

WORKSHOP MEETING AGENDA

Monday, June 20, 2016

7:00 p.m.

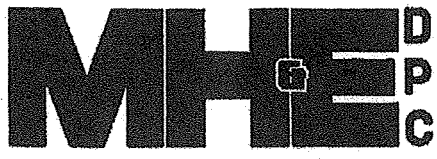
1. ROLL CALL
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. MOMENT OF SILENCE
4. CHANGES TO AGENDA
5. APPROVAL OF AUDIT
6. PLANNING BOARD:
 - A. Mavis Tire
 - i. Stormwater Security
 - ii. Stormwater Maintenance Agreement
 - iii. Landscape Security
 - B. Restaurant Depot
 - C. Golden Vista/Meadow Hill
 - i. Density Bonus
 - ii. Outside User Agreement
 - iii. Stormwater Maintenance Agreement Amendment
7. AMERICAN LEGION: 5K Race
8. ZONING: Stewart Commons
9. ENGINEERING:
 - A. Chadwick Lake Filter Plant Authorization to Solicit Cost Proposals
 - B. Three Lots on a Common Driveway
10. DPW:
 - A. Budget Transfer
 - B. Administrative Assistant
 - C. Water-Sewer Superintendent Contract Management
 - D. Water-Sewer System Mapping Proposal
11. HIGHWAY:
 - A. Road Dedication: Anchorage Drive & Mariner's Court
 - i. Consent of Acceptance
 - ii. Release of Securities
 - B. Transfer of Employee
 - C. Hire of Employee
 - D. Release of Perform Securities for Anchorage Subdivision—Roads & Stormwater
12. ANIMAL CONTROL: T-94 Withdrawal
13. CODE COMPLIANCE: Start Process to Hire Part Time Clerk
14. RECEIVER OF TAXES: On Line Payments
15. LIABILITY INSURANCE
16. ROSETON HILLS SEWER:
 - A. SEQR Determination
 - B. Schedule Public Hearing
17. RECREATION: Camp Variance
18. POTENTIAL EXECUTIVE SESSION:
 - A. Parkland Trust: Purchase of Property
 - B. Water District: Possible Purchase of Well Site

19. ADJOURNMENT

GJP:AJZ

1st Draft 1:50 p.m. 6/17/2016

691



**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

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

15 June 2016

Town of Newburgh
1496 Route 300
Newburgh, NY 12550

ATTENTION: JAMES OSBORNE, TOWN ENGINEER

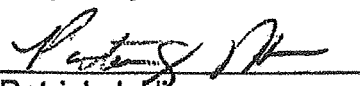
**SUBJECT: MAVIS MIXED USE SITE PLAN (15-03)
STORMWATER SECURITY COST ESTIMATE**

Dear Jim:

This office has received a cost estimate prepared by Bohler Engineering dated 15 June 2016. The cost estimate is based on plans last revised 14 April 2016. Based on our review of the cost estimate this office, which utilized our offices unit costs we would recommend an additional \$15,000.00 be included under miscellaneous for grading of the proposed Stormwater Management facility on the western portion of the site. The original cost estimate identifies improvements totaling \$124,359.93. With the additional \$15,000.00 we would recommend security in the amount of \$139,359.93. In addition to the Stormwater security an Inspection Escrow in the amount of \$4,000.00 should be posted based on the Town code.

A revised estimate based on our requested modification has been received and is attached. Please feel free to contact the undersigned should you require any additional information regarding this matter.

Very Truly Yours,


Patrick J. Hines
Principal

cc: Gilbert Piaquadio, Town Supervisor
Mark Taylor, Town Attorney
John Ewasutyn, Planning Board Chairman
Mike Maines, Mavis
Robert Osterhoudt, Bohler Engineering

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PUBLIC IMPROVEMENT UNIT PRICES
(Updated April 2016)

Description	Unit	Unit Cost	Total Quantity	Total Cost	Completed Quantity	Completed Cost	Remaining Cost
<u>Roadway and Parking Lot</u>							
Grade Subgrade in ROW	SY	\$ 1.05		\$ -		\$ -	\$ -
Cut and Chip Trees	AC	\$ 7,670.00		\$ -		\$ -	\$ -
Stump removal and disposal	AC	\$ 5,310.00		\$ -		\$ -	\$ -
Erosion Control	AC	\$ 3,776.00	3.18	\$ 12,007.68		\$ -	\$ 12,007.68
Silt Fence	LF	\$ 4.50	1710	\$ 7,695.00		\$ -	\$ 7,695.00
Roadway Subbase	CY	\$ 54.25		\$ -		\$ -	\$ -
Roadway Subbase (8" Course)	SY	\$ 12.50		\$ -		\$ -	\$ -
Roadway Subbase (12" Course)	SY	\$ 18.25		\$ -		\$ -	\$ -
Roadway Subbase (15" Course)	SY	\$ 22.50		\$ -		\$ -	\$ -
Asphalt Pavement	TN	\$ 159.25		\$ -		\$ -	\$ -
Asphalt Pavement (1.5" top)	SY	\$ 14.00		\$ -		\$ -	\$ -
Asphalt Pavement (2" top)	SY	\$ 18.00		\$ -		\$ -	\$ -
Asphalt Pavement (3" course)	SY	\$ 27.00		\$ -		\$ -	\$ -
Asphalt Pavement (3.5" course)	SY	\$ 31.50		\$ -		\$ -	\$ -
Asphalt Pavement (4" course)	SY	\$ 36.50		\$ -		\$ -	\$ -
Asphalt Pavement (5" course)	SY	\$ 45.00		\$ -		\$ -	\$ -
Asphalt Pavement (intensive handwork)	TN	\$ 248.00		\$ -		\$ -	\$ -
Tack Coat	SY	\$ 0.80		\$ -		\$ -	\$ -
Double Surface Treatment	SY	\$ 9.50		\$ -		\$ -	\$ -
Roadway ROW Topsoil (6") & Seeding	SY	\$ 15.25	55	\$ 838.75		\$ -	\$ 838.75
Concrete Monuments	EA	\$ 171.00		\$ -		\$ -	\$ -
Roadway As-Builts (50' Wide)	LF	\$ 1.30		\$ -		\$ -	\$ -
Street Signs (Traffic Control)	EA	\$ 265.50		\$ -		\$ -	\$ -
Street ID	EA	\$ 295.00		\$ -		\$ -	\$ -
Concrete Curbing	LF	\$ 35.50		\$ -		\$ -	\$ -
Concrete Sidewalk up to 1000 SY	SY	\$ 100.00		\$ -		\$ -	\$ -
Concrete Sidewalk >1000 SY	SY	\$ 68.50		\$ -		\$ -	\$ -
Concrete Sidewalk (4' Wide)	LF	\$ 45.00		\$ -		\$ -	\$ -
Concrete Sidewalk (5' Wide)	LF	\$ 55.50		\$ -		\$ -	\$ -
Street Trees (2.5" Cal; w/ frame and grate)	EA	\$ 1,300.00		\$ -		\$ -	\$ -
Street Trees (2.5" Cal)	EA	\$ 770.00		\$ -		\$ -	\$ -
Street Lights (std. luminaire, u/g feed)	EA	\$ 8,000.00		\$ -		\$ -	\$ -
Guide Rail (W-Beam)	LF	\$ 59.00		\$ -		\$ -	\$ -
Guide Rail (Box Beam)	LF	\$ 82.50		\$ -		\$ -	\$ -
End Section (W-Beam)	EA	\$ 1,050.00		\$ -		\$ -	\$ -
End Section (Box Beam, Type 1, 9' taper)	EA	\$ 710.00		\$ -		\$ -	\$ -
End Section (Box Beam, Type 2, 18' taper)	EA	\$ 1,420.00		\$ -		\$ -	\$ -
Modular Block Retaining Wall (upto 6' High)	SF	\$ 47.00		\$ -		\$ -	\$ -
Modular Block Retaining Wall (over 6' High)	SF	\$ 59.00		\$ -		\$ -	\$ -
Concrete Retaining Wall (upto 6' High)	CY	\$ 826.00		\$ -		\$ -	\$ -
Concrete Retaining Wall (over 6' High)	CY	\$ 1,005.00		\$ -		\$ -	\$ -
<u>Drainage</u>							
Catch Basin	EA	\$ 4,250.00	7	\$ 29,750.00		\$ -	\$ 29,750.00
Stormwater Manhole	EA	\$ 4,720.00		\$ -		\$ -	\$ -
Connection to Existing Catch Basin	EA	\$ 1,180.00	1	\$ 1,180.00		\$ -	\$ 1,180.00
Stormwater Pipe (CMP - 15" coated)	LF	\$ 76.50		\$ -		\$ -	\$ -
Stormwater Pipe (CMP - 18" coated)	LF	\$ 87.00		\$ -		\$ -	\$ -
Stormwater Pipe (CMP - 24" coated)	LF	\$ 106.00		\$ -		\$ -	\$ -
Stormwater Pipe (CMP - 30" coated)	LF	\$ 150.00		\$ -		\$ -	\$ -
Stormwater Pipe (CMP - 36" coated)	LF	\$ 177.00		\$ -		\$ -	\$ -

PUBLIC IMPROVEMENT UNIT PRICES
(Updated April 2016)

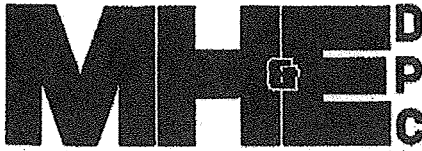
Description	Unit	Unit Cost	Total Quantity	Total Cost	Completed Quantity	Completed Cost	Remaining Cost
Stormwater Pipe (CMP - 48" coated)	LF	\$ 224.00		\$ -		\$ -	\$ -
End Section (CMP - coated)	EA	\$ 708.00		\$ -		\$ -	\$ -
Stormwater Pipe (HDPE - 15")	LF	\$ 65.00		\$ -		\$ -	\$ -
Stormwater Pipe (HDPE - 18")	LF	\$ 80.00		\$ -		\$ -	\$ -
Stormwater Pipe (HDPE - 24")	LF	\$ 88.50		\$ -		\$ -	\$ -
Stormwater Pipe (HDPE - 30")	LF	\$ 106.00		\$ -		\$ -	\$ -
Stormwater Pipe (HDPE - 36")	LF	\$ 124.00		\$ -		\$ -	\$ -
Stormwater Pipe (HDPE - 48")	LF	\$ 165.00		\$ -		\$ -	\$ -
End Section (HDPE)	EA	\$ 708.00	2	\$ 1,416.00		\$ -	\$ 1,416.00
Stormwater Pipe (RCP - 15")	LF	\$ 71.00		\$ -		\$ -	\$ -
Stormwater Pipe (RCP - 18")	LF	\$ 80.00	44	\$ 3,520.00		\$ -	\$ 3,520.00
Stormwater Pipe (RCP - 24")	LF	\$ 88.50	50	\$ 4,425.00		\$ -	\$ 4,425.00
Stormwater Pipe (RCP - 30")	LF	\$ 141.50		\$ -		\$ -	\$ -
Stormwater Pipe (RCP - 36")	LF	\$ 177.00		\$ -		\$ -	\$ -
Stormwater Pipe (RCP - 48")	LF	\$ 253.50		\$ -		\$ -	\$ -
End Section (RCP)	EA	\$ 885.00	6	\$ 5,310.00		\$ -	\$ 5,310.00
Concrete Headwall	EA	\$ 7,200.00		\$ -		\$ -	\$ -
Rip Rap Drainage Channel	CY	\$ 61.50	40	\$ 2,460.00		\$ -	\$ 2,460.00
Non-lined Drainage Channel	LF	\$ 14.25	270	\$ 3,847.50		\$ -	\$ 3,847.50
Perforated Pipe/Stone Underdrain	LF	\$ 30.75		\$ -		\$ -	\$ -
Concrete Box Culvert (6'x4') w/wingwalls	LF	\$ 2,715.00		\$ -		\$ -	\$ -
Concrete Box Culvert (3'x3'), w/wingwalls	LF	\$ 2,125.00		\$ -		\$ -	\$ -
<u>Water</u>							
Watermain (DI - 8")	LF	\$ 94.50		\$ -		\$ -	\$ -
Gate Valve (8")	EA	\$ 2,000.00		\$ -		\$ -	\$ -
Tapping Sleeve and Valve (8")	EA	\$ 7,100.00		\$ -		\$ -	\$ -
Watermain (DI - 12")	LF	\$ 106.00		\$ -		\$ -	\$ -
Gate Valve (12")	EA	\$ 6,050.00		\$ -		\$ -	\$ -
Tapping Sleeve and Valve (12")	EA	\$ 8,850.00		\$ -		\$ -	\$ -
Hydrant Assembly	EA	\$ 6,150.00		\$ -		\$ -	\$ -
House service (w/out licensed plumber)	EA	\$ 2,360.00		\$ -		\$ -	\$ -
Air relief Valve & Vault	EA	\$ 5,900.00		\$ -		\$ -	\$ -
Pressure Reducing Valve & Vault	EA	\$ 12,390.00		\$ -		\$ -	\$ -
Watermain Offset (8")	EA	\$ 5,900.00		\$ -		\$ -	\$ -
Line Stop and Gate Valve installation (8")	EA	\$ 10,620.00		\$ -		\$ -	\$ -
Insertion Valve (8")	EA	\$ 13,000.00		\$ -		\$ -	\$ -
6" C900 PVC	LF	\$ 65.00		\$ -		\$ -	\$ -
6" Gate Valve	EA	\$ 1,180.00		\$ -		\$ -	\$ -
<u>Sewer</u>							
Sewer Main (PVC - 8")	LF	\$ 80.00		\$ -		\$ -	\$ -
Sewer Main (PVC - 12")	LF	\$ 99.00		\$ -		\$ -	\$ -
Sewer PVC Force Main	LF	\$ 80.00		\$ -		\$ -	\$ -
Sewer Manholes	EA	\$ 4,720.00		\$ -		\$ -	\$ -
Doghouse sewer manholes	EA	\$ 7,080.00		\$ -		\$ -	\$ -
House service (w/out licensed plumber)	EA	\$ 1,500.00		\$ -		\$ -	\$ -
<u>Misc.</u>							
Select Backfill Material (in-place)	CY	\$ 62.00		\$ -		\$ -	\$ -
Rock Excavation	CY	\$ 150.00		\$ -		\$ -	\$ -
<u>Other</u>							
Stormwater Pipe (HDPE - 8")	LF	\$ 45.00	388	\$ 17,460.00		\$ -	\$ 17,460.00

Project Name: B140197 - Mavis Redevelopment Project - Storm & Erosion
Planning Board No.: 2015-03

Municipality: Town of Newburgh
Date: 6/15/16

PUBLIC IMPROVEMENT UNIT PRICES
(Updated April 2016)

<u>Description</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total Quantity</u>	<u>Total Cost</u>	<u>Completed Quantity</u>	<u>Completed Cost</u>	<u>Remaining Cost</u>
Stormwater Pipe (HDPE - 12")	LF	\$ 50.00	689	\$ 34,450.00		\$ -	\$ 34,450.00
Stormwater Management Facility (Pond)	EA	\$ 15,000.00	1	\$ 15,000.00		\$ -	\$ 15,000.00
				\$ -		\$ -	\$ -
				\$ -		\$ -	\$ -
				\$ -		\$ -	\$ -
				\$ -		\$ -	\$ -
				\$ -		\$ -	\$ -
				\$ -		\$ -	\$ -
				\$ -		\$ -	\$ -
				\$ -		\$ -	\$ -
				\$ -		\$ -	\$ -
Total:				\$ 139,359.93		\$ -	\$ 139,359.93



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Main Office
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CONSULTING ENGINEERS D.P.C.**

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

16 June 2016

Town of Newburgh
1496 Route 300
Newburgh, NY 12550

ATTENTION: JAMES OSBORNE, TOWN ENGINEER

**SUBJECT: MAVIS MIXED USE SITE PLAN (15-03)
LANDSCAPE SECURITY COST ESTIMATE**

Dear Jim:

This office has received a cost estimate dated 14 June 2016 from Hudson River Contracting Corporation, the project sponsors General Contractor on the site. The cost estimate has been prepared based on plans dated 3 June 2016. The cost estimate identifies the stormwater pond and landscape planting schedule from the plans. A cost estimate for planting is identified as \$27,335.00 and a cost estimate for the topsoil and seeding of disturbed areas is \$24,100.00. Based on a review of the cost estimate this office takes no exception to the Town Board accepting landscape security in the amount of \$51,4035.00 for the Mavis Mixed Use project. In addition to the landscape security an Inspection escrow in the amount of \$1,000.00 should be established per the Town of Newburgh's requirements.

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

Very Truly Yours,

Patrick J. Hines
Principal

cc: Gilbert Piaquadio, Town Supervisor
Mark Taylor, Town Attorney
John Ewasutyn, Planning Board Chairman
Mike Maines, Mavis
Robert Osterhoudt, Bohler Engineering

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H R C C HUDSON RIVER CONTRACTING C O R P.

June 14, 2016

Mavis Tire Supply, LLC
358 Saw Mill River Road
Millwood, NY. 10546

Attn: Michael Manes

Re: Store #19 - Newburgh, NY
1413 Union Ave
Newburgh, NY. 12550
HRCC Job #:15-1544

Mr. Manes;

Below please find the plant lists and costs associated with the plantings & landscaping in connection with the construction documents prepared by Bohler Engineering with revision #8 dated 06-03-16:

POCKET POND PLANTING SCHEDULE							
KEY	QTY	BOTANICAL NAME	COMMON NAME	ROOT	SPACING	RATIO	SQ. FT.
LOW MARSH							
	68	FELTANORA VIRGINICA	ARROW ARROW	2" PLUG	3' O.C.	35%	607
	68	PONTEDERIA CORDATA	PICKERELWEED	2" PLUG	3' O.C.	35%	607
	63	SAGITTARIA LATIFOLIA	DUCK POTATO	2" PLUG	3' O.C.	30%	520
HIGH MARSH							
	25	ACORINUS AMERICANAS	SWEETFLAG	2" PLUG	3' O.C.	35%	230
	25	CALTHA PALUSTRIS	MARSH MARIGOLD	2" PLUG	3' O.C.	35%	220
	21	IRIS VERSICOLOR	BLUE FLAG IRIS	2" PLUG	3' O.C.	30%	188
DEEP POOL							
	16	NUPHAR LUTEA	YELLOW WATER LILY	TUBERS	3' O.C.	60%	135
	15	NYMPHAEA ODORATA	WHITE WATER LILY	TUBERS	3' O.C.	50%	135

LANDSCAPE SCHEDULE					
KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
SHADE TREE					
ARGG	5	ACER RUBRUM 'OCTOBER GLORY'	OCTOBER GLORY RED MAPLE	2 1/2" CAL	BIB
OTR	5	CLETHRA TRICANTHOS VAR. INTERMIS SYNDONE'	STARLE THORNLESS HOENLDCUST	2 1/2" CAL	BIB
NS	4	NYSSA SYLVATICA	TUPELD	2 1/2" CAL	BIB
OR	3	QUERCUS RUBRA	RED OAK	2 1/2" CAL	BIB
	37				
ORNAMENTAL TREE					
CC	3	CERCIS CANADENSIS	EASTERN REDD	2 1/2" CAL	BIB
EVERGREEN SHrub					
JCS	5	ILEX CHRISTATA 'STEEDS'	STEEDS JAPANESE HOLLY	20-30"	#3 CAN
JGS	34	ILEX GLABRA 'SHARROCK'	SHARROCK HOBERRY HOLLY	20-30"	#5 CAN
JBN	68	JUNIPERUS HORIZONTALIS 'BAR HARBOR'	BAR HARBOR CREEPING JUNIPER	15-18" @ 6" PD.	#3 CAN
KLO	5	KALIA LATIFOLIA 'OLYMPIC FIRE'	OLYMPIC FIRE MOUNTAIN LAUREL	20-30"	#4B
ROZE	11	RHOODODENDRON CATAPAVIENSE 'NOVA ZEMBLA'	NOVA ZEMBLA RHOODODENDRON	20-30"	BIB
ROZC	18	RHOODODENDRON KORTUWII 'THO DRUMBOY'	THO DRUMBOY AZALEA	18-24"	#3 CAN
TH	29	TAXUS MEDIA 'NORISKIP'	NORISKIP YEW	20-30"	BIB
	37				
DECIDUOUS SHrub					
CSE	14	CORNUS ALBA 'ELEGANTISSIMA'	VARIEGATED RED TWIG DOGWOOD	2-3'	BIB
PFOD	18	POTENTILLA FRUTICOSA 'GOLD DROP'	GOLD DROP CROWEFOIL	15-18"	#3 CAN
SAP	8	SPIREA JAPONICA 'LITTLE PRINCESS'	LITTLE PRINCESS SPIREA	15-18"	#3 CAN
	37				
PERENNIAL					
HF	22	HOSTA FORTUNEI 'AUREO MARGRATA'	VARIEGATED HOSTA	1 GAL	CONTAINER
HPR	56	HEMEROCALLIS 'HAPPY RETURNS'	LIGHT YELLOW DAYLILY	1 GAL	CONTAINER
PA	37	PENSTEMON ALPESTRIS	SNOWY FOUNTAIN GRASS	2 GAL	CONTAINER
	135				
GRASS AND COVER					
VN	710	VNDA MDR	FERNINGHAM GRASS	2 1/2" PEAT POTS	2 YR. PLANT

NOTE: IF ANY DISCREPANCIES OCCUR BETWEEN AMOUNTS SHOWN IN THE PLAN AND THE PLANT LIST, THE PLAN SHALL PREVAIL.

H R C C
HUDSON RIVER
CONTRACTING
C O R P.

PLANTINGS: \$27,335.00
SEEDING & TOPSOIL : \$24,100.00

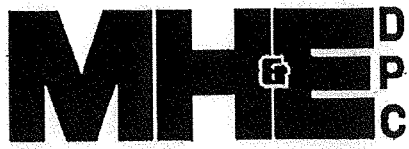
Should you require any further information please do not hesitate to call.

Trusting the above meets with your approval,
Sincerely,
HUDSON RIVER CONTRACTING CORP.



PHILIP APAP
GENERAL MANAGER

6B



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

MARK J. EDSALL, P.E., P.P. (NY, NJ & PA)
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2 June 2016

Town of Newburgh
1496 Route 300
Newburgh, NY 12550

ATTENTION: JAMES OSBORNE, TOWN ENGINEER

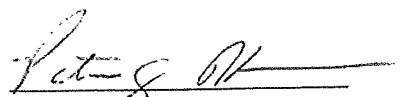
SUBJECT: RESTAURANT DEPOT (15-33)

Dear Jim:

This office has received a request dated 27 May 2016 from the project sponsor for Restaurant Depot (2015-33). The project sponsor has requested the release of security posted in the form of a bank check in the amount of \$30,825.00. This bank check was for work associated with a clearing permit issued by the Town Planning Board in order to allow the clearing of wooded vegetation on the site prior to site plan approval. The project has received site plan approval from the Planning Board and has posted Stormwater security based on a cost estimate submitted by CM & B incorporated. The project has a Stormwater security bond in favor of the Town of Newburgh in the amount of \$419,745.00. (copy attached) Based on the posting of the Stormwater security this office takes no exception in releasing the bank check submitted for the clearing and grading permit. The Stormwater and security bond must remain in full force and effect until released upon completion of all construction activity on the site.

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

Very Truly Yours,


Patrick J. Hines
Principal

cc: Gilbert Piaquadio, Town Supervisor
Gerry Canfield, Code Compliance Supervisor
John Ewasutyn, Planning Board Chairman
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• Regional Office • 111 Wheatfield Drive • Suite 1 • Milford, Pennsylvania 18337 • 570-296-2765 •



Where Restaurants Shop

15-24 132nd Street, College Point, NY, 11356
(718) 559-4290, fax (775) 249-8123 LCohen@jetrord.com

May 27, 2016

Mr. Patrick Hines
Principal
McGoey Hauser & Edsall Consulting Engineers DPC
33 Airport Center Drive, Suite 202
New Windsor, NY 12553

Re: Tree Clearing Security Release Request, Permit #16-0196
Restaurant Depot Project – 1281 Route 300, Newburgh, NY

Mr. Hines,

I am requesting the release of the posted security in the form of a bank check in the amount of \$30,825.00 for the above reference permit. The work authorized by this permit has been completed. Also, as part of Planning Board's approval, we posted appropriate security to cover the necessary erosion control measures for the remainder of the project. Please remit funds made payable to Restaurant Depot to the address below, care of Brian Emmert, Chief Financial Officer.

Should you need anything else in order to process this request, please do not hesitate to contact me.

Respectfully,

Mr. Larry Cohen
Vice-President
JMDH Real Estate of Newburgh, LLC
15-24 132nd Street
Flushing, NY 11356
718-559-4290
lcohen@jetrord.com

DECLARATION

Declaration dated the ___ day of July 2016, is intended to refer to a portion of a parcel designated on the current tax map for the Town of Newburgh as Section 60 Block 1 Lot 9, 9.1 and 9.2, County of Orange, State of New York and more particularly described on Schedule "A" annexed hereto and made a part hereof (hereinafter referred to as "Premises"), and owned by DRA Meadow Hill, LLC, (hereinafter referred to as "DRA") a domestic limited liability company with offices at 47 River Road, Summit, New Jersey.

WITNESSETH:

WHEREAS, DRA is owner in fee simple of the above Premises, and

WHEREAS, DRA has proposed to develop a one hundred eighty-five (185) unit, multi-family housing community (the Project) project of which twenty-one (21) units are designated as senior residential housing units (hereinafter referred to as "Senior Component") upon the Premises, and

WHEREAS, the Town of Newburgh, a municipal subdivision of the State of New York, situate in Orange County, having its principal place of business at 1496 Route 300, Newburgh, NY 12550 (hereinafter referred to as "Town" or "Town of Newburgh") has required that DRA shall record this Declaration in form and content satisfactory to the Attorney for the Town of Newburgh to run with the land to the benefit of the Town of Newburgh, and

WHEREAS, DRA has offered this Declaration to the Town of Newburgh for approval and the Town of Newburgh has approved said Declaration, and

WHEREAS, it is the intention of DRA to file this Declaration in the Orange County Clerk's Office and make the provisions of this Declaration binding upon the Premises owner set forth above and future Premises owners who may eventually take ownership of the Premises.

It is hereby declared as follows:

1. DRA hereby restricts future use of twenty-one (21) units to be located in one (1) building within the larger overall one hundred eighty-five (185) unit multi-family housing community, to senior citizen housing. For the purposes of this Declaration at least one (1) occupant of each of the twenty-one (21) units comprising the Senior Component of the project shall be a person aged fifty five (55) or older. The remaining one hundred sixty-four (164) multi-family shall not be restricted, by this Declaration.

2. DRA hereby provides for and assures the Town that DRA shall be responsible for continued proper future maintenance and ownership responsibilities for all "common areas", facilities and utilities of the Senior Component of the Project. "Common areas" shall mean the lands and improvements that are designated for common use and enjoyment by all occupants, tenants or owners of the Senior Component of the Project, including, without limitation, recreation facilities, outdoor space, driveways and parking areas, landscaping, fences, lobbies, stairs, elevators and laundry rooms.

