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Town Clerk
1496 Route 300
Town of Newburgh, New York 12550
Telephone 845-564-4554

TOWN COUNCIL MEETING PUBLIC MEETING AGENDA

**Monday, April 20, 2015
7:00 p.m.**

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE TO THE FLAG**
- 3. MOMENT OF SILENCE**
- 4. CHANGES TO AGENDA**
- 5. PUBLIC HEARING (7:00 p.m.): Hotel-Motel Definition**
- 6. ENGINEERING:**
 - A. Approval of Bid Schedule: Stewart Airport Water Storage Tank**
 - B. Return of Security (Sunshine Ford)**
- 7. RECREATION:**
 - A. Hiring of Seasonal Laborer**
 - B. Grounds Maintenance**
 - i. Water District & General Fund Addl. Properties**
 - ii. Chadwick Lake Park**
 - C. Hiring of Recreation Aide (Seasonal)**
- 8. TOWN SUPERVISOR: Interns**
- 9. HIGHWAY: Hiring of 2 Laborers**
- 10. ANNOUNCEMENTS**
- 11. PUBLIC COMMENTS**
- 12. ADJOURNMENT**

**TOWN OF NEWBURGH
INTRODUCTORY LOCAL LAW NO. __ OF 2015
AMENDING CHAPTER 185 ENTITLED "ZONING" OF THE
CODE OF THE TOWN OF NEWBURGH
TO MODIFY THE DEFINITIONS OF HOTEL AND MOTEL**

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

SECTION 1 – TITLE

This Local Law shall be referred to as "A Local Law Amending Chapter 185 entitled 'Zoning' of the Code of the Town of Newburgh to Modify the Definitions of Hotel and Motel".

SECTION 2 – PURPOSE AND INTENT

The purpose of this local law is to modify the definitions of hotel and motel to include a requirement that the use be for compensation on a fee basis and open to the public and to clarify the meaning of "transient."

SECTION 3 – AMENDMENTS TO CHAPTER 185

1. Section 185-3 entitled "Definitions of Chapter 185, entitled "Zoning" of the Code of the Town of Newburgh is hereby amended by the modification of the definition of "Hotel" to read as follows:

~~"HOTEL - One or more buildings containing rooms intended to be used or which are used, rented or hired out to be occupied for sleeping purposes by transient individuals or families, offering transient lodging accommodations on a fee or hire basis to the general public, and which provide rooms or areas for group assembly and a central kitchen only and a central dining room within the building or in an accessory building. A hotel shall not constitute an individual's or family's primary residence and shall not be construed to be a multiple dwelling."~~

2. Section 185-3 entitled "Definitions of Chapter 185, entitled "Zoning" of the Code of the Town of Newburgh is hereby amended by the modification of the definition of "motel" to read as follows:

~~"MOTEL - A building or group of buildings, whether detached or connected, used as individual sleeping units for offering transient lodging accommodations on a fee or hire basis to the general public including transient~~

automobile travelers and provided with accessory off-street parking facilities. A motel shall not constitute an individual's or family's primary residence and shall not be construed to be a multiple dwelling. The term "motel" includes all similar fee or hire based uses offering transient lodging to the general public and terms, such as tourist courts, motor lodges, auto courts and roadside cabins, but shall not be construed to include mobile homes or campers."

SECTION 4 – EXCEPTION FOR PENDING APPLICATIONS TO THE PLANNING BOARD

The amendments to the definitions of "hotel" and "motel" imposed by this Local Law shall not apply to any proposed site plan, subdivision or lot line change, or amendment thereto, for a "hotel" or "motel" use for which an application has been submitted to the Town of Newburgh Planning Board for approval prior to January 1, 2015. All such sites or lots which may be approved under the provisions of this section shall have two years from the date of enactment of this Local law to obtain a building permit. Following such two year period, such site or lot not subject to a valid building permit for which the proposed use, or in the case of an amended site plan, existing use proposed to be extended or enlarged, does not conform to the definition of "hotel" or "motel" as amended, shall be deemed a "nonconforming use" under §185-19 and resubmitted to the Planning Board and/or Board of Appeals, as the case may be, for approval in full conformity with the requirements of §185-19. The provisions herein supersede and amend §185-19, §185-58E and §185-58F, which otherwise remain in full force and effect.

SECTION 5 – VALIDITY

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

SECTION 6 – EFFECTIVE DATE

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



Slevan M. Neuhaus
County Executive

Orange County Department of Planning

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David E. Church, AICP
Commissioner

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County Reply – Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-l, m, &n

Local Referring Board: Town of Newburgh Board Referral ID #: NBT 04-15M
Applicant: Town of Newburgh Tax Map #: townwide
Project Name: Zoning Amendment for Hotel/Motel Definition Local File #: none provided
Proposed Action: Local Law to amend §185-3 of the Town of Newburgh Code relating to the definition of hotel and motel
Reason for County Review: Local law governing zoning or land use
Date of Full Statement: January 26, 2015

Comments:

The Department has received the above referenced local law and has found no evidence that significant intermunicipal or countywide impacts would result from its approval. We would like to offer the following advisory comments:

Terms: The proposed definition removes the word "used," clarifying that the rooms in the hotel or motel are to be rented in exchange for money, and the proposed definition further clarifies that the proposed occupants are to be transient, with a primary residence elsewhere. The proposed language that appears troublesome is the phrase "guests who are members of the community." The County understands that the Town intends for hotels, motels, and their rooms to be open to all people and not used as residence halls or dormitories. However, the phrasing could be misinterpreted, and we advise the Town to rephrase this definition. As an alternative, we offer the following phrasing, containing elements of the Town's proposed definition and other language from The New Illustrated Book of Development Definitions, by Harvey S. Moscowitz and Carl G. Lindbloom, published in 1993: "One or more buildings offering transient lodging accommodations on a fee or hire basis to the general public and providing additional facilities, such as a central kitchen and a central dining room within the building or in an accessory building. A hotel shall not constitute an individual's or family's primary residence and shall not be construed to be a multiple dwelling."

County Recommendation: Local Determination

Date: February 9, 2015

Prepared by: Megan Tennermann, AICP, Planner


David Church, AICP
Commissioner of Planning

As per NYS General Municipal Law 239-m & n, within 30 days of municipal final action on the above referred project, the referring board must file a report of the final action taken with the County Planning Department. For such filing, please use the final action report form attached to this review or available on-line at www.orangecountygov.com/planning.

Dickover, Donnelly & Donovan, LLP
Attorneys and Counselors at Law

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(Not for Service of Process)

March 5, 2015

Town of Newburgh Town Board
1496 Route 300
Newburgh, NY 12550

RE: Hotel and Motel Definitions Local Law

Members of the Board:

The planning board took up consideration of the above referenced local law during its meeting of February 19, 2015. The planning board has authorized me to prepare this letter constituting the planning board's report pursuant to Section 185-60 of the Code of the Town of Newburgh.

Section 185-60(B)(1)(a): Whether such change is consistent with the aims and principles embodied in the Chapter as to the particular districts concerned.

It appears to the planning board that the definitional changes proposed are intended to bring the definitions of hotel and motel more in keeping with the generally understood meaning of those terms. Therefore, the local law is consistent with the aims and principles of embodied in the zoning chapter.

Section 185-60(B)(1)(b): Which areas and establishments in the Town will be directly affected by such change and in what way they will be affected.

All future proposed hotels and motels will be affected by the change insofar as the use in each will have to comply with the new definition. All existing hotels and motels, to the extent that they do not comply with the new definitions will be protected as nonconforming uses. Pending applications before the planning board _____ be subject the new definitions provided that they receive approval and obtain a building permit within two years of the date of enactment of the local law.

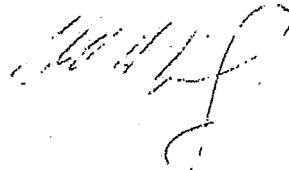
Section 185-60(B)(1)(c): The indirect implications of such change and its effects on other regulations.

The planning board has nothing to report in this regard.

Section 185-60(B)(1)(d): Whether such amendment is consistent with the aims of the Master Plan

The local law appears to be consistent with the aims of the town's current master plan.

Very truly yours,



MICHAEL H. DONNELLY

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Town of Newburgh Zoning Amendment to Modify the Definitions of Hotel and Motel		
Project Location (describe, and attach a general location map): Town-wide for the Town of Newburgh; (Hotels and Motels are permitted subject to site plan review in the B and IB Zoning District)		
Brief Description of Proposed Action (include purpose or need): The action is the adoption of a proposed local law amending the Zoning Code of the Town of Newburgh to modify the definition of "hotel" and "motel" and to read as follows (changes underlined): "HOTEL - One or more buildings containing rooms intended to be used or which are used on a fee basis, rented or hired out to be occupied for sleeping purposes by transient individuals or families, which are open to guests who are members of the public, and which provide rooms or areas for group assembly and a central kitchen only and a central dining room within the building or in an accessory building. A hotel shall not constitute an individual's primary residence and shall not be construed to be a multiple dwelling." "MOTEL - A building or group of buildings, whether detached or connected, used on a fee basis as individual sleeping units for transient automobile travelers who are members of the public, and provided with accessory off-street parking facilities. A motel shall not constitute an individual's residence and shall not be construed to be a multiple dwelling. The term "motel" includes all similar fee based uses and terms, such as tourist courts, motor lodges, auto courts and roadside cabins, but shall not be construed to include mobile homes or campers."		
Name of Applicant/Sponsor: Town of Newburgh Town Board		Telephone: 845-564-4552 E-Mail: supervisor@townofnewburgh.org
Address: 1496 Route 300		
City/PO: Newburgh	State: NY	Zip Code: 12550
Project Contact (if not same as sponsor; give name and title/role): Supervisor Gilbert J. Piaquadro		Telephone: 845-564-4552 E-Mail: supervisor@townofnewburgh.org
Address: 1496 Route 300		
City/PO: Newburgh	State: New York	Zip Code: 1255-
Property Owner (if not same as sponsor): N/A		Telephone: E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission	Town of Newburgh Planning Board interested agency for review of zoning amendment	
c. City Council, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals	Town of Newburgh ZBA interested agency for review of zoning amendment	
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Orange County Planning Dept. interested agency for review of zoning amendment/local law	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, identify the plan(s):	
<u>Parts of B and IB Zone in the Quassaick Creek Watershed Plan</u>	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No

If Yes, what is the zoning classification(s) including any applicable overlay district?

