

WORKSHOP MEETING AGENDA

Wednesday, May 14, 2014

7:00 p.m.

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. MOMENT OF SILENCE
4. CHANGES TO AGENDA
5. APPROVAL OF AUDIT
6. ENGINEERING:
 - A. Polo Club
 - B. Patton Ridge Outside User Status
 - C. Survey of Old Post Road/River Road
7. ZONING:
 - A. Signs
 - B. Solar Panels
 - C. Requests to County for Agriculture
8. WATER DISTRIBUTION: Hydrant Flushing
9. SEWER: Gidney Avenue
10. SURPLUS EQUIPMENT
11. FLEET MAINTENANCE: Police Emergency Equipment/Lighting Bid
12. RECREATION: Survey of Young Property
13. ADJOURNMENT

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(8) Bulk restrictions.

(a) The following bulk restrictions shall apply to such education facilities:

- [1] Maximum permitted lot building coverage: 15%.
- [2] Maximum permitted building height: 35 feet.
- [3] Maximum permitted lot surface coverage: 50%.
- [4] Minimum required front yard: 75 feet.
- [5] Minimum required lot width: 300 feet.
- [6] Minimum required lot depth: 300 feet.
- [7] Minimum required rear yard: 50 feet.
- [8] Minimum required side yard [one]: 50 feet.
- [9] Minimum requirement for both side yards: 100 feet.

(b) No accessory building or structure shall be located in a front yard.

(9) Such education facilities are subject to architectural review in accordance with Article X.

§ 185-25 Multiple dwellings and townhouses.

A. Ownership. The entire site occupied by a multiple-dwelling or a townhouse development and related accessory structures shall be maintained in single or group ownership or common control throughout the life of the development.

B. Intensity of use.

- (1) The maximum number of dwelling units that may be approved in a townhouse or multiple-dwelling development other than a cluster development shall be computed by multiplying the usable area of the site, in acres, by the appropriate maximum number of dwelling units per acre for the district in which the site is located, as provided in Article IV, Schedules of District Regulations, of this chapter.
- (2) The maximum number of dwelling units shall not be approved unless, in the judgment of the Planning Board, the site plan indicates adequate design and management of open space areas according to all the criteria contained in Article IX, Site Plan Review, with special attention to:
 - (a) Provision of recreation areas.
 - (b) Protection and enhancement of the resources of the site, including landforms, soils, water bodies and natural vegetation.
 - (c) Protection or enhancement of scenic quality.

C. Design criteria.

- (1) Access facilities shall be adequate for the estimated traffic to and from the site to assure the public safety and to avoid traffic congestion in the surrounding neighborhood.
- (2) Vehicular entrances and exits shall be clearly visible from the street and shall be at least 150 feet from the center line of any street intersection. At the intersection of such entrances and exits with the main street, sight distances along the main street shall be sufficient to provide a clear line of sight in each direction equal to the distance traveled in 10 seconds at the posted speed limit.
- (3) The distance between the rear of a principal building and any other principal building shall not be less than 75 feet nor less than twice the height of the taller building.

Newburgh's
current
code
provision

[Amended 9-23-1998 by L.L. No. 10-1998]

- (4) The distance between the side of a principal building and the side of any other principal building shall be not less than the height of the taller of the two buildings.
- (5) The site shall be served by public sewer and water facilities which shall be approved by all agencies having jurisdiction.
- (6) Any parking or garage area, service or drying yard or active recreation area shall be screened so as to adequately protect the view of neighboring properties as well as to assure an attractive environment within the site.
- (7) There shall be provided on any townhouse or multiple-dwelling site common open space at the rate of 700 square feet per dwelling unit. Utilizing the latest edition of the New Practitioners Guide to Fiscal Impact Analysis, published by the Center For Urban Policy Research of Rutgers University, Exhibit 17, Regional and National Demographic Multipliers for Common Configurations of Standard Housing Types for Preschool Children, or other demographic data acceptable to the Planning Board, there shall be provided usable open space for the outdoor play of younger children at the rate of 100 square feet per one preschool-aged child (or fraction thereof) projected as being generated by the proposed housing type(s) according to the proposed number of bedrooms per unit. Such outdoor play area for children shall not be less than 25 feet in its least dimension and shall be reserved and maintained by the owner or homeowners' association and shall be suitably fenced or screened. Such outdoor play area for children may be counted as part of the required usable open space per dwelling unit.
- (8) In any townhouse or multiple-dwelling development, front, rear and side yards shall be established for each block bounded by streets.
- (9) A rear or side yard between any townhouse or multiple-dwelling site and the adjacent single-family use and two-family use on any properties in any residential districts shall have a minimum width or depth in accordance with the following table which supersedes the Table of Use and Bulk Requirements.

[Amended 3-5-2007 by L.L. No. 1-2007]

Minimum Adjacent Side and Rear Yard Requirements Table for Multiple Dwellings and Townhouses Abutting Single-Family and Two-Family Uses in Residential Zones*

Minimum Side/Rear Yard Adjacent to Residential Zone

Building length or height	Average total length of buildings facing residential zone boundary of less than 75 ft. and single story height	50 feet
	Average total length of buildings facing residential zone boundary of 76 to 125 ft. or two story height	55 feet
	Average total length of buildings facing residential zone boundary of 126 ft. or height above two stories on any side	60 feet

NOTE:

*Notwithstanding anything to the contrary herein, however, townhouses accessory to marinas shall be subject to the same bulk requirements as marinas.

- (10) All buffer strips and screening shall be in accordance with the standards and requirements contained in § 185-21, except for property lines abutting multiple dwelling or townhouse use properties in residential zones, the buffer strip shall be at least 50 feet in depth, of which a maximum of 20 feet may be used for parking, and the 30 feet closest to the property line shall contain plantings, either existing or proposed, sufficient to screen the townhouse or multiple-dwelling site from adjacent uses. No off-street parking areas or spaces shall be located within 30 feet of any such side or rear lot line abutting multiple dwelling or townhouse use properties in residential zones. No off-street parking areas or spaces shall be located in any overall parcel's required front yard.