3. The Town may enforce this Declaration in law or equity, against any or all the owners of the Senior Component of this Project. If there is a violation, or threatened violation, of this Declaration, the Town shall notify DRA by written notice, who shall, in the case of an existing violation, promptly cure the violation by (a) ceasing the violation or (b) restoring the Premises to the condition before such violation, or (c) both, or, in the case of a threatened violation, refrain from the activity that would result in the violation. If a violation continues for more than 30 days after notice is given, or at any time if the violation or a threatened violation threatens immediate and irreparable harm, the Town may seek immediate injunctive relief and all other available legal remedies, and if a violation is determined to have occurred, the owner shall reimburse the Town for all costs and expenses, including reasonable attorneys' fees, incurred in enforcing this Declaration and curing the violation. Failure to enforce any restriction or covenant herein contained shall in no event be deemed a waiver of a right to do so thereafter as to the same violation or breach or as to one occurring prior or subsequent thereto. The rights and remedies provided in this Agreement shall be cumulative, and the exercise of any one or more shall not preclude the exercise, or act as a waiver, of any other right or remedy hereunder, or which may exist at law, in equity or by statute. DRA hereby waives any defense of laches, estoppel or prescription. The Town shall have no cause of action pursuant to this Declaration against DRA for injury or damage to the Senior Component of the Project which is beyond DRA's control, including, without limitation, flood, fire, wind, storms, or earth movement, or from any prudent action taken by DRA, under emergency conditions, to prevent, abate or mitigate significant injury to the Project or adjacent properties from such causes.

4. This Declaration may be amended only upon the written consent of the Town, duly executed by the Supervisor or Deputy Supervisor of the Town upon authorization by the Town Board.

5. Invalidation of any provision of this Declaration by court judgment, order, statute or otherwise shall not affect any other provisions, which shall be and remain in force and effect.

6. The provisions of this Declaration shall run with the land in perpetuity and shall bind and be enforceable against DRA and all future owners and any party entitled to possession or use of the Senior Component portion of the Premises while such party is the owner or entitled to possession or use thereof. As used in this Declaration, the term "owner" includes the owner of any beneficial equity interest in the Premises or any portion thereof; the term DRA includes the DRA, its heirs, successors and assigns, all future owners of all or any portion of the Premises, and any party entitled to possession or use thereof; and the term "Town" includes the Town and its successors and assigns. Notwithstanding the foregoing, upon a transfer of title to the entire Premises, DRA shall have no further responsibility or liability hereunder for acts done or conditions arising thereafter on or with respect to the Premises, but DRA shall remain liable for earlier acts and conditions done or occurring during its ownership.

7. DRA shall perform any further acts and execute and deliver any documents, including amendments to this Declaration, which may be reasonably necessary to carry out the provisions of this Declaration.

8. The Town and its duly authorized representative shall have the right to enter the Property at reasonable times, in a reasonable manner, and where practicable, after giving notice, to inspect for compliance with the terms of this Declaration. The Town shall additionally have the right to examine rental and sale records for the Senior Component of the Project at reasonable times, in a reasonable manner, after giving prior written notice, to ensure compliance with the terms of this Declaration, and to verify occupancy of each unit in accordance with the terms of this Declaration.

IN WITNESS WHEREOF, the party has hereunto set its hands this ___ day of July, 2016.

DRA Meadow Hill, LLC

DRAFT

By: _____
Nicholas W. Minoia, Managing Member

STATE OF NEW YORK, COUNTY OF ORANGE SS:

On the ___ day of July in the year of 2016, before me the undersigned, a Notary Public in and for said State, personally appeared Nicholas W. Minoia, personally known to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Notary Public – State of New York

Schedule A Description

ALL that certain plot, place or parcel of land with the building and improvements thereon erected, situate, lying and being in the Town of Newburgh, County of Orange, State of New York, being more accurately bounded and described as follows:

BEGINNING at a point in the northerly line of Meadow Hill Road, said point being the southerly corner of Lands of Klein; thence from said point of beginning and along Lands of Klein as marked by a stone wall, N 31-28-36 E 84.61' N 37-45-48 E 215.49'; thence continuing along the wall marking the lands of Klein and lands of City of Newburgh N 37-45-48 E 188.61' N 35-58-02 E 266.73'; thence continuing along the wall marking lands of the City of Newburgh and lands of Lawrence; N 37-24-23 E 687.10' to a 1/2" iron pipe; thence continuing along lands of Lawrence as marked by a wall; S 49-42-13 E 189.72'; S 49-25-05 E 202.87'; S 44-21-49 E 208.48'; S 49-55-02 E 104.08' to a wall corner in the line of lands of Rowell; thence along lands of Rowell as marked by a wall S 35-23-38 W 98.64' thence along Rowell and the end of Sycamore Drive and lands of Loupe; S 38-56-43 W 327.30' thence continuing along lands of Loupe; lands of Anderson; lands of Figueroa; lands of Patie and lands of Femenelle as marked by a stone wall on the next several courses and distances; S 37-23-30 W 101.02'; S 37-32-25 W 126.91'; S 39-04-54 W 89.29'; S 36-23-59 W 158.92'; S 38-37-01 W 134.40'; to a wall corner; thence through lands of Pflger as marked by the remains of a stone wall; N 48-45-06 W 84.83'; N 40-48-28 W 98.76'; N 38-26-20 W 28.09'; N 22-46-16 W 27.26'; N 35-38-04 W 52.72'; N 53-03-38 W 93.34' and N 53-35-38 W 60.36' to a point; thence continuing through lands of Pflger; S 28-53-49 W 382.23' to a stone wall marking the northerly line of Meadow Hill Road; thence along Meadow Hill Road as marked by a stone wall; N 60-38-44 W 209.82' and N 64-04-45 W 104.03' to the point of place of beginning.

SUBJECT to grants of record to public utilities.

SUBJECT to zoning ordinances and building regulations of the Town of Newburgh.

SUBJECT to the Order of Dedication to the Town of Newburgh for highway purposes and subject to all other notes and depictions, all as set forth on filed Map #9854 filed with the Orange County Clerk on March 29, 1990.

BEING and intended to be the same premises conveyed to grantors herein by Deed dated September 29, 1987 and recorded with the office of the Orange County Clerk on September 29, 1997 in Liber 4639 of Deeds page 105.

63 D1



JACOBOWITZ AND GUBITS LLP
COUNSELORS AT LAW

June 10, 2016

Gerald N. Jacobowitz
David B. Gubits
Howard Protter
Donald G. Nichol
Larry Wolinsky
J. Benjamin Gailey
Mark A. Krohn*
John C. Cappello
George W. Lithco
Michele L. Babcock
Sanford R. Altman
Gary M. Schuster
William E. Duquette
Kara J. Cavallo
Marcia A. Jacobowitz
Andrea L. Dumais
Alanna C. Iacono
Jennifer S. Echevarria
Kelly A. Pressler
Robert M. Lefland
Christopher J. Cardinale
Peter R. Eriksen**
John H. Thomas, Jr.**
Carmee G. Murphy**

Via Regular Mail and Email

Attn.: Town Clerk, Andrew J. Zarutskie
Town-Clerk@TownofNewburgh.org

Hon. Gilbert J. Piaquadio, Supervisor
and Town Council Members
Town of Newburgh
1496 Route 300
Newburgh, NY 12550

Re: Amended Site Plan, Meadow Hill Road Expansion f/k/a Golden Vista
Multi-Family/Senior Citizen Rental Community, Meadow Hill Road,
Town of Newburgh Tax Map Section 60, Block 1, Lots 9.1 and 9.2
Our File No. 11247-007

Dear Supervisor Piaquadio and Town Council Members:

I am sending this letter on behalf of my client, DRA Meadow Hill, LLC, (DRA) requesting the opportunity to appear at your June 20, 2016 work session meeting to seek approval of several modified agreements and declarations related to the proposed expansion of the above-referenced Meadow Hill multi-family/senior rental community.

DRA purchased what was formerly known as the Golden Vista development and finalized approvals for a 161 unit rental community to be developed pursuant to the senior citizen use provisions of the Town of Newburgh Zoning Code §185-48. This section permits a gross density increase for multi-family development in the R3 zoning district from 6 units to 9 units per acre, so long as one out ever three extra units is devoted to senior citizen use.

At the time of approval of the 161 unit development, 18 units were designated to be located in a single building devoted to senior citizen residency.

DRA has commenced construction of the rental community. However, the opportunity arose to purchase an adjoining 2.577 acre parcel fronting on Meadow Hill Road, formerly owned by Mr. Pirger, on which a home in disrepair was located.

SILVER & LESSER, P.C.**

Barry Silver
Sol Lesser

*LLM IN TAXATION
**OF COUNSEL

158 Orange Avenue
P.O. Box 367
Walden, NY 12586
tel. (845) 778-2121
fax (845) 778-5173

548 Broadway
Monticello, NY 12701
tel. (845) 791-1765
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JACOBOWITZ.COM

Hon. Gilbert J. Piaquadio, Supervisor
and Town Council Members
Re: Amended Site Plan, Meadow Hill Road Expansion
Our File No. 11247-007

June 10, 2016
Page 2

DRA is presently before the Planning Board seeking to incorporate that parcel into an expanded development. The development to include the Pirger parcel would increase the overall density of the development by 24 units for a total of 185 units. Of those additional 24 units, 3 units, representing 1 out of 3 of the additional 9 units allowed, pursuant to referenced §185-48, will be restricted to senior citizen occupancy, raising the total senior citizen units to 21. All 21 senior units will be located in one building devoted solely to senior citizen occupancy.

The proposed rental community as expanded includes a new emergency access off Meadow Hill Road; will result in less grading to the property, negating the need for certain retaining walls; allow stormwater drainage pattern to be slightly revised to relocate a drainage swale that was located near some adjoining residential lots; and finally, result in removing a residence that has generally been considered an eyesore in the area for several years.

At its June 2, 2016, meeting, the Planning Board concluded its SEQR review determining that the proposed mitigation were acceptable and consistent with the negative declaration adopted for the original project since there will be little increase in traffic, and the traffic, water and sewer use, etc. (See copy of letter from Planning Board attorney, Michael Donnelly, Esq. attached hereto.)

The Planning Board referred the site plan to the Town Board for the Board to consider the authorization of use of §185-48 to provide for the density bonus from 6 units per acre to 9 units per acre, with the commitment that one out of those three additional 9 units, that 3 units be devoted to senior housing.

I have prepared and forwarded to the Town Attorney a new declaration restricting the use of those 21 units to senior citizen occupancy, utilizing the same form that was approved for the original development.

It will also be necessary to slightly modify the outside sewer use agreement approved by the Board for the 161 units to reflect the new 185 unit development, as well as amend the stormwater pollution prevention agreement adopted for the original development to reflect these modifications. I forwarded drafts of all such revised documents to the Town Attorney for his review. The applicant's engineer is currently reviewing the matter with the Planning Board's engineering consultants to determine if there is any necessity to amend the stormwater and landscaping security bonds currently held by the Town for this project.

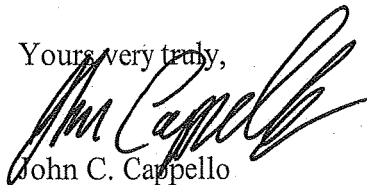
I believe once we present the revisions as proposed, you will agree the slight modifications are beneficial to the area.

Hon. Gilbert J. Piaquadio, Supervisor
and Town Council Members
Re: Amended Site Plan, Meadow Hill Road Expansion
Our File No. 11247-007

June 10, 2016
Page 3

Thank you for your consideration in this matter.

Yours very truly,



John C. Cappello

JCC/je

cc: Mark Taylor, Esq.
Hon. John E. Ewasutyn and Planning Board Members
Michael H. Donnelly, Esq.
Mr. Patrick Hines

6611

Second Amendment to Outside User Agreement

THIS Second Amendment to Outside User Agreement, is made as of the ____ day of July, 2016, by and between the TOWN OF NEWBURGH, a municipal corporation of the State of New York, with principal offices located at 1496 Route 300, Newburgh, New York 12550 (hereinafter the "TOWN") and DRA MEADOW HILL, LLC (successor in interest to MEADOW HILL HOLDINGS, LLC and FREDRIC STEPHENS & CO., INC.), a limited liability corporation with business offices located at 47 River Road, Suite 200, Summit, New Jersey 07901 (hereinafter referred to as "Outside User").

WHEREAS, Reference is made to the Outside User Agreement approved by the Town and dated October 2, 2000 ("Outside User Agreement") concerning the connection to the Crossroads Sewer District at no cost to the TOWN in respect of a development project then stated to involve the construction of 188 senior citizen condominiums on approximately 18.25 acre property identified on the tax map of the Town as Section 60: Block 1; Lot 9.1. A copy of the Outside User Agreement is attached hereto and made part hereof as Exhibit "A";

WHEREAS, Reference is also made to a First Amendment to the Outside User Agreement to reflect the reduction in the number of units from 188 to 161 total units, which amendment is attached hereto and made a part hereof as Exhibit B.

WHEREAS, Outside User represents that it is successor in interest to FREDERIC STEPHEN & CO. INC., and MEADOW HILLS HOLDING, LLC and that it is a limited liability corporation validly existing and in good standing in the State of New York, and that it has authorization to enter into this Agreement and to fulfill all the obligations set forth in this Agreement:

WHEREAS, Outside User received Amended Final Site Plan approvals from the Town of Newburgh Planning Board respecting this development on (a) January 8, 2009, (b) July 21, 2011, (c) by letter application dated August 21, 2011, (d) December 1, 2011 and July __, 2010, with the end result that Amended Final Site Plan approval was granted by the Town of Newburgh Planning Board for the construction and operation of a 185 unit multifamily housing community to include a ± 2.57 acre adjoining parcel currently identified on the tax map of the Town as Section 60 Block 1 Lot 9.2 to be consolidated with prior approval parcel to create a 20.82 parcel more particularly described in Exhibit "C" and hereinafter referred to as the Property with 21 of those units to be senior residential housing units pursuant to Section 185-48 of the Code of the Town of Newburgh and the remaining 164 units to be market rate, non-age restricted units ("Project") with the aforesaid revised fourth amended approval granted by the Town of Newburgh Planning Board on July __, 2016; and

NOW, THEREFORE, for valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The Outside User Agreement is hereby modified and amended in all respects to

provide for the Project to consist of the construction and operation of a One Hundred Eight-Five (185) unit multifamily housing community with (a) Twenty-one (21) of those units to be senior residential housing units pursuant to Section 185-48 of the Code of the Town of Newburgh and (b) the remaining One Hundred Sixty-Four (164) units to be market rate, non-age restricted. Resulting in a total amount required under this agreement of \$647,500.00.

2. The parties acknowledge that at the time the October 2, 2000 agreement was signed the OUTSIDE USER paid to the Town \$25,000.00 towards the amount required under this agreement.

3. The OUTSIDE USER shall pay the remaining \$622,500.00 and owing under this agreement in equal installments of Three Thousand Five Hundred (\$3,500.00) upon the issuance of a Certificate of Occupancy for each unit in the PROJECT, until the entire \$622,500.00 amount is paid in full.

4. Except as hereinabove modified and amended, all of the terms and conditions of the Outside User Agreement shall continue in full force and effect.

Town of Newburgh

DRAFT

By: _____

Gil Piaquadio, Supervisor

DRA Meadow Hill LLC

DRAFT

By: _____

Nicholas W. Minoia, Managing Member

STATE OF NEW YORK)
)ss.:
COUNTY OF ORANGE)

On the ___ day of July, 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared NICHOLAS W. MINOIA, as Managing Member of DRA Meadow Hill, LLC, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Notary Public, State of New York

STATE OF NEW YORK)
)ss.:
COUNTY OF ORANGE)

On the ____ day of July, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared GIL PIAQUADIO, as Supervisor fo the Town of Newburgh, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Notary Public, State of New York

6. 6 III

Section: 60
Block: 1
Lots: 9.1 & 9.2

TOWN OF NEWBURGH

Amended and Restated

Stormwater Control Facility Maintenance Agreement

THIS AGREEMENT is made this ____ day of July, 2016, by and between the Town of Newburgh, having an address at 1496 Route 300, Newburgh, New York 12550 ("Municipality") and DRA Meadow Hill, LLC, having an address at 47 River Road, Summit, New Jersey 07901 (the "Facility Owner").

Whereas, the Municipality and the Facility Owner entered into an agreement dated September 24, 2015, and recorded in the Office of the Orange County Clerk on November 19, 2015 in Liber 13974 at Page 357, regarding a parcel on real property designated on the Town on Newburgh Tax Map as Section 60, Block 1, Lot 9.1 ("2015 Agreement"); and

Whereas, the Facility Owner has expanded the Facility to include a parcel on real property designated on the Town on Newburgh Tax Map as Section 60, Block 1, Lot 9.2; and

Whereas, the Facility Owner is the owner of the real property designated on the Town on Newburgh Tax Map as Section 60, Block 1, Lot 9.1 and 9.2, consisting of approximately 20.82 acres more particularly described in Schedule "A" annexed hereto and made a part hereof (the "Property"); and

Whereas, the Municipality and the Facility Owner want to amend and restate the 2015 Agreement to provide for the long term maintenance and continuation of stormwater control measures approved by the Municipality for the below named project; and

Whereas, the Municipality and the Facility Owner desire that the stormwater control measures be built, in accordance with the approved project plans as amended and approved by the Town of Newburgh Planning Board on July ____, 2016, and thereafter be maintained, cleaned, repaired, replaced and continued in perpetuity in order to ensure optimum performance of the components.

Now, therefore, the Municipality and the Facility Owner agree as follows:

1. The 2015 Agreement is hereby amended and restated as follows:
2. This agreement binds the Municipality and the Facility Owner, its successors and assigns to the maintenance provisions depicted in the approved project plans and Stormwater Pollution Prevention Plan which are on file with the Municipality's Stormwater Management Officer.
3. The Facility Owner shall maintain, clean, repair, replace and continue the stormwater control measures depicted on the approved project plans for the Facility known as Meadow Hill

Road Expansion f/k/a Golden Vista on and about the Property, as necessary to ensure optimum performance of the measures to design specifications. The stormwater control measures shall include, but shall not be limited to, the following: drainage ditches, swales, dry wells, infiltrators, drop inlets, pipes, culverts, soil absorption devices and retention ponds and other stormwater practices identified in the Stormwater Pollution Prevention Plan (SWPPP) approved by the Municipality.

4. The Facility Owner shall be responsible for all expenses related to the maintenance of the stormwater control measures and shall establish a means for the collection and distribution of expenses among parties for any commonly owned facilities.

5. The Facility Owner shall provide for the periodic inspection of the stormwater control measures, not less than once a year, to determine the condition and integrity of the measures. Such inspection shall be performed by a Professional Engineer licensed by the State of New York. The inspecting engineer shall prepare and submit to the Municipality within 30 days of the inspection, a written report of the findings including recommendations for those actions necessary for the continuation of the stormwater control measures.

6. The Facility Owner shall not authorize, undertake or permit alteration, abandonment, modification or discontinuation of the stormwater control measures except in accordance with written approval of the Municipality. The obligations of the Facility Owner under paragraphs 3, 4, 5 and 7 of this Agreement shall toll upon the completion of the establishment of a drainage district of the Municipality and the acceptance of the dedication of the stormwater control measures by the Municipality. The tolling period shall end upon the discontinuance or dissolution of the municipal drainage district.

7. The Facility Owner shall undertake necessary maintenance, repairs and replacement of the stormwater control measures at the direction of the Municipality or in accordance with the recommendations of the inspecting engineer.

8. The Facility Owner shall provide to the Municipality within 30 days of the date of this agreement, such security for the maintenance and continuation of the stormwater control measures as the Municipality may have required in its approval in the form acceptable to the Town Engineer and Town Attorney (a bond, letter of credit or escrow account).

9. This agreement shall be recorded in the Office of the County Clerk, County of Orange and shall be included in any offering plan and/or prospectus or lease. All rights, title and privileges herein granted, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors, assigns and legal representatives.

10. If ever the Municipality determines that the Facility Owner has failed to construct or maintain the stormwater control measures in accordance with the project plans or has failed to undertake corrective action specified by the Municipality or by the inspecting engineer, the Municipality is authorized to undertake such steps as reasonably necessary for the preservation, continuation or maintenance of the stormwater control measures and to affix the expenses thereof as a lien against the property. The Facility Owner shall reimburse the Municipality for

all costs and expenses, including reasonable attorneys' fees, incurred in enforcing this Agreement and curing a violation.

11. This agreement is effective July _____, 2016

IN WITNESS WHEREOF, the parties have duly executed this agreement as of the day and year first above written.

TOWN OF NEWBURGH

DRA MEADOW HILL, LLC

By: _____
Gilbert J. Piaquadio, Supervisor

By: _____
Nicholas W. Minoia, Managing Member

STATE OF NEW JERSEY)
)ss.:
COUNTY OF)

On the ____ day of July, in the year 2016, before me, the undersigned, personally appeared Nicholas W. Minoia, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Notary Public, State of New Jersey

STATE OF NEW YORK)
)ss.:
COUNTY OF ORANGE)

On the ____ day of July, in the year 2016, before me, the undersigned, personally appeared Gilbert J. Piaquadio, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Notary Public, State of New York

Schedule A Description

File Number GAG04208

Page 1

ALL that certain plot, piece or parcel of land with the building and improvements thereon erected, situate lying and being in the Town of Newburgh, County of Orange, State of New York, being more accurately bounded and described as follows:

BEGINNING at a point in the northerly line of Meadow Hill Road, said point being the southerly corner of Lands of Klein; thence from said point of beginning and along Lands of Klein as marked by a stone wall, N 31-26-36/84.51' N 37-45-48 E 215.49'; thence continuing along the wall marking the lands of Klein and lands of City of Newburgh N 37-45-49 E 188.61' N 35-58-02 E 266.73'; thence continuing along the wall marking lands of the City of Newburgh and lands of Lawrence; N 37-24-23 E 687.10' to a 1/2" iron pipe; thence continuing along lands of Lawrence as marked by a wall; S 46-42-13 E 169.72'; S 48-28-05 E 202.97' S 44-21-49 E 205.48'; S 46-55-02 E 104.06' to a wall corner in the line of lands of Rowell; thence along lands of Rowell as marked by a wall S 35-23-38' W 85.64' thence along Rowell and the end of Sycamore Drive and lands of Loupe; S 39-56-43 W 327.30' thence continuing along lands of Loupe, lands of Anderson; lands of Figueroa; lands of Petrie and lands of Femenella as marked by a stone wall on the next several courses and distances; S 37-23-30 W 101.02'; S 37-32-25 W 126.91'; S 39-04-54 W 69.28'; S 36-23-59 W 156.92'; S 38-37-01 W 134.40'; to a wall corner; thence through lands of Pirger as marked by the remains of a stone wall; N 46-45-06 W 64.83'; N 40-48-28 W 98.25'; N 38-26-20 W 28.09'; N 32-46-16 W 27.28'; N 35-38-04 W 52.72'; N 53-03-38 W 93.34' and N 53-33-38 W 60.38' to a point; thence continuing through lands of Pirger; S 25-53-49 W 352.23' to a stone wall marking the northerly line of Meadow Hill Road; thence along Meadow Hill Road as marked by a stone wall; N 60-38-44 W 208.52' and N 64-04-45 W 104.03' to the point or place of beginning.

SUBJECT to grants of record to public utilities.

SUBJECT to zoning ordinances and building regulations of the Town of Newburgh.

SUBJECT to the Offer of Dedication to the Town of Newburgh for highway purposes and subject to all other notes and depictions, all as set forth on filed Map 19854 filed with the Orange County Clerk on March 29, 1990.

BEING and intended to be the same premises conveyed to grantors herein by Deed dated September 29, 1997 and recorded with the office of the Orange County Clerk on September 29, 1997 in Liber 4639 of Deeds page 105.

Subject to covenants, restrictions, easements, liens and agreements of record, etc. including

- a) Grant of Gas Lines Right of Way recorded 4/29/1957 in Liber: 1423 Page: 462
- b) Telephone Company Easement Agreement recorded 6/20/1969, in Liber: 1822 Page: 902
- c) Emergency Access Easement, and Waterloop and Sewer Easement recorded 12/17/2008 in Liber: 12763 Page: 1235
- d) Access Agreement for Private Water and Sewer Facilities recorded 7/27/2009 in Liber: 12868 Page: 1004
- e) Access Agreement for Private Water and Sewer Facilities recorded 8/29/2014 in Liber: 13789 Page: 979
- f) Stormwater Control Facility Maintenance Agreement recorded 8/29/2014 in Liber: 13789 Page: 991

BEING the same premises described in that certain deed made by Thomas M. Pirger and Nanette M. Terbush, f/k/a Nanette M. Ter Bush to Meadow Hill Holdings, LLC dated August 21, 2002 which deed was recorded in the Orange County Clerk's Office on September 10, 2002 in Liber 5988 of Deeds at Page 327.



Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

1607 Route 300, Suite 101
Newburgh, NY 12550
T: 845.564.4495
F: 845.564.0278
www.maserconsulting.com

All that certain lot, tract or parcel of land situate, lying and being in the Town of Newburgh, County of Orange and the State of New York, known as Section 60, Block 1, Lots 9.1 as represented on a map entitled "Boundary Survey for DRA Meadow Hill, LLC Section 60 Block 1 Lot 9.1" dated May 7, 2015 and prepared by Maser Consulting, P.A.;

Beginning at a point in the northern road boundary of Meadow Hill Road marked by a stonewall located at the division line between lands now or formerly of Jennifer N. Selby (B. 13849, P. 1052) to the west and lands now or formerly of Meadow Hill Holdings, LLC (B. 5988, P. 327) to the east; thence along said division line and continuing along the lands of City of Newburgh School District (B. 1682, P. 557), Mountain Ridge Development, LLC (B. 5663, P. 230), James & Kim Leggett (B. 12806, P. 816), Georgia Pryce (B. 13848, P. 1737), David K. Kenan (B. 5976, P. 193) and Renford Brissett (B. 6005, P. 32) marked by a stonewall the following five (5) courses and distances:

1. N 31°26'36" E, a distance of 84.51 feet to a point;
2. N 37°45'48" E, a distance of 215.49 feet to a point;
3. N 37°45'49" E, a distance of 188.61 feet to a point;
4. N 35°58'02" E, a distance of 266.73 feet to a point;
5. N 37°24'23" E, a distance of 687.10 feet to an iron bar and cap

located in the division line between lands of Meadow Hill Holdings, LLC to the south and the Highland Village At Meadow Winds Condo Site to the north; thence along said division line marked by a stonewall the following four (4) courses and distances:

1. S 46°42'13" E, a distance of 169.72 feet to a point;
2. S 48°26'05" E, a distance of 202.97 feet to a point;
3. S 44°21'49" E, a distance of 205.48 feet to a point;
4. S 46°55'02" E, a distance of 104.06 feet to a point

located in the division line between lands of Meadow Hill Holdings, LLC to the west and lands now or formerly of Bartels & Shultz (B. 13600, P. 1183) to the east; thence along said division line and continuing along lands of James L. & Carol L. Loupe (B. 1846, P. 749), Kevin Taylor (B. 11910, P. 1303), Santos & Dale Figueroa (B. 2085, P. 588), Pineda & Gonzalez (B. 12151, P. 426) and Vincent J. Femenella (B. 2397, P. 43) marked by a stonewall the following seven (7) courses and distances:

1. S 35°23'38" W, a distance of 95.64 feet to a point;
2. S 38°56'43" W, a distance of 327.30 feet to a point;
3. S 37°23'30" W, a distance of 101.02 feet to a point;
4. S 37°32'25" W, a distance of 126.91 feet to a point;
5. S 39°04'54" W, a distance of 89.28 feet to a point;
6. S 36°23'59" W, a distance of 156.92 feet to a point;
7. S 38°37'01" W, a distance of 134.40 feet to a point;



located in the division line between lands of Meadow Hill Holdings, LLC to the north and lands now or formerly of Thomas M. Pirger (B. 4639, P. 108) to the south; thence along said division line marked by remains of a stonewall the following eight (8) courses and distances:

1. N 46°45'06" W, a distance of 64.83 feet to a point;
2. N 40°48'28" W, a distance of 98.25 feet to a point;
3. N 38°26'20" W, a distance of 28.09 feet to a point;
4. N 32°46'16" W, a distance of 27.26 feet to a point;
5. N 35°38'04" W, a distance of 52.72 feet to a point;
6. N 53°03'38" W, a distance of 93.34 feet to a point;
7. N 53°33'38" W, a distance of 60.38 feet to a point;
8. S 25°53'49" W, a distance of 347.78 feet to a point

located in the northern road boundary of Meadow Hill Road; thence along the northern road boundary of Meadow Hill Road the following four (4) courses and distances:

1. N 61°55'32" W, a distance of 141.90 feet to a point;
2. N 62°39'06" W, a distance of 35.85 feet to a point;
3. N 60°38'44" W, a distance of 31.56 feet to a point;
4. N 64°04'45" W, a distance of 104.03 feet to a

Point of Beginning; containing 18.24± Acres, and/or 794,494± square feet.