No site per se. However, hotels and motels are permitted subject to site plan review in the B and IB Zoning Districts, LHI and SC overlay districts

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No

If Yes,

i. What is the proposed new zoning for the site? Zoning Text Change to add a use, IB District boundaries remain unchanged

C.4. Existing community services.

a. In what school district is the project site located? Newburgh Enlarged, Marlborough and Valley Central School Districts. Waikill School District does not include B or IB zoned areas

b. What police or other public protection forces serve the project site?

No "project site." The Town is served by the Town of Newburgh Police Dept. NY State Police and Orange County Sheriff

c. Which fire protection and emergency medical services serve the project site?

No project "site." Goodwill, Cronomer, Orange Lake, Coldenham, Middlehope, TON EMS, Mobile Life Support Services serve B and IB Zones.

d. What parks serve the project site?

NA

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

- b. a. Total acreage of the site of the proposed action? _____ acres
- b. Total acreage to be physically disturbed? _____ acres
- c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? Yes No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) Yes No
 If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? Yes No
If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

• Do existing sewer lines serve the project site? Yes No
 • Will line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
 ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

• If to surface waters, identify receiving water bodies or wetlands: _____

• Will stormwater runoff flow to adjacent properties? Yes No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade to, an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
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<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p>
<p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p>
<p>n. Will the proposed action have outdoor lighting? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p>
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p>
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p>
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities: _____</p>
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p>
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

 ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes; provide name and location of facility: _____

 If No; describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
 i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
 If Yes,
 i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
 If Yes:
 i. Dimensions of the dam and impoundment:
 • Dam height: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ gallons OR acre-feet
 ii. Dam's existing hazard classification: _____
 iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
 If Yes:
 i. Has the facility been formally closed? Yes No
 • If yes, cite sources/documentation: _____
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

 iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
 If Yes:
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
 If Yes:
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____

 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): _____
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> • If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input type="checkbox"/> No • Explain: _____ 	
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: _____ % _____ % _____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site <input type="checkbox"/> Moderately Well Drained: _____ % of site <input type="checkbox"/> Poorly Drained _____ % of site	
f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____ % of site <input type="checkbox"/> 10-15%: _____ % of site <input type="checkbox"/> 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, describe: _____	
h. Surface water features.	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input type="checkbox"/> Yes <input type="checkbox"/> No	
ii. Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input type="checkbox"/> Yes <input type="checkbox"/> No	
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
<ul style="list-style-type: none"> • Streams: Name _____ Classification _____ • Lakes or Ponds: Name _____ Classification _____ • Wetlands: Name _____ Approximate Size _____ • Wetland No. (if regulated by DEC) _____ 	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, name of impaired water body/bodies and basis for listing as impaired: _____	
i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input type="checkbox"/> No	
j. Is the project site in the 100 year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No	
k. Is the project site in the 500 year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes:	
i. Name of aquifer: _____	

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____	
n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes:	
i. Describe the habitat/community (composition, function, and basis for designation): _____ _____	
ii. Source(s) of description or evaluation: _____	
iii. Extent of community/habitat:	
<ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input type="checkbox"/> No	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input type="checkbox"/> No	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____ _____	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes:	
i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes:	
i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
<hr/>	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<hr/>	
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
<hr/>	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> Distance between project and resource: _____ miles.	
<hr/>	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Town of Newburgh Town Board Date January 14, 2015

Signature _____ Title _____

DRAFT

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, in the Town of Newburgh, Orange County, New York on the ___th day of April, 2015 at 7:00 o'clock p.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

George Woolsey, Councilman

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

James E. Presutti, Councilman

RESOLUTION OF SEQRA DESIGNATION AND DETERMINATION: ADOPTION OF A PROPOSED LOCAL LAW AMENDING CHAPTER 185 ENTITLED "ZONING" OF THE CODE OF THE TOWN OF NEWBURGH TO MODIFY THE DEFINITIONS OF HOTEL AND MOTEL

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

WHEREAS, the Town Board of the Town of Newburgh has caused to be prepared a local law which will implement amendments to the definitions of "hotel" and "motel" in the Town of Newburgh Zoning Code; and

WHEREAS, the Town Board of the Town of Newburgh recognizes the importance of sound planning as a means of promoting responsible development and protecting the health, safety and general welfare of the citizens of the Town of Newburgh and otherwise fulfilling the legislative findings and intent set forth in Town Law Section 272-a and has determined that that the proposed zoning amendment does not require an amendment to the Town's Comprehensive Plan; and

WHEREAS, the Town Board of the Town of Newburgh has caused an Environmental Assessment Form (the "EAF") to be prepared for the proposed adoption of said local law amending the Zoning Code of the Town of Newburgh (the "Action"); and

WHEREAS, the proposed local law was introduced before the Town Board on the 23rd day of March, 2015, and the Town Board conducted a public hearing held on the 20th day of April, 2015 and heard all interested parties on said proposed local law; and

WHEREAS, the Town Board has determined that the Action is a Type I Action under Part 617 of the General Regulations adopted pursuant to Article 8 of the Environmental Conservation Law and Chapter 100 entitled "Environmental Quality Review" of the Town of Newburgh Municipal Code; and

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

WHEREAS, the Town Board has determined that the Action does not involve a federal agency; and

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

WHEREAS, the Town Board has identified the following interested agencies for the Action:

Orange County Department of Planning
Town of Newburgh Planning Board
Town of Newburgh Zoning Board of Appeals

and;

WHEREAS, the EAF and other appropriate information were forwarded to the Orange County Department of Planning and the Town of Newburgh Planning Board, together with copies of the proposed local law, in accordance with the requirements of the General Municipal Law and the Town of Newburgh Zoning Code and to the Town of Newburgh Zoning Board of Appeals; 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, the Action is consistent with the adopted Town of Newburgh Comprehensive Plan Update and is also consistent with the Orange County Comprehensive Plan; and

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

WHEREAS, recognizing that the impact that an action may have on population patterns or existing community character, with or without a separate impact on the physical environment 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 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 adoption of the proposed local law which includes the amendment to the Town of Newburgh Zoning Code 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:

1. The Town Board determines that it is the single involved agency for the Action and as it is proposing to directly undertake the Action, does further declare itself the Lead Agency for the purpose of conducting a review of this Action.
2. The Town Board, acting in its capacity as Lead Agency, does hereby further determine that the Action will not have an adverse environmental impact and, accordingly, does issue a negative declaration.
3. The Town Board accordingly determines that an Environmental Impact Statement will not be prepared.
4. The Town Board hereby authorizes the Supervisor to execute and file the relevant section of the Environmental Assessment Form 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.

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 _____

James E. Presutti, Councilman voting _____

Gilbert J. Piaquadio, Supervisor voting _____

The resolution was thereupon declared duly adopted.

DRAFT

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, in the Town of Newburgh, Orange County, New York on the ___th day of April, 2015 at 7:00 P.M., Prevailing Time.

PRESENT:

Gilbert J. Piquadio, Supervisor

George Woolsey, Councilman

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

James E. Presutti, Councilman

RESOLUTION OF ADOPTION
OF LOCAL LAW NO. OF 2015 -
AMENDING CHAPTER 185
ENTITLED "ZONING" OF THE
CODE OF THE TOWN OF NEWBURGH
TO MODIFY THE DEFINITIONS OF
"HOTEL" AND "MOTEL"

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

WHEREAS, a Local Law Amending Chapter 185 Entitled "Zoning" of the Code of the Town of Newburgh to Modify the Definitions of "Hotel" and "Motel" was heretofore introduced before the Town Board of the Town of Newburgh in the County of Orange and State of New York by resolution adopted by the Town Board on March 23, 2014; and

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

WHEREAS, the Town Board of the Town of Newburgh adopted a resolution on the 23rd day of March, 2015 ordering a public hearing to be held on the 20th day of April, 2015 at 7:00 o'clock p.m., prevailing time, to hear all interested parties on said proposed local law, designated as Introductory Local Law #__ of the Year 2015 entitled "A Local Law Amending Chapter 185 Entitled "Zoning" of the Code of the Town of Newburgh to Modify the Definitions of 'Hotel' and 'Motel'"; and

WHEREAS, a notice of Public Hearing and copy of the local law were mailed to the clerks of the municipalities and counties with boundaries within 500 feet of the properties affected by the zoning amendment at least ten days prior to the date of the Public Hearing; and

WHEREAS, a notice of said Public Hearing was duly advertised on the ___th day of April, 2015 in The Mid-Hudson Times and on the ___th day of April, 2015 in The Sentinel and posted on the Town Clerk's sign board on the ___th day of April, 2015; and

WHEREAS, the public hearing was duly held on the 20th day of April, 2015 at 7:00 o'clock p.m., at Town Hall, 1496 Route 300, Newburgh, New York and all parties in attendance were permitted to speak on behalf or in opposition of the proposed Local Law or any part thereof; and

WHEREAS, the Town Board of the Town of Newburgh, acting as lead agency, has considered the adoption of said Local Law amending the Town of Newburgh Zoning Code as a Type I Action under the State Environmental Quality Review Act and has duly issued a negative declaration; and

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

WHEREAS, the Town Board of the Town of Newburgh has additionally considered the future housing needs of the region and the consistency of the Amendment with the needs and goals identified by the April, 2009 *Tri-County Affordable Housing Study*, conducted jointly by Orange, Dutchess, and Ulster Counties, and the potential affects of the Action on the Town's ability to meet goals for providing rental and owner occupied affordable housing and determined that it will have no effects as it involves permitting certain additional commercial uses for commercially zoned properties in the IB District in an area without Town water or sewer utility service; and

WHEREAS, due to the adoption of intervening introductory local laws and local laws introduced in the prior calendar year, upon adoption and filing with the Secretary of State said Local Law will be designated as Local Law No. __ of 2015; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Town Board of the Town of Newburgh hereby adopts said Local Law No. __ of Year 2015 entitled "A Local Law Amending Chapter 185 Entitled 'Zoning' of the Code of the Town of Newburgh to Modify the Definitions of 'Hotel' and 'Motel'".
2. The Town Clerk is hereby directed to enter this resolution and said Local Law in the minutes of this meeting and the Local Law Book of the Town of Newburgh and to give due notice of the adoption of said Local Law to the Secretary of State and to the public.
3. A report of final action in the matter of the adoption of said Local Law amending the Zoning Code and Zoning Map of the Town of Newburgh shall be delivered to the Orange County Planning Department in accordance with the requirements of the General Municipal Law.