[Amended 3-5-2007 by L.L. No. 1-2007]

D. Conversion of existing dwellings to multifamily use.

- (1) The maximum number of dwelling units that may be permitted in any conversion shall be as set forth in Article **IV**, Schedules of District Regulations, of this chapter.
- (2) The exterior of any dwelling to be converted to multifamily use shall not be enlarged, extended or altered except as required for compliance with the New York State Multiple Dwelling Law.

§ 185-26 Cluster developments.

- A. Purpose. In all districts where cluster developments are permitted, the Planning Board may approve cluster developments and may require proposed subdivisions to be clustered according to the procedures and requirements specified below. The purpose of such development is to provide flexibility in the design and development of land in such a way as to promote the most appropriate use of land, to facilitate the adequate and economical provision of streets and utilities, to preserve the natural and scenic qualities of open space and to protect the resources of the Town. The following provisions of this § **185-26** implement the conditions of Section 278 of the Town Law and add other reasonable conditions the Town Board has determined, pursuant to its authority under Section 278, are appropriate.
[Amended 9-23-1998 by L.L. No. 10-1998]
- B. Intensity of use. Based on consideration of the following criteria, the Planning Board shall determine the maximum number of dwelling units that the site is capable of supporting without causing adverse effects to the resources of the Town:
 - (1) Density. The permitted number of dwelling units shall in no case exceed the number of units that, in the judgment of the Planning Board, would be approved if the parcel were subdivided into lots conforming to the minimum lot size and bulk requirements of this chapter applicable to the district or districts in which such parcel is situated and conforming to all other requirements. In order to determine the appropriate maximum number of dwelling units for the parcel in a manner consistent with the letter and spirit of § 281 of the Town Law (Chapter 62 of the Consolidated Laws, Article 16),^[1] the applicant shall submit a sketch plan for a subdivision of the parcel pursuant to the conventional application of this chapter. An applicant's intention to establish condominium or cooperative ownership shall not relieve him from such justification of the maximum permitted density for the cluster development.
[1]: *Editor's Note: Former § 281 of the Town Law was renumbered as § 278 of the Town Law by L. 1992, c. 727, § 3.*
 - (2) Environmentally sensitive areas. In making its determination of the maximum permitted number of dwelling units for a cluster development, the Planning Board shall consider the requirements for protection of environmentally sensitive resources or unique natural features, such as, but not limited to, steep slopes, wetlands, floodplains and water bodies.
 - (3) Open space management. The maximum number of dwelling units shall not be approved unless, in the judgment of the Planning Board, the site plan indicates adequate design and management of open space areas according to all the criteria contained in Article **IX**, Site Plan Review, with special attention to:
 - (a) Provision of recreation areas.
 - (b) Protection or enhancement of the resources of the site, including landforms, soils, water bodies and natural vegetation.
 - (c) Protection or enhancement of scenic quality.
- C. Ownership. The area of a cluster development shall be in single ownership or under unified control at the time of application, and all common land and facilities shall remain in single ownership or unified control throughout the life of the development.
- D. Utilities. Any cluster development with lot sizes less than (1) acre shall be served by public or central water and sewer facilities, each approved by the appropriate state agency or other entity having jurisdiction. Cluster developments with lot sizes greater than one acre may be served by on-site sewage disposal systems and individual wells.



MEADOW CREEK DEVELOPMENT, LLC

1655 Route 300
Newburgh, NY 12550

PH: 845-787-5380
FAX: 845-787-4820

work session

6A

February 3, 2014

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

Re: Polo Club and Driscoll Projects

Dear Supervisor and Town Council Members:

In June, 2011, I presented to the Council my company's needs and concerns regarding the extension of the Crossroads Sewer and other issue relating to the development of the proposed Driscoll Subdivision and Polo Club projects. At this time, I would request an opportunity to continue our discussion on those issues, as well as to add an additional request.

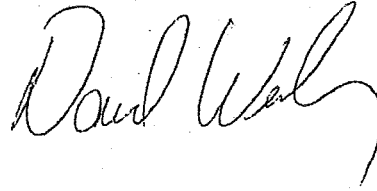
I would like the Council to consider modifying or amending the Town of Newburgh zoning ordinance to permit multifamily units, such as the townhomes proposed at the Polo Club, to be subdivided and sold as fee simple lots rather than as a condominium. Presently the Polo Club has been designed as a condominium and as a result, there are severe limitations imposed on prospective purchasers with regard to financing options. FHA financing, which is a critical and important financing and lending vehicle, will not finance any condominium project unless it is substantially completed. Accordingly, a townhouse project has to have all of the units in a given phase constructed, as well as all of the infrastructure, before a prospective purchaser could qualify for FHA financing. While the present condominium regulations were designed and work well for high rise buildings, they are completely ineffective for townhouse type construction which are generally only built when there are financeable contracts in place.

In the Town of New Windsor, the Town Board has addressed this issue through use of a PUD ordinance which is a special use permit in certain districts. Their PUD ordinance does not alter the site plan requirements or shift any responsibility for maintenance or upkeep of any kind to the Town, however it allows for the subdivision of lots that do not have frontage on a Town road. While the streets would remain private and the overall responsibilities of the Town of Newburgh would not change, the Town would benefit from greater tax revenue since townhomes on individual lots can be taxed at a higher rate than condominiums.

I would appreciate your consideration of this matter as well as the other issues raised in my letter to you dated July 13, 2011, a copy of which is enclosed for your convenience. If you

would like additional information, or have questions, I would be pleased to appear before you to discuss these matters.

Very truly yours,

A handwritten signature in cursive script, appearing to read "David Walsh". The signature is written in black ink and is positioned to the right of the typed name "David Walsh".



