

PUBLIC MEETING AGENDA

Monday, February 23, 2015

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. (deleted)**
- 7. ENGINEERING:**
 - A. Golden Vista Storm Water Management**
 - B. Outside User Agreement**
- 8. RECREATION:**
 - A. Bus Trip Bids**
 - B. Loan of Stage**
- 9. ANIMAL CONTROL:**
 - A. T-94 Withdrawal (Veterinary Expenses)**
 - B. T-94 Withdrawal (Purchase of Cameras)**
- 10. HIGHWAY: Hiring of Two Seasonal Employees**
- 11. RESOLUTION: Opposing Closing of Post Office**
- 12. LABOR ATTORNEY: Approval of Contract**
- 13. POLICE: Hiring of two Part-Time Police Officers**
- 14. TOWN CLERK: Presentation of Police Property Room Inventory Audit**
- 15. ANNOUNCEMENTS**
- 16. PUBLIC COMMENTS**
- 17. ADJOURNMENT**



7A

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

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

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

MARK J. EDSALL, P.E., P.P. (NY, NJ & PA)
MICHAEL W. WEEKS, P.E. (NY, NJ & PA)
MICHAEL J. LAMOREAUX, P.E. (NY, NJ, PA, VT & VA)
MATTHEW J. SICKLER, P.E. (NY & PA)
PATRICK J. HINES

Principal Emeritus:
RICHARD D. McGOEY, P.E. (NY & PA)
WILLIAM J. HAUSER, P.E. (NY, NJ & PA)

13 February 2015

Town of Newburgh
1496 Route 300
Newburgh, NY 12550

ATTENTION: JAMES OSBORN, P.E., TOWN ENGINEER
SUBJECT: GOLDEN VISTA STORMWATER SECURITIES - PLANNING BOARD #99-33

Dear Jim:

The undersigned has received an engineer's estimate of probable construction costs for the proposed storm water management facilities collection treatment and conveyance system for the Golden Vista project. A review of the unit prices utilized for the project appears in line with current construction costs. The Applicant's Representative has utilized unit costs tracked by this office for preparation of the cost estimate. Attached, under cover of this letter, please find a letter dated 2 December 2014 identifying revisions this office previously requested on 28 July 2014. Based on the review of the information submitted, this office would recommend security in the amount of \$527,417.70 for the subject project. An erosion and sediment control inspection initial deposit should be made in the amount of \$4,000.00 based upon the engineer's estimate of probable construction costs.

Please feel free to contact the undersigned should you have any questions, comments or require any additional information regarding this matter.

Very Truly Yours,

Patrick J. Hines
Principal

Attachment

KIRK ROTHER, P.E.
CONSULTING ENGINEER, PLLC

5 SAINT STEPHENS LANE
Phone (845) 988-0620
Fax (845) 988-1628

WARWICK, NY 10990
Email krother@kirkrother.com

December 2, 2014

Patrick Hines
McGoey Hauser and Edsall
33 Airport Center Drive, Suite 202
New Windsor, NY 12553

**RE: Golden Vista Site Plan Modification
Drainage Improvement bond estimate
Town of Newburgh
Our Project #10103.0**

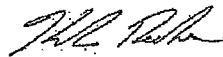
Dear Mr. Hines:

Enclosed please find one copy of a revised Golden Vista storm water improvement bond estimate. The estimate has been revised per your memo dated July 28, 2014. Following are the specific revisions:

1. The unit costs have been revised per the schedule provided.
2. It is agreed that the bond to be posted will be the total for all improvements, although they will likely be constructed in phases.
3.
 - a. Fencing of the storm water ponds has been added to the estimate in Section 1.
 - b. A line item for erosion and sediment control at a cost of \$3,200.00 per disturbed acre has been added in Section 1.
 - c. The line item for excavation of the storm water management pond has been increased to \$36,000 as requested and can be found in Section 1.
 - d. An additional line item for the pond access road fabric has been added in Section 1.
 - e. The line item for the outlet control structure has been increased to \$5,000.00 given the structure's height.

We trust the above adequately addresses the items in need of revision. The revised drainage infrastructure cost estimate is now \$527,417.70. Kindly advise as to whether this amount meets with the Town's approval.

Respectfully,



Kirk Rother, PE

Enclosures

cc: Town of Newburgh Planning Board w/enc.

KIRK ROTHER, PE, PLLC
CONSULTING ENGINEER, PLLC

5 Saint Stephens Lane

Phone (845) 988-0620

Fax (845) 988-1628

Warwick, NY 10990

Email krother@kirkrother.com

Golden Vista Multifamily Residential Plan
Town of Newburgh, Orange County, New York
Drainage Infrastructure Construction Cost Estimate
Revised August 2014

Section I

Item Description	Quantity	Unit	Unit Cost	Total
Install and Furnish 12" HDPE smooth wall drainage pipe	40	L.F.	\$35.00	\$1,400.00
Install and Furnish 15" HDPE smooth wall drainage pipe	1088	L.F.	\$55.00	\$59,895.00
Install and Furnish 18" HDPE smooth wall drainage pipe	804	L.F.	\$68.00	\$54,672.00
Install and Furnish 24" HDPE smooth wall drainage pipe	172	L.F.	\$75.00	\$12,900.00
Install and Furnish 30" HDPE smooth wall drainage pipe	267	L.F.	\$90.00	\$24,030.00
Install and Furnish 36" HDPE smooth wall drainage pipe	89	L.F.	\$105.00	\$9,345.00
Install and Furnish Catch Basin	14	Per Unit	\$3,600.00	\$50,400.00
Install and Furnish Field Drain Inlet	11	Per Unit	\$1,500.00	\$16,500.00
Install and Furnish Drainage Manhole	3	Per Unit	\$4,000.00	\$12,000.00
Install and Furnish Flared End Section	14	Per Unit	\$600.00	\$8,400.00
Install and Furnish Concrete Headwall	1	Per Unit	\$6,100.00	\$6,100.00
Excavate and Finish Grade Surface Sand Filter	1	Per Unit	\$5,000.00	\$5,000.00
Install Sand for Surface Sand Filter	32	C.Y.	\$150.00	\$4,800.00
Excavate and Finish Grade Detention Ponds	1	Per Unit	\$36,000.00	\$36,000.00
Install gravel pad for detention pond access road	150	C.Y.	\$50.00	\$7,500.00
Geotextile Fabric for detention pond access road	823	S.Y.	\$0.90	\$740.70
Detention Pond Plantings	1	Lump Sum	\$10,000.00	\$10,000.00
Install and Furnish Outlet Control Structures for detention ponds	1	Per Unit	\$5,000.00	\$5,000.00
Install and Furnish 1,650 S.F. Rip-Rap Spillways / Flow Pilots	1650	S.F.	\$3.00	\$4,950.00
Install and Furnish fence around detention pond	804	L.F.	\$15.00	\$12,060.00
Erosion and Sediment control and other various BMP'S	16	Per Acre	\$3,200.00	\$51,200.00
Install and Furnish Stone Diaphragm for Bioretention Areas	0	C.Y.	\$50.00	\$0.00
Install and Furnish Soil for Bioretention Areas	0	C.Y.	\$10.00	\$0.00
Sub Total				\$392,892.70

Section II

Item Description	Quantity	Unit	Unit Cost	Total
Install and Furnish 12" HDPE smooth wall drainage pipe	0	L.F.	\$35.00	\$0.00
Install and Furnish 15" HDPE smooth wall drainage pipe	239	L.F.	\$55.00	\$13,145.00
Install and Furnish 18" HDPE smooth wall drainage pipe	0	L.F.	\$68.00	\$0.00
Install and Furnish 24" HDPE smooth wall drainage pipe	0	L.F.	\$75.00	\$0.00
Install and Furnish 30" HDPE smooth wall drainage pipe	0	L.F.	\$90.00	\$0.00
Install and Furnish 36" HDPE smooth wall drainage pipe	0	L.F.	\$105.00	\$0.00
Install and Furnish Catch Basin	5	Per Unit	\$3,600.00	\$18,000.00
Install and Furnish Field Drain Inlet	0	Per Unit	\$1,500.00	\$0.00
Install and Furnish Drainage Manhole	0	Per Unit	\$4,000.00	\$0.00
Install and Furnish Flared End Section	2	Per Unit	\$600.00	\$1,200.00

Install and Furnish Concrete Headwall	0	Per Unit	\$6,100.00	\$0.00
Excavate and Finish Grade Surface Sand Filter	0	Per Unit	\$5,000.00	\$0.00
Install Sand for Surface Sand Filter	0	C.Y.	\$150.00	\$0.00
Excavate and Finish Grade Detention Ponds	0	Per Unit	\$36,000.00	\$0.00
Geotextile Fabric for detention pond access road	0	S.Y.	\$0.90	\$0.00
Install gravel pad for detention pond access road	0	C.Y.	\$50.00	\$0.00
Detention Pond Plantings	0	Lump Sum	\$10,000.00	\$10,000.00
Install and Furnish Outlet Control Structures for detention ponds	0	Per Unit	\$3,500.00	\$0.00
Install and Furnish 1,650 S.F. Rip-Rap Spillways / Flow Pilots	0	S.F.	\$3.00	\$0.00
Install and Furnish Stone Diaphragm for Bioretention Areas	45	C.Y.	\$50.00	\$2,250.00
Install and Furnish Soil for Bioretention Areas	463	C.Y.	\$10.00	\$4,630.00