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

resulted as follows:

George Woolsey, Councilman voting _____

Elizabeth J. Greene, Councilwoman voting _____

Paul I. Ruggiero, Councilman voting _____

James E. Presutti, Councilman voting _____

Gilbert J. Piaquadio, Supervisor voting _____

The resolution was thereupon declared duly adopted.

6A

**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: April 7, 2015
RE: W \ STEWART AIRPORT WATER STORAGE TANK REHABILITATION

Based on the completion of the plans and specifications for the above project, I am requesting Town Board approval of the following bid schedule.

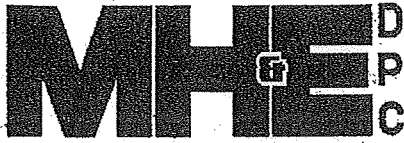
Advertise for Bids	May 6, 2015 (MHT & THR) May 8, 2015 (Sentinel)
Open Bids	June 10, 2015 (@ 2:00 PM)
Award Contracts	June 17, 2015
Contract Signing & Pre-Construction Meeting	June 26, 2015 (@ 10:00 am)

As the above requires Town Board action, I am requesting that this item be placed on the agenda for 20 April 2015 meeting. If you have any questions or comments, I am available to discuss them with you.

JWO/id

cc: M. Taylor, Attorney
J. Platt, DPW Comm.
R. Clum, Accountant
P. Granger, PE – H2M

6B



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

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

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

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

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

13 April 2015

Town of Newburgh
1496 Route 300
Newburgh, NY 12550

ATTENTION: JAMES OSBORNE, P.E., TOWN ENGINEER

**SUBJECT: SUNSHINE FORD PARKING LOT EXPANSION
PLANNING BOARD #2013-24**

Dear Jim:

This office is in receipt of correspondence from Crossley Associates representing Cosimo J. Colandrea Sunshine Ford parking lot expansion project. The letter contains an attachment from Kevin L. Patton, P.E. certifying to the construction of the storm water improvements on the subject parcel. Based on the receipt of the certification and field reviews performed, this office takes no exception to the Town releasing the security in the amount of \$45,465.00.

Please feel free to contact the undersigned should you require any additional information regarding this matter.

Very Truly Yours,

Patrick J. Hines
Principal

cc: Gil Piaquadio, Town Supervisor
Gerald Canfield, Code Enforcement



Crossley Associates

DCO REALTY COMPANY, INC.
GENERAL & TURNKEY CONSTRUCTION
15 CARROLL STREET NEWBURGH, NY 12550-5136
TEL: (845) 562-6092 FAX: (845) 562-6105
Email: CrossDevel@aol.com

1/26/2015

Hon. Gilbert J. Piaquadio, Supervisor
Town of Newburgh
1496 Route 300
Newburgh, New York 12550

Re: Cosimo J. Colandrea, Sunshine Ford-Lincoln Parking Lot expansion project.

Dear Supervisor Piaquadio,

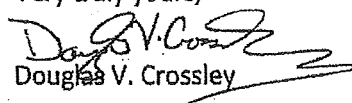
As the Construction Manager on the above reference project, Cosimo J. Colandrea has asked me to contact you to request return of his Cash Bond given to the Town of Newburgh to assure completion of the Stormwater Management Facilities on this project.

The Cash Bond was given to the Town of Newburgh on June 4, 2014, in the form of Sunshine Ford-Lincoln, Inc. check # 10364 in the sum of \$ 45,465.00.

The Stormwater work has been completed in accordance with Kevin L. Patton, PE Certification letter dated January 23, 2015 to Town of Newburgh Engineer for this project, Mr. Patrick J. Hines, PE and is enclosed.

Please contact me if you require anything further in this request. Thank-you.

Very truly yours,


Douglas V. Crossley
President

DVC/gw

KEVIN L. PATTON, P.E.
36 PATTON ROAD
NEWBURGH, N.Y. 12550
845 275-7732 PATTONGEOTECH.COM

January 23, 2015

Mr. Patrick J. Hines, P.E.
McGoey, Hauser and Edsall Consulting Engineers, D.P.C.
33 Airport Center Drive, Suite 202
New Windsor, NY 12553

Re: Colandrea Sunshine Ford Parking Lot Expansion Project
Your Project No. 13-24
Substantial Completion of Construction

I performed several inspections during the construction of the new car storage lot, detention pond, storm drains, fencing and landscaping in the area between the north side of the existing car storage lot and Putnam Street and along the east base of the new retaining wall. Inspections were performed during excavation, subgrade preparation, placement and compaction of fill, pavement base and topsoil materials, installation of stormwater drainage structures, installation of fences around the detention pond and along Putnam Street, and landscape planting. A final inspection was performed on December 30, 2014.

The work, including the Stormwater Management Facilities, has been completed in substantial conformance with the plans prepared by Shaw Engineering of Newburgh, NY, drawings 1 through 5, dated 12/5/13, revised 3/25/14. The landscape planting was modified slightly, with some shrub species substituted based on availability and the planting pattern was revised to provide the optimum appearance of the shrubs. There were no other significant deviations from the plans.

Grass cover on landscaped areas appeared to be vigorous and well-established at the end of the growing season. Minor touch-up grading and re-seeding will be required in the spring to repair an area of poor growth near Putnam Street and some small gullies on the edge of the detention pond, however at least 95% of the project area was fully stabilized.

Please contact me if you have any questions or require additional information.

Yours truly,


Kevin L. Patton



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

Breiden
Public
TA

PERSONNEL DEPT.

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

Date: April 16, 2015
To: Gil Piaquadio, Town Supervisor
Town Board Members
Cc: Ron Clum, Accountant
From: Charlene M Black, Personnel
Re: Seasonal Laborer

Please find attached an employment request from Mr. Petrillo, for Daniel Otto. Mr. Otto is being offered a job as a seasonal laborer effective April 23, 2015 to September 2, 2015. If approved, Mr. Otto will need to complete all necessary paperwork, before he commences employment. Mr. Otto is a returnee for the past several years. Thank you in advance.



TOWN OF NEWBURGH RECREATION DEPARTMENT

311 ROUTE 32, NEWBURGH, NY 12550

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

April 14, 2015

TO: Gil Piaquadio, Supervisor
Town Board Members

CC: Charlene Black, Personnel

FROM: Robert J. Petrillo, Commissioner

RE: Hire Seasonal Laborer

I would like to request authorization to hire Daniel Otto as a seasonal Laborer beginning April 23rd. Mr. Otto's primary responsibility will be field and park maintenance.

The salary for this position is in the budget under account 7140-0100.

Thank you for your consideration.

Regards,

Robert J. Petrillo
Commissioner

TOWN OF NEWBURGH
EMPLOYMENT REQUEST FORM

TO: PERSONNEL DEPARTMENT

NAME OF CANDIDATE: DANIEL OTTO

DEPARTMENT: RECREATION

TITLE OF POSITION: LABORER

FULL TIME OR PART TIME: SEASONAL

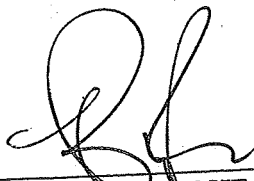
HOURLY RATE: \$10.00

IS POSITION FUNDED IN CURRENT BUDGET: yes or no

FUND APPROPRIATION NUMBER: 7140-0100

PROPOSED HIRE DATE: 4/23/15

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


DEPARTMENT HEAD SIGNATURE

4/15/15
DATE

**ORIGINAL APPLICATION SHOULD BE ON FILE IN THE
PERSONNEL OFFICE.**

COPY TO ACCOUNTING DEPARTMENT
(02/05)



TOWN OF NEWBURGH RECREATION DEPARTMENT

311 ROUTE 32, NEWBURGH, NY 12550

7B1

Robert J. Petrillo
Commissioner of Parks, Recreation & Conservation

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

April 20, 2015

TO: Gil Piaquadio, Supervisor
Town Board Members

CC: Andrew Zarutskie, Town Clerk

FROM: Robert J. Petrillo, Commissioner

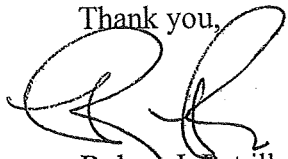
RE: 2015 Seasonal Ground Maintenance for Additional Properties

The Recreation Department is requesting the Board's approval to exercise their option to select Lynn Warren Landscaping to continue the grounds maintenance for the Part B Water District Additional Properties and Part C General Fund Additional Properties.

Lynn Warren Landscaping has been contacted by the Recreation Department and has agreed to honor their 2015 quotes of \$440 per week for Part B and \$300 for Part C.

Attached for your review are the 2014 bid details.

Thank you,



Robert J. Petrillo
Commissioner

BID OPENING ---Seasonal Grounds Maintenance Services (Chadwick Lake Park and additional Town Owned Sites)

Thursday, March 27, 2014 10:00 a.m.