MEADOW CREEK DEVELOPMENT, LLC

1655 Route 300
Newburgh, NY 12550

PH: 845-787-5380
FAX: 845-787-4820

July 13, 2011

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

Re: Crossroads Sewer Extension

Dear Supervisor Booth and Town Council Members:

At the Town Board's meeting on June 1, 2011, I presented to the Council my company's needs and concerns regarding the extension of the Crossroads Sewer and other issues relating to the development of the proposed Driscoll Subdivision and Polo Club projects.

As you will recall, my company is currently before the Town's Planning Board regarding two developments – the Driscoll Subdivision which proposes 107 single family homes and The Polo Club that includes 138 townhouses. Both of these proposed projects are located on Route 300, just north of Town Hall, with Driscoll on the east side and Polo on the west.

In order to provide sewer service to these projects, my company has proposed extending the Crossroads Sewer main from its current terminus to the end of the Driscoll property, which includes the additional footage requested by Councilman Woolsey, for a total of approximately 6,500 lineal feet. It will cost approximately \$1,650,000 to extend this 12" main to the requested terminus.

Given that the cost of this off site improvement is so substantial, I requested that the Council consider abating the outside user fees and all connection fees associated with these projects. The extension of the sewer main will provide direct benefits to the Town, enabling it to serve an existing residential development, the Kroll Subdivision, without incurring the costs of the sewer main installation. The proposed extension will also enable the Town to serve commercial properties along Route 300, to the north, capturing additional revenue through outside user fees and sewer bond ratables from those commercial properties with little cost to the municipality.

The development of 245 residential units along the Route 300 corridor and the extension of the Crossroads sewer main will also benefit the Town by reenergizing the local economy through investment in infrastructure and the housing sector, creating new

jobs, promoting smart growth and generating additional municipal fees including building permit fees.

We also discussed traffic improvements to the Route 300/Gardnertown intersection. In the Planning Board's SEQR determination, the Board found that "a turn lane with approximately 200' of storage should be constructed by the applicant on NYS Route 300 at the Gardnertown Road intersection northbound to better accommodate left turn movements." In addition, the Planning Board requested that we meet with the Town Board to determine our fair share of contributions with regard to additional improvements to the Gardnertown/Route 300 intersection and the Route 52/Route 300 intersection. We will comply with the requirement to install the turn lane, however, we believe that this substantial improvement should constitute our entire contribution towards traffic improvements in the area.

Finally, with respect to the payment in lieu of parkland ("recreation fees"), I requested that the Council accept our offer of dedication of parkland at the Driscoll site. We believe we meet the criteria and guidelines contained in Section §163-20 of the Town Code as the Driscoll Subdivision plan reserves a minimum of 10% of the total area to be subdivided, or 7.23 acres, for parks, playgrounds and recreational purposes. These recreational lands include woodlands, which lie adjacent to Quassaic Creek and a grassed meadow area near the Route 300 access road. We are proposing to construct a nature trail along Quassaic Creek and to provide a full size all purpose sport court and children's playground area on the grassed meadow area. These improvements would be made prior to acceptance by the Town of the offer of dedication. With regard to the Polo Club, I indicated that the Council should consider reducing the required fee as the project includes on site recreational facilities for its residents.

I would appreciate your consideration of these matters and await your response. If you would like additional information or have questions, please feel free to contact me.

Very truly yours,


David Weinberg

Cc: Mark Taylor, Esq.

6B

TOWN OF NEWBURGH

MEMORANDUM

TO: Gil Piaquadio, Deputy Supervisor & Town Board
FROM: James W. Osborne, Town Engineer 
DATE: May 12, 2014
RE: **PATTON RIDGE SUBDIVISION**

The Patton Ridge Subdivision is a 16 lot subdivision located at the intersection of Route 52 (South Plank Road) and Patton Road. The Town owns operates and maintains a sewer trunk line located in Route 52. During the construction of this trunk main a sewer stub was installed across Route 52 and a manhole installed in Patton Road to accommodate future extensions of sewer service. Based on this and to eliminate the installation of subsurface disposal systems for this subdivision, it is recommended that the Town Board grant Outside User Status to the project and require the execution of an Outside User Agreement.

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

Cc: M. Taylor, Attorney
J. Platt, DPW Commissioner
J. Venezia – A. Cagney, Assessor's Office
D. Smith, Receiver of Taxes
J. Ewasutyn, Planning Board

Heritage Land Surveying, P.C.
P.O. Box 579
Plattekill, NY 12568

Darren J. Stridiron, P.L.S.
(845)562-4148 office
(845)566-1416 fax

May 7, 2014

Mr. James W. Osborne, P.E.
Town Engineer – Town of Newburgh
1496 Route 300
Newburgh, NY 12550
engineering@townofnewburgh.org

Land Surveying Proposal
PN2014-031 - Marlboro Turnpike/River Road Intersection

Dear Mr. Osborne:

Heritage Land Surveying, P.C. is pleased to provide a proposal for Land Surveying services regarding your project located in the Town of Newburgh, New York. If you have any questions regarding this proposal, please contact me at (845) 562-4148. Thank you.

Sincerely,

Darren J. Stridiron, P.L.S.

SCOPE OF SERVICES

- 1. Research deeds/filed maps in the Orange County Clerk’s Office**
- 2. Research Title Report provided by Town**
- 3. Perform Boundary Survey (1.5 acres+-)**
- 4. Provide cad file in Autocad version 14 format**
- 5. Provide Four (4) Signed and sealed Surveys**

The total fee for the above scope of services is **\$1,200.00** and a retainer in the amount of **\$600.00** is required to commence fieldwork. Final payment is due within 21 days of invoice. A late fee of 2% of the outstanding balance will be charged after the initial 21 days. Please sign this proposal if you are in agreement with the terms.

