

WORKSHOP MEETING AGENDA
Monday, June 26, 2017
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. POLICE:
 - A. Sergeant Position
 - B. Software Maintenance
 - C. Hiring of Full Time Police Officer
 - D. I.D. Investigator
7. LIABILITY INSURANCE
8. ZONING:
 - A. Lakeside Residential Newburgh LLC
 - B. Overlook Farms
 - C. Indoor Amusement Establishments in the IB District
9. ANIMAL CONTROL (T-94 Withdrawals):
 - A. Newburgh Veterinarian
 - B. Flannery Animal Hospital
10. ENGINEERING:
 - A. Delaware Aqueduct Water Treatment Plant (WTP) Budget Transfer
 - B. Mountain View Storage Tank
 - i. Budget Transfer
 - ii. Authorize Solicitation of Design Engineering Proposal
 - C. Colden Park W.M. Rehab Phase II (Discussion Only)
 - i. Authorize Solicitation of Design Engineering
 - ii. Proposal (Water Main Lining)
 - D. Restaurant Depot—Release of Stormwater Security
 - E. Restaurant Depot---Landscape Security Reduction
11. RECREATION:
 - A. Recreation Aides Salary Increase
 - B. Create Position of Recreation Coordinator
12. DATA PROCESSING: Purchase of Hours
13. U.S. EPA: EPA vs. Town of Newburgh
14. POTENTIAL EXECUTIVE SESSION: Litigation (Worth Construction)
15. ADJOURNMENT

CB



TOWN OF NEWBURGH POLICE DEPARTMENT

300 Gardnertown Road, Newburgh, New York 12550

Donald B. Campbell
Chief of Police

(845) 564-1100

June 15, 2017

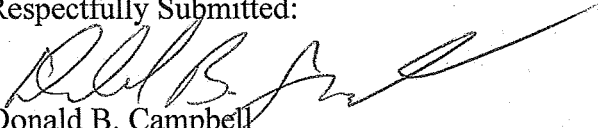
To: Town Board

From: Chief Donald B. Campbell

Subject: Payment of Annual Police Software Maintenance

I am requesting your authorization to pay the annual police software maintenance agreement of \$20,123.00 to Admit Computer Services Inc. The funds for this payment are included in the Police budget in account # 3010.497.

Respectfully Submitted:


Donald B. Campbell
Chief of Police

TOWN OF NEWBURGH
 300 GARDNERTOWN ROAD
 NEWBURGH, NEW YORK 12550

VOUCHER

Order No. _____

DO NOT WRITE IN THIS BOX

DEPARTMENT Police

CLAIMANT'S
 NAME
 AND
 ADDRESS

Admit Computer Services Inc.
 500 Bi-County Boulevard, Suite 122
 Farmingdale, New York 11735

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

Vendor's
 Ref. No.

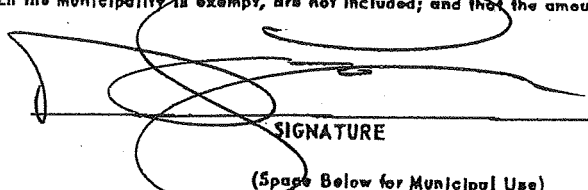
TERMS _____

Date	Quantity	Description of Materials or Services	Unit Price	Amount
		Annual Software Maintenance (Support, Services & Upgrades) TERM 8/1/17 - 7/31/18		
		RMS Enterprise (Includes Photo)		12,254.00
		VCAD (Visual Computer Aided Dispatch)		6,279.00
		NYS Tracs Interface		481.00
		Biometric		680.00
		Property Evidence Bar Code Module		229.00
(See Instructions on Reverse Side)			TOTAL	20,123.00

CLAIMANT'S CERTIFICATION

I, Dennis Labriola, certify that the above account in the amount of \$ 20,123.00 is true and correct; that the items, services and disbursements charged were rendered to or for the municipality on the dates stated; that no part has been paid or satisfied; that taxes, from which the municipality is exempt, are not included; and that the amount claimed is actually due.

6/9/17
 DATE


 SIGNATURE

President/CEO
 TITLE

(Space Below for Municipal Use)

DEPARTMENT APPROVAL

The above services or materials were rendered or furnished to the municipality on the dates stated and the charges are correct.

DATE

AUTHORIZED OFFICIAL

APPROVAL FOR PAYMENT

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

Admit Computer Services, Inc.

Invoice

500 Bi-County Blvd.,
Suite 122
Farmingdale, NY
11735

<u>Date</u>	<u>Invoice #</u>
6/9/2017	254191

<u>Bill To</u>
Town of Newburgh PD 300 Gardnertown Road Newburgh, NY 12550

<u>Ship To</u>
Town of Newburgh PD 300 Gardnertown Road Newburgh, NY 12550



<u>P.O. No.</u>	<u>Terms</u>	<u>Rep</u>	<u>Due Date</u>
	Net 60	JW	8/1/2017

<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Rate</u>	<u>Amount</u>
4-01A-MNT-000	Annual Software Maintenance (Support, Service, and Upgrades) TERM 8/1/17-7/31/18		0.00	0.00
4-02A-MNT-RMS	MNT - Annual Maintenance - IMPACT: RMS Enterprise (Includes Photo)		12,254.00	12,254.00
4-03A-MNT-CAD	MNT - Annual Maintenance - IMPACT: VCAD (Visual Computer Aided Dispatch)		6,279.00	6,279.00
4-07I-MNT-TRAC	MNT - Annual Maintenance - NYS TraCS Interface		681.00	681.00
4-08C-MNT-COMN	MNT - Annual Maintenance - Biometrix		680.00	680.00
4-02C-MNT-BCM	MNT - Annual Maintenance - Property/Evidence Bar Coding Module		229.00	229.00

Please remit to above address. Thank You!	Subtotal	\$20,123.00
	Sales Tax	\$0.00
	Total	\$20,123.00
	Payments/Credits	\$0.00
	Balance Due	\$20,123.00

<u>Phone #</u>	<u>Fax #</u>	<u>E-mail</u>	<u>Web Site</u>
631-249-1244	631-249-2049	jsteinle@impact-sys.com	www.admitcomputer.com



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

6c

PERSONNEL DEPT.