Subject to any other enforceable easements, restrictions or covenants of record that may exist.

Schedule A Description

Title Number HN 54759

Page 1

ALL that certain lot, piece or parcel of land situate in Town of Newburgh, County of Orange, State of New York, and being more accurately bounded and described as follows:

BEGINNING at a point in a stone wall in the northerly line of Meadow Hill Road; said point being located; S 64-04-45 W 104.03' and S 60-38-44 E 209.52' from a wall corner marking the southerly line of lands of Klein; thence from said point of beginning and through Lands of Pirger marked in part by a stone wall; N 25-53-49 E 352.23'; thence continuing through Lands of Pirger on the next several courses and distances marked in part by the remains of a stone wall; S 53-33-38 E 60.38'; S 53-03-38 E 93.34'; S 35-38-04 E 52.72'; S 32-46-16 E 27.26'; S 38-26-20 E 28.09'; S 40-48-28 E 98.25'; and S 46-45-06 E 64.83' to a wall corner; thence along Lands of Femenella and Lands of Kumenacker as marked by a wall; S 36-00-56 W 25.86' to an iron pipe; S 38-29-08 W 111.07' and S 41-25-14 W 88.95' to a wall corner; thence continuing along the wall; N 65-28-13 W 100.89' to the end of the wall; thence along the line marked by a stone wall and along a portion of Meadow Hill Road; N 62-17-21 W 224.32' and N 60-38-44 W 20.46' to the point or place of beginning.

CONTAINING 2.58 +/- acres.

SUBJECT to grants of record to public utilities.

SUBJECT to zoning ordinances and building regulations of the Town of Newburgh.

June 12, 2016

To the Honorable Gil Piaquadio,

Please accept this letter both as demonstration of our intent to, and a request for your approval, of us holding a 5K race, "Race for Veterans", in the Town of Newburgh. American Legion Post 1420 and VFW Post 973 would like to hold it on November 5th. This being the Saturday before Veterans Day makes it seem appropriate.

We have already reached out to Lt. James Nenni of the Police Department, to discuss the date and the route. He concurs that the date will not conflict with any other events in the town. The Lt. also agrees the route is simple and relatively easy to manage from a traffic point of view. Further, Lt. Nenni has expressed a desire to assist us with a safety brief for the participants prior to the event, and we welcome his assistance.

The Town of Newburgh has long supported its Veterans and we hope it will continue through this endeavor. The American Legion Post 1420 and VFW Post 973 are very active in our Veteran community. The proceeds from this event will be split between both Posts, to further our programs assisting fellow Veterans, their families, and our work promoting Americanism.

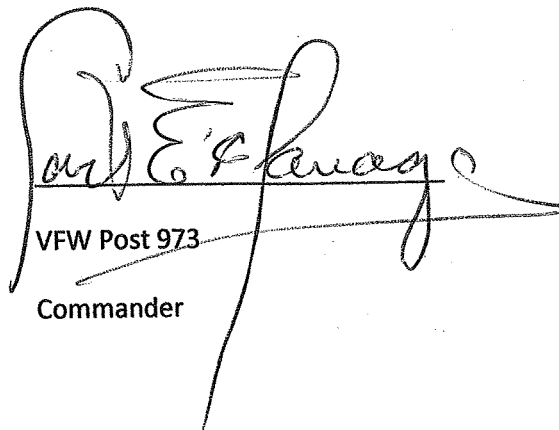
The race will start in front of American Legion Post 1420, go up Union Avenue ext. and turn onto Gardnertown Road. It will turn left at the light on Rte. 300, pass Town Hall and the Veterans Memorial. Another right will put it onto Plattekill Turnpike which they will follow back onto Gardnertown Road. They will remain on Gardnertown Road and make the right onto Gidney Avenue. They will go down Gidney until they reach, and turn into Hudson Valley Professional Plaza and reach VFW Post 973.

Sincerely,



American Legion Post 1420

Commander



VFW Post 973

Commander

James R. Loeb
Richard J. Drake, *retired*
Glen L. Heller*
Marianna R. Kennedy
Gary J. Gogerty
Stephen J. Gaba
Adam L. Rodd
Dominic Cordisco
Timothy P. McElduff, Jr.
Ralph L. Puglielle, Jr.
Nicholas A. Pascale

Lisa M. Card
Alana R. Bartley
Aaron C. Fitch
Juliana O'Grady

Jennifer L. Schneider
Managing Attorney

*LL.M. in Taxation

May 19, 2016

Supervisor Gil Piaquadio
Town Board
1496 Route 300
Newburgh, New York 12550

Re: Stewart Commons // Zoning Amendment Petition

Dear Supervisor Piaquadio and Town Board Members:

I am pleased to enclose an original and eleven copies of a petition requesting a zoning amendment that would allow greater flexibility within the business park uses allowed under the Town of Newburgh zoning law, and would specifically provide for the development of the Stewart Commons Site, which is located 245 N.Y.S. Route 17K, and comprised of four (4) parcels identified on the Tax Maps as SBL 89-1-25.22, 89-1-26, 89-1-30.2, & 89-1-31. The Stewart Commons Site is located in the Business (B) and Airport Overlay (A) Zoning Districts in the Town of Newburgh. My client, Stewart Commons LLC is the owner of this property.

We request that the Town Board consider this petition. To assist with its review, we prepared the enclosed full Environmental Assessment Form for the Town Board's review.

Lastly, I wanted to let the Board know that, as it previously suggested, we held several meetings with the neighbors at Colden Park. The meetings went well, and the Colden Park Homeowners Association previously wrote to you in support of this amendment on March 10, 2016. A copy of that letter is annexed to the petition.

If you would, please place this matter on your next available agenda, and advise of the date of that meeting. We would like to appear before you at that time.

Very Truly Yours,



DOMINIC CORDISCO

Enclosures

cc:

Mark Taylor, Esq.
James Osborne, P.E.
Ross Winglovitz, P.E.
Richard Rowley, Stewart Commons LLC
Brian Rivenburgh, Stewart Commons LLC
RJ Smith, Rand Commercial

TOWN BOARD: TOWN OF NEWBURGH, NEW YORK
-----X

In the Matter of the Petition

of

Stewart Commons LLC

**PETITION FOR A
ZONING LAW
AMENDMENT**

For an amendment to the Zoning Law
of the Town of Newburgh, New York.
-----X

TO: THE TOWN BOARD OF THE TOWN OF NEWBURGH, NEW YORK

The Petitioner Stewart Commons LLC (hereinafter "Stewart Commons") respectfully submits this petition to request an amendment to the Town's Zoning Law as follows:

1. Petitioner is the owner of property located at 245 N.Y.S. Route 17K, comprised of four (4) parcels identified on the Tax Maps as SBL 89-1-25.22, 89-1-26, 89-1-30.2, & 89-1-31 (together, the "Stewart Commons Site"). The Stewart Commons Site is located in the Business (B) and Airport Overlay (A) Zoning Districts in the Town of Newburgh.

2. The Business Zoning District allows the Stewart Commons Site to be developed as a business park as that term is defined by Section 185-41 of the Town's Zoning Law. The development of the Stewart Commons Site as a business park requires site plan approval from the Planning Board.

3. However, certain uses that would otherwise be allowed within a business park are not allowed uses within the

underlying Business Zoning District. For example, although a warehouse use is allowed within a business park, it is not allowed in the Business Zoning District. The conundrum stems from the fact that the business parks regulations lists the acceptable uses within a business park, but which are only allowed if permitted in the underlying district. For instance, business parks may include a warehouse - but that use is not allowed in the Business Zoning District.

4. As a result of the restrictive wording of the Town's Zoning Law, properties situated in the Town's Business Zoning District which could and would otherwise be developed for commercial use are limited in their viability as all uses within the definition of business park are not available without a zoning amendment or a use variance.

4. The Stewart Commons Site is well situated for warehouse development. It is located on Route 17K, a state highway, near the intersection of Interstates 84 and 87 (the "Thruway"). It is in close proximity to Stewart International Airport and distribution centers throughout the region. Just one example: the Stewart Commons Site is less than 1 mile by road from the Fedex Distribution Center on Enterprise Drive.

5. Stewart Commons hereby requests that the Town Board amend the Zoning Law to delete the following language from

Section 185-41(B) (1): "that are permitted in the district in which the property is situated". By doing so, the Town would allow business parks to be developed with all of the uses customary to such uses, including warehousing.

6. The Stewart Commons Site is adjacent to Colden Park, a residential neighborhood. Representatives of Stewart Commons have met with the Colden Park Homeowners Association (the "HOA") and Colden Park residents (collectively, "Colden Park") on several occasions to solicit their input and support not only for this Zoning Law amendment, but also for the eventual development of the Stewart Commons Site. Several meetings occurred, but the residents of Colden Park were invited to workshop meetings with representatives of Stewart Commons to discuss the potential development Meetings with Colden Park occurred on October 21, 2015 and January 13, 2016.

7. As a result of these meetings, the HOA wrote a letter of support on March 10, 2016 to the Town Board in support of this request and the overall Stewart Commons development. In the HOA's letter, the HOA advised the Town Board that "the HOA and its members concluded that the plans to build a warehouse would impact our community the least, provided that Stewart addressed the concerns of Colden Park." A copy of this letter is attached hereto as Exhibit "A".

8. The first of Colden Park's concerns was their request that the Stewart Commons Site maintain a 600 foot buffer between the properties on Windwood Drive and any future building. Stewart Commons is amenable to this restriction, and is willing to place a title restriction that would preclude development within the buffer in perpetuity.

9. Colden Park is also concerned about traffic on Route 17K. The HOA made several suggestions to alleviate traffic concerns on Route 17K, such as turning lanes on both Racket Road and Rock Cut Road, or the possibility of a "no blocking" box coming off 84 onto 17K to prevent traffic buildup from tractor-trailers blocking the intersection. While these improvements are within the purview of NYSDOT and other agencies, Stewart Commons, or any successor, will and must evaluate traffic improvements as part of any application to develop the site. We expect that traffic improvements will be required for the development of the Stewart Commons Site, and will be a condition of any approval.

10. The HOA also requested that the loading bays for any future warehouse development be located on the opposite side of the building from the homes on Windwood Drive, and that the lights to be pointed away from those homes. The HOA also requested a berm and or evergreen trees planted on the side of

the warehouse facing the homes would also be desired cut down on noise and light pollution. Both of these requests are reasonable and could be the subject of a title restriction to ensure their future enforceability.

12. The Town of Newburgh Comprehensive Plan Update (the "Comprehensive Plan") states that the "Town has the ability to select and create the tools necessary to ensure new development is located and designed in ways which benefit the Town and protect and enhance the existing community character." The Comprehensive Plan also makes recommendations to reduce "rather than exasperating potential conflicts between commercial and industrial uses and residential uses." Furthermore, the Town's Comprehensive Plan supports measures that encourage the clustering of development, the preservation of open space and trees, while creating employment opportunities and creating tax ratables. This proposed amendment to the Zoning Law is in keeping and consistent with these goals and the Comprehensive Plan in general.

13. Stewart Commons seeks this Zoning Law amendment to allow the development of the property as detailed above. The Zoning Law amendment would be consistent with the surrounding zoning and community character, and subject to the recommendations outlined above, has the support of the

surrounding neighborhood of Colden Park. In addition, the Zoning Law amendment would avoid the need to otherwise create a new zoning district to allow future development to occur.


14. To assist the Town Board with evaluating the potential environmental impacts associated with this request for a Zoning Law amendment, Stewart Commons submits a Full Environmental Assessment Form attached hereto as Exhibit B.

WHEREFORE, Stewart Commons respectfully requests that an amendment to the Zoning Law of the Town of Newburgh be adopted in accordance with the foregoing.

Dated: New Windsor, New York
_____, 2016

Stewart Commons LLC

By:

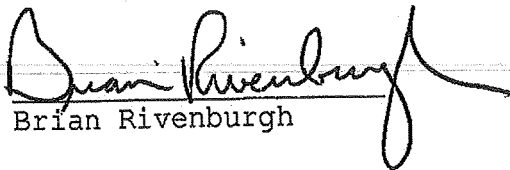

Brian Rivenburgh, Member
Stewart Commons LLC

STATE OF NEW YORK)
COUNTY OF ORANGE)

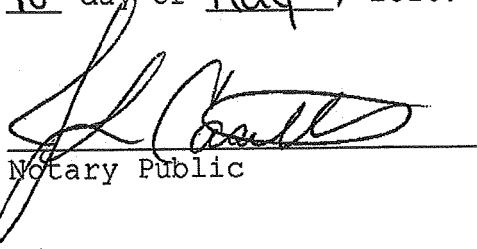
ss.:

Brian Rivenburgh, being duly sworn, deposes and says:

I am a member of Stewart Commons LLC, the limited liability company named in the within petition to amend the Zoning Map of the Town of Newburgh, New York; I have read the foregoing petition and know the contents thereof and the same is true to my own knowledge, except as to matters therein stated to be alleged on information and belief, and as to those matters, I believe it to be true.


Brian Rivenburgh

Sworn to before me this
18th day of May, 2016.


Notary Public

JENNIFER CASILLAS
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01C6217090
QUALIFIED IN ORANGE COUNTY
COMMISSION EXPIRES FEBRUARY 8, 2018

EXHIBIT A

**March 10, 2016 letter to the Town Board
from the Colden Park Homeowners Association
(copy attached)**

EXHIBIT B

FULL ENVIRONMENTAL ASSESSMENT FORM
(copy attached)



COLDEN PARK HOMEOWNERS ASSOCIATION

March 10, 2016

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

LETTER OF SUPPORT FOR STEWART COMMONS

Dear Newburgh Town Board,

My name is Larry Lubkert, I live at 13 Windwood Drive and I am the president of the Colden Park Home Owners Association. On October 21, 2015, the HOA and many of its members met with RJ Smith and Stewart Commons LLC. At that meeting they displayed and discussed the details of the two building proposals brought forth to the town of Newburgh. A second meeting was held for the HOA and its members to discuss the community's desires and concerns about the proposed building plans. The HOA and its members concluded that the plans to build a warehouse would impact our community the least, provided that Stewart Commons addressed the concerns of Colden Park.

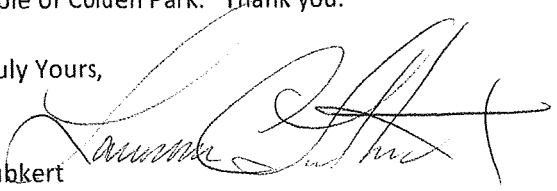
First of which is a 600 foot buffer between the properties on Windwood Drive and the building itself. That this buffer would be prohibited from being built on at any point in the future and would be a dedicated.

Second is the ongoing traffic problem on 17K. We would like to see improvements made to 17K to maintain through traffic along this already busy road. We understand the limitations and capabilities of the builder's influence on this matter, but would also hope Stewart Commons would consider some of our suggestions. Such as turning lanes on both racket Road and rock cut Road to keep traffic moving. Or the possibility of a "no blocking" box coming off 84 onto 17K to prevent traffic buildup from tractor-trailers blocking the intersection which is an ongoing problem.

We would also want the loading bays to be located on the opposite side of the building from the homes on Windwood Drive as well as the lights to be pointed away from those homes. A berm and or evergreen trees planted on the side of the warehouse facing the homes would also be desired cut down on noise and light pollution.

With these concerns met the HOA and its members would be satisfied with the project moving forward. We feel this can be a "win win" for all parties involved as long as lines of communication and respect for one another is upheld. I would like to thank the town of Newburgh, RJ Smith Realty and Stewart Commons for involving the residents of Colden Park in their decision-making for this project. Our community ultimately desires a building project that has the least amount of impact on its residents and their way of life. As long as our needs are met to maximize privacy and improve traffic conditions, the HOA is confident that the plan to build a warehouse is the best possible scenario for the people of Colden Park. Thank you.

Very Truly Yours,


Larry Lubkert
President
Colden Park Homeowners Association

Full EAP

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: Stewart Commons, LLC Petition for Zoning Law Amendment		
Project Location (describe, and attach a general location map): 245 Route 17K, Newburgh, NY 12550		
Brief Description of Proposed Action (include purpose or need): The proposed petition is for a zoning law text amendment to permit "warehouse" uses within business parks in the Business Zoning District (B). This text change would delete the restrictive language of Section 185-41 (B)(1) which would otherwise limits warehouses uses in a business park.		
Name of Applicant/Sponsor: Stewart Commons, LLC	Telephone: 845-769-7332	E-Mail: brian.rivenburgh@gmail.com
Address: 99 Clinton Street, 2nd Floor		
City/PO: Montgomery	State: NY	Zip Code: 12549
Project Contact (if not same as sponsor; give name and title/role): Engineering & Surveying Properties, PC (c/o Ross Winglovitz, P.E.)	Telephone: 845-457-7727	E-Mail: ross@ep-pc.com
Address: 71 Clinton Street		
City/PO: Montgomery	State: NY	Zip Code: 12549
Property Owner (if not same as sponsor): same as sponsor	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	Town of Newburgh Town Board	May 2016
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
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		
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. <ul style="list-style-type: none"> ii. 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 iii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No iiii. 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s): <hr/> <hr/> <hr/>	
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): <hr/> <hr/> <hr/>	

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?

Business Zone (B) Zoning District and partial within the Airport Overlay (A) Zoning District

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? A zoning text amendmen to permit "warehouse" use within business parks in the Business District

C.4. Existing community services.

a. In what school district is the project site located? Valley Central

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

Town of Newburgh

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

Coldenham Fire District

d. What parks serve the project site?

Not Applicable

D. Project Details NOT APPLICABLE

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? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 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: _____
--	---

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration:

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: _____

n.. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

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? Yes No
 If Yes:
 i. Product(s) to be stored _____
 ii. Volume(s) _____ per unit time _____ (e.g., month, year)
 iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
 If Yes:
 i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: _____ tons per _____ (unit of time)
 • Operation : _____ tons per _____ (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: _____

 • Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • 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 **NOT APPLICABLE**

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? Yes No

- 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? Yes 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? Yes 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: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes 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)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either *i* or *ii*, 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? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... 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? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100 year Floodplain? Yes No

k. Is the project site in the 500 year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes 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? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 Red Maple-Hardwood Swamp
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ 1460.0 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? Yes 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? Yes No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes 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? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes 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? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community 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? Yes 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: _____	
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
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.	
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 checked="" 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.

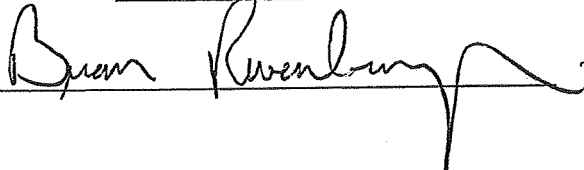
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

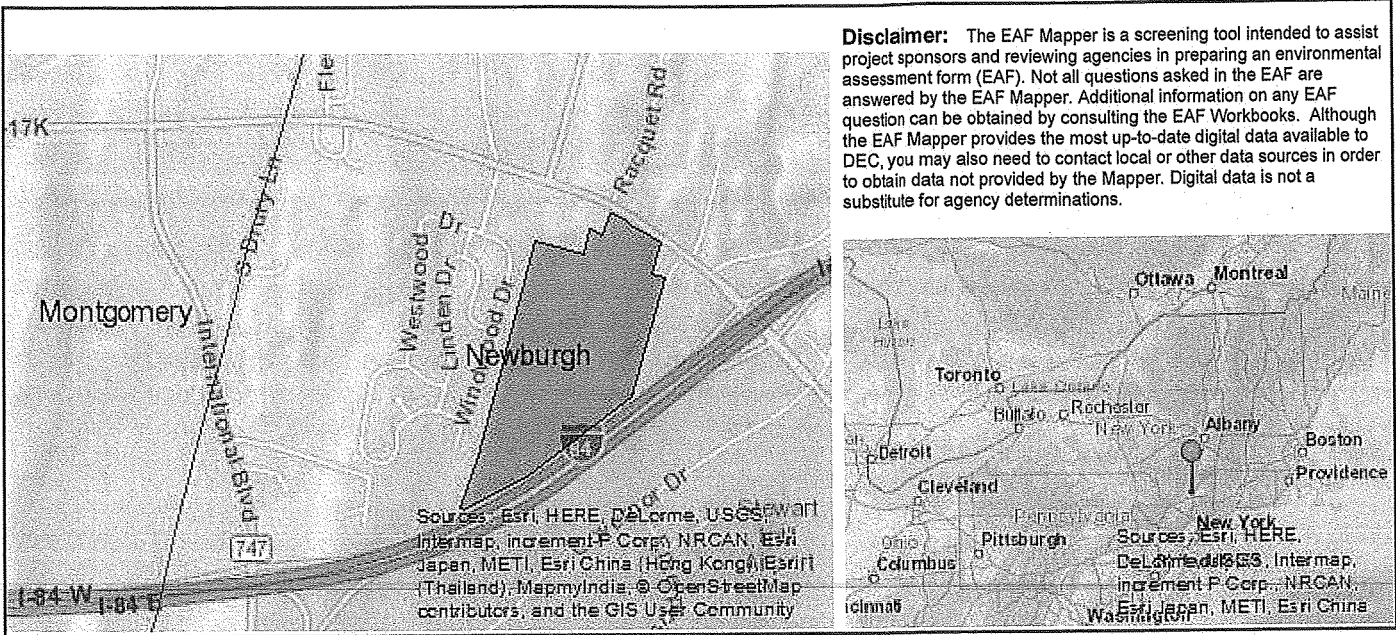
SEE PETITION FOR ZONING LAW AMENDMENT ATTACHED

G. Verification

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

Applicant/Sponsor Name Brian Rivenburgh Date 3/11/16

Signature  Title Member



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	Yes
E.2.n.i [Natural Communities - Name]	Red Maple-Hardwood Swamp

E.2.n.i [Natural Communities - Acres]	1460.0
E.2.o. [Endangered or Threatened Species]	Yes
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

9B

Talcott Engineering DESIGN, PLLC.

1 GARDNERTOWN ROAD ~ NEWBURGH, NY 12550
(845) 569-8400* ~ (fax) (845) 569-4583

January 2, 2015

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

Attn: Gil Piaquadio – Town Supervisor

Re: Request for 3 Lots on Common Driveway
Dixon Subdivision & Road Name Approval
Lands of Percy Dixon
SBL: 3-1-103.31
Job #13074-PEI
PB Project #2014-15

Dear Sirs:

Please be advised that on behalf of our client, Percy Dixon, Talcott Engineering is formally requesting a waiver of the Town Code §161-4.A., which limits the use of a Common Driveway to no more than 2 lots. The Dixon parcel is located at 85 Forest Road (County RT 23). Mr. Dixon proposes to subdivide his lot (SBL:3-1-103.31) into 2 parcels being Lot #1, which will contain his existing house and Lot #2, a proposed new building lot for a 3 bedroom single family home. The existing driveway is shared by Dixon and Loupe (SBL: 3-1-103.32). On Completion of the project, the driveway will service three lots.

In addition, on behalf of our client, Percy Dixon, we are requesting Town Board approval of the name “Dixon Lane” for the common driveway in the above referenced subdivision. As an alternate his second choice is “Kimberly Way” and third choice is “Percy Path”.

If it is possible, we would appreciate being placed on the next agenda available so that we might advise the Planning Board that we have this issue, at the least, under discussion with the Town Board.

We have attached this letter to 5 half size copies of the Dixon Subdivision II for your convenience in reviewing our request. If you require any additional information regarding this request, please feel free to contact myself at the above listed phone or fax numbers, or by e-mail at talcottdesign12@gmail.com.



JOHN PLATT
COMMISSIONER

10A

TOWN OF NEWBURGH

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

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

To: Gil Piaquadio, Town Supervisor and Town Board Members

From: John Platt, Commissioner of Public Works

Date: June 15, 2016

Re: Budget Transfer

I respectfully request the following budget transfers.

(Other Expenses)

Transfer from: 8330.0499.4002 \$ 8,300.00

(Equipment)

Transfer to: 8330.0200.4002 \$ 8,300.00

I am requesting that this item be placed on the June 20, 2016 agenda for approval. If you have any questions or comments, I am available for discuss them with you.

Thank you.

JP/mb

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JOHN PLATT
COMMISSIONER

TOWN OF NEWBURGH

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

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

MEMORANDUM

TO: Gil Piaquadio, Town Supervisor and Town Board Members

From: John Platt, Commissioner of Public Works

Date: June 13, 2016

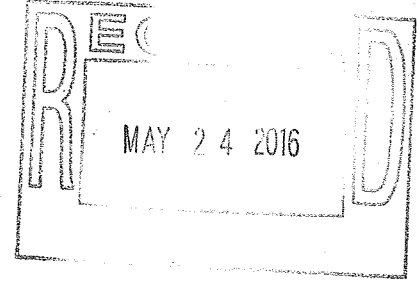
Re: Permission to start the process to fill the Administrative Assistant Position within the Department of Public Works

I respectfully request permission to start the process to fill the vacant position of Administrative Assistant as list and funded within the 2016 Water and Sewer Budgets.

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

10 c

TOWN OF NEWBURGH
TOWN ENGINEER



MEMORANDUM

TO: Gil Piaquadio, Town Supervisor & Town Board

FROM: James W. Osborne, Town Engineer
John Platt, DPW Commissioner

DATE: May 23, 2016

RE: **WATER – SEWER SUPERINTENDENT POSITION**

Attached for your review and approval is a proposed Contract Amendment adding the position of Water-Sewer Superintendent to CAMO Pollution Control's current contract. The scope of responsibilities is based on the combined job descriptions currently written for Water Superintendent and Sewer Superintendent on file with the Personnel Office.