Darren J. Stridiron, P.L.S. Date
Heritage Land Surveying, P.C

Mr. James W. Osborne, P.E. Date
Town of Newburgh – Town Engineer

Heritage Land Surveying, P.C.
P.O. Box 579
Plattekill, NY 12568

Darren J. Stridiron, P.L.S.
(845)562-4148 office
(845)566-1416 fax

May 7, 2014

Mr. James W. Osborne, P.E.
Town Engineer – Town of Newburgh
1496 Route 300
Newburgh, NY 12550
engineering@townofnewburgh.org

Land Surveying Proposal
PN2014-032 - 114 - 118 Mill Street (Tax lot 4-1-32)

Dear Mr. Osborne:

Heritage Land Surveying, P.C. is pleased to provide a proposal for Land Surveying services regarding your project located in the Town of Newburgh, New York. If you have any questions regarding this proposal, please contact me at (845) 562-4148. Thank you.

Sincerely,

Darren J. Stridiron, P.L.S.

SCOPE OF SERVICES

- 1. Research deeds/filed maps in the Orange County Clerk's Office**
- 2. Review Title Report provided by Town**
- 3. Perform Boundary Survey (8.6 acres)**
- 4. Provide cad file in Autocad version 14 format**
- 5. Provide Four (4) Signed and sealed Surveys**

The total fee for the above scope of services is **\$2,400.00** and a retainer in the amount of **\$1,200.00** is required to commence fieldwork. Final payment is due within 21 days of invoice. A late fee of 2% of the outstanding balance will be charged after the initial 21 days. Please sign this proposal if you are in agreement with the terms.

Darren J. Stridiron, P.L.S. Date
Heritage Land Surveying, P.C

Mr. James W. Osborne, P.E. Date
Town of Newburgh – Town Engineer

additional number thereof, said tree or trees to be planted in median dividers, islands or such other locations as may be acceptable to the Planning Board.

- (b) All planting beds, landscaped islands and pedestrian walkways, if provided, shall be protected by curbs, sturdy posts, rails or walls 1 1/2 to two feet in height or other protective devices and shall be of sufficient width to prevent damage or injury to both plant materials and pedestrians. Additional barriers may be required by the Planning Board to give better protection and to improve pedestrian and vehicular circulation.
- E. Off-street parking of commercial and recreation vehicles in all residential districts. Commercial vehicles may be parked off street in residential districts, provided that: **[Amended 9-23-1998 by L.L. No. 10-1998]**
- (1) The vehicle is engaged in the provision of service, delivery or pickup at a residence.
 - (2) The vehicle is on a private lot, other than those cited in Subsection E(1) above, and is operated by an occupant of the principal building and the commercial vehicle is totally contained within a garage or carport.
 - (3) Farm and agriculturally related commercial vehicles located on agricultural residential parcels are exempt from these regulations.
 - (4) Campers or recreational vehicles, camper trailers and utility trailers may not be parked in a residential district in a required front yard nor between the street line and the principal building. In no event shall such parked vehicles be used for residential purposes.

§ 185-14. Sign regulations.

- A. No sign, poster, advertising display, structure or device shall be erected, moved, enlarged or reconstructed except as expressly permitted by this chapter.
- B. Permitted types of signs.
- (1) The following types of signs may be permitted as indicated in Article IV, Schedules of District Regulations, Use Table, Column A, of this chapter:
 - (a) Professional: a sign in a residential district, freestanding or attached to the building, which shall have an area not greater than four square feet and, if freestanding, shall be set back at least 10 feet from any designated street line. Such signs may be indirectly illuminated by a light integral to the sign. In a nonresidential district a professional sign shall be regulated as a business sign [see Subsection B(1)(c) below].
 - (b) Institutional: a freestanding announcement sign for a school, church or other public or semipublic institution which may be illuminated, shall have an area not greater than 12 square feet and shall be located at least 15 feet from any street line.

- (c) Business: a sign or signs, freestanding or attached to a building, announcing a business establishment on the same lot in a business district or advertising a service or a product available on the same lot in a business district, which may be illuminated. The total area of all such signs on a lot shall not exceed 1/2 of the total length of street frontage of the lot in linear feet. There shall not be more than one freestanding sign, which may not be located closer than 15 feet from any street line.
- (2) The following types of signs may be permitted in any district:
- (a) Identification: one freestanding identification sign at each point of access to the lot which may be illuminated and shall have an area of not more than three square feet apiece.
- (b) Directional: freestanding internal directional signs which may be illuminated and shall have an area of not more than three square feet apiece.
- (c) Real estate: one freestanding nonilluminated sign per lot shall be permitted advertising the sale or rental of the premises on which such sign is located. Said sign shall not exceed a gross area of 12 square feet and shall be located not closer than 15 feet to any street or property line.
- C. Prohibited types of signs and lighting. The following types of signs and lighting shall be prohibited:
- (1) Flashing signs, including any sign or device on which artificial light is not maintained stationary and constant in intensity and color.
- (2) Any sign for which illumination provided is not diffused or indirect or which is arranged so as to directly illuminate neighboring properties in residential districts or any public street. The prohibition on illumination which is not diffused or indirect shall not be deemed to include the following: **[Amended 5-18-2009 by L.L. No. 5-2009]**
- (a) Light-emitting diode (LED) and liquid crystal display (LCD) lights which are stationary and constant in intensity and color; and
- (b) Front lighting of carved wood and raised-letter signs so long as the lighting is directed at the sign and does not illuminate nor direct light or glare at neighboring properties or the public street.
- (3) Signs which may compete with or be mistaken for a traffic signal.
- (4) The outlining of the perimeter of the building by direct illumination of all or part of a building.
- (5) Signs not permanently affixed to a permitted building or structure.
- (6) Any sign, advertising display or structure permitted under this chapter exceeding 40 feet in height.