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

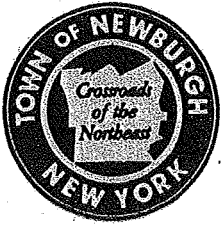
To: Supervisor Piaquadio
Town Board Members

From: Charlene M Black, Personnel Director

Date: June 20, 2017

Re: Full Time Police Officer

Please find attached a letter and employee request form for Erin Degraw, that Police Chief Campbell has recommended. Ms. Degraw has had her background and psychological testing done, which came back favorably. Approval is pending paperwork and her fingerprinting and a Physical which is carried out by Orange County. She is a Certified Police Officers and will come in at the salary of \$58,234.00 a year. Ms. Degraw has been pre- approved by Orange County Civil Service. The start date will be July 13th, 2017. Thank you in advance for your approval.



TOWN OF NEWBURGH POLICE DEPARTMENT

300 Gardnertown Road, Newburgh, New York 12550

DONALD B. CAMPBELL
CHIEF OF POLICE

Phone: (845) 564-1100
Fax: (845) 564-1870

June 20, 2017

To: Newburgh Town Board

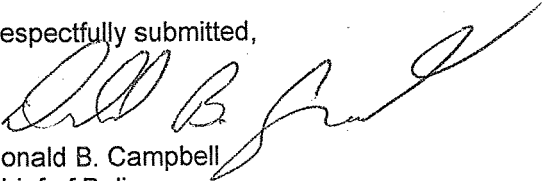
Cc: Charlene Black/Personnel Department

From: Chief Donald B. Campbell

Subject: Full-Time Police Officer Position

I am requesting authorization to hire Erin Degraw as a full-time police officer at a starting rate of pay of \$58,234 per year. Erin Degraw is currently on the Newburgh Town Residency List with Orange County. A full background check has been completed. I am requesting Erin Degraw receive a start date effective on or after July 13, 2017 pending the results of his physical exam. (Fund appropriation # 001-3120-0100-000)

Respectfully submitted,


Donald B. Campbell
Chief of Police

TOWN OF NEWBURGH

EMPLOYMENT REQUEST FORM

To: Personnel Department

NAME OF CANDIDATE: Erin Degraw

DEPARTMENT: Police

TITLE OF POSITION: Police Officer

FULL TIME OR PART TIME: Full Time


HOURLY RATE: Annual salary of \$58,234

IS POSITION FUNDED IN CURRENT BUDGET: YES OR NO

FUND APPROPRIATION NUMBER: 001-3120-0100-000

PROPOSED HIRE DATE: July 13th

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


DEPARTMENT HEAD SIGNATURE

6/20/17
DATE

ORIGINAL APPLICATION SHOULD BE ON FILE IN THE PERSONNEL
DEPARTMENT

6D



TOWN OF NEWBURGH POLICE DEPARTMENT

300 Gardnertown Road, Newburgh, New York 12550

**DONALD CAMPBELL
CHIEF OF POLICE**

**Phone: (845) 564-1100
Fax: (845) 564-1870**

June 22, 2017

To: Newburgh Town Board

From: Chief Donald B. Campbell

Subject: Promotion of Identification Detective

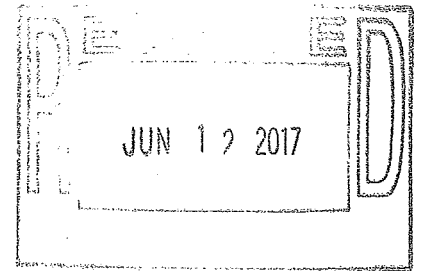
I am requesting that effective June 29, 2017 Officer Adam Zeilberger be promoted to the rank of Detective assigned to the Identification Division to replace a detective vacating that position due to retirement. The promotion will increase his salary of \$40.83 per hour by 8% as per the collective bargaining agreement between the Town of Newburgh and PBA (Budget line 001-3120-0100-0000).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Donald B. Campbell", is written over a horizontal line.

Donald B. Campbell
Chief of Police

Lakeside Residential Newburgh, LLC
4305 Rt. 209
Stone Ridge, N.Y. 12484
(845) 863-6116



Re: Needs analysis for market, rate aged 55+ rental community

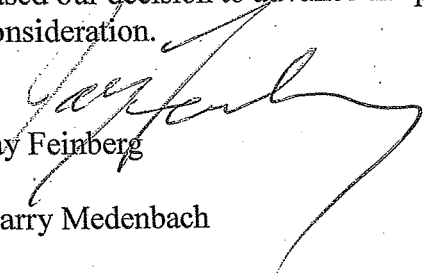
Gil Piaquadio, Supervisor
Town of Newburgh
Members of the Town Board:

This purpose of this letter is to further detail the goals and objectives of Lakeside Residential Newburgh, regarding the proposed project. Based on the information provided within the appendix herein, we believe there to be a void within the Newburgh area for "Luxury Rentals", for the expanding 55+ age population .

Appendix A, containing the Demographics reports, represents the increase in the population of our target age group. The Age 50+ Profile report points out the trend for the demand we are targeting. Under the "Total Population" heading, within a 15 minute drive time of this proposed project, the 2010 census reported 14.7% of the residents were ages 55 thru 69. By 2016, the report shows that number to increase to 16.8% of the population, and by 2021, that percentage of the population will reach 17.5%. The "Baby Boomer" population, now "empty nesters", and entering retirement status, are downsizing their residences and in many cases are becoming "snow birds", heading south for the winter months. We are convinced there is a significant need for the type of product we plan to offer.

Appendix B, contains E mail communication regarding the "wait list" for the ONLY comparable residential community in the Town, Stewart Woods. In response to the request from Mr. Arthur Fowler, associate broker with John J. Lease realtors, the managing agent for Stewart Woods, Geryl Vitagliano, provided their current "wait list" for an apartment.

We hope this documentation offers the Town Board convincing evidence, as we based our decision to advance the project at this time, on these facts. Thank you for your consideration.



