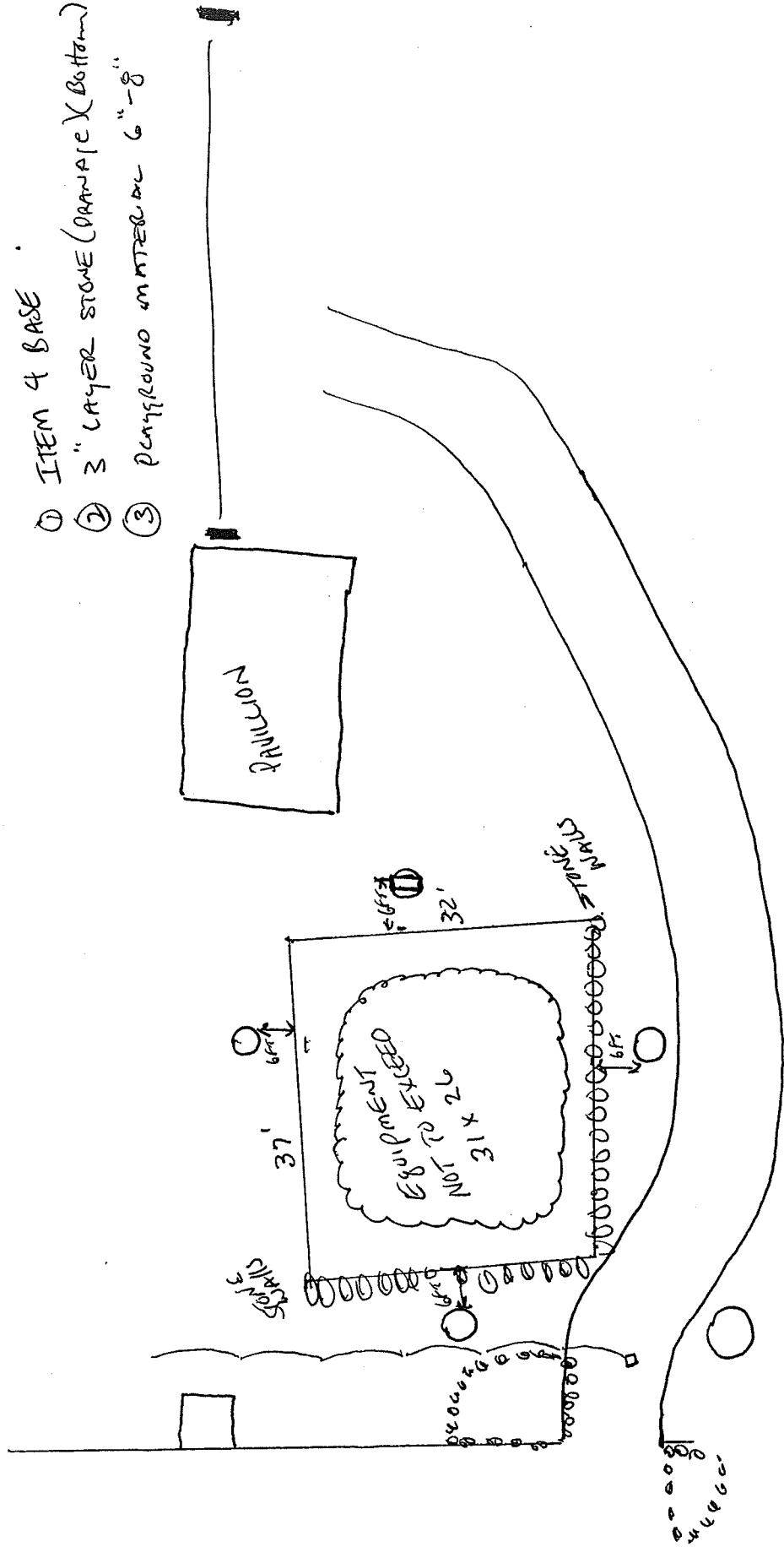
Signature \_\_\_\_\_

S-12 2-5  
 PB 1269 PB 1263  
 PB 1270 KB 1233

INO. - STAINO/SPIN, SWISS, TREE SWISS, MARBOL



- ① ITEM 4 BASE
- ② 3" LAYER STONE (DAMAGE BOTTOM)
- ③ PLAYGROUND MATERIAL 6"-8"



**8. ZONING:**

**A. Discussion on 84 Realty LLC**

**B. Parke Lane LLC**

MAR 14 2012

84 Realty LLC  
PO Box 467  
Highland Mills, NY 10918  
(845) 827-5161

Bo

January 18, 2012

Hon Wayne C. Booth  
Supervisor  
Town of Newburgh  
Town Hall, Route 300  
Newburgh, New York 12550

RE: APPLICATION FOR ZONING CHANGE, Town of Newburgh -  
Lands of 84 REALTY LLC - Premises: 9.4 Acres/Patton and South Plank Roads  
(Section 53, Lot 44)("Property")

Dear Supervisor Booth:

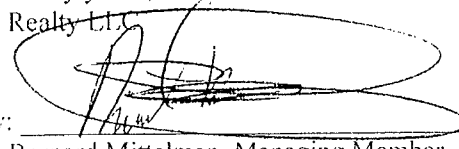
We are writing you and the Town Board members as the owner of 9.4 acres of Property (SBL 47-1-44) bounded by Patton and South Plank Roads in the Town of Newburgh, New York. We write further to our currently pending application for a zoning change as well as our corresponding application to amend the Master Plan of the Town of Newburgh so as to change the zoning of the Property from the current "B" zone to "R-2" (residential) zone.