Sub Total **\$49,225.00**

Section III

Item Description	Quantity	Unit	Unit Cost	Total
Install and Furnish 12" HDPE smooth wall drainage pipe	0	L.F.	\$35.00	\$0.00
Install and Furnish 15" HDPE smooth wall drainage pipe	551	L.F.	\$55.00	\$30,305.00
Install and Furnish 18" HDPE smooth wall drainage pipe	0	L.F.	\$68.00	\$0.00
Install and Furnish 24" HDPE smooth wall drainage pipe	35	L.F.	\$75.00	\$2,625.00
Install and Furnish 30" HDPE smooth wall drainage pipe	0	L.F.	\$90.00	\$0.00
Install and Furnish 36" HDPE smooth wall drainage pipe	0	L.F.	\$120.00	\$0.00
Install and Furnish Catch Basin	9	Per Unit	\$3,600.00	\$32,400.00
Install and Furnish Field Drain Inlet	0	Per Unit	\$1,500.00	\$0.00
Install and Furnish Drainage Manhole	0	Per Unit	\$3,500.00	\$0.00
Install and Furnish Flared End Section	4	Per Unit	\$600.00	\$2,400.00
Install and Furnish Concrete Headwall	0	Per Unit	\$6,100.00	\$0.00
Excavate and Finish Grade Surface Sand Filter	0	Per Unit	\$5,000.00	\$0.00
Install Sand for Surface Sand Filter	0	C.Y.	\$150.00	\$0.00
Excavate and Finish Grade Detention Ponds	0	Per Unit	\$12,500.00	\$0.00
Install gravel pad for detention pond access road	0	C.Y.	\$50.00	\$0.00
Geotextile Fabric for detention pond access road	0	S.Y.	\$0.90	\$0.00
Detention Pond Plantings	0	Lump Sum	\$10,000.00	\$10,000.00
Install and Furnish Outlet Control Structures for detention ponds	0	Per Unit	\$3,500.00	\$0.00
Install and Furnish 1,650 S.F. Rip-Rap Spillways / Flow Pilots	0	S.F.	\$3.00	\$0.00
Install and Furnish Stone Diaphragm for Bioretention Areas	46	C.Y.	\$50.00	\$2,300.00
Install and Furnish Soil for Bioretention Areas	527	C.Y.	\$10.00	\$5,270.00

Sub Total Section III **\$85,300.00**

Total **\$527,417.70**

7B

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

MEMORANDUM

TO: Gil Piaquadio, Town Supervisor & Town Board
FROM: James W. Osborne, Town Engineer *JWO*
DATE: February 20, 2015
RE: S \ **GIDNEY S.D. – REQUEST FOR SINGLE FAMILY
OUTSIDE USER AGREEMENT**

This office has received a request for a sewer connection from Kyle Warren for property located at 18 N. Fostertown Road, Sec. 17 – Bl. 4 – Lot 8.11.

The property is for a single family residence. Therefore, I am requesting that the Town Board authorize the Supervisor to execute an Outside User Agreement.

As this 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

8A

Item #	Date of Trip	Destination (All are round trip)	Depart Time	Approx. Return Time	# of Buses Needed	38 49 pass.	55 pass.
1	3/17/15	Gavin's Irish Inn Cornwallville NY	9:30am CLP	5:00pm CLP	1	743-	782-
2	3/21/15	Sands Casino Bethlehem PA	9:00am RC	8:00pm RC	1	1015-	1069-
3	3/25/15	The Brownstone Patterson NJ	9:45am CLP	5:30pm CLP	1	704-	741-
4	4/2/15	The Bardavon Poughkeepsie NY	12:45pm CLP	4:30pm CLP	1	660-	695-
5	4/9/15	Skyland Randolph NJ	9:15am CLP	5:00pm CLP	1	767-	807-
6	4/11/15	Theatre @ Madison Sq. Gardens New York NY	9:30am RC	6:30pm RC	1	820-	863-
7	5/2/15	Radio City Music Hall New York NY	8:00am RC	6:30pm RC	1	857-	902-
8	5/13/15	Woodloch Pines Hawley PA	9:30am CLP	5:30pm CLP	1	785-	827-
9	5/19/15	Saratoga Casino Saratoga NY	9:00am CLP	6:30pm CLP	1	977-	1029-
10	6/3/15	The Brownstone Patterson NJ	9:45am CLP	5:30pm CLP	1	704-	741-
11	6/18/15	Mt Airy Casino Pocono PA	9:30am CLP	7:00pm CLP	1	894-	941-
12	7/11/15	Lunt Fontanne Theatre New York NY	9:00am RC	7:00pm RC	1	845-	889-
13	7/15/15	Resorts Atlantic City NJ	9:00am CLP	10:30pm CLP	1	1277-	1344-
14	7/26/14	Saratoga Raceway Saratoga NY	9:30am RC	8:00pm RC	1	1015-	1068-
15	7/30/15	NY Botanical Gardens Bronx NY	9:00am CLP	6:00pm CLP	1	794-	836-
16	8/1/15	Great Escape Lake George NY	8:30am RC	7:30pm RC	1	1084-	1141-
17	TBA	Yankee Stadium Bronx NY	4:00pm RC	12:00am RC	1	900-	948-
18	8/12/15	Mohegan Sun Wilkes Barre PA	9:00am CLP	6:30pm CLP	1	942-	992-
19	8/19/15	Schubert Theatre New York NY	9:00am RC	7:00pm RC	1	845-	889-
20	8/27/15	Hunterdon Hills Playhouse Hampton NJ	9:30am CLP	5:30pm CLP	1	870-	915-
21	9/2/15	Monticello Casino Monticello NY Forestburgh Playhouse Forestburgh NY	9:15am CLP	6:00pm CLP	1	729-	767-
22	9/17/15	Stony Hill Inn Hackensack NJ	9:30am CLP	5:00pm CLP	1	707-	744-
23	9/23/15	Westchester Dinner Theatre Elmsford NY	9:30am CLP	5:30pm CLP	1	725-	763-
24	10/3/15	Legoland Yonkers NY	9:30am RC	4:30pm RC	1	721-	759-
25	10/7/15	Villa Roma Callicoon NY	9:00am CLP	6:00pm CLP	1	790-	832-
26	10/15/15	Mt Haven Resort Milford PA	9:15pm CLP	5:30pm CLP	1	720-	758-

Continued - Bus Trips --- Town of Newburgh Recreation --- 2015

38

49 Pass

55 Pass

27	10/24/15	Country Junction Lehighton PA Stroudsmoor Country Inn Stroudsburg PA	8:30am RC	7:00pm RC	1	967-1018-
28	11/4/15	Westchester Dinner Theatre Elmsford NY	9:30am CLP	5:30pm CLP	1	725-763-
29	11/18/15	Ehrhardt's Hawley PA	9:00am CLP	5:15pm CLP	1	791-833-
30	12/TBA	Theatre TBA New York NY	9:00am RC	7:00pm RC	1	845-889-
31	1/30/16	Mohegan Sun Casino Uncasville CT	9:00am RC	9:00pm RC	1	1000-1054-
32	2/27/16	Mt Airy Casino Pocono PA	9:30am RC	7:00pm RC	1	894-941-

Please note:

Trips are subject to cancellation due to lack of enrollment or adverse weather conditions up to 48 hrs before trip.
This list is subject to increase as special events, tickets and shows may come up during the course of the year.

CLP = Chadwick Lake Park (1700 Route 300 Newburgh NY)

RC = Recreation Center (311 Route 32 Town of Newburgh)

Bus Company: Loprechaunk Lines Inc.
 Address: Po Box 2628
Newburgh NY 12550
 Contact person: Sharon Ayers
 Phone #: 845 565 7900 x.307

Town of Newburgh Recreation -- Bus Schedule-Camp Chadwick 2015

Pricing for School Buses (44 adult, 66 children)

All are Round Trips- From Chadwick Lake Park (1700 Route 300)

Item #	Date	Destination	Depart Time	Approx. Return Time	# of Buses Needed	Cost Per Bus
1	6/30/15	Belleayre Mountain Highmount NY	9:00am	4:30pm	4	486-
2	7/1/15	Splash Down Fishkill NY	9:30am	3:30pm	4	298-
3	7/8/15	Ulster County Pool New Paltz NY	9:30am	3:30pm	4	320-
4	7/9/15	Howes Cavens Howes Cave NY	9:00am	6:00pm	4	672-
5	7/13/15	Dutchess Stadium Wallinger Falls NY	10:00am	3:00pm	4	270-
6	7/16/15	Kruckers Pomona NY	9:00am	4:15pm	4	411-
7	7/21/15	Tarsio's Bowling Newburgh NY	12:30pm	2:45pm	4	215-
8	7/23/15	Lake Compounce Britol CT	9:00am	6:00pm	4	543-
9	7/29/15	Ulster County Pool New Paltz NY	9:30am	3:30pm	4	320-
10	7/30/15	Midieval Times Lyndhurst NJ	9:00am	4:00pm	4	452-
11	8/5/15	Ulster County Pool New Paltz NY	9:30am	3:30pm	4	320-
12	8/6/15	Mt Creek Vernon NJ	9:00am	5:30pm	4	451-
13	8/13/15	Camelback Beach Tannersville PA	8:30am	7:30pm	4	714-

Please note:

Trips are subject to cancellation due to lack of enrollment or adverse weather conditions up to 48 hrs before trip.

This list is subject to increase as special events, tickets and shows may come up during the course of the year.

CLP = Chadwick Lake Park (1700 Route 300 Newburgh NY)

RC = Recreation Center (311 Route 32 Town of Newburgh)

Bus Company: Leoprechaulines Inc.

Address: Po Box 2628
Newburgh NY 12550

Contact person: Sharon Ayers

Phone #: 845 565 7905 x.347



CITY OF NEWBURGH

City Hall - 83 Broadway, Newburgh, New York 12550
(845) 569-7301/Fax (845) 569-7370
www.cityofnewburgh-ny.gov

Judith L. Kennedy, Mayor
February 11, 2015

Direct Phone: (845) 569-7303
Email: jkennedy@cityofnewburgh-ny.gov

Dept. of Parks, Recreation and Conservation
Commissioner Robert Petrillo
311 Route 32
Newburgh, NY 12550

Regarding use of a Stage:

Dear Robert

This morning I was talking with Rich Fracasse about the Newburgh Illuminated Festival scheduled for June 20th this year. He mentioned that the Town of Newburgh has a movable stage that we might borrow for the day.