Jay Feinberg

Barry Medenbach

Lakeside Residential Newburgh, LLC
4305 Rt. 209
Stone Ridge, N.Y. 12484
(845) 863-6116

Re: Needs analysis for market, rate aged 55+ rental community

Gil Piaquadio, Supervisor
Town of Newburgh
Members of the Town Board:

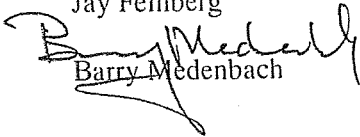
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Jay Feinberg


Barry Medenbach

APPENDIX A



Age 50+ Profile

Newburgh, New York, United States
 Drive Time: 15 minute radius

Prepared by Esri
 Latitude: 41.50343
 Longitude: -74.01042

Demographic Summary	Census 2010	2016	2021	2016-2021 Change	2016-2021 Annual Rate
Total Population	93,208	96,039	98,718	2,679	0.55%
Population 50+	28,479	31,871	33,972	2,101	1.28%
Median Age	36.6	37.3	37.9	0.6	0.32%
Households	33,515	34,454	35,399	945	0.54%
% Householders 55+	39.2%	43.3%	45.0%	1.7	0.77%
Owner/Renter Ratio	1.5	1.4	1.4	0.0	0.00%
Median Home Value	-	\$265,746	\$308,090	\$42,344	3.00%
Average Home Value	-	\$295,424	\$345,154	\$49,730	3.16%
Median Household Income	-	\$60,816	\$69,119	\$8,303	2.59%
Median Household Income for Householder 55+	-	\$54,328	\$60,965	\$6,637	2.33%

Population by Age and Sex

Male Population	Census 2010		2016		2021	
	Number	% of 50+	Number	% of 50+	Number	% of 50+
Total (50+)	13,051	100.0%	14,787	100.0%	15,796	100.0%
50-54	3,321	25.4%	3,273	22.1%	3,123	19.8%
55-59	2,770	21.2%	3,176	21.5%	3,125	19.8%
60-64	2,194	16.8%	2,611	17.7%	2,924	18.5%
65-69	1,594	12.2%	2,064	14.0%	2,341	14.8%
70-74	1,102	8.4%	1,410	9.5%	1,751	11.1%
75-79	871	6.7%	964	6.5%	1,148	7.3%
80-84	680	5.2%	669	4.5%	732	4.6%
85+	519	4.0%	620	4.2%	652	4.1%

Female Population	Census 2010		2016		2021	
	Number	% of 50+	Number	% of 50+	Number	% of 50+
Total (50+)	15,427	100.0%	17,084	100.0%	18,177	100.0%
50-54	3,363	21.8%	3,442	20.1%	3,333	18.3%
55-59	2,928	19.0%	3,271	19.1%	3,317	18.2%
60-64	2,398	15.5%	2,787	16.3%	3,057	16.8%
65-69	1,891	12.3%	2,292	13.4%	2,539	14.0%
70-74	1,426	9.2%	1,760	10.3%	2,102	11.6%
75-79	1,194	7.7%	1,303	7.6%	1,523	8.4%
80-84	1,062	6.9%	975	5.7%	1,052	5.8%
85+	1,165	7.6%	1,254	7.3%	1,254	6.9%

Total Population	Census 2010		2016		2021	
	Number	% of Total Pop	Number	% of Total Pop	Number	% of Total Pop
Total(50+)	28,479	30.6%	31,871	33.2%	33,972	34.4%
50-54	6,684	7.2%	6,714	7.0%	6,456	6.5%
55-59	5,698	6.1%	6,447	6.7%	6,442	6.5%
60-64	4,592	4.9%	5,398	5.6%	5,981	6.1%
65-69	3,485	3.7%	4,356	4.5%	4,880	4.9%
70-74	2,528	2.7%	3,171	3.3%	3,853	3.9%
75-79	2,065	2.2%	2,267	2.4%	2,671	2.7%
80-84	1,742	1.9%	1,644	1.7%	1,784	1.8%
85+	1,685	1.8%	1,874	2.0%	1,905	1.9%
65+	11,505	12.3%	13,312	13.9%	15,093	15.3%
75+	5,492	5.9%	5,785	6.0%	6,360	6.4%

Data Note - A "-" indicates that the variable was not collected in the 2010 Census.
 Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2016 and 2021.



Age 50+ Profile

Newburgh, New York, United States
 Drive Time: 15 minute radius

Prepared by Esri
 Latitude: 41.50343
 Longitude: -74.01042

2016 Households by Income and Age of Householder 55+

	55-64	Percent	65-74	Percent	75+	Percent	Total	Percent
Total	6,815	100%	4,548	100%	3,547	100%	14,910	100%
<\$15,000	728	10.7%	479	10.5%	597	16.8%	1,804	12.1%
\$15,000-\$24,999	447	6.6%	521	11.5%	623	17.6%	1,591	10.7%
\$25,000-\$34,999	457	6.7%	464	10.2%	520	14.7%	1,441	9.7%
\$35,000-\$49,999	682	10.0%	658	14.5%	628	17.7%	1,968	13.2%
\$50,000-\$74,999	1,170	17.2%	976	21.5%	571	16.1%	2,717	18.2%
\$75,000-\$99,999	1,060	15.6%	507	11.1%	261	7.4%	1,828	12.3%
\$100,000-\$149,999	1,197	17.6%	546	12.0%	240	6.8%	1,983	13.3%
\$150,000-\$199,999	616	9.0%	235	5.2%	66	1.9%	917	6.2%
\$200,000+	457	6.7%	162	3.6%	40	1.1%	659	4.4%
Median HH Income	\$72,726		\$52,615		\$35,543		\$54,328	
Average HH Income	\$91,502		\$70,921		\$48,995		\$75,122	