In that connection, I write to confirm our agreement that based on the Town Board's agreement and actions in amending the current zoning of the Property to "R-2" as aforesaid, we hereby agreed that the effectiveness of any such zoning change would be conditioned on our use and development of the Property for single family homes only and not for the other multi uses which may be otherwise permitted under R-2 zoning and currently excluded under the existing "B" zone. Furthermore, we hereby agree that should the zoning on the Property be changed to R-2 and thereafter we either not get approval for and/or determine not to construct single family homes on the Property any such would automatically result in a rescission of the Town Board's referenced zoning change thereby resulting in the Property automatically and without further action going back to being covered and governed pursuant to and in accordance with the existing "B" zoning requirements and restrictions.

Thanking you and the Town Board members in advance for your due consideration of the requested zoning change and your scheduling of a final public hearing and approval action thereafter with regard to this matter, I am

Sincerely yours,  
84 Realty LLC

By:



Bernard Mittelman, Managing Member

copy to: Mark C. Taylor, Esq. - Town of Newburgh Attorney  
Kirk C. Rother- 84 Realty LLC, Engineer  
Stanley Schutzman, Esq. -

ja

Mark:

I spoke with my client 84 Realty LLC , the owner of the 9.4 acre parcel located at Patton and South Plank Roads, Newburgh , NY (Section 53, Lot 44).

I write further to your email and with reference to my client's letter dated January 18, 2012 in respect of its application for zoning change. I write to confirm my client's agreement that the first sentence of the second paragraph is hereby revised to delete the words ""...and not for the other multi uses which may be otherwise permitted under R-2 zoning and currently excluded under the existing "B" zone."

I'm looking forward to seeing you at tonight's meeting.

Regards, Stan  
Hanig & Schutzman,LLP  
Stanley A. Schutzman, Esq.  
e-mail: [schutzmanlaw@aol.com](mailto:schutzmanlaw@aol.com)  
Assistant: Diana E. Frailey  
e-mail: [fraileyd@aol.com](mailto:fraileyd@aol.com)

*Dutchess County Office:*  
22 IBM Road, Suite 210  
Poughkeepsie, New York 12601  
(845) 471-7177 (Ext. 143) - Stan  
(845) 471-7177 (Ext. 132) - Diana

*Rockland County Office:*  
86 Route 59 East, 2nd Floor  
Spring Valley, New York 10977  
(845) 694-7084

(845) 790-1212 fax

Notice: IRS Circular 230 Disclosure: To the extent tax advice is contained herein or any attachment such is not intended or written to - and cannot - be used by you or any party to whom this correspondence is shown for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending the tax advice addressed herein to any other party.

This communication is intended only for the listed addressee(s) and may contain information that is privileged and confidential. If you are not an addressee listed above, any use, distribution or reproduction of this communication (including any attachments) is strictly prohibited. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY REPLY E-MAIL AND PERMANENTLY DELETE THE ORIGINAL E-MAIL WITHOUT RETAINING A COPY.

-----Original Message-----  
From: Mark Taylor <[MTaylor@riderweiner.com](mailto:MTaylor@riderweiner.com)>  
To: Stanley A. Schutzman <[schutzmanlaw@aol.com](mailto:schutzmanlaw@aol.com)>  
Sent: Fri, Mar 2, 2012 1:43 pm  
Subject: RE: town of newburgh - patton road zoning change

Stan,

Board Members have reviewed the signed letter prior to the hearing scheduled for Monday night and the Supervisor has relayed a request that it be modified to delete from the first sentence of the second paragraph, the phrasing that comes after "for single family homes only". That would be "and not for other multi uses which may otherwise be permitted under R-2 zoning and currently excluded under the existing "B" zone.

I believe that would satisfy the concerns, but obviously will not be certain until they sign off in a meeting.

Mark



8a

CIRCULAR 230 NOTICE - Pursuant to applicable regulations promulgated by the United States Department of the Treasury which govern the practice of tax professionals before the Internal Revenue Service, please be advised that any tax advice which may be contained within either this electronic communication or any document attached to this electronic communication and which concludes at a confidence level of at least more likely than not, that one or more significant Federal tax issues addressed herein will be resolved in the taxpayer's favor, is not being rendered by the author of such advice for the purpose of you relying upon said advice as a basis for a claim of the existence of "substantial authority" so as to avoid the imposition of any penalties which may be assessed by the Internal Revenue Service as a result of your reliance upon such advice.

CONFIDENTIALITY NOTICE – Rider, Weiner & Frankel, P.C.: This electronic message is intended to be viewed only by the individual or entity to whom it is addressed. It may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any dissemination, distribution or copying of this communication is strictly prohibited without our prior permission. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, or if you have received this communication in error, please notify us immediately by return e-mail and delete the original message and any copies of it from your computer system.