Andrew J. Zarutskie, Town Clerk

Brenda J. Milkovich, Deputy Town Clerk

Robert Petrillo, Commissioner of Parks and Recreation

NAME OF COMPANY (LIST BELOW)	CHADWICK LAKE PARK 2014 WEEKLY PRICE	CHADWICK LAKE PARK 2015 WEEKLY PRICE	CHADWICK LAKE PARK 2016 WEEKLY PRICE	WATER DISTRICT ADDITIONAL PROPERTIES 2014 WEEKLY PRICE	WATER DISTRICT ADDITIONAL PROPERTIES 2015 WEEKLY PRICE	WATER DISTRICT ADDITIONAL PROPERTIES 2016 WEEKLY PRICE	GENERAL FUND ADDITIONAL PROPERTIES 2014 WEEKLY PRICE	GENERAL FUND ADDITIONAL PROPERTIES 2015 WEEKLY PRICE	GENERAL FUND ADDITIONAL PROPERTIES 2016 WEEKLY PRICE
Franks Lawn Service 169 Pressler Road Wallkill NY 12589	\$315	No bid	No bid	\$700	\$750	\$800	\$400	\$450	\$500
L. Warren Landscaping 18 N. Fostertown Dr. Newburgh NY 12550	\$300	\$300	\$310	\$440	\$440	\$440	\$300	\$300	\$300
Hudson Hills Contracting 1667 Route 300; site 107 Newburgh NY 12550	\$258	\$285	\$305	\$930	\$980	\$1,020	\$395	\$420	\$445
Landscape Concepts 253 Route 100 Somers NY 10589	\$300	\$300	\$300	\$810	\$810	\$810	\$400	\$400	\$400
R. Brewer Landscaping 1789 Route 300 Newburgh NY 12550	\$260	\$260	\$260	\$545	\$545	\$545	\$385	\$385	\$385
Pat Scanlan Landscaping 14 Plains Drive New City NY 10956	\$965	\$965	\$965	\$685	\$685	\$685	\$515	\$515	4525

7B

**TOWN OF NEWBURGH
NOTICE TO BIDDERS
SEASONAL GROUNDS MAINTENANCE
SERVICES FOR
CHADWICK LAKE PARK
AND ADDITIONAL TOWN OWNED SITES**

The Town of Newburgh, NY, invites bids from qualified vendors to furnish weekly grounds maintenance services at Chadwick Lake Park and the referenced additional sites owned by the Town of Newburgh during the period April 28, 2014 through the week of October 31, 2014. The services will include mowing, string trimming, leaf blowing, mulching and/or removal (when applicable) of the following areas of Chadwick Lake Park: playground, pavilion, roller hockey rink and walkways, and, at the option of the Town, the lawn areas of the additional Town owned properties. Three separate bids are to be submitted for (A) Chadwick Lake Park, (B) Water District Additional Properties (Exhibit A) and (C) General Fund Additional Properties (Exhibit B). The Town reserves the right to award contracts for the sites at (A) or (B) or (C) or each of (A), (B) and (C). This bid solicitation additionally includes provision for the submission of bids and options at the Town's election to award contract extensions for 2015 and 2016.

Proposals must be submitted no later than **10:00 a.m., prevailing time on Friday, March 14, 2014** to the Town Clerk at 1496 Route 300, Newburgh, New York 12550, in sealed envelopes clearly marked "**Proposals for Chadwick Lake Park and Additional Sites Grounds Maintenance**". Complete specifications are available to interested bidders between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday at the Town Clerk's office.

Proposals must be signed by an authorized representative and address the items specified in the package.

Prospective vendors must complete a **mandatory site tour** of the Chadwick Lake Park facilities and the additional properties. The location of all additional properties are numbered on the Map (Exhibit C). Exhibit D contains the addresses of these properties and additional instructions on each parcel. If not specified, the parcel is to be done weekly. Questions: Call 845-564-7815 for more information.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF NEWBURGH**

ANDREW J. ZARUTSKIE, TOWN CLERK

DATED:

**TOWN OF NEWBURGH
REQUEST FOR BIDS AND
SPECIFICATIONS FOR
SEASONAL GROUNDS MAINTENANCE SERVICE
FOR CHADWICK LAKE PARK
AND FOR ADDITIONAL TOWN OWNED PROPERTIES**

GENERAL INSTRUCTIONS FOR RESPONDING TO THIS BID

1. Vendors interested in bidding on the referenced items should read the entire document. The vendor must complete all sections of this document including Forms A, B, C and D and sign where indicated. Your signature identifies your acceptance of all terms and conditions herein. Please complete Form E only if you do not intend to bid.
2. All vendors must fill in the prices being requested in the places and formats indicated. All blank spaces in said bid shall be filled in and no changes shall be made in the phraseology, or in the items, terms and conditions contained therein.
3. Completed bids should be sent to the following address: Town Clerk, 1496 Route 300, Newburgh, New York 12550
4. Please indicated "Proposal for Chadwick Lake Park and Additional Sites Grounds Maintenance" on the outside of your submitted sealed bid.
5. Firms qualified and certified as Minority Business Enterprises (MBE) and Women Business Enterprises (WBE) are encouraged to submit bids.

**INSTRUCTIONS, TERMS AND CONDITIONS,
SEASONAL GROUNDS MAINTENANCE SERVICE FOR CHADWICK LAKE PARK
AND ADDITIONAL TOWN OWNED PROPERTIES**

1. Each bid must be in a separate sealed envelope, clearly labeled with "Proposal for Chadwick Lake Park and Additional Sites Grounds Maintenance" and addressed to the Town Clerk, Town Hall, 1496 Route 300, Newburgh, New York 12550. All bids must be properly signed and received by the time and date specified in order to be valid.
2. Awards will be made, if at all, to the "lowest responsible bidder" meeting the specifications. The Town reserves the right to reject any and all bids or portion thereof, or any bids that are vague, incomplete or indefinite.
3. The submission of the bid proposal shall constitute an irrevocable offer which shall remain in full force and effect until the bid proposals received by the Town are either accepted or rejected.
4. Bidders are advised to become familiar with all conditions, instructions and specifications governing this bid. Once the award has been made, failure to have read all the conditions, instructions and specifications shall not be cause to alter the original bid. All bids must be priced per unit specified in the bid specifications or on the bid form submitted, and must be signed and dated. In the event of a discrepancy between the unit price and extension, the unit price will govern. No exceptions will be allowed with regard to errors made in the computation of a bid. Purchases by the Town of Newburgh are not subject to any federal, state or local taxes. Do not include any of these taxes when bidding or invoicing. Exemption certificates will be furnished upon request.
5. Any deviation from specifications shall be clearly stated and fully explained by accompanying specification sheets with submitted bid.
6. By submission of this bid, each bidder and each person signing on behalf of any bidder certified, and in the case of a joint bid, each party thereto as to its own organization, under penalty of perjury, that to the best of its knowledge and belief:

A. the prices in this bid have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or any competitor; and

B. unless otherwise requires by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder prior to the opening, directly or indirectly, to any other bidder or to any competitor; and

C. no attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

The bidder certifies that this bid is made without any connection with any other person making a bid for the same purpose, and is in all respects fair and without collusion or fraud, and that no elected official or other officer or employee or person whose salary is payable in whole or in part from the Town treasury is directly or indirectly interested therein, or in supplies materials and equipment to which it relates, or in any portion of the profits thereof.

7. Bids are required to be priced and will be awarded on a weekly service basis. If the vendor, defaults in the performance during any week, however, the Town reserves the right to terminate the bid award to that vendor for all remaining awarded weeks and to award the work to the next lowest responsible bidder(s) for the remaining weeks.
8. The prices quoted herein, if accepted, will be considered guaranteed, unadjustable prices for the terms stated herein, unless otherwise so identified in other sections of this bid request
9. This bid agreement shall override any previous agreements for this item (s), except as otherwise provided herein.

10. The Town of Newburgh reserves the right to reject any and all bids if deemed in the best interest of the Town to do so. The Town shall have the authority to award orders, contracts, or services to the bidder(s) best meeting the specifications and conditions as judged solely by the Town.
11. All services shall be performed as described in this bid and shall comply in all respects with applicable Federal, State, County, and Town Statutes and Codes.
12. The Town Board shall determine whether bid exceptions are minor in nature or represent a serious departure from the purpose and intent of the specifications and whether or not the best interests of the Town will be promoted by waiving original requirements and accepting exceptions.
13. The Town of Newburgh assumes no responsibility and no liability for costs incurred by bidders prior to the issuance of an agreement, contract or purchase order.
14. Bidders who submit a Proposal(s) in response to this bid may be required to give an oral presentation of their Proposal(s). The purpose of such presentation is to provide an opportunity for the bidder to clarify or elaborate on their bid.
15. Bids are solicited only from competent, experienced and financially qualified vendors who meet all the qualifications and or specifications of this bid document as determined solely by the Town of Newburgh.
16. The Town reserves the option to elect to award Contracts for either one of (A) the Chadwick Lake Park site, (B) the Water District Additional Properties or (C) the General Fund Additional Properties or, in the alternative, Contracts for each of (A) and (B) and (C). In determining the low bidders, the Town will select the low bidder for each selected location (A), (B) and/or (C). Notwithstanding the use of one bid form, bids for (A), (B) and (C) will be reviewed separately and, if the Town elects to proceed, awarded to the lowest responsible bidder for each.

17. Options to Extend. Bidders are required to submit bids for grounds maintenance services for 2014, 2015 and 2016. 2015 and 2016 are extension years, which are optional at the election of the Town. If the Town determines to proceed, a contract will be awarded to the lowest responsible bidder for 2014 for each of Chadwick Lake Park and the Additional Property bids. The Town may elect to extend the contract for 2015 and then for 2016, but only if the Contractor for 2014 was also the low bidder in the awarded submission for 2015 and again only if it was the low bidder for 2016. The Town will notify each Contractor in writing on or before the 1st day of March of each year (2015 and 2016) of its election to renew the contract for that year at the stated bid price for that year. The Contractor shall deliver to the Town a new, original certificate of insurance, naming the Town of Newburgh, New York as Additional Insured in at least the minimum amounts specified below, and shall provide any changes in the Contractor's information, within fourteen (14) days of the date of the Town's notice of election to extend or the Town shall have the right to terminate the extended contract and rebid that year and any subsequent year.