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

JWO/id

Attachment

cc: C. Black, Personnel Director
R. Clum, Accountant

Amendment to the existing contract between the between the **TOWN of NEWBURGH**, a municipal corporation of the State of New York, with its offices at 1496 Route 300, Newburgh, New York on behalf of the Water Department of the TOWN of Newburgh, hereinafter designated "TOWN" and **CAMO POLLUTION CONTROL, INCORPORATED**, hereinafter designated "CAMO" a corporation having its principal office at 1610 Route 376, Wappingers Falls.

CAMO will provide personnel to provide services of Water\Sewer Superintendent.

The following sets forth the terms, conditions and provisions of the amendment between the Town and CAMO:

1) The billing will be on hourly basis with forty (40) hours per week.* The hourly rate for services of this position shall be **85.00** per hour, subject to overtime as specified elsewhere in this Agreement. *(A period of four weeks shall be allowed for the transition from Filtration to the Superintendent's position starting at 24 hours per week and increasing by 4 hours per week until reaching 40 hours per week as Superintendent')

2) **The Water \Sewer Superintendent shall:**

- Report directly to the Commissioner of Public Works or person(s) designated by the Town Supervisor

- Have overall responsibility of the Town of Newburgh Water Distribution and Sewer Collection Systems, assures proper operation and maintenance of all facilities and system components
- Supervise the clerical, labor and professional personnel for both departments
- Act as the Operator in Responsible Charge of the Water Distribution System
- Oversee the budget for the Water and Sewer Departments, keeps records of departmental activities, prepares and distributes payroll and prepares reports using departmental computer software, programs and equipment including meter reading handheld devices
- Oversee the preparation, inspection, approval and recording of water and sewer connection permits
- Maintain fiscal control over expenditures for purchasing tools, supplies and equipment
- Schedule work activities for both departments, assigns personnel to their tasks and transfers staff from one crew to another, as required
- Investigate complaints received regarding all activities of the water and sewer departments
- Jointly with the DPW Commissioner, conduct counseling sessions with personnel, record keeping as required and makes recommendations for appropriate disciplinary action to be taken
- Establish records of preventive maintenance and repairs of facilities and equipment
- Coordinate and/or conduct training programs and provides for safety programs and procedures
- Respond to emergencies as required
- Review plans and specification for new construction and subdivision approvals and provides comments to the DPW Commissioner

- Possess a Grade D Water Distribution Operator Certification and Wastewater Treatment Plant Operator Verification issued under provisions of the NYS Sanitary Code

IN WITNESS WHEREOF the parties hereto have executed this Amendment.

CAMO POLLUTION CONTROL, INC.

Name: Michael P. Tremper
Title: Vice President

Date:

TOWN OF NEWBURGH

Name: Gil Piaquadio
Title: Supervisor

Date:

Water and Sewer Superintendent

Responsibilities of the Position:

- Reports directly to the Commissioner of Public Works or person(s) designated by the Town Supervisor
- Supervisory position involving the overall responsibility of the Town of Newburgh Water Distribution and Sewer Collection Systems, assures proper operation and maintenance of all facilities and system components
- Supervises the clerical, labor and professional personnel for both departments
- Act as the Operator in Responsible Charge of the Water Distribution System
- Oversees the budget for the Water and Sewer Departments, keeps records of departmental activities, prepares and distributes payroll and prepares reports using departmental computer software, programs and equipment including meter reading handheld devices
- Oversees the preparation, inspection, approval and recording of water and sewer connection permits
- Maintains fiscal control over expenditures for purchasing tools, supplies and equipment
- Schedules work activities for both departments, assigns personnel to their tasks and transfers staff from one crew to another, as required
- Investigates complaints received regarding all activities of the water and sewer departments
- Conducts counselling sessions with personnel, record keeping as required and makes recommendations for appropriate disciplinary action to be taken
- Establishes records of preventive maintenance and repairs of facilities and equipment
- Coordinates and/or conducts training programs and provides for safety programs and procedures
- Responds to emergencies as required
- Reviews plans and specification for new construction and subdivision approvals
- Possession of a Grade D Water Distribution Operator Certification and Wastewater Treatment Plant Operator Verification issued under provisions of the NYS Sanitary Code

10 D

Mr. John Platt
Commissioner
Department of Public Works
Town of Newburgh
311 Route 32
Newburgh, NY 12550

Arcadis of New York, Inc.
855 Route 146
Suite 210
Clifton Park
New York 12065
Tel 518 250 7300
Fax 518 250 7301
www.arcadis.com

Subject:
GIS Data Integration

Water

Dear Mr. Platt:

Date:
June 14, 2016

ARCADIS of New York, Inc. (Arcadis) is pleased to provide this proposal for Geographic Information System (GIS) data integration for the Town of Newburgh (Town). Developing a GIS for the Town will help to optimize water and sewer system operations, maintenance and inspection projects, capital planning, and asset management.

Contact:
Daniel J. Loewenstein

The Town currently does not have complete maps of the water and sewer system. Many of the existing drawings used by the field staff are hand drawn and are outdated. Field staff spend a lot of time trying to locate the proper historic drawings needed to complete their work and often times these drawings are outdated and do not match current field conditions. This causes unnecessary delays daily, often times during time sensitive repairs.

Phone:
518-250-7302

The Town's goal is to have a phased approach to attaining accurate system mapping, as well as the hardware, software, and training needed to better manage their water and sewer system.

Email:
daniel.loewenstein@arcadis.com

This proposal is set up in three phases. Phases represent logical grouping of tasks, both for budget and schedule. A phase could represent activities completed over a calendar year, but they could also be condensed into a shorter time period. A detailed summary of the tasks, process steps, and deliverables are provided below.

Mr. John Platt
June 14, 2016

Phase 1 – Workshop and GIS Map Development

Task 1 – Evaluation of Technology and Resources

Arcadis will facilitate a workshop to discuss the Town's functional needs and develop a realistic approach to best utilize and manage the data in the short term with an eye towards future use. This will include suggestions for staffing, hardware and software, and training. This is not a detailed needs assessment, but a high level overview of what steps should be considered in the short term and long term to build upon and maintain the Town's GIS.

Process steps:

- 1) Workshop will include the discussion of existing conditions:
 - a. Existing data and data collection processes;
 - b. GIS personnel; and
 - c. Current software used by Town.
- 2) Workshop will include discussions of the following topics:
 - a. Examples of GIS development at other utilities; and
 - b. Integration of GIS into: hydraulic modeling, asset management, master planning.
- 3) Evaluation of information collected and production of recommendations technical memorandum. Technical memorandum will include the following:
 - a. Software recommendations;
 - b. Staffing recommendations;
 - c. Data development plan; and
 - d. Long term data maintenance plan.

Deliverable:

- Workshop notes; and
- Recommendations technical memorandum.

Task 2 – Index Creation

Arcadis will collect drawings as scanned images of the water and wastewater pipe networks. It is Arcadis's understanding that the Town will provide drawings in digital format (PDF, tiff, jpg). We also understand there are multiple maps available that consist of the following:

- 1) Record and As-Built drawings – There are approximately 400 record and as-built drawings of the water system, and approximately 200 record and as-built drawings of the sewer system.
- 2) Atlas maps – There is one large scale atlas map of the water system that shows pipe diameters, some valve locations, and water tanks. There are also five sewer atlas maps from the 1980 sanitary sewer evaluation survey.

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Mr. John Platt
June 14, 2016

Arcadis will find the correct location for drawings and create a polygon in GIS that represents the geographic extent of the drawing. Town staff will review the index to confirm areas of the Town are covered and there are no missing drawings. If additional drawings are found these will be indexed using project contingency funds.

Process steps:

- 1) Collect tiff, jpg, and pdf documents from the Town;
- 2) Evaluate each drawing and geographically identify the location; and
- 3) Within a GIS data layer, create a polygon representing the geographic extent and record drawing attribute information when available. This will include
 - a. Title;
 - b. Date;
 - c. Project Name/Number;
 - d. Page Number;
 - e. Datum;
 - f. System (water or wastewater); and
 - g. Hyperlink location (physical location of scanned file).

Deliverable:

- Index GIS data layer with attribute information.

Task 3 – Configuration of Near Term Solution

Arcadis understands that the Town's immediate GIS capabilities are limited and a short term solution for retrieving index information is needed. This task addresses that issue by configuring your existing GIS software (ArcGIS 9.3) or off the shelf free GIS software (ArcReader 10.4) with the index created as part of Task 1. If ArcReader or ArcMap is chosen, Arcadis will load and configure three devices (tablets, laptop, or PC) with ArcReader and the corresponding data. Note that devices must run on a Windows operating system. Requirements can be found on Esri's website here:

<http://www.esri.com/software/arcgis/arcreader/system-requirements>

Process steps:

- 1) Build a published map file (pmf) for ArcReader, or a (mxd) for ArcMap, with the following information included.
 - a. Index map from Task 2;
 - b. Folder with corresponding drawing image files; and
 - c. Background reference layer/aerial photo.
- 2) Both pmf file and mxd will have hyperlinked function to indexed images. The pmf file will have more limited functionality than the mxd, but will include pan, zoom, identify features, search and find, and measure tools.
- 3) Arcadis will install and load the corresponding ArcMap or ArcReader data on three devices.

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Mr. John Platt
June 14, 2016

Deliverable:

- Configured .pmf file or .mxd file;
- Image files; and
- Configuration of software and data on three devices.

Task 4 – Build GIS Foundation

Arcadis advocates for the use of the standard Local Government Information Model (LGIM) database framework, developed by Esri. This database contains the structure needed for most water and wastewater datasets and is configured to work in conjunction with most of Esri's software packages. If needed, Arcadis will add data layers or attributes specific to the Town. This development will be limited to water and wastewater linear infrastructure.

With the database framework developed, Arcadis will migrate the Towns existing GIS files including approximately 1,900 hydrants and 30 sewer manholes. This will be a collaborative effort with the Town and Arcadis to ensure records and attribute information are accounted for in the migration.

Process Steps:

- 1) Present the LGIM data to the Town in a one hour conference call. Topics will include the following:
 - a. Data layers and attributes;
 - b. Geometric network;
 - c. Domain values;
 - d. Town's required additional attributes; and
 - e. Arcadis suggested additions.
- 2) Create the database with additional layers and/or attributes; and
- 3) Collect and migrate approximately 1,900 hydrants and approximately 30 manholes into the LGIM.

Deliverable:

- Personal geodatabase in LGIM format with data.

Task 5 – Digitize Drawings and Atlas Maps

Arcadis will use the index of historic plan and as-built drawings to digitize water and wastewater systems using the newly created database framework. The GIS data will be consistent with the indexed drawings and will include respective pipes, valves, manholes and other linear features of the systems. These elements of the GIS will be geometrically snapped together and attribute data including size, diameter, material, age, and valve description will be recorded consistent with the historic drawings.

Process Steps:

- 1) Digitize pipe and associated infrastructure shown on each indexed map. Points and lines will be appropriately connected as part of this process.

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Mr. John Platt
June 14, 2016

- 2) The following attributes will be included of each digitized:
 - a. Unique ID for each record; and
 - b. Source drawing name.
- 3) The following attributes will be included when available:
 - a. Installation date;
 - b. Material; and
 - c. Diameter.

Deliverable:

- Personal geodatabase with digitized pipes from provided drawings

Task 6 - Field Survey and Inspection Assistance

The Town will begin field inspection and GPS survey of the water system assets using GIS maps developed by Arcadis. Arcadis will develop 11X17 field maps of the newly developed water system GIS to be used by the Town to locate the assets. The Town will mark up the maps to show assets that have been paved over or no longer exist. In addition, the Town will complete an inspection form for the assets. Arcadis will provide guidance to the Town during the initial startup of this task and as-needed during implementation. Arcadis will review the GPS data and the asset inspection data collected by the Town and import the data into the GIS. Attribute data will also be updated on the status observed from the completed field work (e.g., paved over, frozen open, frozen closed, abandoned, exercised). As a basis for this proposal, Arcadis has allotted 80 hours for as-needed services associated with this task.

Deliverable:

- Map Books – 11X17 indexed hardcopy 1"=60ft map books of the water system; and
- System Maps – 24"X36" plots of the water and sewer system.

Phase 2 – Refining GIS and GPS Assistance

Task 7 –Digitize Hand Drawn Valve Maps

Arcadis will collect digital versions of the hand drawn pipe network maps. It is Arcadis's understanding that the Town will provide drawings in digital format (PDF, tiff, jpg). We also understand there are multiple maps available that consist of the following.

Hand drawing maps – There are approximately 1,000 hand drawn maps that show detailed valve and/or meter locations.

Arcadis will add details from the hand drawn maps to the GIS. Valve and meter locations will be digitized and attribute information from the drawings will be added. The scanned hand drawn valve map will be hyperlinked to the asset in GIS (e.g., valve, or meter). The user will be able to open the scan by clicking on the asset. The horizontal tie text and leaders will not be recorded in GIS, since the actual drawings will be hyperlinked.

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Mr. John Platt
June 14, 2016

Process Steps:

- 1) Digitize pipe and associated infrastructure shown on scanned drawings. Points and lines will be appropriately connected as part of this process.
- 2) The following attributes will be included of each digitized assets:
 - a. Unique ID for each record; and
 - b. Source drawing name.
- 3) The following attributes will be included when available:
 - a. Installation date;
 - b. Material; and
 - c. Diameter.

Deliverable:

- Personal geodatabase with digitized pipes from provided drawings.

Task 8 - GPS Survey to Update Sewer Mapping

After review of the GIS developed from historic maps, the Town will identify streets that were not included in the original SSES mapping, or that have significantly changed from the time the study was completed. Arcadis will complete a GPS survey of the assets in these limited areas and perform an inspection of the manholes. The inspection will include manhole design characteristics, present condition, and pipes entering and leaving the manhole. The survey and attribute data will be used to update the GIS, and it will be symbolized to show the difference between the pipes that were surveyed and the ones digitized with historic drawings. A survey of the remaining Town manholes is not included in this proposal. The fee provided includes five days of GPS survey with a two man team, post processing the survey data, and updating the geodatabase.

Task 9 – GPS Verification Support

Arcadis understands the Town will continue to confirm the locations of visible infrastructure through field inspection and GPS survey. These efforts will be supported remotely by Arcadis where we will provide guidance on data collection processes and GPS data post processing.

Process steps:

- 1) Develop SOP for data collection and processing; and
- 2) Provide 40 hours of technical support services.

Deliverable:

- Technical memorandum with SOP workflow process; and
- 40 hours of technical support services.

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Mr. John Platt
June 14, 2016

Phase 3 – Historic Repairs and Private Connections

During the final phase, the historic curb box locations, sewer lateral connection locations, and historical work order records will be recorded in GIS.

Task 10 – Digitize Curb Stop and Sewer Lateral Connections

Arcadis will collect digital versions of the hand drawn curb stop and lateral connection maps. It is Arcadis's understanding that the Town will provide drawings in digital format (PDF, tiff, jpg). We also understand there are multiple maps available that consist of the following.

Hand drawing maps – There are approximately 4,000 hand drawn maps showing curb stop locations, and 3,000 maps showing sewer lateral connections.

Arcadis will add details from the hand drawn maps to the GIS. Curb box and lateral connection locations will be digitized and attribute information from the drawings will be added. The scanned hand drawn valve map will be hyperlinked to the asset in GIS (e.g., valve, or meter). The user will be able to open the scan by clicking on the asset. The horizontal tie text and leaders will not be recorded in GIS, since the actual drawings will be hyperlinked.

Process Steps:

- 1) Digitize curb box or the lateral connection shown on each indexed map. Points and lines will be appropriately connected as part of this process;
- 2) The following attributes will be included of each digitized assets:
 - a. Unique ID for each record;
 - b. Address; and
 - c. Source drawing name.
- 3) The following attributes will be included when available:
 - a. Installation date;
 - b. Material;
 - c. Diameter; and
 - d. Type (curb box or lateral connection).

Deliverable:

- Personal geodatabase with digitized curb boxes and lateral connections from provided drawings.

Task 11 - Historic Work Order Data

Arcadis will facilitate a workshop with the Town to determine the historic work order information that would be most useful for transfer to GIS and/or the Town's computerized maintenance management system. Arcadis will update the LGIM geodatabase so the repair data can be recorded in GIS. Town staff will be trained on how to update the GIS with information on breaks, repairs, replacement, and other data. As a basis for fee, Arcadis has assumed 80 hours for this task.

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Mr. John Platt
June 14, 2016

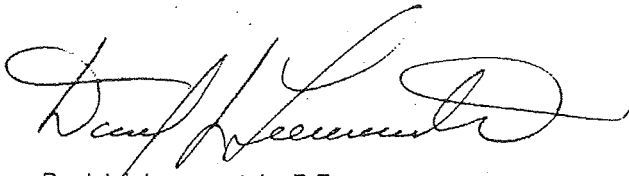
The total lump sum fee for the tasks listed above is \$276,000. The fee for this work is based on completion no later than December 31, 2018, but a compressed schedule can be accommodated. We also suggest a contingency fund of \$10,000 to account for additional drawings that may be identified during this project that will need to be indexed and digitized. The cost for the individual phases are presented below.

- Phase 1 - \$129,000;
- Phase 2 - \$74,000; and
- Phase 3 - \$73,000.

We are providing a fee for all three phases to assist the Town in planning and budgeting for GIS integration. Please note there will be costs such as hardware, software, and employee training that is not included in this proposal.

Thank you for your consideration. If you have any additional questions, please contact myself or Kevin Hogan at 518.250.7306.

Sincerely,
Arcadis of New York, Inc.



Daniel J. Loewenstein, P.E.
Senior Vice President
Board Certified Environmental Engineer

Copies:

K. Hogan (Arcadis)

This proposal and its contents shall not be duplicated, used or disclosed — in whole or in part — for any purpose other than to evaluate the proposal. This proposal is not intended to be binding or form the terms of a contract. The scope and price of this proposal will be superseded by the contract. If this proposal is accepted and a contract is awarded to Arcadis as a result of — or in connection with — the submission of this proposal, Arcadis and/or the client shall have the right to make appropriate revisions of its terms, including scope and price, for purposes of the contract. Further, client shall have the right to duplicate, use or disclose the data contained in this proposal only to the extent provided in the resulting contract.

11A

-----X

IN THE MATTER

OF THE

LAYING OUT OF CERTAIN TOWN
HIGHWAYS IN THE TOWN OF NEWBURGH,
ORANGE COUNTY, NEW YORK
ANCHOR DRIVE
MARINERS COURT

RELEASE AND
DEDICATION FOR
HIGHWAY PURPOSES

-----X


To the Town Superintendent of Highways
of the Town of Newburgh, Orange County,
New York;

The undersigned, hereby dedicates to the Town of Newburgh, Orange County, New York, for highway purposes, the lands hereinafter described in Schedule A attached hereto and made a part hereof, to be known as Anchor Drive and Mariners Court (the "Premises"), now owned by the undersigned or in which we have or may have an interest. The Premises are herein dedicated for highway purposes.

The undersigned, for the consideration of ONE and 00/100 (\$1.00) DOLLAR and other good and valuable consideration, receipt and sufficiency of which is acknowledged, hereby releases the Town of Newburgh, its officers and agents, from any and all claims by reason of the use of the Premises for the construction and maintenance of highways on said Premises.

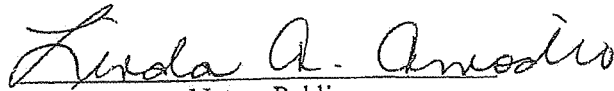
IN WITNESS WHEREOF, the undersigned has hereto affixed his hand and seal
this 3 day of May, 2016

VALLEY SERVICES, INC.

By: 
Name: Michael Shaughnessy
Title: Vice President

STATE OF NEW YORK :
: ss.
COUNTY OF ORANGE :

On the 3 day of May, 2016, before me the undersigned,
personally appeared MICHAEL SHAUGHNESSY, personally known to me or proved to me on
the basis of satisfactory evidence to be the individual whose name is subscribed to the within
instrument and acknowledged to me that he executed the same in his capacity, and that by his
signature on the instrument, the individual, or the person upon behalf of which the individual
acted, executed the instrument.


Notary Public

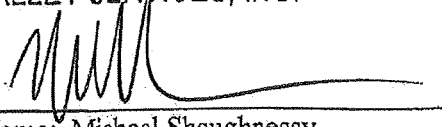
LINDA A. AMODIO
Notary Public, State of New York
No. 01AM6175219
Qualified in Orange County
Commission Expires October 9, 2019

SJG/ef/491544
14156-66636
3/16/16

IN WITNESS WHEREOF, the undersigned has hereto affixed his hand and seal
this 3 day of May, 2016

VALLEY SERVICES, INC.

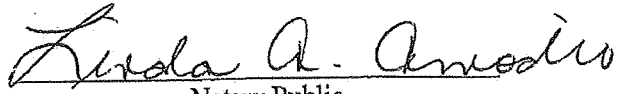
By:



Name: Michael Shaughnessy
Title: Vice President

STATE OF NEW YORK :
: ss.
COUNTY OF ORANGE :

On the 3 day of May, 2016, before me the undersigned,
personally appeared MICHAEL SHAUGHNESSY, personally known to me or proved to me on
the basis of satisfactory evidence to be the individual whose name is subscribed to the within
instrument and acknowledged to me that he executed the same in his capacity, and that by his
signature on the instrument, the individual, or the person upon behalf of which the individual
acted, executed the instrument.


Notary Public

LINDA A. AMODIO
Notary Public, State of New York
No. 01AM6175219
Qualified in Orange County
Commission Expires October 9, 2019

SJG/ef/491544
14156-66636
3/16/16

Schedule A

ALL that certain plot, piece or parcel of land lying and being in the TOWN of NEWBURGH, County of ORANGE, State of NEW YORK said lands being shown as Anchor Drive and Mariners Court on a map entitled "Plan showing Right of Way Dedication Anchorage-on-Hudson Subdivision to be granted to Town of Newburgh" as prepared by Maser Consulting P.A. dated 1-02-13, last revised 3-8-16, and further described as follows:

BEGINNING at a point, (see attached metes and bounds description) to the point or place of beginning having been filed with the undersigned together with the written consent of the Town Board of the Town of Newburgh being endorsed thereon and attached thereto.



Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

12 Metro Park Road
Suite 104
Albany, NY 12205
T: 518.459.3252
F: 518.459.3284
www.maserconsulting.com

Exhibit A
RIGHT OF WAY DEDICATION
ANCHORAGE-ON-HUDSON SUBDIVISION
TO BE GRANTED TO TOWN OF NEWBURGH,
TOWN OF NEWBURGH, COUNTY OF ORANGE, STATE OF NEW YORK
AREA = 3.17 ± ACRES OF LAND

All that certain tract, piece or parcel of land situate in Town of Newburgh, County of Orange, State of New York as shown on a map entitled "Plan showing Right of Way Dedication Anchorage-on-Hudson Subdivision to be granted to Town of Newburgh" as prepared by Maser Consulting, dated 1-02-13, last revised 3-8-16 and being more particularly bounded and described as follows:

COMMENCING at a point in the eastern road boundary of River Road located in the division line between lands now or formerly of Carmela Moroney to the north and lands now or formerly of Hudson Landing Corp. to the south; thence along the eastern road boundary of River Road South 46 deg. 17 min. 02 sec. West of a distance of 7.91 feet to a point of beginning; said point also located in the northern proposed right of way of Anchor Drive; thence along the northern proposed right of way the following four (4) courses and distances:

1. along a curve to the left having a radius of 10.00 feet, an arc length of 16.57 feet, and a chord bearing and distance of South 01 deg. 10 min. 29 sec. East 14.74 feet to a point;
2. along a curve to the left having a radius of 100.00 feet, an arc length of 58.96 feet, and a chord bearing and distance of South 65 deg. 32 min. 07 sec. East 58.11 feet to a point;
3. South 82 deg. 25 min. 33 sec. East a distance of 124.79 feet to a point;
4. South 75 deg. 12 min. 30 sec. East a distance of 310.17 feet to a point

located in the division line between lands of Hudson Landing Corp. to the west and Lot 21 to the east as depicted on a map entitled "Sheet 1 of 5, Subdivision Plat, prepared for Anchorage-On-Hudson" by Dennis E. Walden, Land Surveyor, dated December 17, 1999, revised October 10, 2001, and recorded as Map #216-02, filed in the Orange County Clerk's Office on October 17, 2002; thence continuing along the proposed right-of-way of Anchorage Drive the following fourteen (14) courses and distances:

1. along a curve to the right having a radius of 225.00 feet, an arc length of 453.60 feet, and a chord bearing and distance of South 17 deg. 27 min. 18 sec. East 380.59 feet to a point;
2. South 40 deg. 17 min. 57 sec. West a distance of 654.84 feet to a point;
3. along a curve to the left having a radius of 200.00 feet, an arc length of 33.13 feet, and a chord bearing and distance of South 35 deg. 33 min. 28 sec. West 33.09 feet to a point;
4. along a curve to the left having a radius of 30.00 feet, an arc length of 21.78 feet, and a chord bearing and distance of South 10 deg. 00 min. 50 sec. West 21.30 feet to a point;
5. South 10 deg. 47 min. 04 sec. East a distance of 25.00 feet to a point;



6. along a curve to the right having a radius of 50.00 feet, an arc length of 211.40 feet, and a chord bearing and distance of North 69 deg. 39 min. 25 sec. West 85.61 feet to a point;
7. North 51 deg. 27 min. 59 sec. East a distance of 25.00 feet to a point;
8. along a curve to the left having a radius of 30.00 feet, an arc length of 12.98 feet, and a chord bearing and distance of North 39 deg. 04 min. 09 sec. East 12.88 feet to a point;
9. along a curve to the right having a radius of 250.00 feet, an arc length of 59.45 feet, and a chord bearing and distance of North 33 deg. 29 min. 12 sec. East 59.31 feet to a point;
10. North 40 deg. 17 min. 57 sec. East a distance of 654.83 feet to a point;
11. along a curve to the left having a radius of 175.00 feet, an arc length of 352.80 feet, and a chord bearing and distance of North 17 deg. 27 min. 18 sec. West 296.02 feet to a point;
12. North 75 deg. 12 min. 32 sec. West a distance of 255.00 feet to a point;
13. along a curve to the right having a radius of 825.00 feet, an arc length of 17.47 feet, and a chord bearing and distance of North 75 deg. 44 min. 51 sec. West 17.47 feet to a point;
14. along a curve to the left having a radius of 17.00 feet, an arc length of 27.59 feet, and a chord bearing and distance of South 57 deg. 05 min 32 sec West 24.66 feet to a point

located in the eastern proposed right of way of Mariners Court; thence continuing along the proposed right of way of Mariners Court the following twelve (12) courses and distances:

1. South 10 deg. 35 min. 55 sec. West a distance of 10.28 feet to a point;
2. along a curve to the right having a radius of 275.00 feet, an arc length of 117.42 feet, and a chord bearing and distance of South 22 deg. 49 min. 50 sec. West 116.53 feet to a point;
3. South 35 deg. 03 min. 42 sec. West a distance of 392.57 feet to a point;
4. along a curve to the left having a radius of 975.00 feet, an arc length of 70.23 feet, and a chord bearing and distance of South 32 deg. 59 min 52 sec West 70.21 feet to a point;
5. South 30 deg.56 min. 04 sec. West a distance of 147.49 feet to a point;
6. along a curve to the left having a radius of 50.00 feet, an arc length of 52.36 feet, and a chord bearing and distance of South 00 deg. 56 min 02 sec West 50.00 feet to a point;
7. along a curve to the right having a radius of 50.00 feet, an arc length of 209.44 feet, and a chord bearing and distance of North 89 deg. 03 min. 57 sec. West 86.60 feet to a point;
8. North 30 deg. 56 min. 04 sec. East a distance of 234.10 feet to a point;
9. along a curve to the right having a radius of 1025.00 feet, an arc length of 73.84 feet, and a chord bearing and distance of North 32 deg. 59 min. 52 sec. East 73.82 feet to a point;
10. North 35 deg. 03 min. 42 sec. East a distance of 392.57 feet to a point;
11. along a curve to the left having a radius of 225.00 feet, an arc length of 96.07 feet, and a chord bearing and distance of North 22 deg. 49 min 50 sec East 95.34 feet to a point;
12. North 10 deg. 35 min. 55 sec. East a distance of 10.28 feet to a point

located in the southern proposed right of way of Anchor Drive; thence continuing along the proposed right of way of Anchor Drive the following eight (8) courses and distances:

1. along a curve to the left having a radius of 17.00 feet, an arc length of 27.60 feet, and a chord bearing and distance of North 35 deg. 54 min. 55 sec. West 24.67 feet to a point;



2. North 82 deg. 25 min. 33 sec. West a distance of 70.23 feet to a point;
3. along a curve to the right having a radius of 150.00 feet, an arc length of 39.73 feet, and a chord bearing and distance of North 74 deg. 50 min. 58 sec. West 39.61 feet to a point;
4. North 22 deg. 55 min. 43 sec. East a distance of 1.25 feet to a point;
5. along a curve to the right having a radius of 148.75 feet, an arc length of 8.65 feet, and a chord bearing and distance of North 65 deg. 35 min. 57 sec. West 8.64 feet to a point;
6. South 25 deg. 50 min. 44 sec. West a distance of 1.25 feet to a point;
7. along a curve to the right having a radius of 150.00 feet, an arc length of 41.32 feet, and a chord bearing and distance of North 56 deg. 02 min. 43 sec. West 41.19 feet to a point;
8. along a curve to the left having a radius of 15.00 feet, an arc length of 22.40 feet, and a chord bearing and distance of South 89 deg. 03 min 53 sec West 20.38 feet to a point

located in the eastern road boundary of River Road; thence along said road boundary, North 46 deg. 17 min. 02 sec. East a distance of 74.84 feet to a point or place of beginning, containing 138,011± square feet or 3.17± acres.