**DEVELOPER'S AGREEMENT**

THIS DEVELOPER'S AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_ 2012, by and between Autumn Sky Development Co., Inc., maintaining an office at 58 South Manheim Boulevard, Apartment #68, Post Office Box 298, New Paltz, New York 12561 (hereinafter the "Owner"), Parke Lane at Newburgh, LLC, maintaining an office at 54 Horse Hill Road, Suite 201, Cedar Knolls, NJ 07927 (hereinafter the "Developer") and the Town of Newburgh, a municipal corporation maintaining an office at 1496 Route 300, Newburgh, New York 12550 (hereinafter the "Town");

**RECITALS**

WHEREAS, the Owner is the owner of certain real property identified as Town of Newburgh Tax Map Nos. 97-1-4.11, 5 & 6, located off of Stewart Avenue (hereinafter the "property"), which has been proposed for development by the Developer into a one hundred and sixty (160) unit multi-family residential market rate rental development together with a clubhouse, pool, gazebos, open space, walkways, and seating areas to be known as "Parke Lane at Newburgh" (hereinafter the "Project"); and

WHEREAS, access to the Project is proposed to be via Stewart Avenue only, and there is no proposed permanent roadway connection to either Benson Avenue nor Wood Street, both of which are Town roads; and

WHEREAS, Lots 5 and 6 are within the Town's Interchange Business (IB) zoning districts. The remaining property is zoned Residential-3 (R3), and the parcels are surrounded by lands zoned and developed under the R3 zoning; and

WHEREAS, the Developer has petitioned the Town requesting that the Town rezone those portions of the Property from Interchange Business (IB) to the Residential-3 (R3) zoning district. This requested zoning map amendment would allow for the development of the Property that would be consistent and complimentary to the surrounding residential uses; and



WHEREAS, the Town has undertaken an update 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 Project would be developed as currently proposed, the Developer and the Owner have offered to enter into this agreement which would impose certain restrictions upon the development of the property should the Town grant the requested zoning map amendment; and

WHEREAS, the Owner is party to this Agreement to the extent that the Owner acknowledges the obligations contained herein that pertain and apply to the future development of the Project should the Town grant the requested zoning map amendment and the Owner consents to the recording of this Agreement in the Orange County Clerk's Office; and

WHEREAS, the Developer, Owner and the Town have therefore entered into this Developer's Agreement for the purpose of memorializing the mutual consent of the Developer, Owner and the Town to the terms and conditions herein, and to set forth the Developer and Owner's obligations should the Town grant the requested rezoning; and

WHEREAS, should the Town grant the requested rezoning, these terms and conditions shall become a title encumbrance and shall run with the land and shall bind the Developer and the Owner, and their respective successors and assigns; and

WHEREAS, this Agreement is an unlisted action under SEQRA, and based on the Environmental Assessment Form provided for the Project to the Town of Newburgh Town Board, the Town has heretofore (1) determined that this Developer's Agreement is an Unlisted Action, and (2) conducted an uncoordinated review and adopted a SEQRA negative declaration that this Developer's Agreement will not have a significant adverse environmental impact on the environment.

## TERMS

NOW, THEREFORE, in consideration of the foregoing, the parties hereto agree as follows:

1. In the event that the Town grants the Developer's petition and amends the zoning districts for Lots 5 and 6 from the Interchange Business (IB) to Residential-3 (R3), then the Owner and Developer agree that: (a) the developed density of the site, should the Project be built, shall be no more than 160 residential units, and (b) apart from any utility connections, there shall be no permanent roadway connection from the Project to either Benson Avenue nor Wood Street.
2. The Developer and Owner agree and understand that in the event that this Developer's Agreement is the subject of a legal challenge by a third party, the Developer and Owner shall indemnify and hold harmless the Town for all expenses and legal fees resulting from or arising out of such claim or legal proceeding by a third party.
3. This Developer's Agreement shall be binding upon and inure to benefit of, the parties' successors and assigns.
4. This Developer's Agreement constitutes the entire agreement between the parties and supersedes any prior understandings, agreements, or representations by or between the parties, written or oral, that may have related in any way to the subject matter hereof. Any modification or change to this Developer's Agreement or any waiver of the terms hereof must be made in writing signed by all parties.
5. The language used in this Developer's Agreement shall be deemed to be the language chosen by the parties hereto to express their mutual intent, and no rule of strict construction shall be applied against any party. This Developer's Agreement shall be governed by and construed in accordance with the laws of the State of New York.

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6. Within sixty-two (62) days following execution by all parties, the Developer shall record this Developer's Agreement in the Orange County Clerk's Office at the Developer's expense. The Developer shall provide proof of such recording to the Town Attorney.

7. The Owner consents to the recordation of this Agreement in the Orange County Clerk's Office. Further, the Owner acknowledges that the terms and conditions of this Agreement shall run with the land and shall be binding on any other individual or entity proposing to develop the Project should the Developer fail to do so or otherwise withdraw from the Project.

8. The Town has authorized the Supervisor's execution of this Developer's Agreement by resolution at a regular meeting held on \_\_\_\_\_, 2012.

9. The parties hereto shall be deemed to have executed this Developer's Agreement upon the date and year set forth above.

Autumn Sky Development Co., Inc.