2021 Households by Income and Age of Householder 55+

	55-64	Percent	65-74	Percent	75+	Percent	Total	Percent
Total	6,978	100%	5,143	100%	3,800	100%	15,921	100%
<\$15,000	671	9.6%	573	11.1%	646	17.0%	1,890	11.9%
\$15,000-\$24,999	401	5.7%	524	10.2%	628	16.5%	1,553	9.8%
\$25,000-\$34,999	564	8.1%	652	12.7%	717	18.9%	1,933	12.1%
\$35,000-\$49,999	356	5.1%	396	7.7%	352	9.3%	1,104	6.9%
\$50,000-\$74,999	1,107	15.9%	1,064	20.7%	609	16.0%	2,780	17.5%
\$75,000-\$99,999	1,171	16.8%	650	12.6%	343	9.0%	2,164	13.6%
\$100,000-\$149,999	1,441	20.7%	745	14.5%	352	9.3%	2,538	15.9%
\$150,000-\$199,999	753	10.8%	325	6.3%	97	2.6%	1,175	7.4%
\$200,000+	515	7.4%	214	4.2%	55	1.4%	784	4.9%
Median HH Income	\$81,649		\$57,625		\$33,302		\$60,965	
Average HH Income	\$101,167		\$78,329		\$54,488		\$82,648	

Data Note: Income is reported for households as of July 1, 2016 and represents annual income for the preceding year, expressed in 2015 dollars. Income is reported for households as of July 1, 2021 and represents annual income for the preceding year, expressed in 2020 dollars.

A-2

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2016 and 2021.

June 05, 2017



Detailed Age Profile

Newburgh, New York, United States
 Drive Time: 15 minute radius

Prepared by Esri
 Latitude: 41.50343
 Longitude: -74.01042

Summary	Census 2010	2016	2021	2016-2021 Change	2016-2021 Annual Rate
Population	93,208	96,039	98,718	2,679	0.55%
Households	33,515	34,454	35,399	945	0.54%
Average Household Size	2.70	2.70	2.70	0.00	0.00%

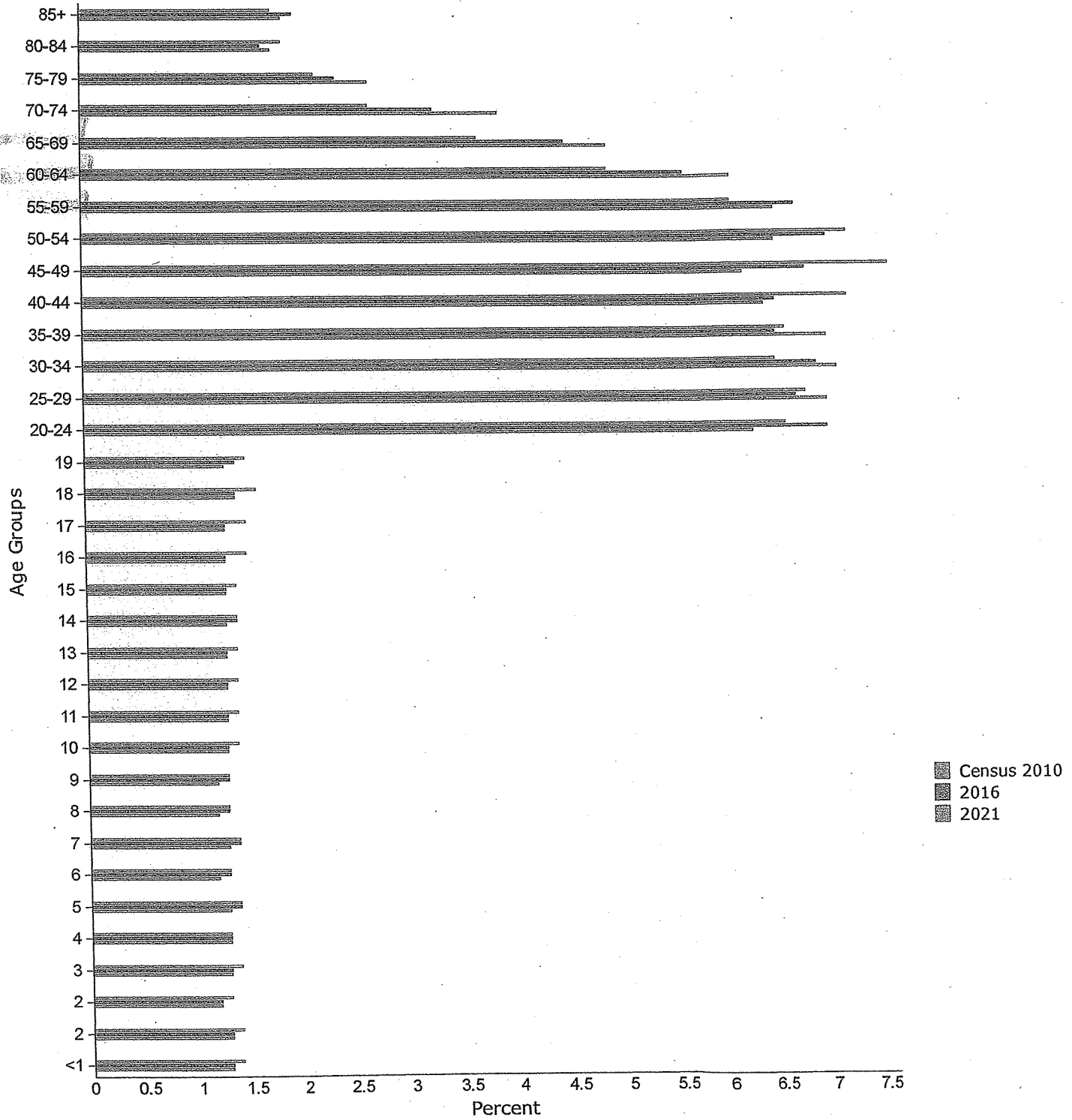
Total Population by Detailed Age	Census 2010		2016		2021	
	Number	Percent	Number	Percent	Number	Percent
Total	93,206	100.0%	96,039	100.0%	98,718	100.0%
<1	1,311	1.4%	1,210	1.3%	1,273	1.3%
1	1,298	1.4%	1,259	1.3%	1,283	1.3%
2	1,254	1.3%	1,197	1.2%	1,217	1.2%
3	1,291	1.4%	1,235	1.3%	1,235	1.3%
4	1,243	1.3%	1,247	1.3%	1,250	1.3%
5	1,334	1.4%	1,342	1.4%	1,295	1.3%
6	1,231	1.3%	1,263	1.3%	1,210	1.2%
7	1,290	1.4%	1,301	1.4%	1,242	1.3%
8	1,247	1.3%	1,236	1.3%	1,171	1.2%
9	1,212	1.3%	1,233	1.3%	1,188	1.2%
10	1,281	1.4%	1,291	1.3%	1,303	1.3%
11	1,278	1.4%	1,275	1.3%	1,300	1.3%
12	1,312	1.4%	1,295	1.3%	1,296	1.3%
13	1,285	1.4%	1,263	1.3%	1,272	1.3%
14	1,334	1.4%	1,318	1.4%	1,319	1.3%
15	1,305	1.4%	1,259	1.3%	1,239	1.3%
16	1,380	1.5%	1,263	1.3%	1,235	1.3%
17	1,380	1.5%	1,280	1.3%	1,261	1.3%
18	1,468	1.6%	1,366	1.4%	1,350	1.4%
19	1,379	1.5%	1,332	1.4%	1,285	1.3%
20 - 24	6,162	6.6%	6,702	7.0%	6,241	6.3%
25 - 29	6,301	6.8%	6,460	6.7%	6,933	7.0%
30 - 34	6,101	6.5%	6,585	6.9%	7,004	7.1%
35 - 39	6,198	6.6%	6,209	6.5%	6,893	7.0%
40 - 44	6,742	7.2%	6,230	6.5%	6,323	6.4%
45 - 49	7,110	7.6%	6,517	6.8%	6,128	6.2%
50 - 54	6,684	7.2%	6,714	7.0%	6,456	6.5%
55 - 59	5,698	6.1%	6,447	6.7%	6,442	6.5%
60 - 64	4,592	4.9%	5,398	5.6%	5,981	6.1%
65 - 69	3,485	3.7%	4,356	4.5%	4,880	4.9%
70 - 74	2,528	2.7%	3,171	3.3%	3,853	3.9%
75 - 79	2,065	2.2%	2,267	2.4%	2,671	2.7%
80 - 84	1,742	1.9%	1,644	1.7%	1,784	1.8%
85+	1,685	1.8%	1,874	2.0%	1,905	1.9%
<18	23,266	25.0%	22,769	23.7%	22,589	22.9%
18+	69,941	75.0%	73,271	76.3%	76,129	77.1%
21+	65,748	70.5%	69,154	72.0%	72,186	73.1%
Median Age	36.6		37.3		37.9	