As the leader of the festival, I am making a formal request to borrow the Stage for this event. Please let me know if that is possible. And if so, what all needs to happen to make this possible? Do I need to come to a Town meeting? Then, of course, we would have to work out the logistics.

I look forward to hearing from you. My cell number is 845-541-7666.

Best Regards

Judy Kennedy
Mayor, City of Newburgh

CC: Rich Fracasse
UNITED AC, Refrigeration, Plumbing, Heating
299 Washington St.
Newburgh, NY 12550



9A

TOWN OF NEWBURGH ANIMAL CONTROL & SHELTER

645 Gidney Ave. Newburgh, NY 12550

To: Town Board

From: Chantel Haight, Animal Control Supervisor

Date: February 5, 2015

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

I am requesting authorization to use the T-94 account to pay for veterinary services from Oradell Animal Hospital in the amount of \$500.

This bill is for specialized surgery on a kitten named Starr. The rate was greatly discounted and the surgery was a success. Her story will be covered in the newspaper next week.

Attached please find the bill.

Thank you.

Cc: Ron Clum, accountant

TOWN OF NEWBURGH

Animal Control
 645 Gidney Avenue
 Newburgh, New York 12550
 845-561-3344

DEPARTMENT Animal Control

CLAIMANT'S AND ADDRESS
ORADELL ANIMAL HOSPITAL, INC.
 580 Winters Ave.
 Paramus, NJ 07652
 (201) 262-0010

TERMS Net 30 Days

DO NOT WRITE IN THIS BOX

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

Invoice # _____

Dates	Quantity	Description of Materials or Services	Unit Price	Amount
1/22/15	241 540			506.00
			500	506.00

CLAIMANT'S CERTIFICATION

I, Megan DeCesare certify that the above account in the amount of \$ 500.00 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.

2/5/13
DATE

Megan DeCesare
SIGNATURE

Admin Asst
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

Oradell Animal Hospital, Inc.

580 Winters Avenue
Paramus, N.J. 07652
(201) 262-0010
Fax (201) 262-4275
www.oradell.com

ORADELL ANIMAL HOSPITAL

Clinical Excellence...Compassionate Care...Exceptional Service

Account Statement

Page 1

Monday, January 26, 2015

Newburgh Animal Control & Shelter
645 Gidney Avenue
Newburgh, NY 12550

Acct No: 241540

Home: (845) 561-3344

Bill	Visit	Date	Comments	Method	Tot Fee	Pmt	Adj	Sub	Bal
	1	0	Previous Balance		(\$1,221.70)				(\$1,221.70)
591421	591421	01/26/2015	Visit:Feline-Starr::Appt:10:40:00 AM, 01/22/2015; ; Amt Tendered=0.00, Change Given = 0.00; Visits Departed: 2591421,	On Account	\$1,721.70			\$1,721.70	\$500.00
Total Fees					\$500.00				
Total Payments						\$0.00			
Account Balance									\$500.00

To pay by credit card, please contact our financial department at (201) 262-0010 and press option #5.

All Accounts are due at time of service. A finance charge of 1.50 % per month will be charged after 30 days on past due accounts, 18.00 % annually.

Oradell Animal Hospital, Inc.

589 Winters Avenue
 Paramus, N.J. 07652
 (201) 262-0010
 Fax (201) 262-4275
 www.oradell.com



Clinical Excellence...Compassionate Care...Exceptional Service

Patient Departure & Invoice

Monday, January 26, 2015 Page 1 of 2

. Newburgh Animal Control & Shelter 645 Gidney Avenue Newburgh, NY 12550	Visit # 2591421 Pet # 1
	Pet Name Starr Species Feline Breed Domestic Short Hair Weight 0.00 Acct 241540
Home # (845) 561-3344 01/26/2015 07:35:13 AM	

Invoiced By **Alison**

Comments: Appt: 10:40:00 AM, 01/22/2015				Vaccination	Done	Next
Date	Procedures	Qty	SubTotal			
01/22/2015	Office Visit - Admission To Hospital	1.00	\$0.00			
01/22/2015	Hospitalization - Feline Patient	1.00	\$162.00			
01/23/2015	Radiograph - One View Study	1.00	\$230.00			
01/23/2015	- Radiologist Interpretation	1.00	\$42.00			
01/23/2015	Bulla Osteotomy	1.00	\$500.00			
01/23/2015	Anesthesia Induction	1.00	\$190.00			
01/23/2015	Anesthetic Maintenance	1.00	\$90.00			
01/23/2015	Surgical Supplies Grouping - Disposable	1.00	\$135.00			
01/23/2015	- Surgical Anesthetist	1.00	\$0.00			
01/23/2015	- Surgical Cardiorespiratory Monitoring	1.00	\$0.00			
01/23/2015	- Surgical Bipolar Cautery	1.00	\$0.00			
01/23/2015	Hydromorphone Drug Log	2.00	\$0.00			
01/23/2015	Fluids IV - Daily	1.00	\$139.00			
01/23/2015	Buprenex Drug Log	2.00	\$0.00			
01/23/2015	Pain Medication	1.00	\$63.00			
01/24/2015	Boarding, Medical Level I	1.00	\$80.00			
01/24/2015	Buprenex Drug Log	4.00	\$0.00			
01/25/2015	Boarding, Medical Level I	1.00	\$80.00			
01/25/2015	Buprenex Drug Log	2.00	\$0.00			
01/25/2015	Discharge From Hospital	1.00	\$0.00			

Date	Pharmaceuticals	Qty	SubTotal
01/25/2015	Buprenex, Preloaded Per Syringe 0.3Mg/MI (0.1ml)	2.00	\$10.00

Seen By Dr. Carberry, Carol	Subtotal Inv	\$1,721.00
Method On Account	Tax	\$0.70
	Total Inv	\$1,721.70
Credit Applied on this Visit (\$1,221.70)	Amt Paid	\$0.00
	Balance Due on this Visit	\$1,721.70
	Account Balance now Due	\$500.00

Further Information & Instructions: (None if Blank)

Med Prescribed : Buprenex, Preloaded Per Syringe 0.3Mg/MI (0.1MI)	Delivery : Dispensed
Dosage: 0.00 ML(s)	Refills: 0.00
Location :	
Special Instructions: PROTECT FROM LIGHT. Give entire contents of 1 syringe (0.1mls) orally twice a day	

Home Instructions: (None if Blank)

Oradell Animal Hospital, Inc.

580 Winters Avenue
Paramus, N.J. 07652
(201) 262-0010
Fax (201) 262-4275
www.oradell.com

ORADELL
ANIMAL HOSPITAL

Clinical Excellence...Compassionate Care...Exceptional Service

Patient Departure & Invoice

Monday, January 26, 2015 Page 2 of 2

. NewburghAnimalControl & Shelter 645 Gidney Avenue Newburgh, NY 12550	Visit # 2591421 Pet # 1 Pet Name Starr Species Feline Breed Domestic Short Hair Weight 0.00 Acct 241540
Home # (845) 561-3344 01/26/2015 07:35:13 AM	

Invoiced By **Alison**

THANK YOU FOR CHOOSING ORADELL ANIMAL HOSPITAL AND ENTRUSTING US TO CARE FOR YOUR PETS WITH CLINICAL EXCELLENCE, COMPASSIONATE CARE AND EXCEPTIONAL SERVICE.

Free Microchip with your pet's Spay or Castration Surgery! A Home Again Microchip, a \$55 value, will be free during your pet's surgical appointment. Ask a staff member for more details.

JOIN US ON FACEBOOK AND TWITTER!!!!!!!!!!!!

9B

TOWN OF NEWBURGH

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

DEPARTMENT

CLAIMANT'S
NAME
AND
ADDRESS

D-BEN SECURITY SYSTEMS, INC.
P.O. BOX 10664
NEWBURGH NY 12552

TERMS

Net 30 Days

DO NOT WRITE IN THIS BOX

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

Invoice #

22870

Date	Quantity	Description of Materials or Services	Unit Price	Amount
1/29/15	1	KT + C Interior Camera	285.00	285.00
1/29/15	1	KT + C Exterior Camera	395.00	395.00
TOTAL				680.00

CLAIMANT'S CERTIFICATION

Laura Pate

certify that the above account in the amount of \$ 680.00 is true and correct, that the items, services and materials therein were rendered to or for the municipality on the dates stated; that no part has been paid or accounted for from which the municipality is exempt, are not included; and that the amount claimed is actually due.

2/9/15

DATE

Laura Pate

SIGNATURE

Office

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

D-BEN Security Systems, Inc.
P.O. Box 10664
Newburgh, NY 12552
Tel :1(845)565-4024 Fax:1(845)565-1967



Invoice Number 22870
Sale Date 2/9/2015
Due Date 2/24/2015

TOWN OF NEWBURGH
 A/P CINDY
 1496 ROUTE 300
 NEWBURGH, NY 12550

Service Address
 TOWN OF NEWBURGH ANIMAL
 CONTROL
 645 GIDNEY AVE
 NEWBURGH, NY 12550

Description	Qty	Price	Net	Tax	Total
KT&C LOW LIGHT EXTERIOR DOME CAMERA THIS IS AN ADDITIONAL CAMERA BY FRONT POINTS IN DIFFERENT DIRECTION FROM THE OTHER	1	\$395.00	\$395.00	\$0.00	\$395.00
KT&C LOW LIGHT INTERIOR DOME CAMERA	1	\$285.00	\$285.00	\$0.00	\$285.00

ADD ADDITIONAL NEW CAMERA'S TO ANIMAL SHELTER
 BY FRONT DOOR AND IN THE OFFICE

ABOVE PRICES INCLUDE LABOR AND INSTALLATION
 ONE YEAR WARRANTY PART AND LABOR

AS PER PROPOSAL 20
 INSTALLED CAMERA'S AT ANIMAL CONTROL

TOTALS	\$680.00	\$0.00	\$680.00
---------------	-----------------	---------------	-----------------

-----Return Stub Below-----

Please return this portion of your invoice with your payment. Thank you!