Town of Newburgh

By: \_\_\_\_\_  
Steven Michalski, President

By: \_\_\_\_\_  
Wayne Booth, Supervisor

Parke Lane at Newburgh, LLC

By: \_\_\_\_\_  
Joseph Forgione, Managing Member

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ACKNOWLEDGEMENTS

STATE OF NEW YORK )

ss.:

COUNTY OF \_\_\_\_\_ )

On the \_\_\_ day of \_\_\_\_\_, 2012, before me personally came Steven Michalski, President of Autumn Sky Development Co., Inc., to me known to be the individual described in and who executed the forgoing instrument and acknowledged to me that he executed the same.

\_\_\_\_\_  
Notary Public

STATE OF NEW JERSEY )

ss.:

COUNTY OF \_\_\_\_\_ )

On the \_\_\_ day of \_\_\_\_\_, 2012, before me personally came Joseph Forgione, Managing Member of Parke Lane at Newburgh, LLC, to me known to be the individual described in and who executed the forgoing instrument and acknowledged to me that he executed the same.

\_\_\_\_\_  
Notary Public

STATE OF NEW YORK )

ss.:

COUNTY OF ORANGE )

On the \_\_\_ day of \_\_\_\_\_, 2012, before me personally came Wayne Booth, Supervisor of the Town of Newburgh, to me known to be the individual described in and who executed the forgoing instrument and acknowledged to me that he executed the same.

\_\_\_\_\_  
Notary Public

**9. DATA PROCESSING: Approval of Expenditure from  
Computer Reserve**

MAR 14 2012

9

Data Processing for the Audit Meeting of March 14, 2012

Purchase of a Seagate portable hard drive for the server at recreation

The purchase of this item was approved at a Feb 15, 2012 workshop meeting in the amount of \$ 106.24. The true cost is \$ 121.92.

I need to have approved an additional \$ 15.68 from the computer reserve fund Account 001-878 which currently has approx \$ 96,000.00

Thank you

A handwritten signature in black ink, appearing to be 'Gut' or similar, written in a cursive style.



REMOVE FROM COMPUTER RESERVE

APPROVED

Date of Town Board Action: FEB 15 2012

Vote of Town Board: 5-0

Andrew J. Zarutskie  
Andrew J. Zarutskie, Town Clerk

EXPEND

APPROVED

Date of Town Board Action: FEB 15 2012

Vote of Town Board: 5-0

Andrew J. Zarutskie  
Andrew J. Zarutskie, Town Clerk

### For Audit Meeting Wednesday February 15, 2012

Purchase of 1 Dell T3400 Tower refurbished to be used for filtering of internet from FLC Equipment...	\$ 295.75
Purchase of Untangle Government Software (1) one year	864.00
Purchase of Linksys network adapter	39.99
Purchase of 2GB Memory upgrade for Supervisors Computer	49.99
Purchase of 2GB Memory upgrade for Cindys Computer	49.99
Purchase of Seagate portable Hard Drive 320 GB as a back up for the Justice Court Server	106.24
Purchase of Seagate portable hard Drive 320 GB As a back up for the Recreation Server	106.24
<b>Total expenditure from computer reserve</b>	<b>\$ 1512.20</b>

Computer reserve fund 001-878 currently has \$ 97,463.55

Gil

# TOWN OF NEWBURGH

1496 ROUTE 300  
NEWBURGH, N.Y. 12550

## VOUCHER

DEPARTMENT Recreation Dept

CLAIMANT'S NAME AND ADDRESS  
FLC Equipment & Supplies, Inc  
198 Willow Ave  
Kornwall, NY 12518

TERMS \_\_\_\_\_

Order No. \_\_\_\_\_

DO NOT WRITE IN THIS BOX

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

Vendor's Ref. No. \_\_\_\_\_

Dates	Quantity	Description of Materials or Services	Unit Price		Amount	
2/27/12	1	Hard Drive - Seagate	121	92	121	92
TOTAL						121 92

(See Instructions on Reverse Side)

### CLAIMANT'S CERTIFICATION

I, Frederick P Lewis, certify that the above account in the amount of \$ \_\_\_\_\_ 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.

2/27/12  
DATE

Frederick P Lewis  
SIGNATURE

President  
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

[Signature]  
AUTHORIZED OFFICIAL

### APPROVAL FOR PAYMENT

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

DATE

AUDITING BOARD

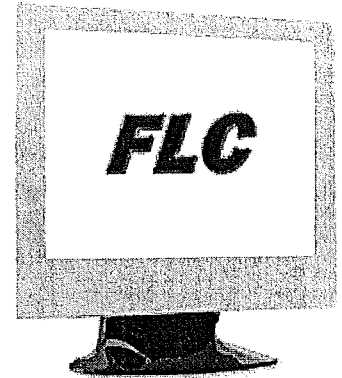
FLC Equipment and Supplies

198 Willow Ave  
 Cornwall, NY 12518-1331  
 845-534-9800 Fax 845-534-4107

**Invoice**

Date	Invoice #
2/27/2012	730

Bill To
Newburgh Town Hall 1496 Route 300 Newburgh, NY 12550



P.O. Number	Terms	Estimate
623		

Description	Quantity	Price Each	Amount
Recreation Dept Seagate FreeAgent GoFlex 320GB USB 2.0 Ultra-Portable Hard Drive	1	121.92	121.92