Handwritten annotations: } 14.7% } 16.8% }

A.4

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2016 and 2021.

Total Population by Detailed Age



A-5

Source: U.S. Census Bureau, Census 2010 Summary File 1. Esri forecasts for 2016 and 2021.

APPENDIX B

Jay Feinberg

From: Art Fowler [artfowler@johnleaserealtors.com]
Sent: Thursday, June 08, 2017 8:56 PM
To: Jay Feinberg
Subject: Fwd: Senior Housing ~ Newburgh

here you go.

----- Forwarded message -----

From: Geryl Vitagliano <cornwallbuilders@verizon.net>
Date: Thu, Jun 8, 2017 at 3:38 PM
Subject: Senior Housing ~ Newburgh
To: Art Fowler <artfowler@johnleaserealtors.com>

Hi Art,

In reference to our conversation today, we do have a 62 person waiting list for our market rate senior housing apartments locate on Stewart Avenue.

Please feel free to contact me with any further questions you may have.

Warm regards,

Geryl T. Vitagliano

Managing Agent



Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2017-AEA-5396-OE

Issued Date: 06/14/2017

Barry Medenbach PE
 Lakeside
 4305 US Hwy 209
 Stone Ridge, NY 12484

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Building Lakeside Senior Build #1
 Location: Newburgh, NY
 Latitude: 41-31-31.50N NAD 83
 Longitude: 74-06-37.10W
 Heights: 508 feet site elevation (SE)
 42 feet above ground level (AGL)
 550 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 1.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 12/14/2018 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office,
- (b) extended, revised, or terminated by the issuing office,
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within

6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (404) 305-6531, or darin.clipper@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-AEA-5396-OE.

Signature Control No: 332347917-335177255

(DNE)

Darin Clipper
Specialist

Attachment(s)
Case Description
Map(s)

Case Description for ASN 2017-AEA-5398-OE

Proposed 3 - 3 story apartments building for senior housing

TOPO Map for ASN 2017-AEA-5398-OE





Mail Processing Center
 Federal Aviation Administration
 Southwest Regional Office
 Obstruction Evaluation Group
 10101 Hillwood Parkway
 Fort Worth, TX 76177

Aeronautical Study No.
 2017-AEA-5397-OE

Issued Date: 06/14/2017

Barry Medenbach PE
 Lakeside
 4305 US Hwy 209
 Stone Ridge, NY 12484

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Building Lakeside Senior <u>Build #2</u>
Location:	Newburgh, NY
Latitude:	41-31-34.50N NAD 83
Longitude:	74-06-35.50W
Heights:	510 feet site elevation (SE) 42 feet above ground level (AGL) 552 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 1.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 12/14/2018 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within

6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (404) 305-6531, or darin.clipper@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-AEA-5397-OE.