D. Signs shall, in addition, conform to any other regulations set forth in other chapters of this Code.

§ 185-15. Accessory buildings. [Amended 8-16-2010 by L.L. No. 6-2010]

A. A permitted accessory building may be located in any required side or rear yard, provided that:

- (1) Such building, except for farm purposes, shall not exceed 15 feet in height.
- (2) Such building shall be set back at least five feet from any side or rear lot line and at least 10 feet from the main building.
- (3) Such building shall not occupy more than 10% of the required yard area in which it is proposed to be situated.
- (4) An accessory use to a principal residential use, as listed in Article IV, Schedules of District Regulations, Use Table, Column A, that is housed within an accessory building shall be limited to a maximum of 1,000 square feet or to a lower number as may be determined by the following formula:

$$\frac{A + (B \times C)}{100} = D$$

Where:

- A = Gross area of lot in square feet.
- B = Livable floor area of residence in square feet.
- C = Minimum requirement in the zoning district for one side yard, in feet.
- D = Total square footage permitted for all accessory buildings.

(5) Yards having a line bounding on the right-of-way of Interstate Route 87 or Interstate Route 84 shall not be considered front yards for purposes of this § 185-15.

B. No such building shall project closer to the fronting street than the front of the main building. This regulation shall not apply when the fronting street is the right-of-way of Interstate Route 87 or Interstate Route 84.

§ 185-16. Fences and walls.

- A. Fences and walls shall be permitted in any yard or along the edge of a yard; however, no fence shall be erected within the right-of-way of a public road.
- B. Within any residence district, fences or walls within required front or side yard areas shall not exceed six feet in height from ground level.

7A

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

David A. Donovan
Michael H. Donnelly
Robert J. Dickover

James B. Biagi, of Counsel

Successor Law Firm To:
Alexander Appelbaum, P.C., Florida, N.Y. (1915-1988)
Ludmerer & Vurno, Esqs., Warwick, N.Y.

28 Bruen Place
P.O. Box 610
Goshen, NY 10924
Phone (845) 294-9447
mail@dddllaw.com
Fax (845) 294-6553
(Not for Service of Process)

May 13, 2014

Town of Newburgh Town Board
1496 Route 300
Newburgh, New York 12550

RE: Proposed Sign Ordinance Local law

Members of the Board:

The planning board took up consideration, during its meeting held on May 1, 2014, of your request for comments on the possible amendment to the zoning code's sign provisions. The planning board has asked me to provide you with this report of their initial assessment.

It is the firm belief of the planning board that the sign provisions of the code, particularly those relating to sign area formulas, are in need of revision. The planning board further endorses the concept of appropriate regulation of electronic signs.

The planning board will, of course, comment further once a local law has been prepared.

Very truly yours,

MICHAEL H. DONNELLY

Cc: Town of Newburgh Planning Board

7B

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

David A. Donovan
Michael H. Donnelly
Robert J. Dickover

James B. Biagi, of Counsel

Successor Law Firm To:
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Ludmerer & Vurno, Esqs., Warwick, N.Y.

28 Bruen Place
P.O. Box 610
Goshen, NY 10924
Phone (845) 294-9447
mail@ddbllaw.com
Fax (845) 294-6553
(Not for Service of Process)

May 13, 2014

Town of Newburgh Town Board
1496 Route 300
Newburgh, New York 12550

RE: Solar Panel Zoning Amendment

Members of the Board:

The planning board took up consideration, on May 1, 2014, of your request for comments on the possible amendment to the zoning code to add regulatory provisions governing solar panel arrays. The planning board has asked me to provide you with this report of their initial assessment of that proposal.

The planning board has not had occasion to review site plan applications for stand-alone solar facilities. However, hearing from Gerry Canfield in regard to the potential issues such applications raise, the planning board endorses the concept of *getting ahead of the curve* and enacting appropriate regulation in advance of any application coming before the planning board. Most particularly, the planning board recommends consideration of appropriate yard setback requirements and coverage limitations for solar arrays.

The planning board will, of course, comment further once a local law has been prepared.

Very truly yours,

MICHAEL H. DONNELLY

Cc: Town of Newburgh Planning Board

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Town of Newburgh Hydrant Flushing May 2014

The Town of Newburgh Water Department will begin flushing of distribution mains, laterals and hydrants, on Tuesday, May 27, 2014, at approximately 8:00 A.M.

THIS MAY RESULT IN SOME DISCOLORATION OF WATER

The major portion of this operation should be completed by Friday, May 30, 2014.
Remainder of the area flushing will be conducted June 2 through June 6, 2014.

Curtailment of any unnecessary water usage during this period will be appreciated and will aid the department in completing this program as quickly as possible.

BY ORDER OF:

THE TOWN OF NEWBURGH TOWN BOARD
Gil Piaquadio, Acting Town Supervisor
Andrew J. Zarutskie, Town Clerk
George Woolsey, Councilman Elizabeth Greene, Councilwoman
Paul I. Ruggiero, Councilman

Town of Newburgh Water Department
Tel. 564-7813

TOWN OF NEWBURGH

MEMORANDUM

TO: Gil Piaquadio, Deputy Supervisor & Town Board

FROM: James W. Osborne, Town Engineer *JWO*

DATE: May 12, 2014

RE: **GIDNEY SEWER DISTRICT**

The Gidney Sewer District has a budget shortfall of approximately \$170,000 for 2013. The major cause of this shortfall was payment for Contracted Treatment in excess of available budget.

After discussion with Jackie Calarco, Town Accountant it is recommended that the Town Board consider borrowing the necessary funds from the Crossroads Sewer District which has a sufficient available funds to cover the amount. The details of the borrowing would need to be finalized with the Town Accountant and/or the Town's Attorney as necessary.

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

Cc: M. Taylor, Attorney
 J. Calarco, Town Accountant
 J. Platt, DPW Commissioner

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 March, 2014 at 7:00 o'clock p.m.

PRESENT:

Gilbert J. Piaquadio, Deputy Supervisor
and Councilman

George Woolsey, Councilman

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

RESOLUTION TO AUTHORIZE
INTER-FUND ADVANCE FROM
THE CROSSROADS SEWER DISTRICT
TO THE GIDNEY SEWER DISTRICT

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

BE IT RESOLVED, that the Town Board hereby approves the following inter-fund advance from the fund balance of the Crossroads Sewer District to the funds of the Gidney Sewer District:

\$170,000.00 to the Gidney Sewer District;

and

BE IT FURTHER RESOLVED, that said advance shall be repaid to the Crossroads Sewer District, with fair market interest as determined by the Town Accountant, in accordance with law.