Customer : TOWN OF NEWBURGH



Acct. Bal. \$1,310.00 Amount Remitted
 Payment Method Check Check Number

Invoice Number 22870
 Bill Payer ID: 1259
 (Primary) CSID:
 Date Remitted

Charge* Card Number
 Name On Card

Billing Zipcode
 Exp Date
 Card ID

Signature

*Please Note : If paying by charge card, we can only accept payment by : American Express, Mastercard, Visa
 Please remit to : D-BEN Security Systems, Inc., P.O. Box 10664, Newburgh, NY 12552

Dec 1, 2014 3:42 PM

Fax: 5651967

Dec 1 2014 16:No. 6332P.OP. 2

BEN Security Systems, Inc.

Newburgh, NY 12552

Tel: (845)565-4024 Fax: (845)565-1967



9007e
Proposal Number 20
Created 12/1/2014 Expires 12/31/2014
Salesperson Administrator

TOWN OF NEWBURGH
A/P CINDY
1496 ROUTE 300
NEWBURGH, NY 12550

Qty	Description	Price	Ext. Price
1	KT&C LOW LIGHT EXTERIOR DOME CAMERA	\$395.00	\$395.00
1	KT&C LOW LIGHT INTERIOR DOME CAMERA	\$285.00	\$285.00

ADD ADDITIONAL NEW CAMERA'S TO ANIMAL SHELTER
BY FRONT DOOR AND IN THE OFFICE

ABOVE PRICES INCLUDE LABOR AND INSTALLATION
ONE YEAR WARRANTY PART AND LABOR

SubTotal	\$680.00
Sales Tax	\$0.00
Total	\$680.00

int.



Security Systems, Inc.



sales@d-ben.com
www.d-ben.com

Lic. 1200080435

PO BOX 10664 * Newburgh, NY 12552 * (845) 565-4024 * (845) 565-1967 Fax

Fax Cover Sheet

Send to: *Town of Newburgh*

From: *Laura*

Attention: *A/P*

Date: *2/9/15*

Office Location:

Office Location: 619 GIDNEY AVENUE
NEWBURGH, NY 12550

Fax Number: *566-1432*

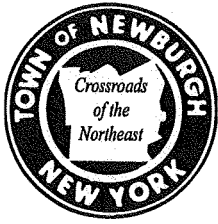
Phone Number: (845)565-4024

- Urgent
- Reply ASAP
- Please comment
- Please Review
- For your information

Total pages, including cover: *4*

Comments:

10



HIGHWAY DEPARTMENT

90 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

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

TODD DEPEW
HIGHWAY SUPERINTENDENT

TO: Gil Piaquadio, Supervisor & Town Board Members
FROM: Todd DePew, Highway Superintendent
DATE: February 19, 2015
RE: Seasonal Employees

I am requesting permission to be able to hire 2 seasonal employees who will be able to work from March to June. If you have any questions feel free to contact me. Thank you

TD:ch
cc: Charlene Black, Personnel Department



Hudson Valley Area Labor Federation, AFL-CIO

15 Stone Castle Road, Rock Tavern, New York 12575

Tel: (845) 567-7760

Fax: (845) 567-7742

Web: www.hvalf.org

Paul Ellis-Graham, President (MWTa, NYSUT)
William Riccaldo, Exec. Vice Pres. (CSEA Region 3)
Adrian Huff (IBT 445),

January 29, 2015

Dear Supervisor/Mayor:

The Hudson Valley Area Labor Federation representing 114,000 union members throughout the Hudson Valley ask you to support the attached resolution asking to keep the Mid-Hudson Postal Facility Plant opened. On January 7, 2015 the Mid-Hudson Postal Facility received the required 90 day notification scheduling the plant to close on April 18, 2015, which would cause 150 Hudson Valley residents to lose their jobs. The closure of this facility and loss of jobs will hurt many of the residents in your town or village.

Your community will suffer due to small business being adversely affected and possibly closing, stable living wage jobs disappearing, lost payroll, sales and property taxes. The regularly delivery of the mail will be slowed down causing many residents to wait longer for their, checks, medicines, bills, magazines, greeting cards, holiday cards, letters, elections campaign materials and mail-in ballots.

We hope you will strongly consider adopting the draft resolution attached to this letter. If your local government adopts the resolution please mail a copy of the adopted resolution to our office.

Should you have any questions or concerns please feel free to contact our office.

Thank you for your consideration.

Sincerely Yours,

Paul Ellis-Graham, President
Hudson Valley Area Labor Federation

AFGE 2367
AFGE 3740
AFM 238-291
APWU
CSEA Region 3
CSEA Region 4
CWA 1103
CWA 1105
CWA 1107
CWA 1120
CWA 31180
IAFF 461
IAFF 1589
IAFF 1027
IAM 948
IAM 2189
IATSE 311
IATSE 499
IBB 5
IBEW 83
IBEW 320
IBEW 363
IBEW 503
IBEW 2213
IBT 445
IBT 812
IUOE 138
IUOE 30
IUOE 825
LIUNA 108
LIUNA 754
LIUNA 1000
NALC 137
NYH&MTC
NYSNA
NYSUT ED 13
NYSUT ED 14
OPEIU 45
PACE 149
PEF Region 9
SEIU
200United
SEIU 1199
TWU 225
UA 21
UAW 3039
UFCW 143c
UFCW 888
UFCW 1777
UFCW 1500
UNITE-HERE
USWA 9265
USW 4-149

ROB 23 AGENT



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

MEMORANDUM

P: 845.562.9100

F: 845.562.9126

655 Little Britain Road
New Windsor, NY 12553

P.O. Box 2280
Newburgh, NY 12550

ATTORNEYS

David L. Rider
Charles E. Frankel
Michael J. Matsler
Mark C. Taylor
Deborah Weisman-Estis
M. Justin Rider
Jeffrey S. Sculley
Donna M. Badura
Alyson Pomerantz

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

COUNSEL

Stephen P. Duggan, III
John K. McGuirk

OF COUNSEL

Craig F. Simon

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

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

RE: RESOLUTION REQUESTING THAT THE U.S. CONGRESS
PROHIBIT THE U.S. POSTAL SERVICE FROM CLOSING (OR
CONSOLIDATING) ITS MID-HUDSON P & DC IN THE TOWN
OF NEWBURGH
OUR FILE NO. 800.1(B)(4)(2015)

DATE: FEBRUARY 6, 2015

In accordance with Supervisor Piaquadio's request, enclosed please find the following draft resolution for the Town Board's consideration:

Resolution Requesting that the U.S. Congress Prohibit the U.S. Postal Service from Closing (or consolidating) its Mid-Hudson P & DC in the Town of Newburgh.

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

cc: Andrew J. Zarutskie, Town Clerk

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 February, 2015 at 7:00 o'clock p.m.

PRESENT:

Gilbert J. Piquadio, Supervisor

George Woolsey, Councilman

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

RESOLUTION OF TOWN BOARD
REQUESTING THAT THE U.S. CONGRESS
PROHIBIT THE U.S. POSTAL SERVICE
FROM CLOSING (OR "CONSOLIDATING")
ITS MID-HUDSON P & DC IN THE TOWN
OF NEWBURGH

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

WHEREAS, the United States Postal Service plans to close (or "consolidate") the Mid-
Hudson Processing and Distribution Center ("P&DC"); and

WHEREAS, this plan would potentially severely delay all classes of mail delivery, as all mail
will be forwarded to Albany for cancelling and local mail then returned to Newburgh for processing;
and

WHEREAS, the delay of mail would negatively affect residents and local businesses, and
would harm our community; and

WHEREAS, the closure together with 82 other planned closures, could result in a
degradation of "service standards," that will virtually eliminate overnight first class local mail
delivery not only in the Mid-Hudson Valley region, but throughout the country; and

WHEREAS, the closure is not in the public's best interest; and

WHEREAS, Federal law stipulates that, "The Postal Service shall have as its basic function
the obligation to provide postal services to bind the Nation together through personal, educational,
literary, and business correspondence of the people. It shall provide prompt, reliable and efficient
services to patrons in all areas and shall render postal services to all communities." [39 U.S. Code
Section 101(a)]

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Newburgh
Section 1. Does hereby request congressional intervention to stop this proposal to close or
consolidate the Mid-Hudson P & DC.

Section 2. Does hereby request congressional intervention to stop the resulting delay of mail and the elimination of overnight delivery of first-class mail, set for January 5, 2015.

Section 3. That this resolution shall be forwarded by the Town Clerk to the Hon. Charles E. Schumer, U.S. Senator for the State of New York, the Hon. Kirsten Gillibrand, U.S. Senator for the State of New York and the Hon. Sean Patrick Maloney, U.S. Congressman for the 18th District of the State of New York and to the Hon. Chris Gibson, U.S. Congressman for the 19th District of the State of New York and the Postmaster General; 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 _____

Elizabeth J. Greene, Councilwoman voting _____

Paul I. Ruggiero, Councilman voting _____

Gilbert J. Piaquadio, Supervisor voting _____

The resolution was thereupon declared duly adopted.

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Roemer Wallens
Gold & Mineaux_{LLP}
Counsellors at Law

February 4, 2015

PERSONAL & CONFIDENTIAL

Hon. Gil Piaquadio, Town Supervisor
Town of Newburgh
1496 Rt. 300
Newburgh, New York 12550

RE: Retainer Agreement Renewal

Dear Gil:

Enclosed please find the renewed Retainer Agreement between Roemer Wallens Gold & Mineaux LLP and the Town of Newburgh. The term of this Agreement will be from February 1, 2015 through and including December 31, 2017. Please note that the hourly rate detailed in paragraph 2 for the 2015 year is the same rate as was in place for 2014. 2016 and 2017 years see less than a 3.0% increase in each of those categories.