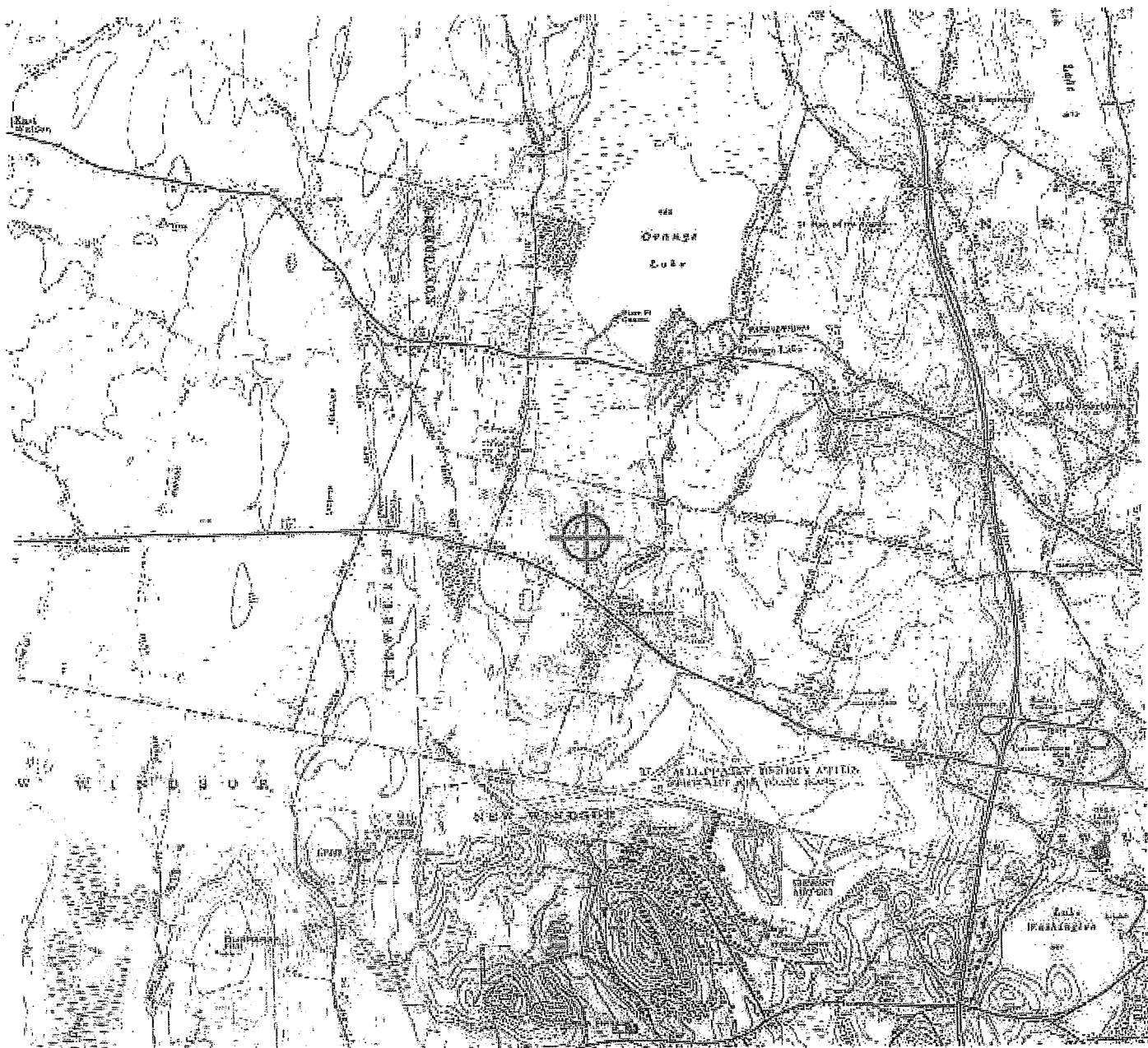
Signature Control No: 332347918-335177254

(DNE)

Darin Clipper
Specialist

Attachment(s)
Case Description
Map(s)

TOPO Map for ASN 2017-AEA-5396-OE





Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2017-AEA-5398-OE

Issued Date: 06/14/2017

Barry Medenbach PE
Lakeside
4305 US Hwy 209
Stone Ridge, NY 12484

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Building Lakeside Senior Build #3
Location: Newburgh, NY
Latitude: 41-31-37.60N NAD 83
Longitude: 74-06-33.70W
Heights: 505 feet site elevation (SE)
42 feet above ground level (AGL)
547 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
 Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 1.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 12/14/2018 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within

6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (404) 305-6531, or darin.clipper@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2017-AEA-5398-OE.