Thank you for your business!	<b>Total</b>	\$121.92
NOTE: There will be a \$20 charge for any check returned by the bank. Finance Charges will accrue at a rate of 2% per month after 20 days from the date of the invoice with a minimum charge of \$1.00 per month.	<b>Payments/Credits</b>	\$0.00
	<b>Balance Due</b>	\$121.92

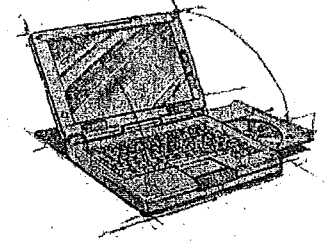
9

FLC Equipment and Supplies  
198 Willow Ave  
Cornwall, NY 12518-1331  
845-534-9800 Fax 845-534-4107

# Estimate

Date	Estimate #
2/1/2012	629

Name / Address
Newburgh Town Hall 1496 Route 300 Newburgh, NY 12550



Vendor Quote #

Description	Qty	Rate	Total
Recreation Dept Seagate FreeAgent GoFlex 320GB USB 2.0 Ultra-Portable Hard Drive	1	121.92	121.92
Prices are subject to change without notice. If you have any questions please call.		<b>Total</b>	\$121.92

Any Items with Zeros "0" in the "Qty" column are optional.  
The prices in the "Unit Cost" column are upgrade prices  
that are in addition to the original quoted items.

Signature / Date

\_\_\_\_\_

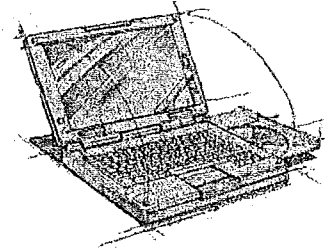


FLC Equipment and Supplies  
 198 Willow Ave  
 Cornwall, NY 12518-1331  
 845-534-9800 Fax 845-534-4107

# Estimate

Date	Estimate #
2/1/2012	629

Name / Address
Newburgh Town Hall 1496 Route 300 Newburgh, NY 12550

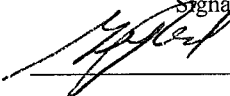


Vendor Quote #

Description	Qty	Rate	Total
Recreation Dept Seagate FreeAgent GoFlex 320GB USB 2.0 Ultra-Portable Hard Drive	1	106.24	106.24

Prices are subject to change without notice. If you have any questions please call.	<b>Total</b>	\$106.24
-------------------------------------------------------------------------------------	--------------	----------

Any Items with Zeros "0" in the "Qty" column are optional.  
 The prices in the "Unit Cost" column are upgrade prices that are in addition to the original quoted items.

Signature / Date  
 2/15/12

**10. TOWN CLERK: Carnival Application at Newburgh Mall**

MAR 14 2012

10

# TOWN OF NEWBURGH

*Crossroads of the Northeast*

OLD TOWN HALL  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

CODE COMPLIANCE DEPT.  
TELEPHONE 845-564-7801  
FAX LINE 845-564-7802

March 12, 2012

To: Wayne Booth, Supervisor  
Town Board Members.

From: Thomas Dubetsky   
Public Safety Officer

This note is to serve as notification that following a review by the Code Compliance Department and the Town Police Department the application for a carnival to be held on the Newburgh Mall parking lot site from April 5<sup>th</sup> – 15<sup>th</sup> 2012 and has been found to be compliant for Town Board approval. The event is being conducted by Dreamland Amusements Inc. and will be a benefit for the East Coldenham Elementary School and PTA.

Security will be provided by Dreamland Amusements and the Town of Newburgh Police through off duty arrangements. A letter has been sent to the Winona Lake Fire Department advising them of the event. The mall has been advised that water for the carnival will be provided from their building spickets and no fire hydrants are to be utilized.

If you have any questions please notify this office.

CC: James Osborne, Town Engineer  
Gerald Canfield, Code Compliance Supervisor  
Michael Clancy, Chief of Police

## **11. FLEET MAINTENANCE: Hiring of Mechanic**



MAR 14 2012

11



## TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

PERSONNEL DEPT.

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

To: Supervisor Booth ✓  
Town Board Members

From: Charlene M Black, Personnel

A handwritten signature in cursive, appearing to read "C. Black", is written over the name "Charlene M Black" in the "From:" field.

Date: March 6, 2012

Re: Mechanic – Fleet Maintenance

---

Attached please find a copy of an application for James McGuinness and the recommendation from James Lacolla. Upon your approval Mr. McGuinness will need to pass a physical, drug/alcohol test, fingerprints and complete all his paperwork. The proposed day of hire will be March 29, 2012.

11

**TOWN OF NEWBURGH  
FLEET MAINTENANCE  
88 GARDNERTOWN ROAD  
NEWBURGH, NY 12550  
(845) 561-2288 Fax# (845) 561-3975**

**TO: Wayne Booth, Supervisor, and Town Board Members**

**FROM: James LaColla, Head Mechanic-Fleet Maintenance**

**DATE: August 18, 2011**

**RE: Candidate for Fleet Maintenance vacancy**

**CC: Charlene Black, Personnel  
Jacqueline Calarco, Accountant**

I have interviewed several candidates to fill the vacancy at Fleet Maintenance. I would like to recommend at this time James McGuinness for this position. Out target for a starting date is March 29, 2012 subject of course to your approval and favorable physical exam results. Salary for this position is CSEA Grade 15 (\$18.5430) and is budgeted for in 1640.0100. A copy of the application is on file in the Personnel Dept. for your review. Thank You.