With respect to the monthly retainer found in paragraph 4, the 2014 Retainer was \$3,000 per month. As you will note, we propose a slight increase which, for the 3 year term of this contract, merely amounts to \$250 more each month.

After you consult with the Town Board, if you have any questions or concerns, please let us know. If all is in order, please sign all three originals and forward two back to me in the provided self-addressed stamped envelope.

We look forward to continuing our relationship with the Town of Newburgh.

Very truly yours,

Roemer Wallens Gold & Mineaux LLP


Elayne G. Gold

EKG:ejb
Encs.

AGREEMENT

Made and entered into this day of February, 2015, by and between the **TOWN OF NEWBURGH**, by and through its Town Board, with its offices located at 1496 Rt. 300, Newburgh, New York 12550, hereinafter referred to as the "**TOWN**," and **ROEMER WALLENS GOLD & MINEAUX LLP**, Labor Relations Attorneys and Consultants, with its principal place of business located at 13 Columbia Circle, Albany, New York 12203, hereinafter referred to as "**ROEMER WALLENS GOLD & MINEAUX**."

1. The **TOWN** hereby retains and employs **ROEMER WALLENS GOLD & MINEAUX** as its Labor Relations Attorneys and Consultants to provide to the **TOWN** the following professional services for the period of time hereinafter designated.

(a) Comprehensive negotiating services up to and including impasse resolution proceedings and interest arbitration as exemplified in Exhibit "A" which is attached hereto and made a part hereof for each of the following collective bargaining units in which terms and conditions of employment for the **TOWN** and its employees are negotiated:

- i) PBA Bargaining Unit
- ii) CSEA Bargaining Unit

(b) Consultations and advice regarding the **TOWN'S** rights and liabilities in connection with:

- i) Civil Service Law
- ii) Taylor law
- iii) Fair Labor Standards Act
- iv) Unemployment Insurance Law
- v) Workers' Compensation Law
- vi) Human Rights/Discrimination
- vii) Disability Benefits
- viii) Contract Administration and Enforcement
- ix) Grievances Filed Against Employer
- x) Employee Discipline Matters
- xi) Work Rules
- xii) Layoff Procedures
- xiii) General Municipal Law
- xiv) Americans With Disabilities Act
- xv) Family and Medical Leave Act
- xvi) Omnibus Transportation Employee Testing Act of 1991 (CDL Drug Testing)

(c) Advice and representation in connection with:

- i) Initial steps of contract grievance procedure

- ii) Matters before the Public Employment Relations Board (Improper Practice Charges, Managerial/Confidential Petitions, and Union representation challenges), including the preparation of pleadings and attendance at all pre-hearing conferences
- iii) Attendance at relevant Labor/Management meetings and meetings of the Legislative body and committees thereof
- (d) Management and supervisory training in connection with employee corrective action, contract administration and other topics agreed upon by the parties in an amount not to exceed two (2) days per calendar year.
- (e) Periodic printed reports containing relevant information regarding public sector labor relations as obtained from Public Employment Relations Board decisions, New York State Court decisions, relevant Administrative agency decisions and other similar sources.

2. **ROEMER WALLENS GOLD & MINEAUX** hereby agrees that it will provide the **TOWN**, as requested by the **TOWN**, with those services not specifically covered by this Agreement, such as representation at the final step in administrative disciplinary proceedings against employees, representation at the final step in contract grievance proceedings, representation at formal hearings before the Public Employment Relations Board, and representation in labor related litigation in New York and Federal Courts and/or administrative agencies, at the following rates:

Partner and Senior Associate Attorney

In year 2015, the hourly rate will be \$215.00.
 In year 2016, the hourly rate will be \$220.00.
 In year 2017, the hourly rate will be \$225.00.

Associate Attorney

In year 2015, the hourly rate will be \$175.00.
 In year 2016, the hourly rate will be \$180.00.
 In year 2017, the hourly rate will be \$185.00.

Paralegal

In year 2015, the hourly rate will be \$115.00.
 In year 2016, the hourly rate will be \$120.00.
 In year 2017, the hourly rate will be \$125.00.

3. The **TOWN** and **ROEMER WALLENS GOLD & MINEAUX** agree that those representatives of **ROEMER WALLENS GOLD & MINEAUX** who perform services pursuant to this Agreement shall be approved in advance by the **TOWN**.

4. That in consideration of the foregoing, the **TOWN** hereby agrees to compensate **ROEMER WALLENS GOLD & MINEAUX** (inclusive of normal disbursements) as follows:

- a) Three Thousand One Hundred Dollars (\$3,100.00) per month from February 1, 2015 through December 31, 2015.

- b) Three Thousand One Hundred Fifty Dollars (\$3,150.00) per month from January 1, 2016 through December 31, 2016.
- c) Three Thousand Two Hundred Fifty Dollars (\$3,250.00) per month from January 1, 2017 through December 31, 2017.

The Town may have the right to arbitrate fee disputes under Part 137 of the Rules of the Chief Administrator.

5. In accordance with our records retention policy, we will maintain all documents, papers and other items relating to our representation of you pursuant to this retainer agreement (the "Records") for a period of four (4) years from the date we cease providing you with legal services hereunder. If you desire to maintain the Records beyond that date, you will need to retain your own copies or request the Records in writing before the end of the four (4) year period. After that time, all of the Records will be destroyed.

6. The term of this Agreement shall be from February 1, 2015 through December 31, 2017. The TOWN may terminate this Agreement earlier than December 31, 2017, upon thirty (30) days' written notice from the TOWN to ROEMER WALLENS GOLD & MINEAUX.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first written above.

TOWN OF NEWBURGH

By: _____
Gil Piaquadio, Supervisor

ROEMER WALLENS GOLD & MINEAUX LLP

By: Wayne Gold 2/4/15
Wayne G. Gold, Partner

EXHIBIT "A"

NEGOTIATION SERVICES

A. Preparation for Negotiations

The need for thorough preparation prior to the commencement of actual bargaining is often overlooked. We believe that preparation is a key element in assuring a successful outcome to the negotiation process.

Preparation includes:

- Reviewing the existing contract and offering advice regarding suggested modifications
- Reviewing the existing work rules and practices
- Reviewing grievances filed and arbitration decisions
- Reviewing the demands presented by both Union and Management in the last negotiations
- Reviewing the history of other benefit changes over the past six years
- Reviewing the most recent settlements in similarly situated jurisdictions
- Meeting with first line supervisors to ascertain their needs - both changes to the existing contract, as well as the needed additions to the contract
- Meeting with senior officials to determine their needs and review the findings resulting from meetings with line supervisors

B. Preparation of Demands

This phase of the process is flexible and is adapted to the needs of each jurisdiction. Generally, we recommend that Labor Counsel prepare suggested demands and that those demands be reviewed by you and modified to suit your needs.

C. Selection of Negotiating Team

We recommend that a cross-section of management representatives be appointed to the negotiating team so that the entire negotiating process can be "felt" at all levels of management. Managers appreciate the process to a much greater degree if they know and trust those who were directly involved.

D. Participation in Negotiations

The negotiations are made much easier by careful planning and research. We will participate fully in all phases of negotiations including renegotiation preparatory sessions, face-to-face meetings at the bargaining table, management caucuses, and, if necessary, the impasse process. We will maintain a detailed record of the negotiations for use in future proceedings.

E. Communications

Meetings with key management personnel will be scheduled throughout the negotiating process to inform them of progress in the negotiations and to recommend position modifications.

F. Drafting the Contract

All changes agreed upon in the negotiations process will be reduced to contract language which accurately reflects the agreement and is readily understood by Union and Management representatives, as well as those important persons not present at the bargaining table such as arbitrators.

G. Ratification

After a tentative agreement has been entered into, it must be presented to and approved by the appropriate Legislative body. We will appear before such body and make all necessary presentations to explain the proposed agreement.

H. Conduct Management Information Sessions

At the conclusion of negotiations it is extremely important that all changes be identified and explained to supervisors and managers. General information on reasons for the changes or failure to achieve desired changes must be explained so that managers are fully supportive of the new contract.



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

13
Bresler

PERSONNEL DEPT.

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

To: Supervisor Piaquadio
Town Board
Ron Clum, Town Accountant

From: Charlene M Black, Personnel

Date: February 18, 2015

Re: Part time Police Officers

Please find attached a letter and Employee Request form from Chief Clancy requesting the approval of Two (2) part time Police Officer. Approval is pending the gentlemen's completed psychological, background, physical, drug/alcohol testing, fingerprints and all their paperwork. Their applications are on file in my office, if you would like to review them prior to the meeting. Thank you in advance .



TOWN OF NEWBURGH POLICE DEPARTMENT

300 Gardnertown Road, Newburgh, New York 12550

Michael Clancy
Police Chief

(845) 564-1100

To: Town Board

From: Chief Michael Clancy

Subject: Hiring of Part-time Police Officers

Date: February 18, 2015

I am requesting that the Town Board authorize the hiring of the following individuals as part-time Police Officers:

Peter Cunningham
William Rose

Mr. Cunningham recently retired from the New Windsor Police Department. Mr. Rose is a retired City of Newburgh Police Lieutenant who currently works part-time for the Town of Lloyd Police Department.

Both candidates were interviewed January 23rd by Police Department administrative officers and the Department liaison, Mrs. Greene. Background investigations on both men have been done. Both individuals are good candidates for the open positions.

Thank you for your consideration on this matter. Please contact me if you have any questions or concerns.