Signature Control No: 332347919-335177256

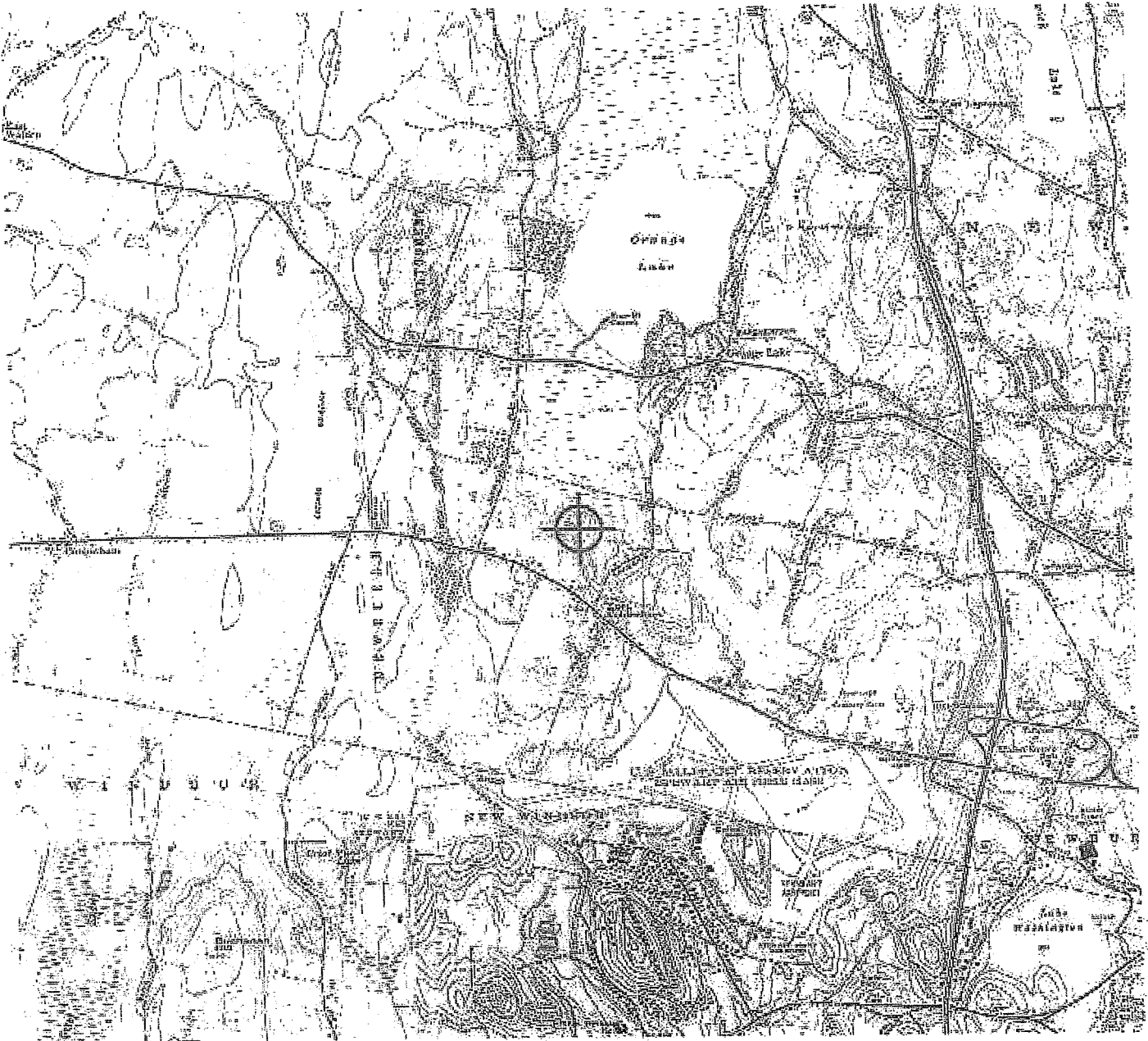
Darin Clipper
Specialist

(DNE)

Attachment(s)
Case Description
Map(s)

Proposed 3 - 3 story apartments building for senior housing

TOPO Map for ASN 2017-AEA-5397-OE



8B

TOWN OF NEWBURGH

COMPREHENSIVE PLAN AMENDMENT

FOR THE REZONING OF AN AREA OF LAND

OFF NYS ROUTE 9W AND MORRIS DRIVE

(A PORTION OF TAX PARCEL SECTION 9 BLOCK 1 LOT 56.21

AND TAX PARCEL SECTION 9 BLOCK 1 LOT 56.22

FROM AR (AGRICULTURAL RESIDENCE)

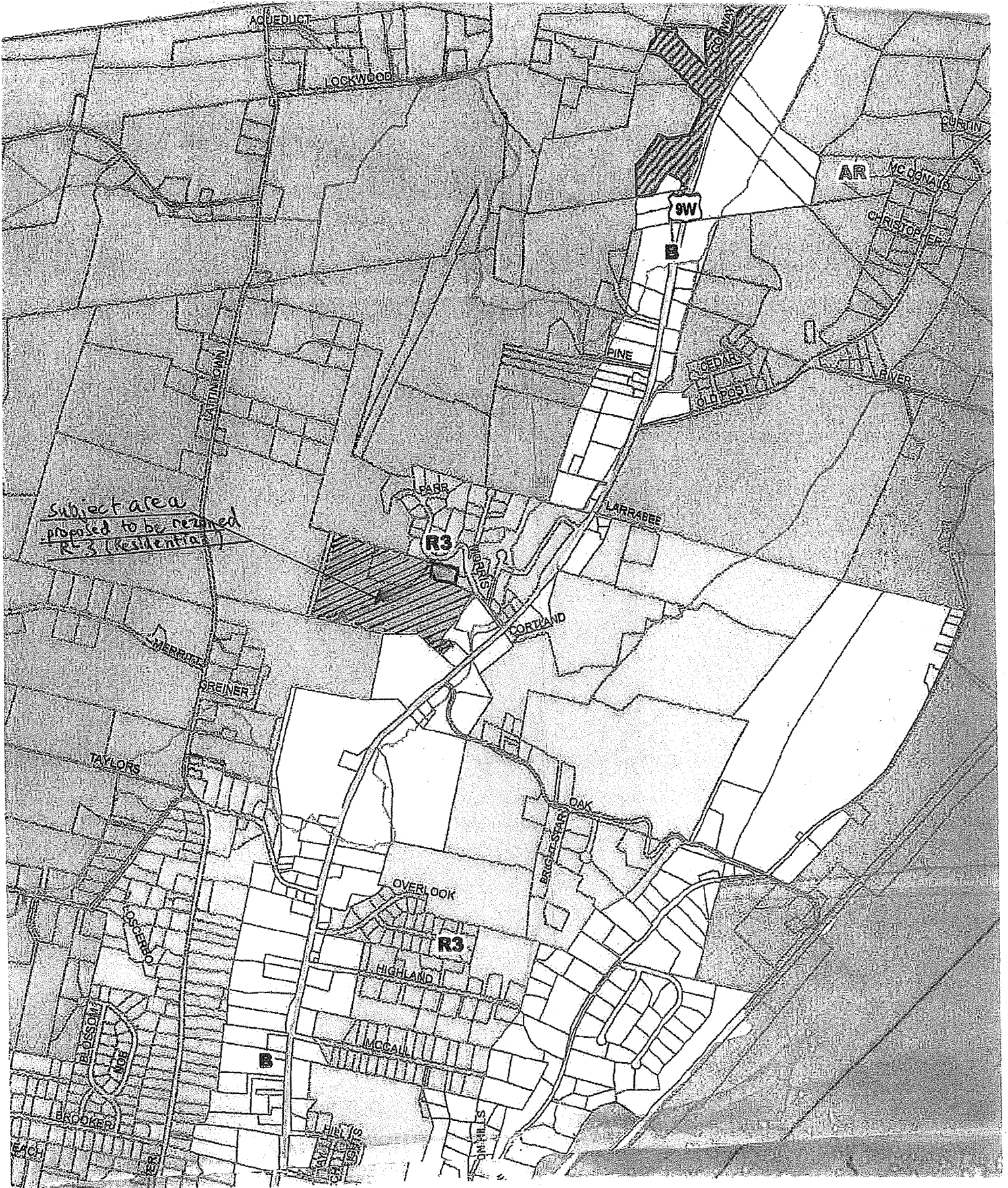
TO THE ADJACENT

R3 (RESIDENTIAL) ZONING DISTRICT

(OVERLOOK FARM)

JUNE, 2017

This Amendment to the adopted Comprehensive Plan Update of the Town of Newburgh contemplates the rezoning of an area of land which is the rear portion of a lot fronting on NYS Route 9W and also having frontage on Morris Drive. The area will be rezoned from the AR (Agricultural Residence) Zoning District to the adjoining R-3 (Residential) Zoning District.. The rezoning will encompass approximately 29.039 acres of land. The area is comprised of a 24.939 acre portion of the property designated as tax parcel Section 9 Block 1 Lot 56.21 and the approximately 4.10 acre lot designated as tax parcel Section 9 Block 1 Lot 56.22 on the tax map of the Town of Newburgh. The owner of tax parcel Section 9Block 1 Lot 56.21 has applied for the change in zoning and the owner of tax parcel Section 9 Block 1 Lot 56.22 has consented to the change.