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

George Woolsey, Councilman _____ voting _____

Elizabeth J. Greene, Councilwoman _____ voting _____

Paul I. Ruggiero, Councilman _____ voting _____

Gilbert J. Piaquadio, Deputy Supervisor and Councilman _____ voting _____

The resolution was thereupon declared duly adopted.

I, Andrew J. Zarutskie, the duly elected and qualified Town Clerk of the Town of Newburgh, New York, do hereby certify that the following resolution was adopted at a regular meeting of the Town Board held on _____, 2014 and is on file and of record and that said resolution has not been altered, amended or revoked and is in full force and effect.

Andrew J. Zarutskie, Town Clerk
Town of Newburgh

Git

10



TOWN OF NEWBURGH POLICE DEPARTMENT

300 Gardnertown Road, Newburgh, New York 12550

Michael Clancy
CHIEF OF POLICE

845-564-1100
FAX: 845-564-1870

April 16, 2014

The following item were taken to the conex for disposal. Inventory item numbers are as follows;

- 16375 computer monitor
- 15972 " "
- 16001 " "
- 15970 Computer
- 15840 Computer
- 10894 "
- 10956 "
- 11636 "
- 15319 "
- 15762 "
- 15915 "

Detective David T. Otto

	Date	Department	Person Performing Inventory	Page #		
	4/14/14	Personnel	C. Williams	55		
1	Asset # 15002	Description of Item Brothers for Machines	Serial # W0302MHK	Manufacturer Brother	Model 8587A3	Year
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	Date	Department	Person Performing Inventory	Page #
1	4/9/14	Water Dept	C. Mathis	97
2	16380	Cell Computer	6RG YDL-1	
3	11636	Pull Computer Steen Dept	5025741	
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Date	Department	Description of Item	Person Performing Inventory	Serial #	Manufacturer	Model	Year
3-5-2014	Tax Rec		C. Wastings				
1	Asset #						
15292		Elec. Equip Typewriter-IBM					
2	15302	Monitored Outlet P193					
3							
4	15344	Computer Screen Dell 3002					
5	16403	Calculator					
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Cindy Martinez

From: Mary Lou Venuto <receiveroftaxes@hvc.rr.com>
Sent: Wednesday, March 05, 2014 10:21 AM
To: Cindy Martinez
Subject: surplus items

Cindy

The following are the surplus items that are not needed in the Receiver's Office

Computer screen item # 15344 ✓

Computer screen item # 15302 ✓

Calculator item # 16403

Typewriter item # 15292 ✓

Let me know when I can ask Les to bring the items to the recycle bin

Thank You
Enjoy the day
Debbie

*Taken off the log book
3/5/2014 (CMA)*



TOWN OF NEWBURGH RECREATION DEPARTMENT

311 ROUTE 32, NEWBURGH, NY 12550

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

October 28, 2013

TO: Wayne Booth, Supervisor
FROM: Robert J. Petrillo, Commissioner
RE: Remove from Inventory

Please **remove** the following item numbers from the inventory control list.

<u>Inventory No.</u>	<u>Item</u>	<u>Reason</u>
#15270	Dell 15" Monitor	Outdated Technology
#15266	Gateway 15" Monitor	Outdated Technology
#15229	Dell 13" Monitor	Outdated Technology
#11670	Dell 13" Monitor	Outdated Technology
N/A	Dell 15" Monitor	Outdated Technology
N/A	Dell 15" Monitor	Outdated Technology
N/A	Dell 15" Monitor	Outdated Technology
N/A	HP LaserJet 4100N Printer	Outdated Technology
N/A	IBM PPSII 2391 Printer	Outdated Technology
N/A	4 - Dell Quiet Key Keyboards	Outdated Technology

The above items were disposed of during the electronic equipment collection at the Highway Department on Friday, October 25th.

<u>Inventory No.</u>	<u>Item</u>	<u>Reason</u>
#10432	Refrigerator	Broken
#10434	Black Barrel Seat Chair	Broken
#10446	Black Barrel Seat Chair	Broken
#10449	Black Barrel Seat Chair	Broken
#10451	Black Vinyl Chair w/Arms	Broken

<u>Inventory No.</u>	<u>Item</u>	<u>Reason</u>
#10455	Black Chair (fabric)	Broken
#10530	Red Stackable Chair	Broken
#15260	Red Stackable Chair	Broken
#10617	Weedwacker	Broken
#11250	Weedwacker	Broken

Thank you,



Robert J. Petrillo
Commissioner

B38105

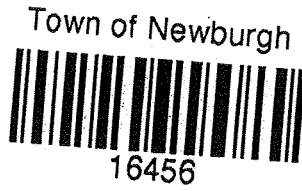
	Date	Department	Person Performing Inventory	Page #
	8/26/13	Animal Control	Candy Williams	38105
1	10854	Monitor	E173EPT	
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Date	Department	Person Performing Inventory	Page #		
3/18/13	Capital Budget	Janet Williams	4 of 105		
Asset #	Description of Item	Serial #	Manufacturer	Model	Year
1	Old State				
2	Item To Use - known				
3	Cost				
4	Has replacement as of				
5	three dates 3/13/13				
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	Date	Department	Person Performing Inventory	Page #
	2/21/12	Department Central	(Candy Martinez)	4 of 105
	Asset #	Description of Item	Serial #	Manufacturer
1	16456	new Antelera	105A0346026101	
2		DVR		
3				
4		Replacing the old DVR - asset 16374		
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Model SV16000
Year 2012