TOWN OF NEWBURGH

EMPLOYMENT REQUEST FORM

To: Personnel Department

NAME OF CANDIDATE: Peter W. Cunningham

DEPARTMENT: Police

TITLE OF POSITION: police officer

FULL TIME OR PART TIME: P/T

HOURLY RATE: 24.⁰⁰/hr.

IS POSITION FUNDED IN CURRENT BUDGET: YES OR NO

FUND APPROPRIATION NUMBER: 3120

PROPOSED HIRE DATE: _____

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

M. Clancy
DEPARTMENT HEAD SIGNATURE

DATE

ORIGINAL APPLICATION SHOULD BE ON FILE IN THE PERSONNEL DEPARTMENT

COPY TO ACCOUNTING DEPARTMENT
11/15/2010

TOWN OF NEWBURGH

EMPLOYMENT REQUEST FORM

To: Personnel Department

NAME OF CANDIDATE: William P. Rose

DEPARTMENT: Police

TITLE OF POSITION: police officer

FULL TIME OR PART TIME: P/T

HOURLY RATE: \$ 24.00/hr

IS POSITION FUNDED IN CURRENT BUDGET: YES OR NO

FUND APPROPRIATION NUMBER: 3120

PROPOSED HIRE DATE: As soon as possible

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

Mr. P. Clary
DEPARTMENT HEAD SIGNATURE

2/18/15
DATE

ORIGINAL APPLICATION SHOULD BE ON FILE IN THE PERSONNEL
DEPARTMENT

COPY TO ACCOUNTING DEPARTMENT
11/15/2010

8 24

Andy Zarutskie

From: LGSA-Audits@osc.state.ny.us
Sent: Tuesday, February 17, 2015 9:55 AM
To: town-clerk@townofnewburgh.org
Subject: Police Property Room Inventory - Town of Newburgh Clerk
Attachments: GML_clerk.pdf; Newburgh T_Seized Prop formatted.pdf

Report No. S9-14-56

Dear Mr. Zarutskie:

Enclosed is a Report of Examination for the Town of Newburgh prepared by the Office of the State Comptroller. Also enclosed for your convenience is a copy of Section 35 of the General Municipal Law, which explains your filing and notification responsibilities, together with a sample publication notice and certification.

The examination was made, and report prepared, in accordance with Article 5, Section 1 of the State Constitution, and the authority granted to the State Comptroller by Article 3 of the General Municipal Law.

We have also sent you a companion report, entitled Police Property Room Inventory, in a separate email. This global report summarizes the audit work performed on this topic at a number of local government entities in New York State, including the Town of Newburgh.

I trust that this report will be helpful to you. If you require assistance, or if you have any questions, please feel free to contact the local regional office for your county listed at the back of the enclosed report.

Very truly yours,

Gabriel F. Deyo
Deputy Comptroller
Division of Local Government
and School Accountability

Enclosures

(See attached file: GML_clerk.pdf)(See attached file: Newburgh T_Seized Prop formatted.pdf)

GENERAL MUNICIPAL LAW – SECTION 35

FILING OF REPORT OF EXAMINATION AND NOTICE THEREOF

Section 35. Filing of report of examination and notice thereof.

1. A report of such examination shall be made and shall be filed in the Office of the State Comptroller and in the office of the clerk of the municipal corporation, district, agency or activity, or with the secretary if there is no clerk. An additional copy thereof shall be filed with the chief fiscal officer, except that in the case of a school district, such additional copy shall be filed in the office of the chairman of the board of trustees, the president of the board of education or the sole trustee, as the case may be. When so filed, each such report and copy thereof shall be a public record open to inspection by any interested person.

2. (a) Within ten days after the filing of a report of examination performed by the Office of the State Comptroller, a report of an external audit performed by an independent public accountant or any management letter prepared in conjunction with such an external audit with the clerk of the municipal corporation, district, agency or activity, or with the secretary if there is no clerk, he shall give public notice thereof in substantially the following form: " Notice is hereby given that the fiscal affairs of (name of municipal corporation, district, agency or activity) for the period beginning on and ending on, have been examined by (the Office of the State Comptroller or an independent public accountant), and that the (report of examination performed by the Office of the State Comptroller or report of, or management letter prepared in conjunction with, the external audit by the independent public accountant) has been filed in my office where it is available as a public record for inspection by all interested persons. Pursuant to section thirty-five of the general municipal law, the governing board of (name of municipal corporation, district, agency or activity) may, in its discretion, prepare a written response to the (report of examination performed by the Office of the State Comptroller or the report of external audit or management letter by independent public accountant) and file any such response in my office as a public record for inspection by all interested persons not later than (last date on which response may be filed)."

(b) Except as otherwise provided for a common school district, the clerk or secretary if there is no clerk, shall cause such notice to be published at least once in the official newspaper, or if there be no official newspaper, in a newspaper having general circulation in the municipal corporation, district or area served by the agency or activity. If there be no newspaper having general circulation, the clerk or the secretary if there is no clerk, shall post such notice conspicuously in ten public places in the municipal corporation, district or area served. In a common school district which maintains a home school, the clerk shall post such notice on the front door of the schoolhouse. In a common school district which does not maintain a home school, the clerk shall post such notice conspicuously in at least five public places in the district.

(c) The clerk of every municipal corporation, district, agency and activity or the secretary if there is no clerk, shall file in his office proof of the publication or posting of notices pursuant to this section. The proof so filed shall be in such form as may be prescribed by the State Comptroller.

(d) In each school district subject to the jurisdiction of a district superintendent, under the provisions of Article forty-five of the Education Law, such district superintendent shall ascertain that the public notice required by this subdivision has been published or posted, as the case may be.

3. The clerk, or secretary if there is no clerk, shall present the report of examination to the governing body of the municipal corporation, district agency or activity for its consideration at the first meeting thereof held after the filing of the report with the clerk or secretary.

4. (a) The governing board or other board, officer or employee of the municipal corporation, district, agency or activity receiving a report of an external audit performed by an independent public accountant or a management letter prepared in conjunction with such an audit shall file in the office of the clerk of the municipal corporation, district, agency or activity, or with the secretary if there is no clerk, and shall furnish to the comptroller, a copy of the report or letter within ten days after receipt. If the report or letter is not received by the governing board, a copy shall be provided to the governing board within three days after receipt by any other board, officer or employee receiving the same.

(b) (1) Not later than ninety days after presentation to the governing board of a report of examination performed by the Office of the State Comptroller, or receipt by the governing board of any report of an external audit performed by an independent public accountant or any management letter in conjunction with such an audit, the governing board may, in its discretion, provide to the comptroller, and file in the office of the clerk, or with the secretary if there is no clerk, of the municipal corporation, district, agency or activity, a written response to the findings and recommendations, if any, in the report or letter. In the case of municipal corporations, districts, agencies or activities subject to examination by the commissioner of education, any written response shall also be provided to such commissioner.

(2) A written response prepared pursuant to subparagraph one of this paragraph shall be in such form as may be prescribed by the comptroller and shall include, with respect to each finding or recommendation, a statement of the corrective actions taken or proposed to be taken, or if corrective action is not taken or proposed, an explanation of the reasons therefor. Any such written response shall also include a statement on the status of corrective actions taken on findings or recommendations contained in any previous report of examination, or report of an external audit, or any management letter prepared in conjunction therewith, by an independent public accountant for which a written response was required. All officers and employees of the municipal corporation, district, agency or activity shall fully cooperate with the governing board in the preparation of the response by the governing board.

(c) The provisions of this subdivision shall not apply to any city having a population of one million or more.

NOTE: Proof of publication shall be filed in the office of the clerk or secretary of the municipality or district. You are not required to file a copy of proof of publication with the Office of the State Comptroller.

OFFICE OF THE NEW YORK STATE COMPTROLLER



DIVISION OF LOCAL GOVERNMENT
& SCHOOL ACCOUNTABILITY

Police Property Room Inventory

2014-MS-4



Thomas P. DiNapoli

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State of New York Office of the State Comptroller

Division of Local Government and School Accountability

February 2015

Dear Local Government Officials:

A top priority of the Office of the State Comptroller is to help local government officials manage government resources efficiently and effectively and, by so doing, provide accountability for tax dollars spent to support government operations. The Comptroller oversees the fiscal affairs of local governments statewide, as well as compliance with relevant statutes and observance of good business practices. This fiscal oversight is accomplished, in part, through our audits, which identify opportunities for improving operations and governance. Audits also can identify strategies to reduce costs and to strengthen controls intended to safeguard local government assets.

Following is a report of our audit titled Police Property Room Inventory. This audit was conducted pursuant to Article V, Section 1 of the State Constitution and the State Comptroller's authority as set forth in Article 3 of the New York State General Municipal Law.

This audit's results and recommendations are resources for local government officials to use in effectively managing operations and in meeting the expectations of their constituents. If you have questions about this report, please feel free to contact the local regional office for your county, as listed at the end of this report.

Respectfully submitted,

*Office of the State Comptroller
Division of Local Government
and School Accountability*

Introduction

Background

Law enforcement agencies receive or seize multiple forms of property which can include cash, jewelry, firearms, weapons, controlled substances, vehicles and various other items which are considered property or evidence. Property is in the custody of law enforcement agencies for many different reasons, including criminal case evidence, found property, property for safekeeping from a decedent or prisoner, property no longer needed as evidence for an investigation, contraband, property pending release and property confiscated for forfeiture proceedings.

Securing and maintaining the integrity of property until its disposition is a critical element of police work. Establishing proper management controls and procedures over this function helps ensure the integrity of property held as evidence and assists in restoring and returning property to its owners in a timely manner. In addition, the establishment of internal controls can help safeguard property from loss, waste or misuse. The failure to safeguard property can affect the prosecution of criminal violators as well as lead to a loss of public confidence and trust.