Mark R. DeLor P.L.S.

-----X

IN THE MATTER

OF THE

LAYING OUT OF CERTAIN TOWN
HIGHWAYS IN THE TOWN OF NEWBURGH,
ORANGE COUNTY, NEW YORK

CONSENT OF
TOWN BOARD
TO DEDICATION

ANCHOR DRIVE
MARINERS COURT

-----X

Upon reading the Dedication and Release in the above entitled matter dated the _____ day of _____, 2016 wherein the owner of lands described therein has released the same to the Town of Newburgh and its highway Superintendent for highway purposes; now, therefore, be it

RESOLVED, that consent be and the same hereby is given to the Town Superintendent of Highways of the Town of Newburgh to make an Order Laying Out the Lands described in Schedule "A" attached hereto, in accordance with the provisions of the Highway Law and other statutes applicable thereto.

Dated the _____ day of _____, 2016.

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

BJG/eF/491555
14156-66636
3/16/16



Schedule A

ALL that certain plot, piece or parcel of land lying and being in the TOWN of NEWBURGH, County of ORANGE, State of NEW YORK said lands being shown as Anchor Drive and Mariners Court on a map entitled "Plan showing Right of Way Dedication Anchorage-on-Hudson Subdivision to be granted to Town of Newburgh" as prepared by Maser Consulting P.A. dated 1-02-13, last revised 3-8-16, and further described as follows:

BEGINNING at a point, (see attached metes and bounds description) to the point or place of beginning having been filed with the undersigned together with the written consent of the Town Board of the Town of Newburgh being endorsed thereon and attached thereto.



Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

12 Metro Park Road
Suite 104
Albany, NY 12205
T: 518.459.3252
F: 518.459.3284
www.maserconsulting.com

Exhibit A
RIGHT OF WAY DEDICATION
ANCHORAGE-ON-HUDSON SUBDIVISION
TO BE GRANTED TO TOWN OF NEWBURGH,
TOWN OF NEWBURGH, COUNTY OF ORANGE, STATE OF NEW YORK
AREA = 3.17 ± ACRES OF LAND

All that certain tract, piece or parcel of land situate in Town of Newburgh, County of Orange, State of New York as shown on a map entitled "Plan showing Right of Way Dedication Anchorage-on-Hudson Subdivision to be granted to Town of Newburgh" as prepared by Maser Consulting, dated 1-02-13, last revised 3-8-16 and being more particularly bounded and described as follows:

COMMENCING at a point in the eastern road boundary of River Road located in the division line between lands now or formerly of Carmela Moroney to the north and lands now or formerly of Hudson Landing Corp. to the south; thence along the eastern road boundary of River Road South 46 deg. 17 min. 02 sec. West of a distance of 7.91 feet to a point of beginning; said point also located in the northern proposed right of way of Anchor Drive; thence along the northern proposed right of way the following four (4) courses and distances:

1. along a curve to the left having a radius of 10.00 feet, an arc length of 16.57 feet, and a chord bearing and distance of South 01 deg. 10 min. 29 sec. East 14.74 feet to a point;
2. along a curve to the left having a radius of 100.00 feet, an arc length of 58.96 feet, and a chord bearing and distance of South 65 deg. 32 min. 07 sec. East 58.11 feet to a point;
3. South 82 deg. 25 min. 33 sec. East a distance of 124.79 feet to a point;
4. South 75 deg. 12 min. 30 sec. East a distance of 310.17 feet to a point

located in the division line between lands of Hudson Landing Corp. to the west and Lot 21 to the east as depicted on a map entitled "Sheet 1 of 5, Subdivision Plat, prepared for Anchorage-On-Hudson" by Dennis E. Walden, Land Surveyor, dated December 17, 1999, revised October 10, 2001, and recorded as Map #216-02, filed in the Orange County Clerk's Office on October 17, 2002; thence continuing along the proposed right-of-way of Anchorage Drive the following fourteen (14) courses and distances:

1. along a curve to the right having a radius of 225.00 feet, an arc length of 453.60 feet, and a chord bearing and distance of South 17 deg. 27 min. 18 sec. East 380.59 feet to a point;
2. South 40 deg. 17 min. 57 sec. West a distance of 654.84 feet to a point;
3. along a curve to the left having a radius of 200.00 feet, an arc length of 33.13 feet, and a chord bearing and distance of South 35 deg. 33 min. 28 sec. West 33.09 feet to a point;
4. along a curve to the left having a radius of 30.00 feet, an arc length of 21.78 feet, and a chord bearing and distance of South 10 deg. 00 min. 50 sec. West 21.30 feet to a point;
5. South 10 deg. 47 min. 04 sec. East a distance of 25.00 feet to a point;



6. along a curve to the right having a radius of 50.00 feet, an arc length of 211.40 feet, and a chord bearing and distance of North 69 deg. 39 min. 25 sec. West 85.61 feet to a point;
7. North 51 deg. 27 min. 59 sec. East a distance of 25.00 feet to a point;
8. along a curve to the left having a radius of 30.00 feet, an arc length of 12.98 feet, and a chord bearing and distance of North 39 deg. 04 min. 09 sec. East 12.88 feet to a point;
9. along a curve to the right having a radius of 250.00 feet, an arc length of 59.45 feet, and a chord bearing and distance of North 33 deg. 29 min. 12 sec. East 59.31 feet to a point;
10. North 40 deg. 17 min. 57 sec. East a distance of 654.83 feet to a point;
11. along a curve to the left having a radius of 175.00 feet, an arc length of 352.80 feet, and a chord bearing and distance of North 17 deg. 27 min. 18 sec. West 296.02 feet to a point;
12. North 75 deg. 12 min. 32 sec. West a distance of 255.00 feet to a point;
13. along a curve to the right having a radius of 825.00 feet, an arc length of 17.47 feet, and a chord bearing and distance of North 75 deg. 44 min. 51 sec. West 17.47 feet to a point;
14. along a curve to the left having a radius of 17.00 feet, an arc length of 27.59 feet, and a chord bearing and distance of South 57 deg. 05 min 32 sec West 24.66 feet to a point

located in the eastern proposed right of way of Mariners Court; thence continuing along the proposed right of way of Mariners Court the following twelve (12) courses and distances:

1. South 10 deg. 35 min. 55 sec. West a distance of 10.28 feet to a point;
2. along a curve to the right having a radius of 275.00 feet, an arc length of 117.42 feet, and a chord bearing and distance of South 22 deg. 49 min. 50 sec. West 116.53 feet to a point;
3. South 35 deg. 03 min. 42 sec. West a distance of 392.57 feet to a point;
4. along a curve to the left having a radius of 975.00 feet, an arc length of 70.23 feet, and a chord bearing and distance of South 32 deg. 59 min 52 sec West 70.21 feet to a point;
5. South 30 deg. 56 min. 04 sec. West a distance of 147.49 feet to a point;
6. along a curve to the left having a radius of 50.00 feet, an arc length of 52.36 feet, and a chord bearing and distance of South 00 deg. 56 min 02 sec West 50.00 feet to a point;
7. along a curve to the right having a radius of 50.00 feet, an arc length of 209.44 feet, and a chord bearing and distance of North 89 deg. 03 min. 57 sec. West 86.60 feet to a point;
8. North 30 deg. 56 min. 04 sec. East a distance of 234.10 feet to a point;
9. along a curve to the right having a radius of 1025.00 feet, an arc length of 73.84 feet, and a chord bearing and distance of North 32 deg. 59 min. 52 sec. East 73.82 feet to a point;
10. North 35 deg. 03 min. 42 sec. East a distance of 392.57 feet to a point;
11. along a curve to the left having a radius of 225.00 feet, an arc length of 96.07 feet, and a chord bearing and distance of North 22 deg. 49 min 50 sec East 95.34 feet to a point;
12. North 10 deg. 35 min. 55 sec. East a distance of 10.28 feet to a point

located in the southern proposed right of way of Anchor Drive; thence continuing along the proposed right of way of Anchor Drive the following eight (8) courses and distances:

1. along a curve to the left having a radius of 17.00 feet, an arc length of 27.60 feet, and a chord bearing and distance of North 35 deg. 54 min. 55 sec. West 24.67 feet to a point;

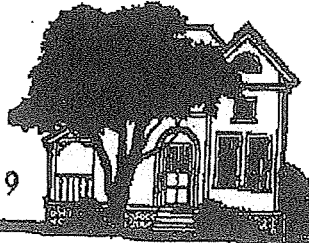


2. North 82 deg. 25 min. 33 sec. West a distance of 70.23 feet to a point;
3. along a curve to the right having a radius of 150.00 feet, an arc length of 39.73 feet, and a chord bearing and distance of North 74 deg. 50 min. 58 sec. West 39.61 feet to a point;
4. North 22 deg. 55 min. 43 sec. East a distance of 1.25 feet to a point;
5. along a curve to the right having a radius of 148.75 feet, an arc length of 8.65 feet, and a chord bearing and distance of North 65 deg. 35 min. 57 sec. West 8.64 feet to a point;
6. South 25 deg. 50 min. 44 sec. West a distance of 1.25 feet to a point;
7. along a curve to the right having a radius of 150.00 feet, an arc length of 41.32 feet, and a chord bearing and distance of North 56 deg. 02 min. 43 sec. West 41.19 feet to a point;
8. along a curve to the left having a radius of 15.00 feet, an arc length of 22.40 feet, and a chord bearing and distance of South 89 deg. 03 min 53 sec West 20.38 feet to a point

located in the eastern road boundary of River Road; thence along said road boundary, North 46 deg. 17 min. 02 sec. East a distance of 74.84 feet to a point or place of beginning, containing 138,011± square feet or 3.17± acres.

Mark R. DeLor P.L.S.

11A11



Organized 1919

Walden Federal

IRREVOCABLE STANDBY LETTER OF CREDIT

TO: Town of Newburgh
1496 Route 300
Newburgh, NY 12550
~~Attn: Newburgh~~

Town 3
December, 2002
Number

ACCOUNT OF: Hillside Homes & Development Corp.

Amount: \$1,678,195.00

Expires: December, 2003
Town

Honorable Sirs:

We hereby issue our Irrevocable Standby Letter of Credit Number _____ in your favor for the account of Hillside Homes, Inc. in an amount not to exceed U.S. One Million Six Hundred Seventy Eight Thousand One Hundred Ninety Five and 00/100 Dollars (\$1,678,195.00). This Letter of Credit may be drawn upon the presentation of:

Your notarized statement signed by the Town Supervisor, Deputy Town Supervisor or Town Clerk stating "Anchorage on-the-Hudson has failed to complete the site preparation, earthwork, pavement and infrastructure improvements for residential road and lot construction approved by the Town of Newburgh Planning Board to the standard set by the Town of Newburgh specifications."

It is a condition of the credit that it shall be deemed automatically extended without amendment for one (1) year from the present or any future expiration date hereof, unless thirty (30) days prior to any such date we shall notify you by registered mail that we elect not to consider this Letter of Credit renewed for any such additional period. Upon receipt by you of such notice, you may draw the full amount of the credit hereunder, against your draft only, without the documentation mentioned herein.

Drafts must be negotiated not later than the expiration date shown above, and must state "DRAWN UNDER WALDEN FEDERAL SAVINGS AND LOAN ASSOCIATION STANDBY LETTER OF CREDIT NUMBER _____"

This Credit is subject to the Uniform Customs and Practice for Documentary Credits (1994 Revision), the International Chamber of Commerce Brochure No. 500. This credit is intended to comply with Chapter 64 of the code of the Town of Newburgh, New York.

We hereby agree with you that drafts drawn under and in compliance with the terms and conditions of this Credit shall be duly honored upon due presentation at our office.

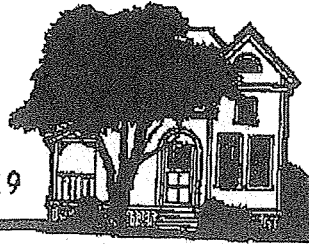
Walden Federal Savings and Loan Association

By: Sample Only
L. Bruce L. Main Street • Walden, New York 12586 • 845 / 778-2171 • FAX 845 / 778-3125
201 Main Street • Montgomery, New York 12549 • 845 / 457-5101 • FAX 845 / 457-5119
288 Larkin Drive • Monroe, New York 10950 • 845 / 782-2949 • FAX 845 / 782-2943
Email: bank@waldenfederal.com • Web address: www.waldenfederal.com



Member FDIC

Organized 1919



Walden Federal

IRREVOCABLE STANDBY LETTER OF CREDIT

TO: Town of Newburgh
1496 Route 300
Newburgh, NY 12550

Jan 3
December 2002
Number

ACCOUNT OF: Hillside Homes & Development Corp.

Amount: \$ 89,854.00

Expires: December 2004
Jan

Honorable Sirs:

We hereby issue our Irrevocable Standby Letter of Credit Number _____ in your favor for the account of Hillside Homes, Inc. in an amount not to exceed U.S. Eighty Nine Thousand Eight Hundred Fifty Four and 00/100 Dollars (\$89,854.00). This Letter of Credit may be drawn upon the presentation of:

Your notarized statement signed by the Town Supervisor, Deputy Town Supervisor or Town Clerk stating Anchorage on-the-Hudson has failed to complete the site landscaping, and erosion control for marina improvements approved by the Town of Newburgh Planning Board.

It is a condition of the credit that it shall be deemed automatically extended without amendment for one (1) year from the present or any future expiration date hereof, unless thirty (30) days prior to any such date we shall notify you by registered mail that we elect not to consider this Letter of Credit renewed for any such additional period. Upon receipt by you of such notice, you may draw the full amount of the credit hereunder, against your draft only, without the documentation mentioned herein.

Drafts must be negotiated not later than the expiration date shown above, and must state "DRAWN UNDER WALDEN FEDERAL SAVINGS AND LOAN ASSOCIATION STANDBY LETTER OF CREDIT NUMBER _____"

This Credit is subject to the Uniform Customs and Practices for Documentary Credits (1994 Revision), the International Chamber of Commerce Brochure No. 500. This credit is intended to comply with Chapter 64 of the code of the Town of Newburgh, New York.

We hereby agree with you that drafts drawn under and in compliance with the terms and conditions of this Credit shall be duly honored upon due presentation at our office.

Walden Federal Savings and Loan Association

By: Sample Only
L. Bruce Lott
Senior Loan Officer/ Vice President

12 Main Street • Walden, New York 12586 • 845 / 778-2171 • FAX 845 / 778-3125
201 Ward Street • Montgomery, New York 12549 • 845 / 457-5101 • FAX 845 / 457-5119
288 Larkin Drive • Monroe, New York 10950 • 845 / 782-2949 • FAX 845 / 782-2943
Email: bank@waldenfederal.com • Web address: www.waldenfederal.com



MEMBER
FDIC

IRREVOCABLE STANDBY LETTER OF CREDIT

TO: Town of Newburgh
1496 Route 300
Newburgh, NY 12550

January 9, 2003
Number

ACCOUNT OF: Hillside Homes & Development Corp.

Amount: \$ 22,000.00

Expires: December 31, 2003

Honorable Sirs:

We hereby issue our Irrevocable Standby Letter of Credit Number _____ in your favor for the account of Hillside Homes, Inc. in an amount not to exceed U.S. Twenty Two Thousand and 00/1001 Dollars (\$22,000.00). This Letter of Credit may be drawn upon the presentation of:

- The Beneficiary's drafts(s) at sight drawn on us bearing the clause "Drawn under Walden Federal Savings and Loan Association USA Letter of Credit # _____"
- The original of this Letter of Credit and the original of any subsequent amendments.
- A certificate on Beneficiary's letterhead in the form of Exhibit "A" incorporated herein by this reference and purportedly executed on behalf of the beneficiary.

If the traffic monitoring study conclude there is no need for a traffic signal at the intersection of Route 9W and Cedar Hill Road the Beneficiary agrees to return this original Letter of Credit along with a letter requesting the Letter of Credit be cancelled.

It is a condition of this Letter of Credit that it shall be deemed automatically extended, without amendment, for one year from the present or any future expiration date hereof, unless we notify you no later than 60 days in writing prior to any expiration date that we elect not to consider this Letter of Credit renewed for any such additional period, in no event shall this credit be extended beyond October 25, 2005.

Partial drawings are permitted.

All banking charges other than those of Walden Federal Savings and Loan Association, are for the account of the Beneficiary.

We hereby engage with you that all drafts drawn under and in compliance with the terms and conditions of this Irrevocable Standby Letter of Credit will be duly honored upon delivery of documents as specified herein if presented at our counters on or before the expiry date indicated herein,

Except so far as otherwise expressly stated herein this Letter of Credit is subject to the Uniform Customs and Practices for Documentary Credits (1994 Revision) International Chamber of Commerce Publication No. 500.

Certificate to be typed on Letterhead of Township of Newburgh
Exhibit A Certificate

Walden Federal Savings and Loan Association

By: _____
L. Bruce Lott
Senior Loan Officer/ Vice President

Attached to and forming part of Standby L/C No.

Exhibit "A"

Re: Irrevocable Standby Letter of Credit No.

Ladies and Gentlemen:

The undersigned hereby certifies to Walden Federal Savings and Loan Association, as issuer of the above referenced Letter of Credit ("The Credit");

1. I am a duly authorized official of the Town of Newburgh (The "Beneficiary").
2. Owners have failed to perform a traffic monitoring study in accordance with the approved SEQR statement of findings upon commencement of operations of a restaurant depicted on the approved site plan
3. Owners have failed to perform a traffic monitoring study in accordance with the approved SEQR Statement of findings, upon rental of 90% percent of the SEQR slips on the site plan.
4. Owners have failed to perform a traffic monitoring study in accordance with the approved SEQR Statement of findings upon rental of 90 percent of the boat slips contained in Phases I and 2 of the marina as depicted on the approved site plan.
5. Owners have failed to prepare a design for a traffic signal at the intersection of Route 9W and Cedar Hill Road in the event traffic monitoring indicates the need for a signal at the location.
6. Owners have failed to pay the amount of Nine Thousand and Six Hundred Dollars (\$9,600.00) to the Town of Newburgh, as its fair share allocation, in the event the monitoring studies demonstrate the need for a traffic signal at the intersection of Route 9W and Cedar Hill Road.
7. Beneficiary is hence entitled to and is making a drawing under the Credit in the amount of US\$....

The Beneficiary has executed this Certificate as of the _____ day of _____, 2007.

Town of Newburgh

By:

Typed Name.....

11B




HIGHWAY DEPARTMENT

90 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

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

TODD DEPEW
HIGHWAY SUPERINTENDENT

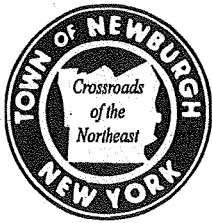
TO: Gil Piaquadio, Supervisor & Town Board Members
FROM: Todd DePew, Highway Superintendent 
DATE: June 2, 2016
RE: Michael Bogdon

I am requesting permission to move Michael Bogdon, from Highway MEO 21-1A to Building & Grounds Department effective June 30, 2016.

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

TD:ch
cc: Charlene Black, Personnel Dept

11c



HIGHWAY DEPARTMENT

90 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

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

TODD DEPEW
HIGHWAY SUPERINTENDENT

TO: Gil Piaquadio, Supervisor, & Town Board Members

FROM: Todd DePew, Highway Superintendent

DATE: June 16, 2016

RE: Motor Equipment Operator 1A

I interviewed Barry Cypher for the position of Motor Equipment Operator's 1A and feel he is qualified for the position. I would like him to start on or after June 30, 2016 when all his pre-employment is filed.

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

TD:ch

**cc: Charlene Black, Personnel Department
Ron Clum, Accountant
John Platt, DPW**

TOWN OF NEWBURGH

EMPLOYMENT REQUEST FORM

To: Personnel Department

NAME OF CANDIDATE: BARRY CYPNER

DEPARTMENT: HIGHWAY

TITLE OF POSITION: MEO 1-A

FULL TIME OR PART TIME: FULL TIME

HOURLY RATE: \$21.24 per CSEA Contract

IS POSITION FUNDED IN CURRENT BUDGET: YES OR NO

FUND APPROPRIATION NUMBER: 5110.100

PROPOSED HIRE DATE: 6-30-16

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


DEPARTMENT HEAD SIGNATURE

DATE

ORIGINAL APPLICATION SHOULD BE ON FILE IN THE PERSONNEL
DEPARTMENT

COPY TO ACCOUNTING DEPARTMENT
11/15/2010

ORANGE COUNTY APPLICATION FOR EXAMINATION/EMPLOYMENT

MAIL OR HAND DELIVER TO:

DEPARTMENT OF HUMAN RESOURCES
30 MATTHEWS STREET, SUITE 303A
GOSHEN, NY 10924
TELEPHONE: (845) 291-2707

Carefully read the appropriate examination announcement before completing this application. This application is part of your examination and must be filled out completely and accurately. Answer all questions fully and carefully. Print legibly in ink or typewrite. Attach additional sheets if necessary in order to give complete and detailed information.

1. If you are filing for more than one examination on this application be sure that they are all **SCHEDULED TO BE HELD ON THE SAME DATE** (check the announcement for each examination). If you wish to file for examinations being held on different dates, submit a separate application for each date.

Exam #s (if applicable)	Exam Date (if applicable)	Exam Name OR Title of Position	Human Resources Use Only
		Town OF Newburgh Highway Dept.	#1 A C D
			#2 A C D
			#3 A C D
			#4 A C D
			#5 A C D

2. SOCIAL SECURITY NUMBER



3. FULL NAME/LEGAL RESIDENCE*

CYPHER BARRY L
 Last name First Name Initial

16 Blossom lane
 Street Address

Newburgh NY 12550
 City State Zip Code

Same
 Mailing Address (if different from legal residence)

845-787-5423 (Home)
 Phone # 845-233-8114 (Cell)

NOTIFY THIS DEPARTMENT IMMEDIATELY OF ADDRESS CHANGES

4. RESIDENCY: State your permanent legal residence and indicate how long you have resided there continuously, up to and including the date of this application. THIS SECTION WILL DETERMINE YOUR ELIGIBILITY (IF ANY) FOR CERTIFICATION ON A RESIDENT LIST.

	YRS	MOS
VILLAGE OF _____		
TOWN OF <u>Newburgh</u>	0	5
COUNTY OF <u>Orange</u>	0	5
STATE OF <u>NY</u>	0	5
SCHOOL DISTRICT <u>Marlboro</u>	0	9

5. SPECIAL ARRANGEMENTS: Check box below if you need special accommodations to participate in the exam:

Religious Observer - for religious reasons cannot be tested on date of examination

Other N/A
 (requires supporting documentation)

Disabled Persons - under remarks indicate type of assistance required

6. VETERANS CREDITS: If you are serving, or have served, in the armed forces of the United States on a full-time active duty basis during wartime, you may be eligible to receive credits as a Disabled or Non-Disabled Veteran.

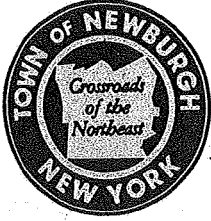
YES*, I WISH TO CLAIM CREDITS AS A NON-DISABLED VETERAN, PLEASE SEND APPLICATION

YES*, I WISH TO CLAIM CREDITS AS A DISABLED VETERAN, PLEASE SEND APPLICATION

NO, I DO NOT WISH TO CLAIM VETERANS CREDITS

*Please complete and attach Application for Veterans' Credits.

7 E-MAIL ADDRESS:



12

TOWN OF NEWBURGH ANIMAL CONTROL &
SHELTER

645 GIDNEY AVE. NEWBURGH, NY 12550

(845)561-3344

FAX: (845) 561-2220

To: Town Board

From: Cheryl Cunningham, Animal Control

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

Date: June 4, 2016

I am requesting authorization to use the T-94 account to pay for veterinary services from:
Flannery Animal Hospital

Totaling: \$21.00

Feline: \$

Canine: \$21.00

Attached please find the bills.