**REQUEST FOR BIDS,
SPECIFICATIONS
AND ADDITIONAL TERMS AND CONDITIONS**

The Town of Newburgh is requesting quotations for Seasonal Grounds Maintenance Service at:

- A) Chadwick Lake Park
- B) Water District Additional Properties
- C) General Fund Additional Properties

Term of Contract

The contracts shall, if the Town does not elect to reject all bids, be awarded for a term of one (1) year with options to renew the contracts for an additional two (2) years, in one (1) year intervals, at the election of the Town.

Payment for Work Performed

Payment will be made on a monthly basis throughout the life of the contract for services in accordance with the price schedule submitted by the successful bidder(s). **The monthly invoice must be submitted within 10 days of the month's completion.**

The vendor shall be paid following approval at audit upon submission of an invoice, which clearly indicates the services rendered and a completed and signed Town of Newburgh Standard Voucher Form.

Work Order Requirements

The successful bidder(s) will be required to prepare work orders for all services when provided. An authorized representative of the Town must sign the work order, on the day of service when the day's work is completed, verifying the work performed. The signed work order must accompany the invoice for payment.

Locations

The locations requiring service under this contract are identified are as follows: Chadwick Lake Park, and the referenced additional properties on the attached map.

(A) The areas within Chadwick Lake Park requiring service are identified as follows:

Starting at the Northwestern end just past the private boat launch where the trail is gated (chained) moving southerly through small picnic area to the boathouse parking lot;

And from the boathouse parking lot along the west shore of the lake in a southerly direction to the cove of the southern tip of the lake;

And on the West side of the boat house parking lot in a southerly direction behind the boathouse along the western property line to the park entrance;

And starting from the southern tip of the lake (cove) on the east side of the lake in a northerly direction between the lake and the main parking lot, past the playground to Pine Point Picnic area, then Easterly on both sides of the playground to the dam spillway on the north and the hockey rink on the south;

And starting from the northern end of the hockey roller rink in a southerly direction on both sides of the rink and large pavilion to the property boundary at Route 300;

And from the Southeastern end of the hockey rink to the southern boundary at Route 300 Easterly including the small ball field to the most easterly boundary bordering the stream behind the amphitheater.

Town's Award Options

The Town reserves the option to elect to award Contracts for either one of (A) the Chadwick Lake Park site, (B) the Water District Additional Properties or (C) the General Fund Additional Properties or, in the alternative, for each of (A) and (B) and (C). **In determining the low bidder(s), the Town will select the low bidder for each selected location (A), (B) and/or (C).**

SCOPE OF WORK

- a. The agreement from this Request for Bids will include all services including the furnishing of all materials, equipment, transportation, labor, debris removal and incidentals thereto for the completion of the services as stated herein.
- b. All grounds maintenance service must be performed in accordance with all Federal, State, Local and OSHA rules and regulations presently established or which may be established during the term of this contract award.
- c. Grounds maintenance to be performed during the hours and days as follows:
 - i. Grass cutting on weekdays only (weather permitting) or next available clear day, early AM.
 - ii. All work to be performed in accordance with all ordinances, including, but not limited to, noise regulations.
 - iii. All debris and debris removal shall be the responsibility of the contractor.
- d. The following services will be required as specified below and shall be quoted as outlined on the Cost Summary page.

Commencing the week of April 28, 2014 and continuing until the week ending Friday, October 31, 2014 (subject to weekly extension as hereinafter provided),

Provide the following service to the above described locations:

- Weekly grass cutting. Weather permitting, all sites shall be mowed on a weekly interval, except where stated otherwise, starting the week of April 28, 2014 through the week of October 31, 2014. The Town reserves the right to extend the last day of the week of October 31, 2014 expiration date for one or more additional weeks upon notice to the contractor if grounds maintenance is needed as a result of favorable weather conditions, and the work shall be performed by the contractor at the same weekly rate as bid. All walkways, around trees, playground equipment, fencing and other objects as may be found on each site, shall be string trimmed and blown clean, with every mowing. Extraneous paper or trash, branches and pinecones that may be on the grounds will be removed prior to mowing, and not mowed over.
- Weekly edging of drives, parking areas, sidewalks, curbs, posts and flowerbeds.
- Weekly blowing, mulching and/or collection of leaves in the fall as required.
- Blow clean all walkways, steps, driveways and all other paved or graveled areas of grass clippings, leaves and debris.

In the event of drought or unusual weather conditions, the Town reserves the right to suspend and waive all work. Notice of suspension or waiver shall be given at least twenty-four (24) hours prior to a scheduled service day, provided the contractor has notified the Town in writing in advance of such scheduled day. No monies shall be due to the contractor for a week in which all services are waived or suspended.

Prior to commencing any of the above services, the Contractor must notify the Park gatekeeper or such other person as the Town may designate that workers are on site. (For Chadwick Lake Park ONLY - contractor must check in with guard on duty, time in and time out will be noted for billing reconciliation.) For the Filter Plant, ONLY – Contractor must telephone Filter Plant personnel (564-2180) the day before performing work and confirm anticipated arrival time and advise Filter Plant personnel orally when work is complete before leaving the site.

If the Town elects to extend the contract to 2015 and 2016, the references to weeks contained herein shall be deemed to be to the latest week containing days in April and the latest week containing days in October of the respective years.

TECHNICAL SPECIFICATIONS

- A. The Contractor shall furnish all supervision, labor, material, equipment, tools, chemicals, and transportation required to perform the services specified herein. The services shall be performed as called for in the technical requirements on weekdays only, excluding Town holidays.
- B. Grasses shall be mowed to a minimum height of two inches in warm weather and one and one-half inches (1 ½") during the rainy season. Grass clippings from mowing shall NOT be caught and removed unless they are too unsightly for the particular location, or else are lying in swaths, which might damage the lawn.
- C. The Contractor shall not apply any herbicides without approval from the Town Water Supply Dept. The Contractor shall notify the Town Water Dept. of all proposed areas for herbicide use.**
- D. Work Not Included:
1. Repairs or replacement of losses/damages beyond Contractor's control, except with Town of Newburgh's approval and agreement to purchase.
 2. Maintenance of open parking areas, driveways, walks, etc., except cleanup of landscape debris.
 3. Seeding, fertilizing or other special services, except with Town of Newburgh Town Board's approval and agreement to pay.
 4. Contractor may be called upon to estimate and perform various types of non-routine work such as, but not limited to: removing fallen/dead trees; or spreading granite or fill dirt. This will require a Letter of Authorization (L.O.A.) from a Town of Newburgh representative allowing the Contractor to proceed with the non-routine project work at a pre-established price. Contractor shall not proceed with non-project work without a L.O.A. A detailed itemization for any supplies, equipment, or parts used is required.
- E. All work shall be performed during the early morning daylight hours, one day per week, Monday through Friday at the Contractor's election, except Town holidays.
- F. All costs for repeat work, or repairs due to failures of specific repairs, will be the responsibility of the Contractor.
- G. The Contractor shall perform the work in a way to minimize disruption to the normal operation of the Park and the recreation facilities. Upon completion of the work, the Contractor is responsible for cleaning and removing all debris, materials, and equipment associated with the work performed. Debris is not to be placed into Town trash containers.

- H. The Contractor shall carry on the operation in such a manner that does not damage Town property. In the event damage occurs to Town of Newburgh property, or any adjacent property by reason of any landscape operations performed under this contract, the Contractor shall replace or repair the same at no cost to the Town. If damage caused by the Contractor has to be repaired or replaced by the Town, the cost of such work shall be deducted from monies due the Contractor.
- I. The Contractor shall be responsible for any damage incurred to the facilities, trees, bushes, shrubs and/or any other permanent type fixture, resulting from negligent use of the premises to fulfill the contract terms and conditions.

EQUIPMENT AND SUPPLIES

- J. All equipment and supplies furnished by the Contractor are subject to prior approval by the Town.
- K. The Contractor shall provide sufficient equipment, supplies, and personnel to complete the work within the designated time frames. For example, this means that the Contractor shall not assign a crew of one or two for complete landscaping services at a large site that actually requires six to complete the tasks according to the schedule. Failure to fully complete a grounds maintenance service per the schedule shall cause contractor to lose prorated weekly rate for the site.

INSPECTIONS:

- L. A Town of Newburgh representative, a minimum of once per week, shall inspect the covered areas of the Park. The Representative shall inspect that site to ensure contract requirements are being adhered to. An inspection report shall be filled out by the representative, indicating the site has been inspected, and is found to be acceptable or unacceptable. If unacceptable, the Contractor shall be notified as to what deficiencies exist and be given two days to correct the work. Considerations shall be given to the Contractor for the time-line after Contractor has visited the site.

This contract administration process will be an integral part of this contract, as an audit and feedback system and will be in addition to any other policies and procedures contained herein. The vendors should know in the bidding process that the successful bidder will be closely monitored for contract compliance.

- M. No additional costs are anticipated to be incurred by the successful bidder by the presence of the contract administration process as long as contract compliance is maintained. In the event the service performed is unsatisfactory, or is NOT in accordance with the specifications, the Contractor shall, upon notification by the Town, cause the facility to be serviced, remedying all discrepancies within 48 hours (two days) after notification, without additional cost to the Town of Newburgh. The Town reserves the right to complete the work to its satisfaction and deduct the cost from monies due the Contractor if the work is not corrected within the allotted time frame.

DISCREPANCIES:

- N. Failure by the Contractor to provide routine grounds maintenance services as specified in the contract, or failure to follow contract specifications, may result in the Town deducting the prorated share of the unfinished areas from any payments due, based on the Contractor's price quoted in the bid price sheets. This provision is used only when the Contractor does not promptly correct work, or there are continuous documented discrepancies in the Contractor's performance. The Town reserves the additional right to terminate the contract.

CONTRACTOR REQUIREMENTS:

- O. The Contractor and their employees shall exercise safe industry work practices. All work shall be in compliance with appropriate OSHA, Federal, State, County and local ordinances and regulations. No fertilizers and chemicals shall be transported onto the Park or Filter Plant sites in Contractor vehicles without express written consent of the Town Water Supply Superintendent.