11

# TOWN OF NEWBURGH

## EMPLOYMENT REQUEST FORM

**To: Personnel Department**

NAME OF CANDIDATE: JAMES R. MCGUINNESS

DEPARTMENT: FLEET MAINTENANCE

TITLE OF POSITION: AUTO MECHANIC

FULL TIME OR PART TIME: FULL TIME

HOURLY RATE: \$ 18.5430

IS POSITION FUNDED IN CURRENT BUDGET: YES OR NO

FUND APPROPRIATION NUMBER: 1640.0100

PROPOSED HIRE DATE: MARCH 29, 2012

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

  
DEPARTMENT HEAD SIGNATURE

3/5/12  
DATE

ORIGINAL APPLICATION SHOULD BE ON FILE IN THE PERSONNEL  
DEPARTMENT.

COPY TO ACCOUNTING DEPARTMENT

**12. PLANNING BOARD: Performance Security Release: Ghikas Subdivision**

VINCENT J. DOCE ASSOCIATES

ENGINEERS ~ SURVEYORS ~ PLANNERS  
PROJECT CONSULTANTS - LAND CONSULTANTS  
242 SOUTH PLANK ROAD, NEWBURGH, NEW YORK 12550  
TEL. 845-561-1170 ~ FAX 845-561-7738

12

March 7, 2012

Wayne Booth, Supervisor  
Town of Newburgh  
1496 Route 300  
Newburgh, NY 12550

RE: Subdivision Plan Lands of Eugene M. & Vaughn Ghikas  
Highland Avenue and Fern Avenue  
Tax Parcels: Section 67 Block 8 Lot 1.21, 1.22, 1.23  
(Former Tax Parcel Section 67 Block 8 Lot 1.2)  
Town Project No. 11-26 (formerly 04-14)

Dear Mr. Booth:

On January 6, 2005, the Town of Newburgh Planning Board approved the above referenced three-lot subdivision proposed by Mr. and Mrs. Ghikas. The proposed subdivision included a retaining wall with associated landscaping. As a condition of approval, the applicant was required to provide a performance security and the inspection fee for the proposed landscaping. At the August 10, 2005 Town Board meeting, the Board approved a performance security in the amount of \$7418.00 and a \$2000.00 inspection fee which the applicant subsequently provided.

Recently, the applicant made application to the Town of Newburgh Planning Board for an amended subdivision which was approved on January 19, 2012. The amended subdivision plan removed the need for the retaining wall and associated landscaping. The resolution of approval contained a condition that the applicant could apply to the Town Board for a release of the performance security held by the Town.

As the retaining wall and landscaping are no longer a requirement, Mr. and Mrs. Ghikas request the \$7418.00 performance security and the \$2000.00 inspection fee be returned. Please, place this item on your next available agenda. Thank you in advance for your anticipated cooperation.