Thank you,
Cheryl Cunningham

Cc: Ron Clum, Accountant



CARING FOR OUR COMMUNITY'S PETS

789 Little Britain Rd
 New Windsor, NY 12553
 845-565-7387

Open 24/7/365

Town Of Newburgh Animal Control (# 18987)
 645 Gidney Avenue
 Newburgh, NY 12550

May 26, 2016
Invoice Number
265916

Home Phone: (845) 561-3344
 Work Phone: () - ext:

2016-20-2016 Doberman (# ~~ALF~~) #2316 "Guffin" Rabies Vaccine: 05/21/2017
 Species: Canine
 Sex: Male Neutered
 Age: 5 years old
 Breed: Doberman Pinscher
 Coat Color: (None)
 Rabies Tag Number:

Date	Description	Qty	Price
05/21/2016	Town/City - Rabies Vaccine 1 year	1.00	\$ 21.00
Total for 2016-20-2016 Doberman:			\$ 21.00

Dr. Mark A. Masucci

Total Invoice: \$ 21.00
Previous Balance: \$ 0.00
Total Amount Due: \$ 21.00
New Balance Due: \$ 21.00

Current Account Status

Current Invoice:	0 to 30 Days	31 to 60 Days	61 to 90 Days	Over 90 Days	Total A/R
\$ 21.00	\$ 21.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 21.00

13

TOWN OF NEWBURGH

Crossroads of the Northeast

OLD TOWN HALL
308 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

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

To: Supervisor Piaquadio

June 10, 2016

Town Board Members

Personnel

From: Gerald Canfield Code Compliance Supervisor



Re: Part Time Clerk

I am requesting authorization to commence the hiring process to fulfill the vacant Part Time Clerk in my department. Funds for this position are available in the 2016 Fire Inspector budget 3410.0100.

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 20th day of June, 2016 at 7:00 o'clock p.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Green, Councilwoman

Paul I. Ruggiero, Councilman

James E. Presutti, Councilwoman

Scott M. Manley, Councilman

RESOLUTION AUTHORIZING
ACCEPTANCE OF CREDIT CARDS
FOR CERTAIN PAYMENTS

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

WHEREAS, in accordance with the provisions of New York State General Municipal Law §§ 5 and 10, the Town of Newburgh is authorized to enter into agreements with one or more financing agencies or card issuers to provide for the acceptance, by such Town and its officers, of credit cards as a means of payment of fines, civil penalties, rent, rates, taxes, fees, charges, revenue, financial obligations or other amounts, including penalties, special assessments and interest, owed to the Town; and

WHEREAS, the term credit card includes any credit card, credit plate, charge card, charge plate, courtesy card, debit card, other identification card, value transfer device as defined by the State Comptroller or device issued by a person to another person which may be used to obtain a cash advance or a loan or credit, or to purchase or lease property or services on the credit of the person issuing the credit card or a person who has agreed with the issuer to pay obligations arising from the use of a credit card issued to another person; and

WHEREAS, any such agreement shall govern the terms and conditions upon which a credit card proffered as a means of payment of a fine, civil penalty, rent, rate, tax, fee, charge, revenue, financial obligation or other amount, including penalty, special assessment or interest, shall be accepted or declined and the manner in and conditions upon which the financing agency or card issuer shall pay to such local government the amount of fines, civil penalties, rent, rates, taxes, fees, charges, revenue, financial obligations or other amounts, including penalty, special assessment or interest, paid by means of a credit card pursuant to such agreement; and

WHEREAS, any such agreement may provide for the payment by such local government to such financing agency or card issuer of fees for the services provided by such financing agency or card issuer pursuant to such agreement, which fees may consist of a discount deducted from or payable in respect of the amount of each such fine, civil penalty, rent, rate, tax, fee, charge, revenue, financial obligation or other amount, including penalty, special assessment or interest. If fees are paid by such a discount, they shall be post-audited by the Town.

NOW THEREFORE, BE IT RESOLVED:

1. The Town of Newburgh is hereby authorized to accept credit cards as a means of payment of fines, civil penalties, rent, rates, taxes, fees, charges, revenue, financial obligations or other amounts, including penalties, special assessment or interest, as provided in such agreement

and may pay such fees as are specified in such agreement to such financing agency or card issuer in consideration of the services rendered by such financing agency or card issuer thereunder. Notwithstanding any other provision of law to the contrary, it shall be the option of the Town Board as a condition of accepting payment by credit card, that such person offering payment by credit or charge card pay a service fee to the Town not exceeding costs incurred by the Town in connection with the credit or charge card payment transaction, including any fee owed by the Town to the financing agency or card issuer arising from that transaction.

2. Contracts entered into pursuant to this chapter between the Town and financing agencies or card issuers shall be awarded in accordance with the Town's written internal policies and procedures as may be amended from time to time pursuant to § 104-b of the General Municipal Law.

3. The underlying debt, lien, obligation, bill, account or other amount owed to the Town for which payment by credit card is accepted shall not be expunged, canceled, released, discharged or satisfied, and any receipt or other evidence of payment shall be deemed conditional, until the Town shall have received final and unconditional payment of the full amount due from the financing agency or card issuer for such credit card transaction.

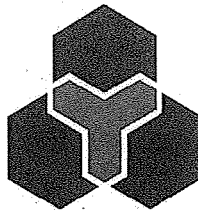
4. The Town Board hereby designates the following officers and their respective deputies as the officers charged with the duty of collecting or receiving moneys on behalf of the Town, and said persons are hereby authorized to accept credit cards as a means of payment of fines, taxes, rent, rates, fees, charges, revenue, financial obligations and other amounts, including penalties, special assessments or interest:

Receiver of Taxes

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

<u>Elizabeth J. Greene, Councilwoman</u>	<u>voting</u>
<u>Paul I. Ruggiero, Councilman</u>	<u>voting</u>
<u>James E. Presutti, Councilman</u>	<u>voting</u>
<u>Scott M. Manley, Councilman</u>	<u>voting</u>
<u>Gilbert J. Piaquadio, Supervisor</u>	<u>voting</u>

The resolution was thereupon declared duly adopted.



HEL CIM

Your Trusted Payment Partner

Thank you for choosing Helcim as your card payment solutions provider. We hope to build a strong and mutually beneficial processing arrangement with your business.

About This Application

This form is for applicants seeking a Visa and MasterCard merchant account with Helcim and its banking partner. Once completed, please fax or email all required items to the contact information below.

Application Check List

- Signed merchant application form
- Business license or corporate registration
- Void check, direct deposit form or bank letter
- Utility bill or driver's license to verify your home address

FAX: 1 (866) 469-3077

Email: apps@helcim.com

Frequently Asked Questions

How long does the application take?

New applications are approved on average within 1-2 business days. Equipment is deployed via FedEx or UPS.

Why provide a void check?

A void check must be provided in order to confirm the bank account where processed funds will be deposited. If you do not have checks available, a letter from a bank representative or a direct deposit form can also be used.

Is there a personal credit check?

As we offer a financial service, a credit check is performed on new applicants. If you have an established business (corporation) or a non-profit, this can be circumvented by providing financial statements for the business or organization. We are also one of the few processors that allow for co-signers.

Application Cover Sheet

Business Name: Business Contact Person: Attention to Helcim Staff: Comments / Notes:	TOWN OF NEWBURGH <hr/> <hr/> <hr/>
---	---------------------------------------

Transaction Information

What currency would you like to process in?	<input type="checkbox"/> Canadian Dollar (CAD) <input checked="" type="checkbox"/> US Dollar (USD)
What products and services do you offer?	
Estimated monthly volume from card processing?	\$
What is the average amount per transaction?	\$
What is the average delivery turnaround time?	same day(s)
What year did you start your business?	0000
What is your current American Express Merchant ID?	(optional)

Business Information

Legal Business Name:	
Doing Business As (DBA) Name / Operating Name:	TOWN OF NEWBURGH
Business Street Address:	
City, Province/State and Postal/Zip Code:	
Type of Business Location:	<input type="checkbox"/> Home <input type="checkbox"/> Office Building <input type="checkbox"/> Commercial Bay <input type="checkbox"/> Retail <input type="checkbox"/> Restaurant
Business Number, GST #, EIN or Personal Tax ID:	
Business Telephone Number:	845-562-9100
Business FAX Number:	
Business Email Address:	
Website URL:	
Countries Where Business is Registered:	
Number of Business Locations Globally:	0 Location(s)

Owner / Principal Information #1

Business Ownership (%):	100.00 %
Title: (ex: Owner, President, Director, Authorized Signer)	Owner
First and Last Name:	
Personal Home Street Address:	
City, Province/State and Postal/Zip Code:	
Home Telephone Number:	
Date of Birth:	
SIN/SSN:	
Email Address:	
Countries of Citizenship(s):	

Owner / Principal Information #2

Business Ownership (%):	%
Title: (ex: Owner, President, Director, Authorized Signer)	
First and Last Name:	
Personal Home Street Address:	
City, Province/State and Postal/Zip Code:	
Home Telephone Number:	
Date of Birth:	
SIN/SSN:	
Email Address:	
Countries of Citizenship(s):	

SUBSTITUTE FORM W-9

Sole Proprietor
 Public Corp
 Closely Held Corp
 Sub S Corp
 Government
 General Partnership
 Limited Partnership
 Tax Exempt Organization (include documents that support exempt status)
 Other (Assn/Estate/Trust)
 Limited Liability Company – Tax Classification (D=Disregarded Entity, C=Corporation, P=Partnership):
 (if LLC, Please Indicate D, C or P)

NAME: **TOWN OF NEWBURGH**

* NAME (OF BUSINESS) AS SHOWN ON YOUR BUSINESS INCOME TAX RETURNS. FOR SOLE PROPRIETORS, THIS SHOULD ALWAYS BE THE OWNER'S NAME.

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

TIN (EMPLOYER ID #): _____

OR TIN (SOCIAL SECURITY #): _____

MERCHANT REPRESENTATIONS AND CERTIFICATIONS

Merchant Representations and Certifications. By signing below, the applicant merchant ("Merchant") and its representative(s) represent and warrant to Elavon, Inc. ("Elavon" or "Member" as applicable), with offices at 7300 Chapman Highway, Knoxville, TN 37920 (collectively, "we" or "us") that (i) all information provided in this merchant application ("Merchant Application") is true and complete and properly reflects the business, financial condition, and principal partners, owners, or officers of Merchant; and (ii) the persons signing this Merchant Application are duly authorized to bind Merchant to all provisions of this Merchant Application and the Agreement. The signature by an authorized representative of Merchant on the Merchant Application, or the transmission of a Transaction Receipt or other evidence of a Transaction to us, shall be the Merchant's acceptance of and agreement to the terms and conditions contained in the Agreement including, without limitation, this Merchant Application, the Terms of Service ("TOS") and the Merchant Operating Guide ("MOG") incorporated herein by this reference and located at our website at https://www.merchantconnect.com/CWRWeb/pdf/TOS_Eng.pdf and https://www.merchantconnect.com/CWRWeb/pdf/MOG_Eng.pdf, respectively. If Merchant does not have access to view the TOS or MOG at our website please contact our customer service center. Notwithstanding any such non-receipt of the TOS or MOG, Merchant agrees to comply with the Agreement, and all applicable laws, rules, and regulations including the rules and regulations of the Payment Networks, and understands that failure to comply will result in termination of processing services. Capitalized terms shall, unless otherwise defined in this Merchant Application, have the same meaning ascribed to them in the TOS and MOG.

All merchants must comply with the requirements of the Payment Card Industry Data Security Standards ("PCI DSS"). Elavon requires Level 4 merchants (determined based on Transaction volume) to validate PCI DSS compliance on an annual basis, with initial validation to occur no later than ninety (90) days after account approval. Any merchant that has not validated PCI DSS compliance within ninety (90) days after account approval, or in subsequent years on or before the anniversary date of account approval, will be charged a monthly non-compliance fee of \$45 until Elavon is provided with validation of compliance. Merchant may be eligible for Data Breach Coverage following account approval and PCI DSS compliance validation. See the PCI Compliance Program Overview for coverage details and conditions.

Under penalties of perjury, Merchant certifies that:

1. The number shown on this Merchant Application is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person.
4. The FATCA code(s) entered on this form (if any) indicating I am exempt from FATCA reporting is correct.

IMPORTANT INFORMATION ABOUT PROCEDURES FOR OPENING A NEW ACCOUNT. To help the government fight the funding of terrorism and money laundering activities, Federal law requires all financial institutions to obtain, verify, and record information that identifies each person who opens an account. This means we will ask for certain information and identifying documents to allow us to identify you. Merchant and its representative(s) authorize us prior to our acceptance of this Merchant Application and from time to time thereafter, to investigate the individual and business history and background of Merchant, each such representative and any other officers, partners, proprietors, and/or owners of Merchant, and to obtain credit reports or other background investigation reports on each of them that we consider necessary to review the acceptance and continuation of this Merchant Application. Merchant also authorizes any person or credit reporting agency to compile information to answer those credit inquiries and to furnish that information to us.

American Express Acceptance Program (Acceptance Program). If Merchant has elected to accept American Express® Transactions (as indicated in the Card Acceptance section of this Merchant Application), in addition to all other terms of this Agreement, Merchant agrees to the provisions set forth in Section E (Acceptance Program) of the TOS. By signing below or by accepting a Transaction initiated with an American Express® Payment Device, Merchant expressly authorizes Elavon to submit American Express® Transactions to, and to receive settlement funds from, American Express on Merchant's behalf. Merchant further authorizes Elavon to provide Merchant's contact information to American Express, and Merchant agrees that American Express may use and share such contact information for its business purposes and as permitted by applicable laws, including to communicate with Merchant regarding products, services, and resources available to Merchant's business. American Express's use of the email address and mobile phone number provided above is subject to the consent to such use as indicated in Section 1 of this Merchant Application. Consent to American Express's use of contact information for such communications may be withdrawn at any time by contacting our customer service center. Even if consent is withdrawn, Merchant may still receive messages related to important information about Merchant's account from American Express. Merchant or Elavon may terminate Merchant's acceptance of American Express® Payment Devices at any time, with or without cause, without affecting Merchant's rights and obligations pursuant to the remainder of this Agreement. Merchant acknowledges that, if at any time Merchant is no longer qualified to participate in the Acceptance Program, Merchant may be enrolled in the standard American Express® card acceptance program, which may have different terms and conditions than the Acceptance Program, and Merchant's acceptance of American Express® Payment Devices pursuant to this Agreement will be terminated. Merchant acknowledges that American Express is an intended third-party beneficiary of this Agreement, solely with respect to the terms and conditions applicable to Merchant's acceptance of American Express® Payment Devices, and that American Express has the right to enforce such terms and conditions directly against Merchant.

This Merchant Application may be signed in one or more counterparts, each of which shall constitute an original and all of which, taken together, shall constitute one and the same Merchant Application. Delivery of executed counterparts of this Merchant Application may be accomplished by a facsimile transmission, and a signed facsimile or copy of this Merchant Application shall constitute a signed original.

Merchant understands that an authorization code is not a guarantee of acceptance or payment of a Transaction. Receipt of an authorization code does not mean that merchant will not receive a Chargeback for that Transaction.

*The Internal Revenue Service does not require your consent to any provision of this document other than the certifications required to avoid backup withholding.

SIGNATURE: X	PRINTED NAME:	TITLE:	DATE:
SIGNATURE: X	PRINTED NAME:	TITLE:	DATE:

PERSONAL GUARANTY

As a primary inducement to us to accept this Merchant Application, the undersigned Guarantor(s), by signing the Merchant Application, jointly and severally, unconditionally and irrevocably, guarantee the continuing full and faithful performance and payment by Merchant of each of its duties and obligations to us (including, without limitation, Chargebacks and obligations in connection with Leased Equipment, if applicable) pursuant to the Merchant Application and Agreement, as may be amended from time to time, with or without notice. Guarantor(s) understand further that we may proceed directly against Guarantor(s) without first exhausting our remedies against any other person or entity responsible therefore to them or any security held by us or Merchant. This guarantee will not be discharged or affected by the death of the Guarantors, will bind all heirs, administrators, representatives and assigns and may be enforced by or for the benefit of any of our successors. Guarantor(s) understand that the inducement to us to accept this Merchant Application is consideration for the guaranty and that this guaranty remains in full force and effect even if the Guarantor(s) receive no additional benefit from the guaranty. The undersigned hereby directs any consumer reporting agency to furnish a consumer credit report that relates personally to the undersigned upon the request of Elavon or any of its designees, successors or assigns and agrees that all parties involved are in compliance with the Fair Credit Reporting Act.

SIGNATURE: X	PRINTED NAME:	DATE:
SIGNATURE: X	PRINTED NAME:	DATE:

Merchant Account – Pricing Information

Platform Information:

Processing Platform:	Online Gateway (MUNICIPALITY Integration)
Accepted Card Types:	Visa, MasterCard, Discover, Amex
Monthly Package Fee:	\$ 0 (Vendor Pass-Through)
One-Time Setup Fee:	\$ 0 (Vendor Pass-Through)
Monthly Minimum:	\$ 0

Processing Pricing:

Processing Environment:	Keyed (INTERNET)
Interchange+ Pricing:	(Vendor Pass-Through)
Authorization Fee:	(Vendor Pass-Through)
International Cross-Border:	(Vendor Pass-Through)
Daily Bank Deposits:	Free

Per Occurrence:

Chargeback Fee:	\$ 15 (per occurrence)
Bank or Business Name Change:	\$ 25 (per occurrence)
Contract Closure / Early Termination:	\$ 0

Billing Cycle

Helcim operates on a gross-billing cycle (unless otherwise indicated). Settled transactions will appear in your bank account in full (in accordance to the terms of services). Processing fees for the processed funds are removed from the same bank account at the end of each month, as well as any applicable fees (such as the monthly fee). It is your responsibility to keep an appropriate balance in your bank account for these fees. In the event that these fees cannot be debited, a \$25 NSF fee will be deducted separately and another withdrawal for the account fees will be attempted within the same month. If these additional withdrawal fails, you will be notified by the billing department of the overdue account. Merchants with an overdue account risk having their account closed at the discretion of Helcim and its partnering bank.

Rate Guarantee

We provide all of our merchants with a guarantee that our Cost+ (%) margin quoted above will never increase for the life of your account. This does not guarantee potential changes to the Interchange cost.

American Express Acceptance

Merchants already accepting American Express can retain their existing American Express Merchant ID (SE#) and rate. Merchants without an existing ID will be automatically enrolled in the Amex Opt-Blue acceptance program. Standard Amex Opt-Blue Interchange rates apply, with a 0.3% acquirer network buy-rate and the standard Helcim Interchange+ markup listed above. The acquirer buy-rate and Interchange+ markup will be combined and appear as an American Express Processing Fee on your merchant statement.

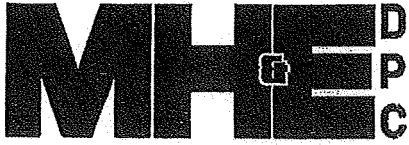
PCI Compliance

Visa and MasterCard are now requiring that all US processors validate the compliance of their merchants. We've partnered with Sysnet to provide an easy way for you to accomplish this and include these services as part of our standard monthly package fee. Merchants have 90 days from approval to show proof of their compliance. For the majority of merchants, this is as easy as filling out a basic online questionnaire. Merchants who fail to complete their compliance are subject to a \$45 per month non-compliance penalty.

Quote generated on Jul 22, 2014

All prices above are not confirmed until the accounts are approved and are levied in the currency of the merchant account. Quotes are valid for 90 days. Helcim is a registered MSP/ISO of U.S. Bank National Association (Elavon) and of US Bank of Minneapolis, MN. The applicant understands that as a Visa and MasterCard merchant, all payment card industry data security standards that apply must be met and that continuous consideration will be put forward to safe-keep cardholder data.

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CONSULTING ENGINEERS D.P.C.

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MAP, PLAN AND REPORT
FOR
TOWN OF NEWBURGH
ROSETON HILLS SEWER DISTRICT
ORANGE COUNTY, NEW YORK



CLIENT:
Town of Newburgh
1496 Route 300
Newburgh, NY 12550

PREPARED BY:
McGoey, Hauser and Edsall
Consulting Engineers, P.C.
33 Airport Center Drive
Suite 202
New Windsor, NY 12553

ANY UNAUTHORIZED ALTERATION OR
ADDITION TO THIS DOCUMENT IS A
VIOLATION OF SECTION 7209(2) OF THE
NEW YORK STATE EDUCATION LAW

Job No. 16-101.5
Date: 5 April 2016
Revised: 15 April 2016
18 April 2016
25 April 2016

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ATTACHMENTS

- I** **MAP OF DISTRICT**
- II** **DISTRICT BOUNDARY DESCRIPTION**

I. INTRODUCTION

McGoey, Hauser and Edsall Consulting Engineers, D.P.C. (MHE), has been authorized by the Town of Newburgh (Town) to prepare this Map, Plan and Report for the formation of the Town's Roseton Hills Sewer District (District). The District is wholly located within the Town of Newburgh, Orange County New York. The District is generally located adjacent to and east of New York State Route 9W (NYS 9W) between Oak Street and Larabee Road. A parcel generally located west of the existing District, adjacent to NYS 9W is proposed to be included in the District. Attachment 1 to this report is a map of the district boundaries and Attachment 2 contains the Metes and Bounds description of the District.

The District currently serves the Parr Valley East and Orchard Hills subdivisions and was previously was financed by a privately owned Transportation Corporation. These two subdivisions consist of 168 and 260 units respectively. The Town is currently in the process of purchasing the District's assets from this private entity and forming a special district. The assets include an existing wastewater treatment facility (SPDES Permit # NY-0271373) and its associated collection system.

Parr Valley West is a 124 unit condominium complex to the west of NYS 9W that has a separate wastewater treatment facility. This facility operates under SPDES Permit NY-0098213 and is in a state of disrepair. The Town wishes to re-purpose the facility to serve as a pump station and convey wastewater to the Roseton Hills treatment facility on the east side of NYS Route 9W. This action requires Parr Valley West to be included in the District.

The purpose of this Map, Plan and Report is to provide for the formation of new District comprising areas previously owned by the Parr Valley West Sewage Works Corporation and the Roseton Hills Sewage Works Corporation. This Map, Plan, and Report will provide for the re-allocation and apportionment of cost on a benefit use basis for parcels and rental units within the District. Procedures for the District formation shall conform to Town Law Article 12. The scope of this report includes the evaluation of the existing treatment plants, proposes costs for required improvements, proposes a fair distribution of costs within the District by using benefit units, and provides first year impacts to each benefit unit within the District.

II. BENEFIT AREA

The District is wholly located within the Town of Newburgh, Orange County New York. The District is generally located adjacent to and east of New York State Route 9W (NYS 9W) between Oak Street and Larabee Road. This area corresponds to the area currently served by the Roseton Hills Sewage Works Corporation. An additional parcel generally located west and adjacent to NYS 9W is proposed to be included in the District. The District is being formed under Town Law Article 12 procedures. Attachment 1 to this report is a map of the district boundaries. Attachment 2 contains a Metes and Bounds description of the sewer district.

The properties within the proposed District are fully developed with no vacant parcels remaining.

III. WASTEWATER FLOW AND QUALITY

Influent flow and wastewater strength information has been provided by the Parr Valley west wastewater treatment plant (WWTP-PV) as well as the existing Roseton Hills Sewer Works Corporation WWTP (WWTP-RH). The environment is protected by setting limits on certain parameters that will be discharged from the facility. These limits are provided in the facility's SPDES permit. Wastewater strength for this facility is primarily evaluated based on SPDES limits which for this facility include Biological Oxygen Demand (BOD), Total Suspended Solids (TSS), and Ammonia (NH₃).

The BOD is a general approximation of the organic strength of the wastewater. BOD represents the carbonaceous "food" for microorganisms to consume to treat the wastewater. In domestic wastewaters such as this, it is typical for a majority of the BOD to be dissolved in the wastewater. The remaining BOD arrives with other inorganic solids. Organic and inorganic solids are measured under the parameter TSS. Lastly the ammonia represents the nitrogenous "food" for the microorganisms to consume to treat the wastewater.

Removal of all three parameters results in a highly cleaned wastewater that can safely be discharged to the environment. Operational reports from the year 2015 were used to develop Table 1 below. The average daily flows, masses of BOD, TSS and Ammonia were combined to create a scenario of how the plant may have operated if they two systems were combined in 2015. Total masses were then converted back to concentrations using the combined 0.0701 MGD flow. Combined values are shown in bold below.

Table 1

Location	Average Daily/Max Day Flow (MGD)	Average/Max Day BOD (mg/L)	Average/Max Day TSS (mg/L)	Average/Max Day NH ₃ (mg/L)*
Parr Valley West	0.0195 / 0.046	206.5 / 360	376.9 / 2,000	21.5 / 37.5
Roseton Hills Sewer District	0.0506 / 0.107	284.7 / 378	143.3 / 373	29.7 / 39.4
COMBINED AVERAGES	0.0701 / 0.153	262.4 / 373.2	209.9 / 801.1	27.3 / 38.9

* - No influent ammonia data available. Concentrations assumed. See details below.

The treatment facility was designed for an average daily flow of 120,000 gpd. The average daily flow is calculated by dividing the total volume of wastewater treated by the number of days in the month. Actual daily flows therefore may be less than or greater than this average. The maximum day flows shown above do not constitute a SPDES permit violation as it occurred on only one day in a month.

The facility was designed for an assumed influent BOD, TSS, and Nitrogen of 240 mg/L, 204 mg/L, and 39.6 mg/L respectively. Ammonia values are not reported on operational reports. It will be assumed for the purposes of this report that ammonia constitutes 25 mg/L of the Nitrogen. This assumption matches the apparent design intent of the facility. All the assumptions provided are typical of medium strength domestic wastewater. To estimate ammonia for Table 2 purposes, the 25 mg/L assumption was multiplied by the ratio of: actual BOD concentration/ 240. It should be noted that the operator took a grab sample during an MHE site visit on March 23, 2016. Using a field test kit a result of 25.6 mg/L for influent ammonia was obtained. This gives some indication that the assumption may be reasonable.

It is unclear how the 2,000 mg/L TSS value came from as this is well outside typical domestic wastewater values. If that is an anomaly the average and max values are reduced to 125 mg/L / 190 mg/L respectively.

Table 1 shows the facility has sufficient hydraulic and organic capacity to combine the two systems. Total average wastewater flow for the new District is estimated to range between 55,000 gpd and 102,000 gpd and equal approximately 70,100 gpd on average. This flow range is well below the permitted flow of 120,000 gpd. Similarly the combined facility would operate at approximately 63% capacity for organics and ammonia, and 50% for solids on average.

IV. EVALUATIONS AND RECOMMENDATIONS

Parr Valley West WWTP Evaluation

The facility is permitted to discharge 34,500 gpd and operates under SPDES permit NY-0098213. Table 1 shows current flows are well below this limit. The subdivision is at 100% buildout. It is unknown if the condominium complex is 100% occupied. The technical evaluation is limited to aspects of the facility that is proposed to be re-purposed into a pump station with equalization. The remaining portions of the facility are proposed to be abandoned pursuant to 6 NYCRR Part 750-2.11 regulations. A generalized flow diagram is not provided for reference since the treatment aspect of the facility is not proposed to be re-purposed.

The influent pump station conveys flows to the treatment plant. The facility is a packaged system with two identical trains consisting of: a bar screen, aeration tank for treatment, and a final clarifier to separate solids and wastewater. A sludge holding tank to store solids until they can be hauled away is also included. After aeration the flow from each train is combined to provide for disinfection to inactivate microorganisms in the effluent. Flow then is discharged to the receiving stream. All these components are operating well under the design flows.