CONTRACTORS EMPLOYEES:

- P. The Contractor agrees to utilize only experienced, responsible and capable people in the performance of the work. The Town may require that the Contractor remove from the job covered by this contract, any employee who endanger persons or property or whose continued employment under this contract is inconsistent with the interest of the Town of Newburgh.

The Contractor shall furnish personnel who are trained and qualified to perform as to the specifications, and supervisors who will be responsible for the performance of their personnel. The Town shall, at its option, monitor the Contractor's employee performance on a random and unannounced basis, to verify the proficiency of the staff. At the Town's option, the Town may require security screening of all employees performing work at the Park.

LABOR PREFERENCE/WAGES

The successful bidder shall employ local labor, insofar as the same may be reasonably available. If this is a public works contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, if this is a public works contract, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law.

BIDDER QUALIFICATION REQUIREMENTS

All terms, conditions and requirements as set forth in this request for quotation must be satisfied as of the date of bid submission. Bid responses will only be accepted from thoroughly competent, experienced and financially qualified contractors according to the qualification requirement as listed herein and successful fulfillment of said requirements as determined by the Town of Newburgh. Bidders having premises in the Town of Newburgh shall be in compliance with zoning and all applicable Municipal Code requirements.

TIME IS OF THE ESSENCE IN DELIVERY OF SERVICE.

The Town reserves the right to refuse any services and to cancel any and all parts of this bid/contract if the bidder fails to deliver all or any part of the services in accordance with the terms of the bid.

NON-DISCRIMINATION

In the hiring of employees for the performance of work under this contract or any subcontract hereunder, no contractor, subcontractor, nor any person acting on behalf of such contractor or subcontractor shall by reason of race, creed, color, disability, sex or national origin discriminate against any citizen of the State of New York, who is qualified and available to perform the work to which the employment relates; No contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee hired for the performance of work under this contract on account of race, creed, color, disability, sex or national origin;

There may be deducted from the amount payable to the Contractor by the state or municipality under this contract a penalty of fifty dollars for each person for each calendar day during which such person was discriminated against or intimidated in violation of the provisions of the contract.

The contract may be canceled or terminated by the Town, and all monies due or to become due hereunder may be forfeited, for a second or any subsequent violation of the terms or conditions of this section of the contract. The aforesaid provisions shall be limited to operations performed within the territorial limits of the State of New York.

In accordance with Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment for any prohibitive reason, including by way of example and not in limitation of race, creed, color, sex, national origin, age, disability or marital applicant status.

NO ASSIGNMENT WITHOUT TOWN CONSENT

The successful vendor shall not assign, transfer, convey, subcontract or otherwise dispose of the agreement resulting from this bid process or his right, title or interest therein, or his power to execute such contract, to any other person, firm or corporation, without the previous written consent of the Town of Newburgh. Failure to comply with this requirement will result in the cancellation of the agreement.

NEW YORK LAW AND VENUE

The agreement arrived at from this solicitation shall be construed under the laws of the State of New York. All claims, actions, proceedings, and lawsuits brought in connection with, arising out of, related to, or seeking enforcement of this contract shall be brought in the Supreme Court of the State of New York, Orange County. The Town requires contractors which are not incorporated in the State of New York to produce a Certificate to Do Business in the State of New York from the New York Secretary of State prior to executing their contract with the Town. Awarded bidder shall provide said certificate as required.

CANCELLATION

Any violation of the terms, conditions, requirements and/or non-performance of the contract shall result in immediate cancellation. The bid award may be immediately cancelled upon written notice for cause, including, but not limited to, the following:

- (1) failure to provide personnel or equipment to the Town's satisfaction or failure in any other way deliver to perform or provide service within the terms of contract;
- (2) failure of the equipment or service to meet specifications;
- (3) misrepresentation by the vendor;
- (4) fraud, collusion, conspiracy, or other unlawful means of obtaining any contract with the Town;
- (5) conflict of contract provisions with constitutional or statutory provisions of the laws of the State of New York or federal law; and
- (6) any other breach of contract.

The Town of Newburgh reserves the right without cause or penalty, to terminate the contract award at any time upon thirty (30) days written notice when it has been determined to be in the best interest of the Town. Cancellation does not release the Vendor from its obligation to provide goods or services per the terms of the contract during the notification period.

All terms, conditions and requirements as set forth in Request for Quotation for Grounds Maintenance are acceptable as specified therein.

Yes _____ No _____

If "NO", please provide a detailed description and/or explanation of any deviation in your quotation from the specification detailed in Request for Quotation for Grounds Maintenance at Chadwick Lake Park in the space provided below (if additional space is required continue on your letterhead).

BID SUBMISSION

Vendors are responsible for submissions of accurate, adequate and clear descriptions of the information requested. Omissions, vagueness or inaccurate descriptions or responses shall not be interpreted in favor of the bidder and shall be grounds for bid rejection. (Bids must be provided for all services; a blank space will denote a "zero" bid.) The Town reserves the right to delete any part of the services quoted at its discretion.

INSURANCE REQUIREMENTS

The successful bidder shall supply and maintain insurance which defends, indemnifies and holds harmless the Town of Newburgh, its officers, employees and agents from and against any and all liability, damage claims, demands, costs, judgments, fees, attorney's fees or loss arising directly out of acts or omissions hereunder by the bidder or third party under the direction or control of the bidder. The successful bidder must furnish the Town with Certificate of Insurance prior to commencement of work. The required coverage shall not be less than the following:

Workers Compensation
Statutory Requirements

NY State Disability
Statutory Requirements

General Liability
\$2,000,000

Automobile Liability
\$1,000,000

"Contractual Liability"
Must be printed on Certificate

INSURANCE CERTIFICATES SHALL NAME THE TOWN OF NEWBURGH, 1496 ROUTE 300, NEWBURGH, NY 12550, AS AN ADDITIONAL INSURED PARTY AND SHALL STATE THAT ALL COVERAGE SHALL BE PRIMARY TO ANY OTHER INSURANCE COVERAGE HELD BY THE TOWN:

"The Town of Newburgh is named as an additional insured party for all general and excess liability coverage based on the contractual liability of the named insured. Such general and excess liability coverage shall be primary to any other coverage carried by the Town of Newburgh with respects to acts or omissions of the name insured."

"It is intended by the parties hereto that the general and excess liability insurance provided by the bidder shall be primary to any other coverage carried by the Town of Newburgh with respect to liability coverage arising out of any act or omissions by the contractor. The Town of Newburgh will be named as an additional insured. Nothing contained herein shall be construed as making said general and excess liability insurance primary insurance for acts or omissions of the Town of Newburgh."

INDEMNIFICATION

To the fullest extent permitted by law, the Contractor shall defend, indemnify, and hold harmless the Town of Newburgh, its agents, representatives, officers, directors, officials, and employees from and against all claims, damages, losses and expenses, including, but not limited to, attorney fees, court costs, expert witness fees, and the cost of appellate proceedings, relating to, arising out of, or alleged to have resulted from the acts, errors, omissions or mistakes relating to the performance of this Contract. Contractor's duty to defend, indemnify and hold harmless the Town, its agents, representatives, officers, directors, officials, and employees shall arise in connection with any claim, damage, loss or expense that is attributable to bodily injury, sickness, disease, death, or injury to, impairment, or destruction of property, including loss of use resulting there from, caused by any acts, errors, omissions or mistakes in the performance of this Contract including any person for whose acts, errors, omissions or mistakes the Contractor may be legally liable. The amount and type of insurance coverage requirements set forth herein will in no way be construed as limiting the scope of the indemnity in this paragraph.

FORM A

PART 1:

Bid for Seasonal Grounds Maintenance for Chadwick Lake Park for 2014
(with Town options for 2015 and 2016)

Please indicate your bid for the specified work as detailed herein for each of the 3 years as follows:

SEASONAL GROUNDS MAINTENANCE SERVICES COMMENCING THE LAST WEEK OF APRIL AND ENDING THE LAST WEEK OF OCTOBER, OR SUCH EXTENDED WEEK(S) AS THE TOWN NOTIFIES THE SUCCESSFUL BIDDER.

Please quote a weekly price for services as specified herein.

A) CHADWICK LAKE PARK

2014 Weekly Price: \$ _____ per week

2015 Weekly Price: \$ _____ per week (at the option of the Town)

2016 Weekly Price: \$ _____ per week (at the option of the Town)

PART 2:

Bid for Seasonal Grounds Maintenance for B) Water District Additional Properties
C) Water District Additional Properties for 2014
(with Town options for 2015 and 2016)

Please indicate your bid for the specified work as detailed herein for each of the three years as follows:

SEASONAL GROUNDS MAINTENANCE SERVICES COMMENCING THE LAST WEEK OF APRIL AND ENDING THE LAST WEEK OF OCTOBER, OR SUCH EXTENDED WEEK(S) AS THE TOWN NOTIFIES THE SUCCESSFUL BIDDER.

Please quote a weekly price for services as specified herein.

B) WATER DISTRICT ADDITIONAL PROPERTIES (Exhibit A)

2014 Weekly Price: _____ per week

2015 Weekly Price: _____ per week (at the option of the Town)

2016 Weekly Price: _____ per week (at the option of the Town)

C) GENERAL FUND ADDITIONAL PROPERTIES (Exhibit B)

2014 Weekly Price: _____ per week

2015 Weekly Price: _____ per week (at the option of the Town)

2016 Weekly Price: _____ per week (at the option of the Town)

PART 3:

As an authorized representative of the identified company, I accept all the terms and conditions identified in Request for Bids for Seasonal Grounds Maintenance Services for (A) Chadwick Lake Park, (B) Water District Additional Properties and (C) General Fund Additional Properties and further certify that the Bidder will furnish, at the price herein quoted, the services as proposed on this bid.

Company Name and Address

By: _____, an authorized representative
Signature

Date: _____

Print Name & Title _____

Email Address: _____

Phone Number: _____

Fax Number: _____

NO BID PROPOSAL WILL BE ACCEPTED UNLESS THE SAME IS SIGNED.
SEALED BIDS TO BE CLEARLY MARKED: "PROPOSAL FOR CHADWICK LAKE
PARK AND ADDITIONAL SITES GROUNDS MAINTENANCE"

FORM B
STATEMENT OF EXPERIENCE
AND GENERAL INFORMATION

Please complete the following qualification and requirement questions as provided for herein. Respondents are responsible for submission of accurate and clear descriptions of the information requested. Omissions, vagueness or inaccurate descriptions or responses shall not be interpreted in favor of the bidder and shall be grounds for bid rejection.