Law enforcement agencies voluntarily accredited under the New York State Law Enforcement Agency Accreditation Program (Program) must follow Program standards that cover the main areas of administration, training and operations. The Program has general standards in the areas of evidence storage and inventory controls which provide best practice guidance for all law enforcement agencies to follow. These general standards include having written policies that describe the inventory system used, designate the person(s) accountable for control of property and incorporate additional safeguards for all money, firearms, controlled substances and high-value items in protective custody. In addition, policies should require the performance of an annual inventory by a person independent of the custody of the property and the maintenance of inventory count records.¹

We audited 10 municipalities: Auburn (City), Elmira (City), Hamburg (Town), Herkimer County, Irondequoit (Town), Johnson City (Village), Madison County, Newburgh (Town), Troy (City) and Watertown (City). Figure 1 provides relevant statistics for each municipality.

¹ http://www.criminaljustice.ny.gov/ops/docs/accred/standards_and_compliance_verification_manual.pdf

Figure 1: Relevant Municipality Statistics

Municipality	2013 Budget (in millions)	Population	Police/Public Safety Budget (in millions)	NYS Accredited
City of Auburn	\$34.8	27,700	\$6.0	No
City of Elmira	\$31.3	29,000	\$6.8	Yes
Town of Hamburg	\$15.5	56,900	\$7.4	No
Herkimer County	\$88.5	64,500	\$1.0	No
Town of Irondequoit	\$18.0	51,700	\$9.3	Yes
Village of Johnson City	\$16.8	15,200	\$3.3	Yes
Madison County	\$100.6	73,400	\$3.3	No
Town of Newburgh	\$43.3	29,800	\$6.3	No
City of Troy	\$65.9	49,900	\$17.4	Yes
City of Watertown	\$41.0	27,000	\$8.3	Yes

Objective

The objective of our audit was to determine whether law enforcement agencies have established appropriate controls over property room inventory. Our audit addressed the following question:

- Have law enforcement agencies adequately accounted for all property room inventory?

Scope and Methodology

For the period January 1, 2012 through December 5, 2013, we interviewed municipal officials, communicated with law enforcement agency officials, examined physical inventory and disposal records and reviewed monitoring procedures to determine whether law enforcement agency staff accounted for all property in their custody. We also traced law enforcement agency inventory and disposal reports to source documents and physical inventory, as appropriate, to ensure the accuracy of current inventory and disposals.

We conducted our audit in accordance with generally accepted government auditing standards (GAGAS). More information on such standards and the methodology used in performing this audit is included in Appendix B of this report.

Comments of Local Officials

The results of our audit and recommendations have been discussed with municipality officials and their comments have been considered in preparing this report.

Property Room Inventory

Law enforcement agencies have the responsibility to safeguard seized and found property in their custody. Inventory records should be maintained by law enforcement agency personnel to accurately track and record each item and preserve the chain of custody of potential evidentiary matter. Property should be returned to its rightful owner or disposed of in accordance with laws when it is no longer needed for criminal proceedings. Law enforcement agency personnel should document the approval of the return or disposal of property in inventory records and maintain documentation supporting the final disposal of property. Appropriate access controls to the computerized systems used to maintain property inventory records should be in place to restrict access to only authorized users.

We found that law enforcement agencies have not adequately safeguarded all the property in their custody, resulting in 293 items missing from the inventories of eight of the 10 law enforcement agencies audited. These items included currency, drugs, electronics, firearms and vehicles and represent 7 percent of the inventory items tested. All 10 law enforcement agencies also stored a total of 625 items (15 percent of items tested) in locations that differed from those recorded in the inventory records. In addition, eight of the 10 law enforcement agencies did not adequately document the disposition and disposal of property. Specifically, 51 percent of the 2,894 items tested lacked supporting documentation that showed the items were disposed of or returned to the proper owner. Further, we found all law enforcement agencies we audited, except Watertown and Herkimer,² did not appropriately grant user rights to the inventory tracking system. The missing items and other errors occurred because the law enforcement agencies did not establish adequate safeguards and controls over property room inventory and the inventory tracking systems. Missing inventory items can jeopardize the prosecution of criminal cases and could result in dangerous items, such as drugs and firearms, making their way back into communities.

Property Inventory

Law enforcement agencies must safeguard all seized and found property in their custody until the property is properly disposed of or returned to its owner. Safeguarding property includes maintaining accurate inventory records that identify the location and movement of property until final disposition. The movement of property should be accurately tracked and recorded to safeguard each item, preserve the chain of custody of all property and ensure the integrity of physical

² Herkimer does not utilize a computer system and Watertown's system was in the early development stage.

evidence. Because property that is evidence in court proceedings could potentially be held in the property room for an extended time period, accurate inventory records are important for locating property when needed.

Law enforcement agencies are not properly safeguarding property in their custody. We found that eight law enforcement agencies had missing inventory, and just two (Elmira and Irondequoit) were able to account for each item tested. Specifically, we tested the location of 4,244 property items and found 293 items (7 percent) were missing from law enforcement agency inventories. Some of the items that the law enforcement agencies were unable to account for included biohazard materials, drugs, electronics, firearms, jewelry, money and vehicles as well as other miscellaneous items.

Further, we found all law enforcement agencies had items that were found in locations other than the location indicated on inventory records. Specifically, 625 (15 percent) of the items tested were found in locations other than those listed in the law enforcement agencies' inventory reports.

Figure 2 : Missing Current Inventory

Municipality	Items Tested	Found - In Correct Location	Found - Not in Correct location	Missing From Inventory	Percentage of Tested Items Missing
City of Auburn	559	531	18	10	2%
City of Elmira	430	360	70	0	0%
Town of Hamburg	325	256	55	14	4%
Herkimer County	307	252	54	1	.3%
Town of Irondequoit	503	490	13	0	0%
Village of Johnson City	417	289	102	26	6%
Madison County	433	215	74	144	33%
Town of Newburgh	376	111	214	51	14%
City of Troy	508	491	7	10	2%
City of Watertown	386	331	18	37	10%
TOTAL	4,244	3,326	625	293	7%

The missing items generally are considered high-risk and have significant value. For example:

- In Newburgh, we identified almost \$63,400 in currency recorded in current inventory, yet not present at the municipality. Police Department officials indicated the

currency was transferred to other agencies or returned to its owners. However, Police Department officials were unable to provide any documentation detailing the movement of the currency to other agencies or to its owners and could not document its current location.

- Drugs accounted for 31 percent of the missing items. In Watertown, we identified 699³ missing tablets, including 632 muscle relaxers (Soma) and 67 acetaminophen with codeine tablets. In Madison, 100 marijuana plants⁴ were listed on the current inventory, but not found. Other drug items missing from various other law enforcement agencies included cocaine, crack, heroin, marijuana, methadone, oxycodone, steroids and Vicodin.
- Four law enforcement agencies (Herkimer, Johnson City, Madison and Newburgh) were missing 21 firearms consisting of handguns, pistols, semi-automatic firearms, shotguns and rifles.
- Six law enforcement agencies (Hamburg, Johnson City, Madison, Newburgh, Troy and Watertown) had vehicles listed on current inventory that were no longer in their possession, including eight vehicles such as a Ford Explorer, Dodge Durango and Jeep Grand Cherokee along with two dirt bikes.

³ These 699 tablets account for one item of inventory according to law enforcement inventory records.

⁴ These 100 plants account for one item of inventory according to law enforcement inventory records.

Figure 3: Breakdown of Missing Items

Unit	Currency	Drugs	Firearms	Vehicles	Other ^a	Total
City of Auburn	0	0	0	0	10	10
City of Elmira	0	0	0	0	0	0
Town of Hamburg	0	0	0	1	13	14
Herkimer County	0	0	1	0	0	1
Town of Irondequoit	0	0	0	0	0	0
Village of Johnson City	0	15	1	1	9	26
Madison County	4	14	13	1	112	144
Town of Newburgh	17	23	6	4	1	51
City of Troy	0	3	0	1	6	10
City of Watertown	0	35	0	2	0	37
Total	21	90	21	10	151	293

^a Other items include biological items, electronics, jewelry and miscellaneous items.

Law enforcement agency officials were provided a list of missing items and given the opportunity to locate the items or provide supporting documentation as to their whereabouts or disposition. Law enforcement agency officials acknowledged that some of the missing items may have been destroyed, disposed of, transferred to other agencies or returned to owners without appropriate supporting documentation. Given the lack of accurate inventory records and documentation of inventory disposition, we were unable to determine if the missing items are the result of poor recordkeeping or theft.

According to law enforcement agency officials, there are several reasons for missing and inaccurate inventory. For example, staffing issues result in a lack of personnel or priority allocated to staffing the property room. The Newburgh Police Chief indicated that there have been significant budget cuts which have resulted in positions not being re-filled and one individual left in charge of inventory who also handles information technology issues. Law enforcement agency officials also cited computer system upgrades which have failed to integrate older property into the new system as a reason for the inaccurate inventory records.

We found that all of the law enforcement agencies audited had policies and procedures that are outdated and need updating. For example, the City of Auburn's Police Department procedure manual is 20 years old and the Herkimer County Sheriff's Office does not have policies or procedures in place regarding property inventory. A lack of policy guidance regarding protocols for recording, identifying, tracking

and monitoring municipal property has contributed to missing and misplaced inventory.

Inaccurate inventory records maintained by law enforcement agencies increase the risk that property could potentially be unavailable for legal proceedings or that guns, drugs and highly valuable items could be lost, stolen, misused or pose a danger to the public's safety.

Property Disposal

All property in the care of a law enforcement agency should be returned to its rightful owner or disposed of in accordance with laws. Law enforcement agency personnel should document the approval of the return or disposal of property in inventory records and maintain documentation supporting the final disposition of property. The disposal of items considered to have a high risk of misplacement or theft, such as drugs, firearms and money, should be clearly documented in law enforcement agency records.⁵ For property that is to be destroyed (e.g., firearms and drugs), detailed records should be maintained that include case information and an accurate description of each item. Property authorized for destruction should be staged,⁶ verified by an independent witness and placed in a sealed container with the validated firearm or drug destruction list attached. The destruction of each item on the destruction list should be individually initialed and witnessed.