The influent pump station consists of a wet well and two non-clog style pumps. The operator indicated that each pump is rated at 250 gpm. The manufacturer's pump curve shows 250 gpm at an approximate TDH of 19'. This appears accurate based on a cursory view of the site. The operator has indicated that the pumps clog routinely with rags.

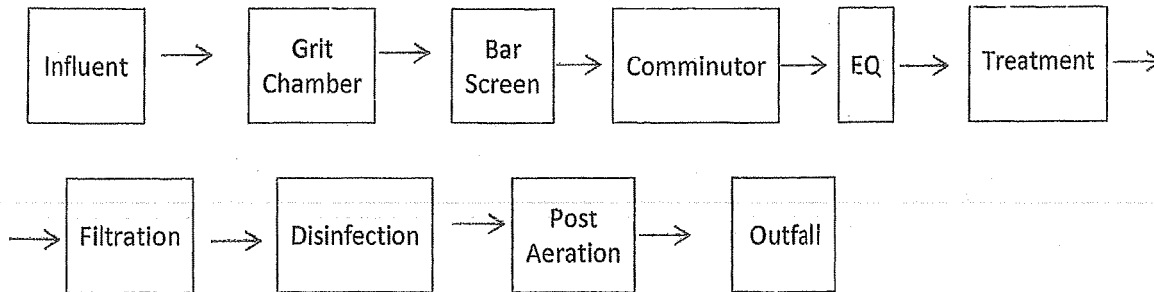
The treatment facility is constructed of steel that appears to be well beyond its design life. Holes in common walls between units have been indicated by the operator. It appears that no portion of the treatment process is salvageable. The treatment building which houses blowers, electrical, a desk, and spare parts appears to be in an acceptable condition.

Roseton Hills Sewer District WWTP Evaluation

The treatment facility operates under SPDES permit NY-0271373 and is currently meeting all permit limits. Two violations have been reported at this facility in 2015. The first violation occurred due to rags within the

filter system preventing proper function. The second violation was a result of faulty control wiring in the EQ pump system. Both violations were remedied quickly. MHE performed a preliminary analysis to establish what upgrades to the facility are required to accommodate Parr Valley West. This included a site visit on March 23, 2015 to review the facility and talk to the operator onsite. A generalized flow diagram for the facility is included in Figure 1 below:

Figure 1



It is felt that the facility can accept the wastewater from Parr Valley West without issue. The proposed sewer district is 100% built out so no additional flows as calculated in Table 1 (within the district) is anticipated. The facility is designed to treat 120,000 gpd of standard domestic wastewater. Current flows are approximately 50,600 gpd. Parr Valley West would raise the average daily flow to approximately 70,100 gpd. The facility currently uses hydrated lime to boost influent alkalinity to maintain process stability.

The facility consists of a grit chamber, bar screen, comminutor to grind incoming solids down to a small size, an equalization tank, 3 aeration tanks for treatment of BOD and ammonia, a clarifier to separate solids and wastewater, a sludge holding tank to store solids until they can be hauled away, a tertiary filter to polish the clarifier effluent of any solids, disinfection to inactivate microorganisms in the effluent, and lastly post aeration to provide the effluent with dissolved oxygen to protect the receiving stream. Most components are operating well under the design flows.

The chief operator indicated in March of 2016 that rags continue to be an issue, particularly on the equalization tank pumps. The facility has replaced both pumps twice in the last 4 years of operation. It appears the comminutor and bar screen is not performing in an acceptable manner.

HEADWORKS

The grit chamber, bar screen, and comminutor are collectively referred to as the headworks. The design plans show the flow path as: grit chamber – comminutor (w/bypass) - bar screen. The actual flow path as installed is grit chamber -- bar screen – comminutor (w/bypass). The actual flow path is felt to be the better approach.

The grit chamber settles out inorganic solids that come in, allowing lighter organic solids to continue with the wastewater. The settled grit is manually removed by the operators when needed. Its effectiveness is unknown. To date no issues with grit in the facility has been reported.

The bar screen removes larger debris and rags from the waste stream. It is manually cleaned with approximately 1" space between bars which is consistent for this type of screen. The operators clean the bar screen daily to avoid backups. Given the rag issues at the facility, the effectiveness of the bar screen appears to be low.

The comminutor is designed to grind solids down to little pieces so that they do not interfere with downstream equipment. A bypass exists around the unit to allow for maintenance. This bypass is normally closed. The presence of rag material in the process is creating problems such as pump maintenance and permit violations. This indicates that either the unit is not functioning well or that the technology is not ideal for this facility.

EQUALIZATION TANK

The equalization (EQ) tank has a capacity of 27,478 gallons. This represents approximately 22.9% of the average daily design flow of 120,000 gpd. This percentage appears to have been approved by regulatory agencies. It is expected that this EQ tank would operate without issue at the revised combined design flow of 70,100 gpd. Experience from other facilities in the area indicates a range of 20% - 25% storage factor is typical. At the 22.9% storage factor, the proposed flow from the new District would only require approximately 16,053 gallons of the available 27,478 gallons.

FACILITY PUMPS

The EQ pumps appear to be the only pumps that require upgrading. Table 2 below shows the two pumps and the impact of adding Parr Valley West to the facility on an average day:

Table 2

Description	EQ Pumps		Filter Feed Pumps	
	Flow	Unit	Flow	Unit
Pump Design Flow	43.5	gpm	70	gpm
Facility Avg. Flow	35.1	gpm	35.1	gpm
Existing Pump Run Time	19.4	hrs/day	10.0	hrs/day
Parr Valley West Pump Flow	13.6	gpm	13.6	gpm
Proposed Pump Run Time	26.6	hrs/day	13.9	hrs/day

The pumps have gone through 2 replacements since the initial installation 4 to 5 years ago. The most recent pumps are rated for 50 gpm and appear to the operators to actually be producing closer to 43.5 gpm and are sufficient for current flows.

It appears clear from Table 2 that the EQ pumps are insufficient to handle the proposed combined flow. The design plans show the EQ pumps were designed for 104 gpm (150,000 gpd). Restoring the pumps to the original design flow should be sufficient to handle the additional proposed average daily and max day flows with minimal need for the pumps to operate concurrently.

FILTER

The operators indicate the filter is a high maintenance item. The unit is a continuously backwashing filter. There is no redundant unit installed. The operators indicated during the site visit on March 23, 2016 that rags and debris accumulate and plug the filter. In addition they chemically clean the filter approximately bi-weekly. The tertiary filter appears to operate acceptably between cleanings and when rags do not plug the unit. There is no redundant filter at this facility.

The high maintenance presents a risk of failure and elevated operational costs. Loss of the filter results in a high risk the facility will not meet all SPDES permit limits. Operation and Maintenance manual from the manufacturer does not address chemical cleaning of the sand as part of its normal maintenance schedule. It is felt therefore that this is an abnormal operation needed to keep the system operational at this facility.

Recommendations for Parr Valley West WWTP

It is recommended that the Parr Valley West facility be re-purposed to convey wastewater to Roseton Hills. Re-purposing the facility involves screening improvements, conversion of an existing tank to an equalization tank, construction of a pump station and force main, installation of new controls and electrical components, and abandonment of the remaining tankage. All improvements to the facility shall conform to the latest edition of 10 State Standards. To establish a budgetary cost for improvements for this report the sizing of tanks and equipment use conservative methods. Final sizing is to be completed in the design phase and may differ from what is proposed herein.

Screening improvements include removal, washing, dewatering, and bagging of all influent debris. The noted rags/wipes issue creates increased maintenance and reliability issues. Removal of the material is currently the only reliable method of handling the material until the new comminution devices released in 2015 prove themselves in the long term.

Using a 25% storage factor the new pump station will require a wet well/EQ tank size of at least 4,875 gallons at the actual average daily flow of 19,500 gpd. The existing blowers at the facility appear to be recently replaced and can be re-purposed for equalization tank aeration and mixing.

A DR 11 HDPE or equal type transmission main is assumed for this report. The force main routing shall include a horizontal bore under New York State Route 9W (NYS 9W), a southerly tract within the NYS 9W Right-of-Way, then into Parr Valley East where it is proposed to connect into their gravity collection system. Route length depends on multiple factors. For this report a length of 2,200 lineal feet is assumed as this represents a more conservative design and cost.

The low daily flow from this facility requires a smaller 2" or possibly 3" force main to ensure solids cleansing velocities are achieved. A grinder pump is the only pump type allowed under the design standards for this size force main.

A grinder pump system sized to each provide, at minimum, the maximum day equalized flow with one pump out of service. The pumps should be of grinder type and would appear to require no more than 7.5 HP in energy. The choice of installation is anticipated to be based upon the most cost and energy effective approach found during design. Options include:

1. Submersible to be placed inside a tank.
2. Submersible in a separate wet well.
3. Installed in a dry pit.

The design of the pumps and force main will be coordinated in the design phase of the project to provide the most energy efficient approach. Further options are to be reviewed during design include energy saving measures such as using variable frequency drives on the pumps or utilize additional smaller flow pumps.

The facility will also require an emergency generator to meet current standards. The unit would operate on diesel and be located outside in a weatherproof, sound attenuated enclosure. Lastly the fencing at the facility is beyond its useful life and should be replaced only to allow for the new equipment. A semi-private vinyl fence has been assumed for this report. The existing building can be secured with locks and deadbolts.

Recommendations for Roseton Hills WWTP

The Roseton Hills facility can accept flow without issue, however the operators have noted issues with rags that clog EQ pumps and create issues downstream in the plant. Improvements are recommended to help ensure rags do not continue to create undue maintenance and failures of processes. The possibility of disposable wipes being utilized in the future creates an additional need for removal. To establish a budgetary cost for improvements for this report the sizing of tanks and equipment use conservative methods. Final sizing is to be completed in the design phase and may differ from what is proposed herein.

The influent comminutor is recommended to be removed and replaced with a screenings removal system such as a model AGV1800-285 as manufactured by JWC Environmental or equal. This all in one unit captures ground up screenings on a fine screen and uses an auger to remove. Wastewater passes through to the downstream EQ tank. Collected screenings would be washed to remove organics, compacted to dewater them, and then bagged for easy removal by operators. The system appears to fit in the same footprint area that the comminutor occupied. Freeze protection would be required due to the climate. The required EQ volume for the combined facility is significantly less than the present volume. This allows for a new, lower inlet to be installed in the EQ tank to facilitate the unit. The existing bar screen would remain.

The proposed upgrade should stop rag material from entering the facility. There is a possibility that issues associated with rags could continue once upgrades are complete. This is caused by material already present within the system at the time of the upgrade. Any issues that arise are anticipated to be short term in nature.

The controls of the EQ tank would be modified to ensure the level in the EQ tank does not reach levels that would create issues with the new screenings removal unit. The EQ pumps should be replaced to return them to the design flow of 104 gpm to restore capacity in the combined system.

The high maintenance filter should remain, but undergo re-evaluation after headworks improvements are complete. In the event that the filter continues to require high maintenance then replacement of the filter should be investigated as an option.

The use of hydrated lime to boost alkalinity should be evaluated in the design phase to determine if a more cost effective chemical is available.

V. CAPITAL COST AND BENEFIT UNIT FORMULA

The project costs to design and construct the recommended improvements are shown in Table 2 below:

Table 2

Location	Description	Estimated Capital Cost
Parr Valley West	Abandonment of Facilities	\$75,000
	New Screenings/Manhole Mod.	\$160,000
	New EQ Tank	\$30,000
	New EQ Pumps/Wet Well	\$20,000
	Site Work/Fencing	\$40,000
	Updated Controls	\$10,000
	2,200 L.F. Force Main	\$150,000
	NYS Route 9W Horizontal Bore	\$30,000
	Emergency Generator	\$30,000
Roseton Hills	New Screenings/Manhole	\$160,000
	New EQ Pumps	\$5,000
	Site Work	\$10,000
	Updated Controls	\$10,000
SUBTOTAL:		\$730,000
10% Construction Contingency		\$73,000
CONSTRUCTION TOTAL:		\$803,000
Engineering Design		\$147,500
Legal, Administrative, Financial		\$25,000
Purchase Price of Roseton Hills WWTP		\$1,850,000
TOTAL PROJECT COSTS:		\$2,825,500

All tax parcels located within the district are assessed benefit units for the purpose of fair distribution of capital costs as well as operation and maintenance costs. For the residential condominium complexes one benefit unit is assigned to each residential unit in the condominium. Similarly, for multi-family complexes in single ownership, each dwelling unit in the complex is assigned one benefit unit. Commercial parcels are

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McGOEY, HAUSER, AND EDSALL D.P.C.
CONSULTING ENGINEERS

assigned benefit units based upon their design water flow divided by the average design residential flow for the District. An example of commercial estimation is as follows:

A commercial parcel is estimated to utilize 700 gallon per day by design standards. If a residential unit in the District is assumed to utilize 350 gallons per day then the commercial parcel would be assessed two (2) benefit units.

VI FIRST YEAR COST

The benefit system identified above was utilized to calculate contribution of each parcel towards debt service. Actual project costs are defined at this time as costs of construction of all recommendations proposed herein. As the Town intends to obtain long term financing for this debt, a thirty year payment schedule has been utilized to determine first year cost within the district. The Town of Newburgh has identified its current bond rate at 4.1 percent. Utilizing current bond principal and current bond rate, a level debt payment schedule was estimated as follows:

PROJECTED INTEREST RATE 4.1%

BOND PRINCIPAL \$2,825,500

BOND TERM 30 YEARS

Monthly Payment

\$13,783

Yearly Total

\$165,389

A yearly cost to each individual parcel has been assessed based on the benefit system analysis identified above. There are 552 benefit units within the proposed District. The cost assessment is therefore \$299.62 per benefit unit.

Operation and maintenance (O&M) costs for the combined system were estimated using actual costs wherever possible. Costs to the Parr Valley West should be significantly reduced while only have a small increase at the Roseton Hills treatment facility.

The costs to Parr Valley West facility would be significantly reduced due to lower utility, testing, and time required onsite. Permit fees and sludge removal costs would also appear to be eliminated from the annual costs. The current O&M budget for Parr Valley West is approximately \$36,000 per year. This report will assume the cost will be reduced to \$12,000 per year.

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CONSULTING ENGINEERS

The costs to Roseton Hills facility would be increased slightly as a result of increased aeration and sludge removal. The current O&M budget for Roseton Hills is approximately \$82,550 per year. This report will assume the cost will be increased to \$88,000 per year.

The combined O&M for the proposed District is therefore \$100,000 per year. This is \$181.16 per benefit unit.

The table below summarizes the first year costs:

Capital Cost	O&M Cost ⁽¹⁾	TOTAL
\$299.62	\$181.16	\$480.78

(1) – O&M Costs are adjusted annually, trending upward over time.

The proposed action should not require New York State Audit and Control approval. The 2016 threshold for sewer districts is set by New York State Audit and Control and is \$798 per benefit unit. This threshold is adjusted annually, with the new threshold taking effect every January 1st.

VII CONCLUSION AND RECOMMENDATIONS

The proposed debt service cost to the individual parcels within the district to purchase the District and expand it to include Parr Valley West along with improvements to both treatment facilities appears reasonable and does not exceed the threshold that would require New York State Audit and Control approval.

Our office recommends modifying the district's financing and benefit payment as identified above. This is based on this office's review of the sewer district service area, the original expressed interest of property owners be included and to participate in the district and allocation of cost on a benefit basis.

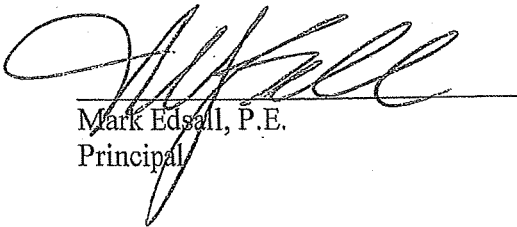
It is further recommended that the Town of Newburgh Town Board undertake any necessary actions relative to modifying and reallocating cost within the district on a benefit use system in accordance with recommendations of the Town Attorney.

Respectfully submitted,

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

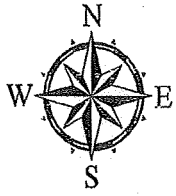


Andy Seidel, P.E.
Senior Engineer



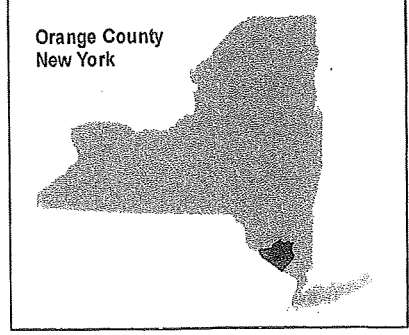
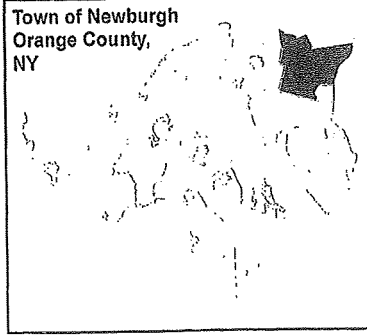
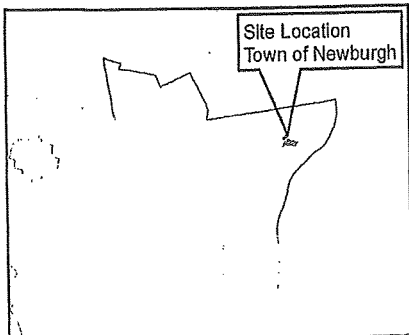
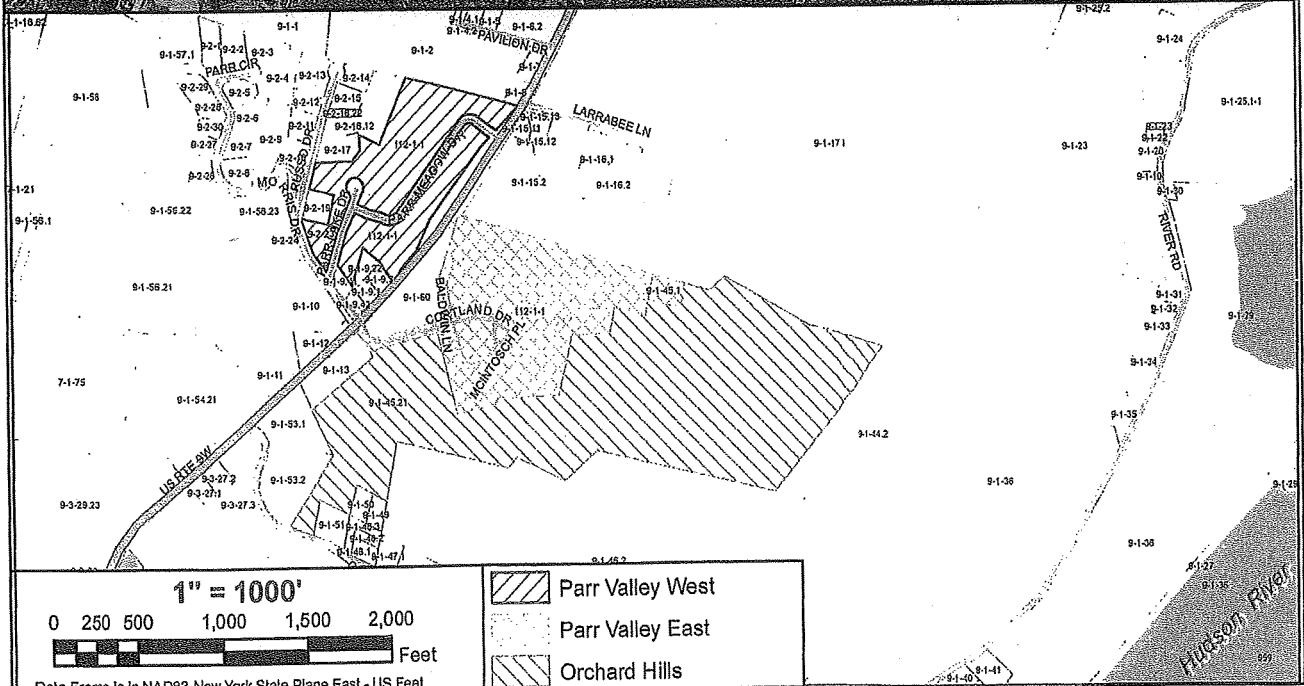
Mark Edsall, P.E.
Principal

ATTACHMENT 1
MAP OF DISTRICT



Roseton Hills Sewer District
Town of Newburgh, New York
March 23, 2016

Produced by:
MHE^D
&
EP
C
McGoey, Hauser & Edsall, D.P.C.



ATTACHMENT 2
DISTRICT BOUNDARY DESCRIPTION

Metes and Bounds Description
Roseton Hills Sewer District (East)

ALL that certain plot, piece or parcel of land situate, lying, and being in the Town of Newburgh, County of Orange, State of New York being more particularly bounded and described as follows:

BEGINNING at a point lying on the northerly side Oak Street, said point being the southeasterly corner of lands now or formerly of Gurda and also being the southwesterly corner of the parcel herein intended to be described.

THENCE north 30 degrees 02 minutes 06 seconds east for a distance of 474.81 feet along lands now or formerly of Gurda to a point.

THENCE north 25 degrees 32 minutes 18 seconds west for a distance of 249.10 feet along other lands now or formerly of Gurda to a point.

THENCE north 51 degrees 52 minutes 54 seconds east for a distance of 471.17 feet along lands now or formerly of Route 9W Associates of Newburgh Inc. to a point.

THENCE north 35 degrees 28 minutes 26 seconds west for a distance of 167.43 feet continuing along lands now or formerly of Route 9W Associates of Newburgh Inc. to a point lying on the easterly side of New York State Route 9W.

THENCE north 44 degrees 01 minutes 09 seconds east for a distance of 44.72 feet along the easterly side of New York State Route 9W to a point.

THENCE south 42 degrees 42 minutes 09 seconds east for a distance of 72.93 feet along lands now or formerly of Newtown Investors, Inc. to a point.

THENCE on a curve to the left having a radius of 45.00 feet and an arc length of 47.91 feet continuing along lands now or formerly of Newtown Investors, Inc. to a point.

THENCE north 76 degrees 17 minutes 51 seconds east for a distance of 435.02 feet continuing along lands now or formerly of Newtown Investors, Inc. to a point.

THENCE north 13 degrees 42 minutes 09 seconds west for a distance of 240.00 feet along other lands now or formerly of Newtown Investors, Inc. to a point.

THENCE north 19 degrees 33 minutes 34 seconds east for a distance of 365.23 feet continuing along other lands now or formerly of Newtown Investors, Inc. to a point.

THENCE south 74 degrees 33 minutes 07 seconds east for a distance of 612.29 feet along lands now or formerly of Mazzola to a point.

THENCE south 14 degrees 34 minutes 50 seconds west for a distance of 15.84 feet along lands now or formerly of Cedar Hill Cemetery to a point.

THENCE south 74 degrees 24 minutes 10 seconds east for a distance of 917.40 feet continuing along lands now or formerly of Cedar Hill Cemetery to a point.

THENCE north 48 degrees 46 minutes 50 seconds east for a distance of 111.54 feet continuing along lands now or formerly of Cedar Hill Cemetery to a point.

THENCE south 60 degrees 36 minutes 10 seconds east for a distance of 569.54 feet continuing along lands now or formerly of Cedar Hill Cemetery to a point.

THENCE south 79 degrees 12 minutes 35 seconds east for a distance of 355.81 feet continuing along lands now or formerly of Cedar Hill Cemetery to point.

THENCE south 37 degrees 48 minutes 31 seconds west for a distance of 142.19 feet along lands now or formerly of FNSN LLC to a point.

THENCE south 43 degrees 15 minutes 30 seconds west for a distance of 60.08 feet along other lands now or formerly of FNSN LLC to a point.

THENCE south 38 degrees 34 minutes 41 seconds west for a distance of 121.45 feet continuing along other lands now or formerly of FNSN LLC to a point.

THENCE south 43 degrees 35 minutes 34 seconds west for a distance of 56.31 feet continuing along other lands now or formerly of FNSN LLC to a point.

THENCE south 38 degrees 55 minutes 04 seconds west for a distance of 322.27 feet continuing along other lands now or formerly of FNSN LLC to a point.

THENCE south 33 degrees 07 minutes 58 seconds west for a distance of 49.09 feet continuing along other lands now or formerly of FNSN LLC to a point.

THENCE south 40 degrees 21 minutes 30 seconds west for a distance of 270.38 feet continuing along other lands now or formerly of FNSN LLC to a point.

THENCE south 37 degrees 19 minutes 47 seconds west for a distance of 43.50 feet continuing along other lands now or formerly of FNSN LLC to a point.

THENC along said lands now or formerly of Farkas and generally along a stone wall, the following courses and distance:

- North 75 degrees 53 minutes 09 seconds west for a distance of 275.69 feet to a point.
- North 77 degrees 55 minutes 50 seconds west for a distance of 223.90 feet to a point.
- North 70 degrees 27 minutes 25 seconds west for a distance of 65.07 feet to a point.
- North 76 degrees 32 minutes 36 seconds west for a distance of 416.35 feet to a point.
- North 80 degrees 45 minutes 11 seconds west for a distance of 106.91 feet to a point.

THENCE continuing along lands now or formerly of Farkas and generally along a wire fence, the following courses and distances:

- South 56 degrees 48 minutes 19 seconds west for a distance of 80.12 feet to a point.
- South 46 degrees 35 minutes 11 seconds west for a distance of 45.14 feet to a point.
- South 40 degrees 50 minutes 06 seconds west for a distance of 121.96 feet to a point.
- North 64 degrees 16 minutes 51 seconds west for a distance of 321.55 feet to a point.

Metes and Bounds Description
Roseton Hills Sewer District (West)

ALL that certain plot, piece or parcel of land situate, lying, and being in the Town of Newburgh, County of Orange, State of New York being more particularly bounded and described as follows:

BEGINNING at a point lying on the westerly side of New York State Route 9W (State Highway #5007), said point being the northeasterly corner of lands now or formerly of Kahn and also being the southeasterly corner of the parcel herein intended to be described.

THENCE north 37 degrees 05 minutes 25 seconds west for a distance of 150.00 feet along lands now or formerly of Khan to a point.

THENCE north 42 degrees 51 minutes 40 seconds east for a distance of 4.58 feet along Parcel II as shown on filed map #8582 filed in the Orange County Clerk's Office to a point.

THENCE north 53 degrees 21 minutes 40 seconds west for a distance of 125.51 feet continuing along Parcel II as shown on said filed map to a point.

THENCE south 17 degrees 42 minutes 50 seconds west for a distance of 215.00 feet continuing along Parcel II as shown on said filed map to a point.

THENCE north 37 degrees 05 minutes 25 seconds west for a distance of 147.76 feet along lands now or formerly of James & McGuiness to a point lying on the easterly side of Parr Lake Drive.

THENCE north 17 degrees 42 minutes 50 seconds east for a distance of 166.31 feet along the easterly side of Parr Lake Drive to a point.

THENCE north 24 degrees 36 minutes 02 seconds east for a distance of 241.48 feet continuing along the easterly side of Parr Lake Drive to a point.