2/21/12



Gave to Animal Control for

DVR

2/21/12
Replacing DVR which keeps
Blocking Out -

Old DVR 16374

New DVR - 16456 Intellex
Model # DV16000

Ser. # 105A 0346026101

Pg 4 of 105
Inventory Book

2/21/12

Town of Newburgh



16456

Gave to Animal Control for

DVR

2/21/12
Replacing DVR which keeps
Blocking Out -

Old DVR: 16374

New DVR - 16456 Intellex
Model # DV16000

Ser. # 105A 0346026101

Pg 4 of 105
Inventory Book

2/21/12

Exam. Swap

New one

Town of Newburgh



16456

INTELLEX

DUR. -

Model
DV 16000

In 105#0346026101

8/26/13

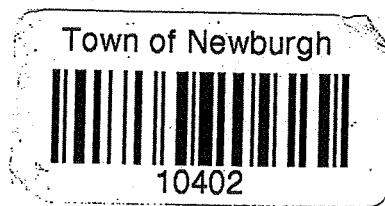
Date	Department	Person Performing Inventory	Page #		
	Cable Compliance	Cindy Hopkins	17 of 105		
Asset #	Description of Item	Serial #	Manufacturer	Model	Year
1	10402				
2	Logan Printer - Pama Fax - NF	2F-297	UG 3313	Panasonic	R550
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8/26/13

Code

UG FAX
3313

Phasonix
UFS50



	Date	Department	Supervisor	Person	Performing	Inventor	Page #	2018	105
	Asset #	Description of Item	Serial #	Manufacturer	Model	Year			
1	16393	FAX	06163910514188	Brother	4100e	5/27/10			
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4/14/2010 Transfer to TAX OFFICE

from Supervisor office

5/27/10

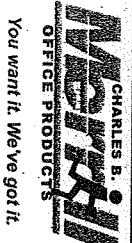
Date 2010

Department

Person Performing Inventory

Page #

	Asset #	Description of Item	Serial #	Manufacturer	Model	Year
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2	16393	Detailer - 4100 E Basic Business Class	U6663900714488	Mathar	4100 e	5/57/10
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7	4/14/11	Transferred to VOR	Officer			
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190 South Robinson Avenue
Newburgh, NY 12550
Phone: (845) 561-5439
www.cbmerrill.com

ORIGINAL

SOLD TO

SHIP TO

SHIPPING NO.

306894-0

CUSTOMER NO.

202700

SHIPPING DATE

05/26/10

SALES PERSON
 ORDER DATE
 STOCK NUMBER

05/25/10

NY 12550

PURCHASE ORDER NO.

ROUTE # A
 TOWN OF NEWBURGH
 SUPERVISOR
 90 GARDNERTOWN ROAD
 NEWBURGH, NY 12550

STOCK NUMBER	ORDER	SHIP	B/O	DESCRIPTION	UNIT
				1 CTNDY///SUPE POISOR FAX, PPF4100E	EA


SUB TOTAL	TAX	TOTAL
289.00	0.00	289.00



11

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

TO: Gil Piaquadio, Acting Supervisor and Town Board Members

FROM: James LaColla, Head Mechanic-Fleet Maintenance 

DATE: May 9, 2014

RE: Police Emergency Equipment/Lighting Bid

**CC: Mike Clancy, Chief of Police
Andrew Zarutskie, Town Clerk**

Request to be placed on agenda May 14, 2014 Town Board Meeting:
On April 28, 2014 at 10:00 AM a bid opening was held for the emergency
equipment/lighting for the following new police vehicles:

- 1 2014 Ford Expedition
- 1 2014 Ford Police Interceptor Utility
- 2 2014 Chevrolet Impalas (unmarked units)
- 4 2014 Ford Police Interceptor Sedans

NYCOMCO/ Hudson Valley Safety Lighting submitted the only bid, a copy of which is
attached. The total price for outfitting these 8 vehicles is \$61,108.00. We have used this
company in the past and their performance has been acceptable. I therefore recommend
that this bid be approved so that we can move forward with outfitting our new cars. If
there are any questions or concerns please contact myself or Chief Clancy.



53 West Cedar Street
Poughkeepsie, NY 12601
845-471-5520
845-471-5593 (fax)
jeff25@nycomco.com

4 Ford Interceptor sedans (Taurus):

- 1 Whelen JE8SP1R Justice 50" full LED light bar W/ take down and alley lights: **\$1,495.00**
- 1 Whelen SK01WDD LED Side Kick lights (Red/white intersection lights): **\$365.00**
- 6 Whelen VTX609 super LED Vertex Hide A Ways (front corner, brake, backup): $\$76.00 \times 6 =$ **\$456.00**
- 2 Whelen RSR03ZCR TIR3 LED lights (grill lights): $\$72.00 \times 2 =$ **\$144.00**
- 2 Whelen RBKT1 grill light brackets: $\$9.50 \times 2 =$ **\$19.00**
- 1 Whelen MBFT11DD LED mirror mounted lights: **\$275.00**
- 1 Delta UTMD-MB siren/light controller: **\$675.00**
- 1 Whelen SA315P 100 watt siren speaker W/ mounting bracket: **\$205.00**
- 1 Unity 211016-0002 LED driver side "A" post spotlight W/ black housing: **\$265.00**
- 1 Unity 258 spotlight mounting bracket kit: **\$53.00**
- 1 Laguna FT3501 transport seat: **\$495.00**
- 1 Setina PK0334ITS12SCA Prisoner partition: **\$508.00**
- 1 Setina ST0380ITS12 Lower partition extension: **\$55.00**
- 1 Setina GK10301S1U Dual gun locking system: **\$349.00**
- 1 Havis Shield C-TFD-INSE-1 folding trunk tray: **\$425.00**
- 1 Havis Shield C-VS-1508-INSE 21" console: **\$355.00**
- 1 Havis Shield C-LP-3 12 volt power plugs: **\$39.00**
- 1 Havis Shield C-CUP2-I dual internal cup holder: **\$39.00**
- 1 Miscellaneous electrical charge: **\$50.00**
- 1 12 Volt distribution kit: **\$129.00**
- 1 Labor for installation: **\$2,200.00**