Respectfully,



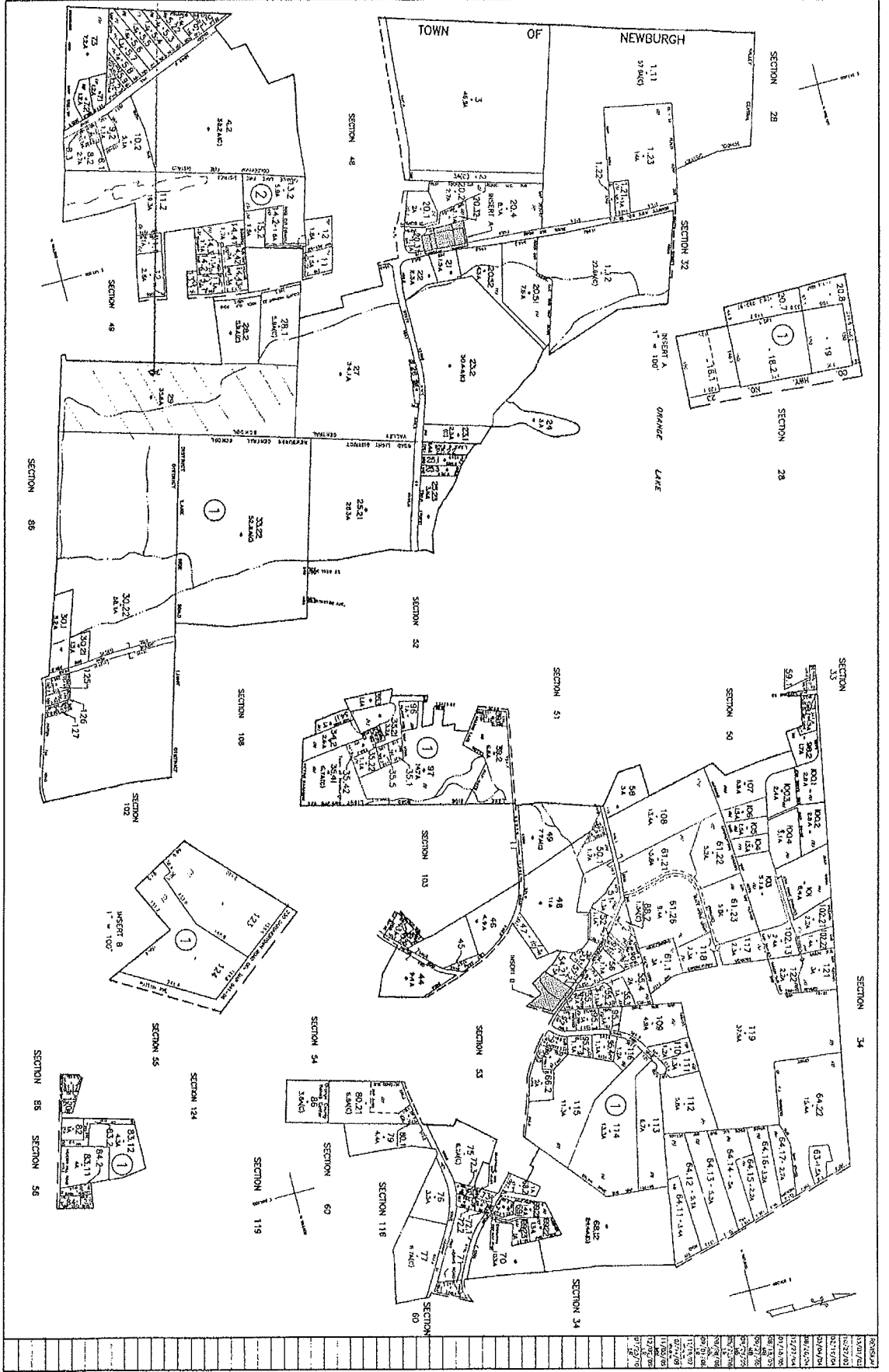
Darren C. Doce  
cc John Ewasutyn, Planning Board Chairman  
Eugene M. and Vaughn Ghikas

**13. ASSESSOR:**

**A. WGNV Tower Sunset Crest Utility Certiorari**

**B. CINTAS Certiorari**

subject parcel



**LEGEND**

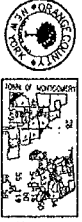
1	20' WIDE ROAD	21	10' WIDE ROAD
2	15' WIDE ROAD	22	5' WIDE ROAD
3	10' WIDE ROAD	23	3' WIDE ROAD
4	5' WIDE ROAD	24	1' WIDE ROAD
5	3' WIDE ROAD	25	0.5' WIDE ROAD
6	1' WIDE ROAD	26	0.25' WIDE ROAD
7	0.5' WIDE ROAD	27	0.125' WIDE ROAD
8	0.25' WIDE ROAD	28	0.0625' WIDE ROAD
9	0.125' WIDE ROAD	29	0.03125' WIDE ROAD
10	0.0625' WIDE ROAD	30	0.015625' WIDE ROAD
11	0.03125' WIDE ROAD	31	0.0078125' WIDE ROAD
12	0.015625' WIDE ROAD	32	0.00390625' WIDE ROAD
13	0.0078125' WIDE ROAD	33	0.001953125' WIDE ROAD
14	0.00390625' WIDE ROAD	34	0.0009765625' WIDE ROAD
15	0.001953125' WIDE ROAD	35	0.00048828125' WIDE ROAD
16	0.0009765625' WIDE ROAD	36	0.000244140625' WIDE ROAD
17	0.00048828125' WIDE ROAD	37	0.0001220703125' WIDE ROAD
18	0.000244140625' WIDE ROAD	38	0.00006103515625' WIDE ROAD
19	0.0001220703125' WIDE ROAD	39	0.000030517578125' WIDE ROAD
20	0.00006103515625' WIDE ROAD	40	0.0000152587890625' WIDE ROAD

**ORANGE COUNTY - NEW YORK**

ADJOINING REFERENCE

Scale 1" = 400'

Section No. 47



**TOWN OF NEWBURGH**

33460

Scale 1" = 400'

Section No. 47

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 14th day of March, 2012 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 SETTLEMENT OF  
PROCEEDING UNDER ARTICLE  
7 OF THE REAL PROPERTY  
TAX LAW:  
SBL # 47-1-29  
SUNSET CREST REALTY CORP.  
(Rock Cut Road),  
INDEX NUMBERS 2008-7547, 2009-7880,  
2010-8433 AND 2011-6939

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

WHEREAS, Sunset Crest Realty Corp. ("Petitioner") has instituted proceedings under Article 7 of the Real Property Tax Law by which Petitioner seeks to obtain judicial review and reduction of the assessment of certain real property in the Town of Newburgh, Orange County, New York located near Rock Cut Road (Section 47-Block 1-Lot 29) on the tax assessment rolls for the tax years 2008, 2009, 2010 and 2011; and

WHEREAS, special counsel to the Town, Hacker & Murphy, LLP, has negotiated a settlement of the proceeding with the Petitioners, the terms of which are embodied in a proposed Consent Judgment annexed hereto and recommended that the Town Board authorize the settlement; and

WHEREAS, after review and discussion, the Town Board has determined it to be in the best interests of the Town to authorize the settlement.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes and directs the Town Supervisor and Hacker & Murphy, LLP to execute and deliver the Consent Judgment on behalf of the Town; and

BE IT FURTHER RESOLVED, that Hacker & Murphy, LLP, the Attorney for the Town, the Town's Deputy Assessor and other officers of the Town are hereby authorized to take such actions and to make, execute and deliver, or cause to be made, executed and delivered, in the name of and on behalf of the Town, all such certificates, documents and papers as may be necessary to effectuate and carry out the settlement; and

BE IT FURTHER RESOLVED that the aforesaid resolutions shall take effect immediately.