- A) The bidder must demonstrate that the bidder has had three (3) years acceptable prior experience in providing grounds maintenance service contracts. This qualification may be satisfied by listing at least one firm your company has provided service to, please include a brief description of work, contact person, and telephone number for each year from 2011 to 2013.

2011

Customer:

Description:

Contact Person:

Phone #:

2012

Customer:

Description:

Contact Person:

Phone #:

2013

Customer:

Description:

Contact Person:

Phone #:

B) Does your response comply with this requirement?

YES _____ NO _____

How many years of experience in lawn maintenance services does your company have?

General Information

Please provide the following information:

a) Name and title of executive in charge

b) Name of Supervisor

c) Years of experience in business _____

d) Contact person(s) and phone number(s) that shall be contacted

How many employees will be assigned to the Town's account?

Have you previously serviced other large commercial accounts?

YES _____ NO _____

B) The successful bidder must comply with New York State Labor Laws.

Does your response comply with this requirement?

YES _____ NO _____

C) All bidders must have proper equipment and related materials necessary to provide this service.

Please give a brief description of how you satisfy this requirement.

E) All bidders shall be required to execute and submit a non-collusion statement with their bids in accordance with New York State law. Does your bid submission include a completed and executed non-collusion statement.

YES _____ NO _____

F) Bidders having premises in the Town of Newburgh shall be in compliance with zoning and all other applicable Code requirements. Have you received any notice that your premises or use do not comply with the Town of Newburgh Code?

YES _____ NO _____

It is mutually understood and agreed that the successful vendor shall not assign, transfer, convey, sublet or otherwise dispose of its contract or its right, title or interest therein, or its power to execute such contract, to any other person, firm or corporation, without the previous written consent of the Town of Newburgh. Failure to comply with this requirement will result in the cancellation of the contract.

FORM C
NON-COLLUSIVE BIDDING CERTIFICATION

Company Name: _____

Business Address: _____

Telephone Number: _____

Date of Bid: _____

By submission of this bid proposal, the bidder certifies that he is complying with Section 103-d of the General Municipal Law as follows:

Statement of non-collusion in bids and proposals to political subdivision of the state. Every bid or proposal hereafter made to a political subdivision of the state or any public department, agency or official thereof where competitive bidding is required by statute, rule regulation, or local law, for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties of perjury:

Non-collusive bidding certification.

“(a) By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best knowledge and belief:

- (1) The prices in this bid have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor.
- (2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
- (3) No attempt has been made or will be made by the bidder to induce any other persons, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.”

“(b)” A bid shall not be considered for award nor shall any award be made where (a) (1) (2) and (3) above have not been complied with; provided, however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefore. Where (a) (1) (2) and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition. The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of subparagraph one (a).

Any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one of the section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.

Signature (Authorized) _____

Title _____

FORM D
CERTIFICATE OF COMPLIANCE
WITH GENERAL MUNICIPAL LAW
SECTIONS 103-a AND 103-b
GROUND FOR CANCELLATION OF CONTRACT BY MUNICIPAL
CORPORATIONS

Upon the refusal of a person, when called before a grand jury to testify concerning any transaction or contract had with the State, and political subdivision thereof, a public authority or with any public department, agency or official of the State or of any political subdivision thereof or of a public authority, to sign a waiver of immunity against subsequent criminal prosecution or to answer any relevant question concerning such transaction or contract, (A) such person, and any firm, partnership or corporation, of which he is a member, partner, director or officer shall be disqualified from thereafter selling to or submitting bids to or receiving awards from or entering into any contracts with any municipal corporation or any public department, agency or official thereof for goods, work, or services, for a period of five years after such refusal, and (B) any and all contracts made with any municipal corporation or any public department, agency or official thereof, since the effective date of this law, by such person, and by any firm, partnership or corporation of which he is a member, partner, director or officer may be canceled or terminated by the municipal corporation without incurring any penalty or damages on account of such cancellation or termination, but any monies owing by the municipal corporation for goods delivered or work done prior to the cancellation or termination shall be paid. This condition shall be further subject to any other provisions or subsequent amendments to Section 103a and 103b of the General Municipal Law.

In acknowledgment of the above:

Bidder's Business Name

By: _____

Title: _____

Date: _____

FORM E
STATEMENT OF NO BID
RETURN THIS FORM ONLY IF YOU ARE SUBMITTING
A "NO BID"

It is the intent of the Town of Newburgh to afford all vendors an equal opportunity to bid on all commodities, operating supplies, equipment and/or services as listed in this specification.

In the event your firm declines to bid, kindly advise the Town Clerk to that effect by completing and returning this document.

Town of Newburgh Town Clerk,

We, the undersigned, have declined to bid on your Request for Bids for Community Day Fireworks Display *for the following reasons:*

- We do not offer this product/service*
- We are unable to supply the product/service at this time*
- We are unable to meet the specifications*
- We are unable to meet the bond requirements*
- Other:*

COMPANY NAME:

ADDRESS:

TELEPHONE #:

EXHIBIT A**EXHIBIT B**

B) WATER DISTRICT ADDITIONAL PROPERTIES	C) GENERAL FUND ADDITIONAL PROPERTIES
<p>Fleetwood Colden Park Stewart Tank Rte. 52 Pump Station Meadow Winds Tank and Pump Station Meadow Hill Pump Station Meadow Hill Tanks Chadwick Lake Filter Plant Chadwick Lake Dam Gunsch House & Barn Baxter Property Owens Road Pump Station Frozen Ridge Road Tank D.A.T. Filter Plant and Pump Station PRV #1 Tank #2</p> <p>Billing Address:</p> <p>Town of Newburgh Department of Public Works 311 Route 32 Newburgh, NY 12550</p>	<p>Lancer Drive Island Monarch Drive Town Hall Complex Fleet/Highway Animal Control Public Service Building Mill Street Property</p> <p>Billing Address:</p> <p>Town of Newburgh Recreation Dept. 311 Route 32 Newburgh, NY 12550</p>

EXHIBIT D
ADDITIONAL TOWN OWNED SITES

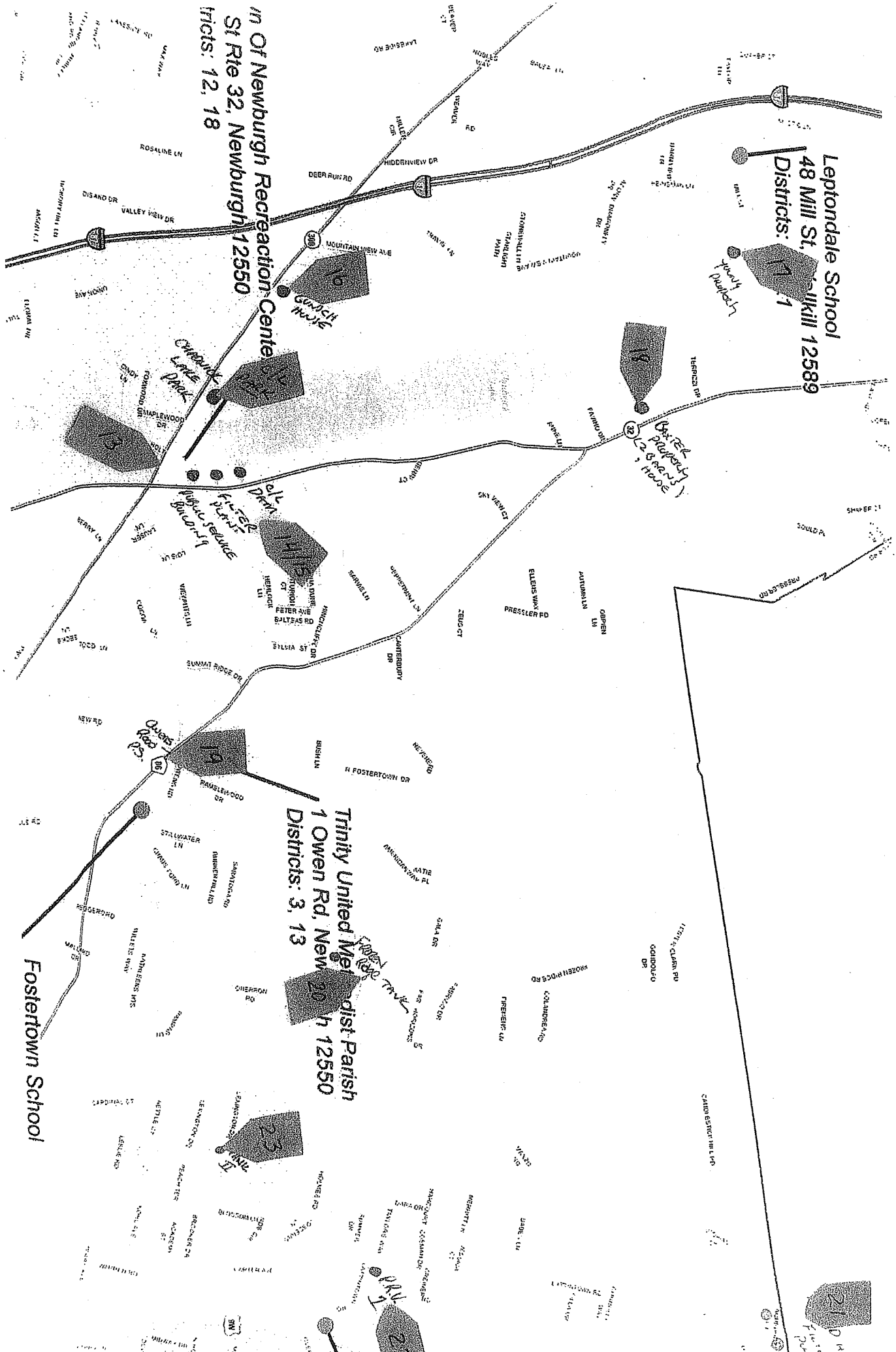
Map Number		Location
1.	Fleetwood Drive	Property at the end of Parkview
2.	Colden Park	Between #18 and #20 on Westwood Drive
3.	Stewart Tank	End of Assembly Way (2 times/month)
4.	Rte. 52 Pump Station	West of I-87 overpass
5.	Meadow Winds Tank and Pump Station	Tank Location - Top of West Meadow Winds/Westly Court Pump Station - West Meadow Winds Lane
6.	Meadow Hill Pump Station	Meadow Hill Road by Stop & Shop
7.	Lancer Drive Island	Across from Meadow Hill School
8.	Meadow Hill Tanks	Driveway between #7 and #9 Coach Lane
9.	Monarch Drive Site	From the house (44 Monarch Drive) to Stewarts'
10.	Town Hall Complex	Maintain all three buildings (Town Hall, Police Department, Code Compliance)
11.	Fleet/Highway Complex	88 & 90 Gardnertown Road, around fleet building to the Road
12.	Animal Control	645 Gidney Avenue, around building
13.	Public Service Building	Corner Rte. 300 & Rte. 32, cut around buildings (string trim between parking lots 1 time/month)
14.	Chadwick Lake Filter Plant	343 Route 32, around building inside the fence also outside in front of building by the road
15.	Dam (behind Chadwick Lake Filter Plant)	String trim both sides of dam 4 times per year . From top to spillway cut area between dam and Filter Plant once a month
16.	Gunsch House & Barn	Route 300, white farm house on north side of road before church
17.	Mill Street Property	Cut only around house by inlet stream - 40 ft. on East side to Lake, stream is boundary on West side
18.	Baxter Property	617 Rte. 32, property contains two barns, house and some sheds
19.	Owens Road Pump Station	Corner of Fostertown Road and North Fostertown Drive
20.	Frozen Ridge Road Tank	Holmes Road and Frozen Ridge Road, 2 times/month
21.	D.A.T. Filter Plant and Pump Station	Inside fence at pump station, along road to Filter Plant, all within Filter Plant fencing (except Marlboro Pump Station)
22.	PRV #1	Corner of Carter Avenue and Lattintown Road, 2 times/month
23.	Tank #2	Lexington Drive