TOTAL: \$8,596.00 X 4 = ██████████

2: 2014 Chevy Impalas

- 1 Whelen IZ06UF5P passenger side Inner Edge for windshield **\$417.00**
- 1 Whelen AVN2RB dual red/blue Avenger for rear window: **\$255.00**
- 4 Whelen VTX609 super LED Vertex Hide A Ways (brake and backup): $\$76.00 \times 4 = \mathbf{\$304.00}$
- 2 Whelen RSR03ZCR TIR3 red LED grill lights: $\$72.00 \times 2 = \mathbf{\$144.00}$
- 2 Whelen RBKT1 grill light brackets: $\$9.50 \times 2 = \mathbf{\$19.00}$
- 1 Delta UTMD-MB siren/light controller: **\$675.00**
- 1 Whelen SA315P 100 watt siren speaker W/ mounting bracket: **\$205.00**
- 1 Whelen SSFPOS16 solid state headlight flasher: **\$75.00**
- 1 Havis Shield C-VS-1000-IMP-1-TMW 10" console W/ 30" two tier track mount: **\$285.00**
- 1 Havis Shield C-CUP2-E-C dual external cup holder: **\$35.00**
- 1 Havis Shield C-ARM-104 pedestal mount arm rest: **\$115.00**
- 1 Electrical supply charge: **\$50.00**
- 1 12 volt distribution kit: **\$129.00**
- 1 Labor for installation: **\$2,200.00**

TOTAL: $\$4,908.00 \times 2 =$

1 Ford Interceptor Utility:

- 1 Code3 21TRPL52 52" full LED light bar W/ take down and alley lights W/ brackets: **\$1,395.00**
- 6 Whelen VTX609 super LED Vertex Hide A Ways (front corner, brake, backup): $\$76.00 \times 6 = \mathbf{\$456.00}$
- 4 Whelen RSR03ZCR TIR3 LED lights (grill lights): $\$72.00 \times 2 = \mathbf{\$144.00}$
- 4 Whelen RBKT1 grill light brackets: $\$9.50 \times 2 = \mathbf{\$19.00}$
- 1 Whelen MBFX11RR red ION LED mirrors beam kit: **\$305.00**
- 1 Delta UTMD-MB siren/light controller: **\$675.00**
- 1 Whelen SA315P 100 watt siren speaker W/ mounting bracket: **\$205.00**
- 1 Unity 211036-0002 LED driver side "A" post LED spotlight W/ black housing: **\$265.00**
- 1 Unity 259 spotlight mounting bracket kit: **\$49.00**
- 1 Setina PK1130ITU12SCA space saver prisoner partition W/ center slider: **\$710.00**
- 1 Setina GK10301S1UHKSSCA Dual gun locking system: **\$350.00**
- 1 Laguna FE4502 prisoner transport seat W/ rear cargo partition: **\$905.00**
- 1 Havis Shield C-VS-1308-INUT 21" console W/ custom faceplates: **\$369.00**
- 1 Havis Shield C-LP-3 12 volt power plugs: $\$39.00 \times 2 = \mathbf{\$78.00}$
- 1 Havis Shield C-CUP2-I dual internal cup holder: **\$39.00**
- 1 Miscellaneous electrical charge: **\$50.00**
- 1 12 Volt distribution kit: **\$129.00**
- 1 Labor for installation: **\$2,400.00**

TOTAL:

1 Ford Expedition:

- 1 Code3 21TRPL52 52" full LED light bar W/ take down and alley lights W/ brackets: **\$1,395.00**
- 6 Whelen VTX609 super LED Vertex Hide A Ways (front corner, brake, backup): $\$76.00 \times 6 =$ **\$456.00**
- 4 Whelen RSR03ZCR TIR3 LED lights (grill lights): $\$72.00 \times 2 =$ **\$144.00**
- 4 Whelen RBKT1 grill light brackets: $\$9.50 \times 2 =$ **\$19.00**
- 2 Whelen red IONR LED lights for mirrors: $\$129.00 \times 2 =$ **\$258.00**
- 1 Delta UTMD-MB siren/light controller: **\$675.00**
- 1 Whelen SA315P 100 watt siren speaker W/ mounting bracket: **\$205.00**
- 1 Unity 96036-0002 LED driver side "A" post LED spotlight W/ black housing: **\$238.00**
- 1 Unity 240 spotlight mounting bracket kit: **\$49.00**
- 1 Setina PK0355EPD07SCA space saver prisoner partition W/ lower panel and center slider: **\$695.00**
- 1 Setina GK10342UHKSVSCA Dual gun locking system: **\$375.00**
- 1 Setina PK0123EPD072NDSCA rear cargo partition (metal mesh): **\$345.00**
- 1 Havis Shield C-1800 18" console W/ custom faceplates: **\$205.00**
- 1 Havis Shield C-LP-3 12 volt power plugs: $\$39.00 \times 2 =$ **\$78.00**
- 1 Havis Shield C-CUP2-I dual internal cup holder: **\$39.00**
- 1 Miscellaneous electrical charge: **\$50.00**
- 1 12 Volt distribution kit: **\$129.00**
- 1 Labor for installation: **\$2,400.00**

TOTAL: XXXXXXXXXX

Freight: XXXXXXXXXX

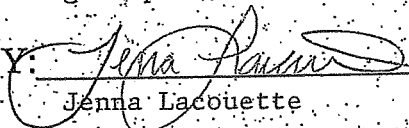
TOTAL BID PRICE: \$61,108.00

FORM C
NON-COLLUSIVE BIDDING CERTIFICATION

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 of 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 person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

The bidder further 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.

Bidder Name and Address: New York Communications Company, Inc.
53 West Cedar Street
Poughkeepsie, NY 12601

Signature (Authorized): BY: 
Jenna Lacouette

Title: Secretary

Date: 4-23-14