13a

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 14th day of March, 2012 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 SETTLEMENT OF  
PROCEEDING UNDER ARTICLE  
7 OF THE REAL PROPERTY

TAX LAW:

SBL # 34-1-29.1

CINTAS CORP.

(NYS Route 300),

INDEX NUMBERS 2005-12407, 2006-  
13318, 2007-12704, 2008-15675, 2009-  
16210, 2010-16865 AND 2011-6586

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

WHEREAS, Cintas Corp. ("Petitioner") has instituted proceedings under Article 7 of the Real Property Tax Law by which Petitioner seeks to obtain judicial review and reduction of the assessment of certain real property in the Town of Newburgh, Orange County, New York located at NYS Route 300 (Section 34-Block 1-Lot 29.1) on the tax assessment rolls for the tax years 2005, 2006, 2007, 2008, 2009, 2010 and 2011; and

WHEREAS, special counsel to the Town, Hacker & Murphy, LLP, has negotiated a settlement of the proceeding with the Petitioners, the terms of which are embodied in a proposed Consent Judgment annexed hereto and recommended that the Town Board authorize the settlement; and

WHEREAS, after review and discussion, the Town Board has determined it to be in the best interests of the Town to authorize the settlement.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes and directs the Town Supervisor and Hacker & Murphy, LLP to execute and deliver the Consent Judgment on behalf of the Town; and

BE IT FURTHER RESOLVED, that Hacker & Murphy, LLP, the Attorney for the Town, the Town's Deputy Assessor and other officers of the Town are hereby authorized to take such actions and to make, execute and deliver, or cause to be made, executed and delivered, in the name of and on behalf of the Town, all such certificates, documents and papers as may be necessary to effectuate and carry out the settlement; and

BE IT FURTHER RESOLVED that the aforesaid resolutions shall take effect immediately.

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

George Woolsey, Councilman voting \_\_\_\_\_

Gilbert J. Piaquadio, Councilman voting \_\_\_\_\_

Elizabeth J. Greene, Councilwoman voting \_\_\_\_\_

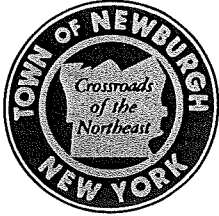
Ernest C. Bello, Jr., Councilman voting \_\_\_\_\_

Wayne C. Booth, Supervisor voting \_\_\_\_\_

The resolution was thereupon declared duly adopted.

**14. PERMA: Insurance Contract 2012-2013**

MAR 14 2012



## TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

14

PERSONNEL DEPT.

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

To: Town Board Members *W.B.*

From: Charlene M Black, Personnel *CM*

Date: March 7, 2012

Re: PERMA 2012-2013 Contract

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Please see attached the 2012-2013 PERMA contract and voucher that needs to be approved. Our contract with them expires on March 31, 2012, so this is time sensitive.

Thank you in advance.

# TOWN OF NEWBURGH

1496 Route 300  
Newburgh, New York 12550  
(845) 564-5220

2012

14

DO NOT WRITE IN THIS BOX

DEPARTMENT PERSONNEL

Date Voucher Received		VOUCHER NO.
FUND - APPROPRIATION	AMOUNT	
79% A9040.8	\$161,351.18	
13% D9040.8	\$26,551.46	
6% SW9040.8	\$12,254.52	
2% SS9040.8 (below)	\$4,084.84	
Total		\$204,242.00
100%		

CLAIMANT'S NAME AND ADDRESS

PERMA  
Dept. 923  
P.O. Box 8000  
Buffalo, New York 14240-8588

TERMS Net 30 Days

Invoice # \_\_\_\_\_

Dates	Quantity	Description of Materials or Services	Unit Price	Amount
		Statement # Initial Payment for 2012-2013 Contract		
	ss#1	\$68.22		204242
	ss#3	\$500.39		
	ss#4	\$246.32		
	ss#5	\$30.64		
	ss#6	\$200.97		
	ss#7	\$152.77		
	ss#8	\$48.20		
	ss#9	\$46.57		
	ss#10	\$2,790.76		
		\$4,084.84		
			<b>TOTAL</b>	<b>\$204,242.00</b>

### CLAIMANT'S CERTIFICATION

I, \_\_\_\_\_ certify that the above account in the amount of \$ **\$204,242.00** 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.

DATE

SIGNATURE

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.

3/14/2012

Date

Charles M. Blair

Authorized Official

#### APPROVAL FOR PAYMENT

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

Date

Auditing Board