THENCE on a curve to the left having a radius of 50.00 feet an arc length of 235.62 feet along Parr Lake Drive to a point.

THENCE south 24 degrees 36 minutes 02 seconds west for a distance of 194.49 feet along the westerly side of Parr Lake Drive to a point.

THENCE south 17 degrees 42 minutes 50 seconds west for a distance of 6.44 feet continuing along the westerly side of Parr Lake Drive to a point.

THENCE north 76 degrees 12 minutes 40 seconds west for a distance of 70.25 feet along lands now or formerly of Felicello to a point.

THENCE north 14 degrees 42 minutes 50 seconds east for a distance of 172.51 feet along Lot #3 of Parr Estates to a point.

THENCE north 76 degrees 45 minutes 00 seconds west for a distance of 150.00 feet continuing along Lot #3 of Parr Estates to a point lying on the easterly side of Russo Drive.

THENCE north 15 degrees 37 minutes 05 seconds east for a distance of 150.00 feet along the easterly side of Russo Drive to a point.

THENCE north 87 degrees 59 minutes 40 seconds east for a distance of 217.25 feet along Lot #5 of Parr Estates to a point.

THENCE north 39 degrees 29 minutes 40 seconds east for a distance of 76.00 feet continuing along Lot #5 of Parr Estates to a point.

THENCE north 02 degrees 07 minutes 40 seconds west for a distance of 84.30 feet continuing along Lot #5 of Parr Estates to a point.

THENCE south 65 degrees 23 minutes 58 seconds east for a distance of 130.00 feet along Lot #6 of Parr Estates to a point.

THENCE north 24 degrees 36 minutes 02 seconds east for a distance of 395.33 feet continuing along Lot #6 of Parr Estates to a point.

THENCE south 74 degrees 56 minutes 40 seconds east for a distance of 666.13 feet along lands now or formerly of Middle Hope Fire Company, Inc. and along lands now or formerly of Porco to a point lying on the westerly side of New York State Route 9W (State Highway #5007).

THENCE the following courses and distances along the westerly side of New York State Route 9W (State Highway #5007):

- South 42 degrees 09 minutes 05 seconds west for a distance of 214.22 feet to a point.
- South 43 degrees 14 minutes 05 seconds west for a distance of 140.50 feet to a point.
- South 37 degrees 09 minutes 35 seconds west for a distance of 460.10 feet to a point.
- South 24 degrees 22 minutes 35 seconds west for a distance of 158.20 feet to a point
- South 41 degrees 03 minutes 35 seconds west for a distance of 204.33 feet to the point or place of beginning.

SUBJECT to any easements, covenants, or restrictions of record.

16A+B

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 20th day of June, 2016 at 7:00 o'clock p.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Green, Councilwoman

Paul I. Ruggiero, Councilman

James E. Presutti, Councilwoman

Scott M. Manley, Councilman

RESOLUTION OF UNCOORDINATED SEQR DETERMINATION – ESTABLISHMENT OF THE ROSETON HILLS SEWER DISTRICT

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

WHEREAS, the Town Board of the Town of Newburgh has caused an Environmental Assessment Form (the "EAF") to be prepared for the proposed establishment of a Sewer District to be known as the Roseton Hills Sewer District to provide for the treatment and disposal of sewage from the Orchard Hills, Parr Valley East and Parr Valley West residential developments in the Town of Newburgh pursuant to Town Law Article 12, said project to include the acquisition of the facilities of the Roseton Hills Sewer Works Corporation and property and the construction of a new sewer pump station and force main from the current Parr Valley West sewer treatment plant and acquisition of necessary easements for those facilities, improvements to the headworks of the Roseton Hills sewer treatment plant and abandonment of the existing Parr Valley West sewer treatment plant (the "Action"); and

WHEREAS, the Town Board does determine that the Action is subject to SEQR and should be classified as an Unlisted Action under Part 617 of the General Regulations adopted pursuant to Article 8 of the Environmental Conservation Law ("SEQR") and Chapter 100 entitled "Environmental Quality Review" of the Town of Newburgh Municipal Code.

WHEREAS, the Town Board has determined that the Action does not require a coordinated review as the Action is Unlisted; and

WHEREAS, the Town Board has heretofore reviewed the EAF, and analyzed and considered any relevant areas of environmental concern and the probable environmental impacts of the Action to determine if the Action may have any significant adverse environmental effects.

NOW THEREFORE, BE IT RESOLVED:

1. The Town Board does determine that said Action will not have an adverse environmental impact and, accordingly, does issue a negative declaration.

2. The Town Board hereby authorizes the Supervisor to execute and file the Environmental Assessment Form and Negative Declaration attached hereto 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:

Elizabeth J. Greene, Councilwoman voting _____

Paul I. Ruggiero, Councilman voting _____

James E. Presutti, Councilman voting _____

Scott M. Manley, Councilman voting _____

Gilbert J. Piaquadio, Supervisor voting _____

The resolution was thereupon declared duly adopted.

Short Environmental Assessment Form

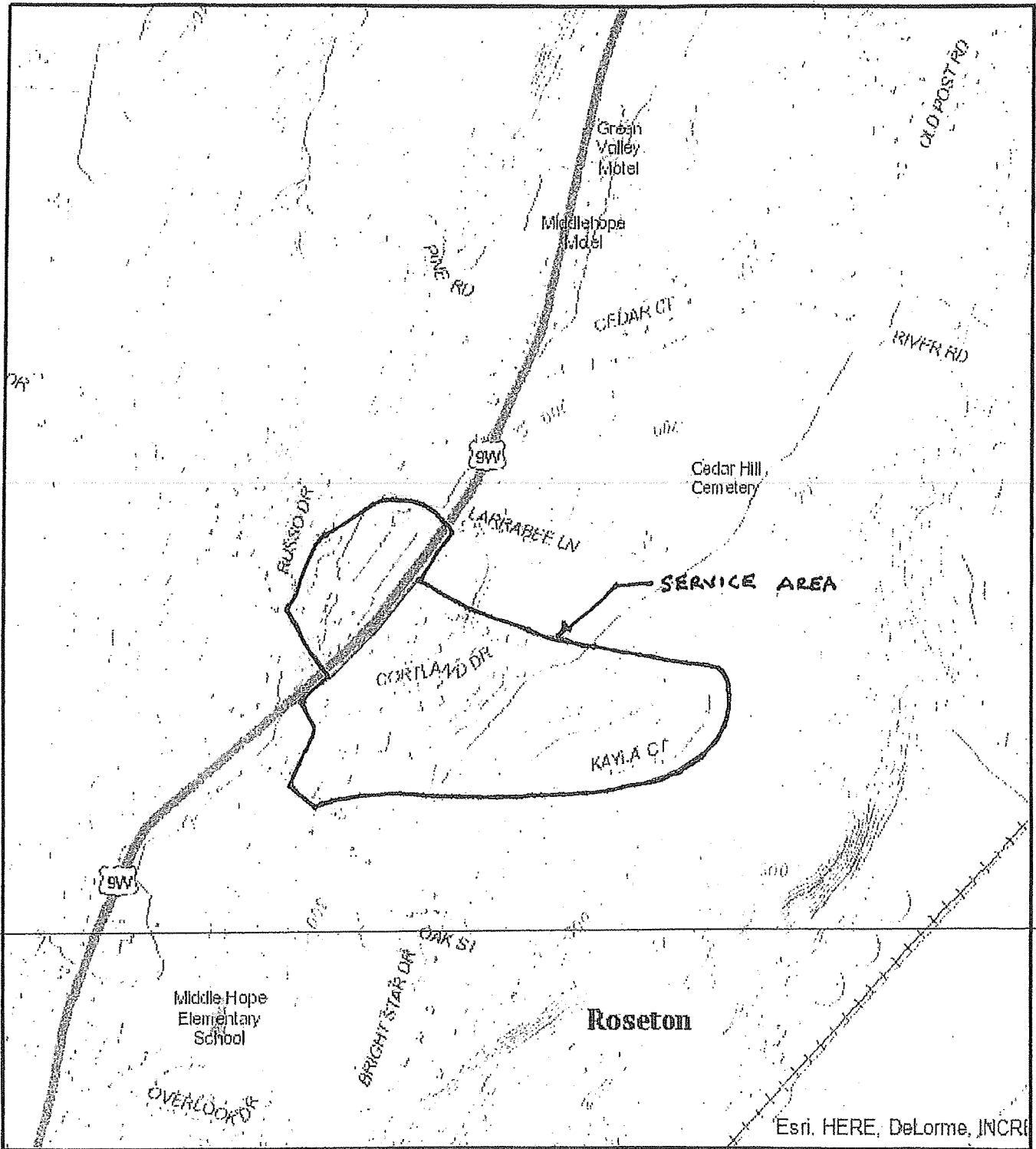
Part 1 - Project Information

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

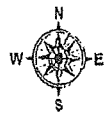
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Formation of Roseton Hills Sewer District & Related Improvements			
Project Location (describe, and attach a location map): Route 9W (Parr Valley East & West and Orchard Hills), Newburgh, New York			
Brief Description of Proposed Action: Formation of the Roseton Hills Sewer District to provide for the treatment and disposal of sewage from Orchard Hills, Parr Valley East and Parr Valley West Residential Developments. Project includes the acquisition of the Roseton Hills Sewage Works Corporation facilities and property, construction of a new sewage pumping station and force main from the Parr Valley West STP site to the existing Roseton Hills STP, acquisition of easements for the sewage pump station and force main, improvements to the headworks of the Roseton Hills STP and abandonment of the existing Parr Valley West STP.			
Name of Applicant or Sponsor: Town of Newburgh		Telephone: 846-564-4552	
		E-Mail: supervisor@townofnewburgh.org	
Address: 1496 Route 300			
City/PO: Newburgh		State: NY	Zip Code: 12550
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: NYS Dept. of Transportation NYS Dept. of Environmental Conservation			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.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			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			



SERVICE AREA

ROSETON HILLS S. D.




Orange County G.I.S. Division 22 Wells Farm Rd Goshen, New York 10924 Phone: 845.615.3760

DISCLAIMER: This map is a product of Orange County Information Technology GIS Division. The data depicted here have been developed with extensive cooperation from other County departments, as well as other Federal, State and Local government agencies. Orange County make no representations as to the accuracy of the information in the mapping data, but rather, provide said information as is. Orange County expressly disclaim responsibility for damages or liability that may arise from the use of this map.

Printed: May 19, 2016

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? ALREADY CONNECTED If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? ALREADY CONNECTED If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/>	<input type="checkbox"/>	

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: <u>Gil Piaquadro, Supervisor</u> Date: _____</p>		
<p>Signature: <u></u></p>		

Agency Use Only [If applicable]

Project: _____

Date: _____

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?		
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PRINT FORM

Agency Use Only (If applicable)

Project:	
Date:	

**Short Environmental Assessment Form
Part 3 Determination of Significance**

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

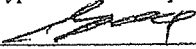
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

TOWN OF NEWBURGH

Name of Lead Agency

GIL PIAQUADIO

Print or Type Name of Responsible Officer in Lead Agency




Signature of Responsible Officer in Lead Agency

Date

SUPERVISOR

Title of Responsible Officer



Signature of Preparer (if different from Responsible Officer)

PRINT FORM

State Environmental Quality Review

NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Project Number N/A

Date: June 20, 2016

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town Board of the Town of Newburgh, in an uncoordinated review, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action: Establishment of the Roseton Hills Sewer District of the Town of Newburgh and Related Improvements

SEQR Status: Type I
Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

The action consists of the establishment of a Town of Newburgh Sewer District to be known as the Roseton Hills Sewer District to provide for the treatment and disposal of sewage from the Orchard Hills, Parr Valley East and Parr Valley West residential developments in the Town of Newburgh upon petition by the property owners pursuant to Town Law Article 12. Parr Valley East and Parr Valley West form a single condominium with multiple unit owners and Orchard Hills is a rental complex with a single owner. The Sewer District's boundaries will be contiguous with the boundaries of the Parr Valley Condominium and the Orchard Hills property. The project will include the acquisition of the facilities of the Roseton Hills Sewer Works Corporation and property and the construction of a new sewer pump station and force main from the current Parr Valley West sewer treatment plant and acquisition of necessary easements for those facilities, improvements to the headworks of the Roseton Hills sewer treatment plant and abandonment of the existing Parr Valley West sewer treatment plant .

Location: East and West of NYS Route 9W proximate to the intersections with Parr Meadow Drive and Baldwin Lane, Town of Newburgh, New York

Reasons Supporting This Determination:

The Town Board has considered the action and reviewed the environmental assessment form and other supporting information. The action is an unlisted action.

None of the criteria set forth in Section 617.7 of Part 617 and any other supporting information identify relevant areas of environmental concern which would lead to a determination that the action may have a significant 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 or magnitude and the number of people affected. No relevant areas of environmental concern are identified. The acquisition of the facilities and property, necessary easements, construction and operation of the sewer improvements and facilities is determined not to have a significant effect on the environment.

With respect to the criteria that are considered indicators of significant effects on the environment, the lead agency has considered the following:

Impact on Land

Physical alteration of land will be temporary and limited in nature. The Sewer District does not contain any unique or sensitive features for which the construction of the improvements, and provision of sewer service by the District could result in potentially large impacts on the physical environment. All of the proposed construction will take place in either road R.O.W.'s or existing sites that have been previously disturbed. The Town Board accordingly finds that there are no significant unmitigated impacts on land associated with this action.

Impact on Water

It is not likely that the proposed sewer district and project improvements will have any significant effect on water. Sewage from Parr Valley East and Orchard Hills is already treated at the Roston Hills Sewer Treatment Plant. The installation of the new sewer pump station and sewer main system so that the sewage from Parr Valley West can also be treated at the newer Roseton Hills plant and the old Parr Valley West sewer treatment plant abandoned may result in benefits to surface water, given the age and functionality of the old plant.. The additional sewage flow from Parr Valley West to the oston Hills sewage treatment plant falls within the discharge limits of the existing SPDES permit issued by NYSDEC.

Impact on Air

The action is not anticipated to have a significant impact on air quality, being that potential construction related air quality impacts are temporary in nature.

Impact on Plants and Animals

No threatened or endangered species in the area of the construction, which is near and under NYS Route 9W have been identified and no significant impact on threatened or endangered species, non-threatened or non-endangered species or habitat, either riparian or on land, is anticipated as a result of the establishment of the Water District or connection project.

Impact on Agricultural Land Resources

The District's area and plant sites are not currently utilized for agriculture and accordingly no significant harmful impacts are anticipated on agricultural land resources as a result of the action.

Impact on Aesthetic Resources; Visual Impacts

No significant harmful impacts are anticipated on aesthetic or visual resources as a result of the action as all permanent improvements will be at or below grade.

Impact on Historic and Archeological Resources

No significant harmful impacts are anticipated in regard to historic or archeological resources as a result of the action.

Impact on Open Space and Recreation

No significant harmful impacts are anticipated in regard to open spaces and recreation as a result of the action.

Impact on Critical Environmental Areas

The proposed project is not within a Critical Environmental Area.

Impacts on Traffic and Transportation

The District establishment does not entail work which will have direct impact on roadways or other modes of transportation, except for potential impacts on NYS Route 9W and roadways during the installation of the sewer main which may produce a temporary construction disruption to traffic. Where work is performed in highway right of ways, appropriate temporary traffic control measures will be undertaken in accordance with the permitting process. No significant harmful impacts are anticipated with regard to traffic or transportation as a result of the project.

Impact on Energy

No significant impact would be expected in the area of energy resources as a result of the action.

Impact on Noise and Odor

The noise due to construction entailed with the project is temporary potential impact and accordingly, the Town Board finds that the proposed action would not create any significant noise impacts.

Impact on Public Health

No significant harmful impacts would be expected in the area of public health and safety as a result of the action. The public health may benefit from the abandonment of the Parr Valley West sewer treatment plant.

Impact on Growth and Character of Community or Neighborhood

It is not anticipated that the proposed establishment of the Sewer District for the existing multi-family residential projects which already are served by sewer treatment facilities will lead to any significant growth or subsequent development..

Any other long term, short term, cumulative, or other impacts not identified above

No additional long term, short term or cumulative or other impacts are anticipated.

In reliance upon the EAF and after a hard look at the potential impacts it indicates may be reasonably expected in comparison to the criteria set forth in the SEQR regulations, the Town Board determines there is no indication that the action may have a significant impact on the environment.

For Further Information:

Contact Person: Gilbert J. Piaquadio, Supervisor

Address: 1496 Route 300
Newburgh, New York 12550

Telephone Number: (845) 564-4552

At a special meeting of the Town Board of the Town of Newburgh, Orange County, New York, held at the Town Hall, 1496 Route 300, in Newburgh, New York, in said Town, on the 20th day of June, 2016, at _____ o'clock P.M., Prevailing Time.

PRESENT:

Supervisor

Councilman

Councilman

Councilman

Councilman

In the Matter
of
The Establishment of Roseton Hills Sewer
District in the Town of Newburgh, Orange
County, New York

ORDER CALLING
PUBLIC HEARING

WHEREAS, a written petition has been duly filed with the Town Board of the Town of Newburgh, Orange County, New York in relation to the establishment of a proposed sewer district, to be known as the Roseton Hills Sewer District in the Town of Newburgh, Orange County, New York (the "District"), pursuant to Article 12 of the Town Law, which petition, together with a

map plan, and report, including an estimate of cost, accompanying same have been filed in the office of the Town Clerk and are available for public inspection; and

WHEREAS, said map, plan and report, including an estimate of the cost, were prepared by McGoey, Hauser and Edsall Consulting Engineers D.P.C., competent engineers duly licensed by the State of New York, and have been filed in the office of the Town Clerk of said Town, where the same are available during regular office hours for examination by any persons interested in the subject matter thereof; and

WHEREAS, the boundaries of said District shall be as described in Exhibit A attached hereto and hereby incorporated herein; and

WHEREAS, the improvements proposed for said District consist of the purchase and reconstruction of existing wastewater treatment facilities and associated collection system, including reconstruction and improvement of one wastewater treatment facility as a pump station, together with original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, all as more fully described in the map, plan and report hereinbefore described; and

WHEREAS, the maximum estimated cost of said improvements is \$2,825,500; and

WHEREAS, the proposed method of financing the cost of said improvements consists of the issuance of \$2,825,500 serial bonds of said Town maturing in annual installments over a period not exceeding forty years, which will be payable in the first instance from the annual levy on all the taxable real property in said District deemed to be especially benefitted thereby in an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad

valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due and payable; and

WHEREAS, the estimated cost of hook-up fees to the typical property in said District is \$0 and \$0 to a one or two family home, if any, therein, said properties being presently all connected to the system; and

WHEREAS, the estimated cost of said District to the typical property therein is \$480.78 in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid and \$480.78 to a one or two family house, if any, therein; and

WHEREAS, a detailed explanation of the manner by which were computed said estimated costs of hook-up fees and first-year costs to the typical property has been filed in the office of the Town Clerk where the same are available during regular office hours for examination by any person interested in the subject matter thereof; and

WHEREAS, said capital project for said District and the establishment thereof has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the Town Board has determined will not result in any significant adverse environmental effect; and

WHEREAS, it is now desired to call a public hearing upon the question of the establishment of said District and the improvements proposed therefor, all pursuant to Section 193 of the Town Law; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Newburgh, Orange County, New York, as follows:

Section 1. A meeting of the Town Board of the Town of Newburgh, Orange County, New York, shall be held at the Town Hall, in Newburgh, New York, in said Town, on the ____ day of July, 2016, at ____:____ o'clock P.M., Prevailing Time, for the purpose of holding a public hearing to consider the establishment of the District in said Town as described in the preambles hereof, to be known as to the Roseton Hills Sewer District, the petition, and the improvements proposed therefor, and to consider the map, plan and report filed in relation thereto, and to hear all persons interested in the subject matter thereof concerning the same, and for such other action on the part of said Town Board as may be required by law or shall be proper in the premises.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of this order to be published once in The Sentinel and The Mid-Hudson Times, the official newspapers of said Town, the first publication thereof to be not less than ten nor more than twenty days before the day set herein for the hearing as aforesaid, and said Town Clerk shall also cause a copy thereof to be posted on the sign-board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law not less than ten nor more than twenty days before the day set for the hearing as aforesaid.

Section 3. This Order shall take effect immediately.

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

_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____

The resolution was thereupon declared duly adopted.

CERTIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF ORANGE)

I, the undersigned Clerk of the Town of Newburgh, Orange County, New York (the "Issuer"), DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the 20th day of June, 2016.
2. That such meeting was a **special regular** (circle one) meeting.
- 3) That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
- 4) That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
- 5) That all members of the Board of the Issuer had due notice of said meeting.
- 6) That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
- 7) That notice of said meeting (the meeting at which the proceeding was adopted) was given PRIOR THERETO in the following manner:

PUBLICATION (here insert newspaper(s) and date(s) of publication)

POSTING (here insert place(s) and date(s) of posting)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer
this ____ day of June, 2016.

Town Clerk

(CORPORATE
SEAL)

AFFIDAVIT OF POSTING

STATE OF NEW YORK)
) ss.:
COUNTY OF ORANGE)

I, the undersigned Clerk of the Town of Newburgh, Orange County, New York, depose and say:

That on the _____ day of June, 2016, I caused to be posted on the official signboard maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, an order, certified by me, duly adopted by said Town Board on the 20th day of June, 2016. A true and correct copy of such order in the exact form in which the same was actually posted is attached hereto and made a part hereof.

Town Clerk

Subscribed and sworn to before me
this _____ day of June, 2016.

Notary Public

Exhibit A

Boundaries of Proposed
Roseton Hills Sewer District
in the Town of Newburgh, Orange County, New York

NOTICE OF ADOPTION OF ORDER CALLING A PUBLIC HEARING
ON ESTABLISHMENT OF THE PROPOSED ROSETON HILLS SEWER DISTRICT
IN THE TOWN OF NEWBURGH

PLEASE TAKE NOTICE that the Town Board of the Town of Newburgh, Orange County,
New York on the 20th day of June, 2016, duly adopted the Order published herewith calling a
Public Hearing.

Dated: Newburgh, New York

June _____, 2016

Town Clerk

17



TOWN OF NEWBURGH RECREATION DEPARTMENT

311 ROUTE 32, NEWBURGH, NY 12550

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

May 16, 2016

TO: Gil Piaquadio, Supervisor
Town Board Members

FROM: Robert J. Petrillo, Commissioner

RE: Camp Variance Request

The Town policy requires a duty-free half hour lunch for those working six or more consecutive hours. At this time, I'm asking for a variance to this policy for our 2016 Camp summer staff.

The time used for lunch for the staff is still required to be used in a supervisory position to monitor the activities and safety of the young campers. This is also the case whenever the camp takes a day trip and camper supervision takes priority to any other activity.

Thank you for your consideration.

Regards,

Robert J. Petrillo
Commissioner

NEW YORK STATE DEPARTMENT OF HEALTH

Water System Operation Report

Bureau of Water Supply Protection

For Use by Public Water Systems that Treat with Chlorine and/or Fluoride

Public Water System Name Town of Newburgh Consolidated Water District	Reporting Month & Year May 2016 REVISED	Date Report Submitted	Source Water Type(s) <input checked="" type="checkbox"/> Surface <input type="checkbox"/> Ground <input type="checkbox"/> GWUDI <input type="checkbox"/> Purchase with subsequent chlorination <input type="checkbox"/> Purchase w/out subsequent chlorination
Public Water Supply ID# 3503578	Town of: Newburgh		

Treatment Plant(s) Identification: #1 _____ ; #2 Chadwick Lake Filter Plant
 Fluoride Compound Used: Sodium fluoride (NaF-crystalline)
 Fluoride Residual Testing Method: Ion Specific Electrode
 Fluoride Injection Point Identifier #1 _____ ; #2 Clear Well
 Date of Fluoride Split Sample: 5-2-16

Date	Source(s) in use	Treated water volume (X 1,000)	Chlorination @ P.O.E.		Fluoridation @ P.O.E.		Other Treatments / Readings				
			Sodium Hypochlorite used (gal)	Cl2 Residual (mg/L)	4% Fluoride Solution used (gals)	Fluoride Concentration @ POE	PO4 solution used (gal)	PO4 concentration (mg/l)	KMnO4 solution used (gal)	Finished Water pH (SU)	PCH-182 coagulant used (gal)
1	2	1055	20	1.7	37	0.7	22	1.0	22	7.4	75
2	2	1036	20	1.7	32	0.6	22	1.0	26	7.4	75
3	2	993	20	1.6	36	0.6	20	0.9	32	7.4	75
4	2	1050	20	1.6	34	0.7	20	1.0	30	7.5	70
5	2	1044	20	1.7	36	0.7	20	1.1	28	7.4	75
6	2	1040	20	1.7	33	0.8	20	1.0	30	7.5	75
7	2	1040	20	1.7	36	0.7	20	1.0	30	7.4	80
8	2	1020	20	1.7	35	0.7	22	1.0	30	7.4	75
9	2	1362	30	1.4	37	0.4	25	0.9	38	7.2	110
10	2	1344	26	1.5	56	0.7	25	1.0	34	7.4	105
11	2	1189	25	1.6	27	0.7	21	1.0	34	7.2	95
12	2	1231	26	1.5	42	0.6	24	0.9	32	7.3	95
13	2	1096	25	1.6	37	0.6	20	0.9	30	7.4	85
14	2	1056	25	1.5	36	0.7	18	0.9	28	7.3	80
15	2	1015	23	1.6	47	0.7	17	0.9	24	7.4	75
16	2	1040	23	1.6	27	0.7	18	0.9	26	7.5	75
17	2	1038	23	1.7	37	0.7	19	1.0	26	7.3	75
18	2	1091	24	1.7	42	0.7	18	0.9	28	7.3	75
19	2	1014	24	1.8	36	0.8	22	0.9	25	7.3	75
20	2	1120	25	1.6	47	0.8	20	0.9	28	7.4	85
21	2	1055	25	1.6	27	0.8	18	0.9	28	7.4	81
22	2	1018	25	1.5	37	0.7	18	0.9	23	7.4	75
23	2	1052	25	1.5	46	0.7	19	1.0	28	7.4	75
24	2	974	20	1.5	26	0.8	17	0.9	24	7.4	70
25	2	1050	25	1.5	41	0.7	20	0.9	28	7.4	80
26	2	1039	24	1.5	36	0.7	20	1.0	24	7.5	75
27	2	1053	24	1.4	40	0.7	23	1.0	30	7.5	75
28	2	1081	25	1.6	40	0.7	22	1.0	28	7.5	75
29	2	1145	27	1.6	40	0.7	22	1.0	28	7.5	85
30	2	893	25	1.5	38	0.8	20	0.9	32	7.4	70
31	2	900	25	1.5	40	0.7	20	1.0	25	7.4	75
Total		33134	729		1161		632		879		2466.0
AVG.		1069	24	1.6	37	0.7	20	1.0	28	7.4	80

Chlorine Mix Ratio = 12.5 % chlorine added to 0 gallons of water in crock
 Reported by: John P. Falitto : Water Supply Superintendent NYS DOH Operator Certification #: NY0033717
 Signature: [Signature] Date: 6/14/16 Operator Grade Level: 1A
 DOH-360CFL (10/2004)

COPY