We found that eight of the 10 law enforcement agencies are not adequately documenting the disposition of property. Specifically, 51 percent of the 2,894 items tested lacked supporting documentation showing that the items were disposed of or returned to the proper owner. The law enforcement agencies lacked an appropriate audit trail as outlined in each of their specific policies and procedures documenting the final disposition of items destroyed or returned. For example:

- In the Newburgh Police Department, five firearms that were marked as destroyed were in fact not destroyed and found in the office of the detective who conducts property inventories. An additional four items that were identified as destroyed did not have any receipt of destruction for review. Also, 68 drug-related items were reported as destroyed during our audit period; however, Department officials were unable to provide any supporting documentation to show that destruction

⁵ New York State Penal Law provides that firearms declared a nuisance should be destroyed or rendered ineffective at least annually, while surrendered firearms shall be retained for one year and destroyed if the owner does not choose to take action.

⁶ Presented or shown

actually occurred.

- The Hamburg Police Department drug and firearm destruction policy requires that items to be destroyed are approved and witnessed as such during destruction. However, we found that 138 drugs and firearms reported to have been destroyed did not have supporting documentation indicating the items were approved for destruction. Positively, the Hamburg Police Department generally had officers witness the destruction and maintained signatures supporting the destruction.
- The Watertown Police Department requires that drugs to be destroyed must be approved for destruction and must be signed off as destroyed by the destruction facility where the drugs are destroyed. We found, however, that 66 percent of the drugs that were documented as destroyed did not have all the required approvals.
- The Madison County Sheriff's Office was unable to provide supporting documentation for 13 items, including a cell phone, laptop and firearm, that were marked in the inventory tracking system as being returned to the owners.
- Eleven firearms that were held for safekeeping in the Herkimer County Sheriff's Office were marked as returned in the Sheriff's Office's log book but were lacking adequate corresponding documentation.

Only two of the law enforcement agencies (Johnson City and Watertown) required a third-party, independent witness to attest to the destruction of drugs and firearms. However, the Watertown Police Department adhered to this policy just more than half of the time. In the City of Troy Police Department, weapon and firearm destructions are videotaped; however, the videotape lacked sufficient evidence such as the observation of serial numbers or the make and model to support which specific weapons were destroyed. Additional measures such as having independent, third-party witnesses and videotaping of high-risk items upon destruction is a practice that could be effective if properly implemented and consistently adhered to.

In most cases, law enforcement agency officials were not aware or cognizant of the advantage of reviewing audit logs and audit trails. Law enforcement agency officials were unaware that disposition policies were not being followed because no audit or monitoring of

Information System Controls

the process was conducted.

When the disposition of property is not adequately documented in law enforcement agency records, the risk of items being lost or stolen increases. In addition, failure to adequately document property disposition may result in potential legal ramifications, physical hazards, increased time to locate items and unsuccessful prosecution.

Law enforcement agencies should ensure there are procedures in place for granting, changing and terminating user rights to the computerized property inventory records so only those individuals necessary to the process have access. An effective system of internal controls for safeguarding computerized data includes restricting users' access to only those software applications needed to perform their job duties. Such authorizations should also preserve the proper segregation of duties so that the same person is not involved in multiple aspects of a transaction (e.g., maintaining custody of inventory items and recording items as being destroyed in the records). In addition, municipal officials should periodically review audit logs⁷ to ensure that only authorized users have access to and are performing only those functions needed for their job duties.

We found all law enforcement agencies we audited, except Watertown and Herkimer,⁸ do not have appropriate procedures and are not granting user rights to their inventory tracking systems (Systems) appropriately. Further, law enforcement agencies are not monitoring the users' activity and reviewing activity reports for the Systems. For example, Irondequoit and Hamburg granted administrative user rights over their Systems to four individuals who are no longer employed by their respective Police Departments. In addition, seven of the law enforcement agencies we audited allowed individuals who had physical access to the property room to also have administrative user rights to their Systems. None of the law enforcement agencies reviewed audit logs to monitor activity of users.

The weaknesses we identified were the result of a general lack of oversight demonstrated by law enforcement agency officials regarding their Systems. Law enforcement agency officials were unaware that some Systems' users were granted inappropriate administrative user rights and they were unaware of the Systems' capability to provide audit logs for review. In addition, law enforcement officials were not aware of the potential risks associated with granting inappropriate user rights.

⁷ Automated trails of user activity

⁸ Herkimer does not utilize a computer system and Watertown's system was in the early development stage.

By allowing individuals access to the physical inventories and the System, high-value assets are vulnerable to risk of loss, theft or misuse.

Recommendations

Law enforcement agency officials should:

1. Annually review and update their policies and procedures for controlling property in their custody.
2. Monitor the activity in the property room, including assigning physical inventory tests to individuals who do not have custody of the items.
3. Improve physical inventory testing procedures by having someone independent of the process trace items from the property room to the inventory list and from the inventory list to the property room.
4. Improve records of disposals, making sure to include identifying information about the items being destroyed and signatures of those actually performing and completing the destruction.
5. Continue to improve their inventory tracking and disposal process by clearly documenting the property movement to provide an audit trail.
6. Assign software user access based on job duties and responsibilities.

APPENDIX A

RESPONSE FROM LOCAL OFFICIALS

We provided a draft copy of this report to each of the 10 municipalities we audited and requested responses. The seven law enforcement agencies that responded indicated that they plan to initiate corrective action. The City of Troy, Town of Irondequoit and the County of Herkimer were provided with an opportunity to respond to our report but chose not to.

The following comments were excerpted from the responses we received.

City of Auburn: "The Police Department does acknowledge that the policy and procedure titled 'Evidence and Non-Agency Property Management' is outdated and that we are in the process of reviewing and updating this policy."

City of Elmira: "The City of Elmira takes very seriously the handling and documentation of our property and evidence storage as well as retrieval systems for those items and records. Disposal documentation seems to plague many of these Police Departments audited." "The City of Elmira appreciates the oversight that your office has provided to us. Your audit has drawn our attention to improving our program, policies and efficiencies in our Police Property room."

Town of Hamburg: "In reading the report, I see that other departments had many of the same issues that were found with our department. I agree with the recommendations made in the report and have already addressed some of them."

Village of Johnson City: "At this time we have addressed some of the issues and are reviewing and revising others as needed."

Madison County: "All recommendations made in this report, as well as provided in the initial report have been implemented by this Office."

Town of Newburgh: "The Department is already addressing or will soon be addressing issues brought out in the draft report."

City of Watertown: "The City of Watertown takes very seriously the responsibility of effectively and efficiently managing government resources and the accountability for spending tax dollars to support operations. I, and the new leadership within the City's Police Department, embrace the recommendations contained in this report to continuously improve our posture in managing operations and meeting the expectations of our constituents."

APPENDIX B

AUDIT METHODOLOGY AND STANDARDS

We interviewed law enforcement agency personnel to determine if processes existed to account for all seized and found property, if property inventory records were up to date and accurate and if internal controls were in place to safeguard all money, firearms, controlled substances and high-valued items in the property room.

We reviewed the law enforcement agencies physical inventory records, disposal records and monitoring procedures. We also traced law enforcement agency inventory and disposal reports to source documents and physical inventory, as appropriate, to ensure the accuracy of records related to current inventory and disposals. Our audit included the following steps:

- We conducted a walk-through of the law enforcement agencies' facilities to determine what controls were in place over inventory.
- We judgmentally selected a sample of items from a property item list. Our selection was based on a random assortment of cases from various years. Each item was pulled from its location to verify that it was present, that the seal was intact, that there were no apparent signs of tampering and that the property label on the item matched the law enforcement agency records.
- We then judgmentally selected a sample of items from the physical locations. Our selection was based on a random selection of items from various locations. The items were pulled from their locations to verify that the seals were intact, that there were no apparent signs of tampering and that the property labels on the items matched the law enforcement agencies records.
- We used the law enforcement agencies' inventory reports to judgmentally select categories to test from, comprising biohazard materials, drugs, electronics, firearms, jewelry, money and vehicles as well as other miscellaneous items. We selected these categories because of the potential for higher risk of theft or misuse. Depending on the volume of the evidence category, we tested the entire population, 10 percent of the population or a combination of percentage, availability and the risk and sensitivity factor. With the assistance of the property room coordinators, we tested physical inventories.
- For property room cash, we conducted three tests:
 - We selected all bags of currency over \$500 and traced each bag of money from the current evidence inventory reports to their locations in the evidence rooms.
 - Then, we verified the amount of money in each bag for the sample selected to the amount listed on the report. An Office of the State Comptroller (OSC) examiner and each law enforcement agency's property room coordinator conducted a physical inventory, going to each location to verify each item was in the correct location and that the label

information on the bag matched report information, and observing if the evidence bag seal was intact, noting the date on the seal and documenting any discrepancies.

- o For a judgmentally selected sample of bags containing over \$1,000, municipal employees unsealed the bags, counted the money inside and resealed the bags in the presence of OSC examiners. At the time of the count, all individuals had to be in agreement to proceed.
- We used each law enforcement agency's disposal records to judgmentally select a variety of items from various categories disposed of during our scope period and tested for compliance with the law enforcement agency's policy.
- We selected a sample of law enforcement agencies' incident reports prepared by officers at the time of collection and reviewed the narratives on the incident reports to determine if the evidence noted as collected matched what was in the evidence bags.
- We traced access rights to each law enforcement agency's computer system, judgmentally selected users with administrative rights and tested their ability to add, edit and delete records.
- We traced vehicle identification numbers for vehicles that were missing from current inventory to determine if the vehicles were returned to the correct owners.

We conducted this performance audit in accordance with GAGAS. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

APPENDIX C

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