Lepondale School
48 Mill St, Millkill 12589
Districts: 1, 1

In Of Newburgh Recreation Center
St Rte 32, Newburgh 12550
Districts: 12, 18

Trinity United Methodist Parish
1 Owen Rd, Newburgh 12550
Districts: 3, 13

Fostertown School





TOWN OF NEWBURGH RECREATION DEPARTMENT

311 ROUTE 32, NEWBURGH, NY 12550

7B2

Robert J. Petrillo
Commissioner of Parks, Recreation & Conservation

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

April 20, 2015

TO: Gil Piaquadio, Supervisor
Town Board Members

CC: Andrew Zarutskie, Town Clerk

FROM: Robert J. Petrillo, Commissioner

RE: 2015 Seasonal Ground Maintenance at Chadwick Lake Park

The Recreation Department is requesting the Board's approval to exercise their option to select R. Brewer Landscaping to continue the grounds maintenance at Chadwick Lake Park for 2015. Brewer Landscaping has been contacted by the Recreation Department and has agreed to honor their 2015 quote of \$260 per week.

Attached for your review are the 2014 bid details.

Thank you,

Robert J. Petrillo
Commissioner

7C



TOWN OF NEWBURGH RECREATION DEPARTMENT

311 ROUTE 32, NEWBURGH, NY 12550

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

April 14, 2015

TO: Gil Piaquadio, Supervisor
Town Board Members

CC: Charlene Black, Personnel

FROM: Robert J. Petrillo, Commissioner

RE: Recreation Aide - Seasonal Hire

At this time I'm requesting your approval to hire Rachel Terry to the position of seasonal Recreation Aide at the rate of \$8.75/hour. Ms. Terry will be replacing Maria Schettini who was previously approved and has since declined the position. Ms. Terry is an outstanding candidate with four years of previous camp counselor experience.

I am proposing a hire date of June 4th. The funds for this position are available in appropriation code 7140-0100.

Thank you for your consideration.

Regards,

Robert J. Petrillo
Commissioner

TOWN OF NEWBURGH
EMPLOYMENT REQUEST FORM

TO: PERSONNEL DEPARTMENT

NAME OF CANDIDATE: RACHEL TERRY

DEPARTMENT: RECREATION

TITLE OF POSITION: RECREATION AIDE

FULL TIME OR PART TIME: SEASONAL

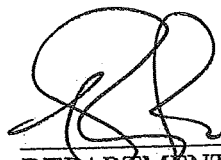
HOURLY RATE: \$8.75

IS POSITION FUNDED IN CURRENT BUDGET: yes or no

FUND APPROPRIATION NUMBER: 7140-0100

PROPOSED HIRE DATE: 6/04/15

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


DEPARTMENT HEAD SIGNATURE

4/16/15
DATE

**ORIGINAL APPLICATION SHOULD BE ON FILE IN THE
PERSONNEL OFFICE.**



**Town of Newburgh
 1496 Route 300
 Newburgh, New York
 845 564-4552**

At the April 20th 2015 Town Board Meeting Supervisor Gil Plaquadio announced a summer intern program.

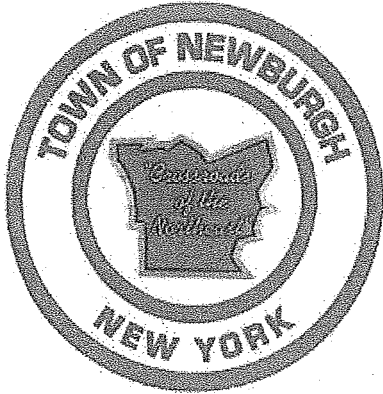
It is common knowledge you learn a lot in school about the world but it's a whole new experience when you enter into the world to find a job in government or politics. Give yourself an advantage over your work competition by experiencing a government internship. Internships equip you with on-the-job training you can use to land your dream job in local, national, international government, or in various areas of education.

Summer internships are a good way to get your head out of the books and learn how government work's to create the laws that govern our town. Unfortunately interns are not paid but is a great experience and asset on you resume and you can select what department you have an interest in and what hours fit your schedule.

To apply as an intern you must be seventeen to twenty two years of age. Preference for this program goes to Town of Newburgh residents. The program is scheduled to start June 15, 2015 and last for six weeks. Interns must sign a release form. Interns must also submit short paragraph stating the reason he or she would like to participate in the intern program.

Please contact Acting Supervisor Gil Piaquadio by e-mail supervisor@townofnewburgh.org

####



**Town of Newburgh
1496 Route 300
Newburgh, New York 12550
845 564-4552**

Thank you for your interest in the Town of Newburgh Internship Program

Requirements are:

1. You must be between the ages of seventeen to twenty two years old
2. Preference goes to Town of Newburgh Resident's
3. You must sign a release form.

Please respond to Supervisor Gil Piaquadio at
supervisor@townofnewburgh.org with the following information

1. Your area of Interest
2. The days and hours you would like to intern
3. A short paragraph stating the reason you would like to intern

This is not a paid internship, nor will you receive college credits.

This program will not fulfill community service ordered by a court. You will receive a letter from the town indicating your performance and time you donated.

The program is scheduled to start June 15, 2015 and last for six weeks

Again, thank you for your interest

Gil Piaquadio
Supervisor



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

Branda 9

PERSONNEL DEPT.

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

To: Gilbert Piaquadio, Supervisor
Town Board
Ron Clum, Town Accountant

From: Charlene M Black, Personnel

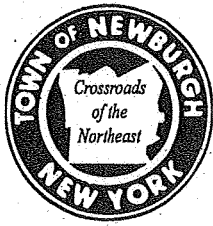
Date: April 16, 2015

Re: Seasonal Workers

The following people have been interviewed for Seasonal Full time(100 days):

Anthony Ponesse, Jr
Nicholas Ponesse

If approved they will need to complete their paperwork, be fingerprinted and Drug and Alcohol tested. If you would like to see their full application, please come to my office and I will have them readily available. A start date on or after April 30, 2015.



HIGHWAY DEPARTMENT

90 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

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

TODD DEPEW
HIGHWAY SUPERINTENDENT

To: Gilbert Piaquadio, Town Supervisor
Town Board
Charlene M Black, Personnel

From: Todd Depew, Highway Superintendent

Date: April 16, 2015

Re: Seasonal Employees

I am recommending the following candidates for full time seasonal work at the Town of Newburgh Highway Department. Their title will be seasonal laborer and the rate of pay will be \$12.00 per hour, with a tentative start date of April 30, 2015. Thank you.

TOWN OF NEWBURGH

EMPLOYMENT REQUEST FORM

To: Personnel Department

NAME OF CANDIDATE: Nicholas Ponesse

DEPARTMENT: Highway

TITLE OF POSITION: Laborer (Seasonal)

FULL TIME OR PART TIME: Full time seasonal


HOURLY RATE: 12.00

IS POSITION FUNDED IN CURRENT BUDGET: YES OR NO

FUND APPROPRIATION NUMBER: 5110.100

PROPOSED HIRE DATE: 4/30/15 or after

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


DEPARTMENT HEAD SIGNATURE

4/17/18
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: Anthony Ponce Jr.

DEPARTMENT: Highway

TITLE OF POSITION: Laborer (Seasonal)

FULL TIME OR PART TIME: Full time Seasonal

HOURLY RATE: 12.00

IS POSITION FUNDED IN CURRENT BUDGET: YES OR NO

FUND APPROPRIATION NUMBER: 5110.100

PROPOSED HIRE DATE: 4/30/15 or after

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

[Signature]
DEPARTMENT HEAD SIGNATURE

4/17/15
DATE

ORIGINAL APPLICATION SHOULD BE ON FILE IN THE PERSONNEL DEPARTMENT

COPY TO ACCOUNTING DEPARTMENT
11/15/2010