Subject area
proposed to be rezoned
R-3 (Residential)

12,000 Feet

This map is I
responsible for

**INTRODUCTORY LOCAL LAW #__ OF 2017
A LOCAL LAW AMENDING
CHAPTER 185 ENTITLED "ZONING"
OF THE CODE OF THE TOWN OF NEWBURGH
AND
THE ZONING MAP
OF THE TOWN OF NEWBURGH
TO REZONE A PORTION OF
TAX PARCEL SECTION 9 BLOCK 1 LOT 56.21
AND TAX PARCEL SECTION 9 BLOCK 1 LOT 56.22
OFF OF NYS ROUTE 9W AND MORRIS DRIVE
FROM AR (AGRICULTURAL RESIDENCE) TO
THE ADJACENT R3 (RESIDENTIAL) ZONING DISTRICT**

SECTION 1 - TITLE

This Local Law shall be referred to as "A Local Law Amending Chapter 185 Entitled 'Zoning' of the Code of the Town of Newburgh and the Zoning Map of the Town of Newburgh to Rezone A Portion of Tax Parcel Section 9 Block 1 Lot 56.21 and Tax Parcel Section 9 Block 1 Lot 56.22 off of NYS Route 9W and Morris Drive from AR (Agricultural Residence) to the Adjacent R-3 (Residential) Zoning District."

SECTION 2 - PURPOSE

The purpose of this local law is to rezone a portion of the lot designated as on the Orange County Tax Maps for the Town of Newburgh as Tax Parcel Section 9 Block 1 Lot 56.21 and Tax Parcel Section 9 Block 1 Lot 56.22 off of NYS Route 9W and Morris Drive from the AR (Agricultural Residence) Zoning District to the adjacent R-3 (Residential) Zoning District, consistent with the amended Comprehensive Plan Update of the Town of Newburgh.

The rezoning will encompass approximately 29.039 acres of land. The area is comprised of an approximately 24.939 acre portion of the property designated on the Orange County tax maps for the Town of Newburgh as tax parcel Section 9 Block 1 Lot 56.21 and the adjoining 4.10 acre lot designated on the Orange County tax maps for the Town of Newburgh as tax parcel Section 9 Block 1 Lot 56.22. The owner of tax parcel Section 9 Block 1 Lot 56.21 has applied for the change in zoning and the owner of tax parcel Section 9 Block 1 Lot 56.22 has consented to the change.

SECTION 3 - AMENDMENT TO CHAPTER 185 AND ZONING MAP

1. The Zoning Map of the Town of Newburgh, adopted and made a part of Chapter 185 of the Code of the Town of Newburgh pursuant to Section 185-5, as last amended by Local Law No. 1 of 2015, is hereby amended to change the Zoning District from AR (Agricultural

Residence) to R-3 (Residential) for the following property: the portion of Tax Map Section 9 Block 1 Lot 56.21 currently zoned AR, the portion of said lot which currently zoned B (Business) to remain in the B Zoning District, and the entirety of Tax Map Section 9 Block 1 Lot 56.22..

2. The Zoning Map of the Town of Newburgh, as amended by this local law, shall be maintained on file in the office of the Town Clerk

SECTION 4 – REPEAL All ordinances and local laws and any parts thereof inconsistent with this Local Law are hereby repealed.

SECTION 5 - VALIDITY

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

SECTION 6 - EFFECTIVE DATE

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

DRAFT

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, in the Town of Newburgh, Orange County, New York on the ___th day of June, 2017 at 7:00 o'clock p.m.

PRESENT:

- Gilbert J. Piaquadio, Supervisor
- Elizabeth J. Greene, Councilwoman
- Paul I. Ruggiero, Councilman
- James E. Presutti, Councilman
- Scott M. Manley, Councilman

RESOLUTION OF TOWN BOARD
 DETERMINING THAT PROPOSED ADOPTION
 OF A COMPREHENSIVE PLAN UPDATE
 AMENDMENT AND LOCAL LAW AMENDING
 CHAPTER 185 ENTITLED "ZONING" OF THE
 CODE OF THE TOWN OF NEWBURGH
 AND THE ZONING MAP OF
 THE TOWN OF NEWBURGH
 TO REZONE A PORTION OF
 TAX PARCEL SECTION 9 BLOCK 1 LOT 56.21
 AND TAX PARCEL SECTION 9 BLOCK 1 LOT
 56.22 OFF OF NYS ROUTE 9W AND MORRIS
 DRIVE FROM AR (AGRICULTURAL
 RESIDENCE) TO THE ADJOINING R-3
 (RESIDENTIAL) ZONING DISTRICT
 CONSTITUTE A TYPE I ACTION AND
 PROVIDING FOR COORDINATED REVIEW:
 APPLICATION OF OVERLOOK FARMS, INC.

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

WHEREAS, having received a request from a property owner and consent of an adjacent property owner for a Zoning Map change, pursuant to Town Law Section 272-a the Town Board of the Town of Newburgh has prepared an amendment to the adopted Comprehensive Plan Update of the Town of Newburgh providing for the rezoning of an area of land off of Route 9W and Morris Drive comprised of a portion of tax parcel Section 9 Block 1 Lot 56.21 and tax parcel Section 9 Block 1 Lot 56.22 in its entirety from AR (Agriculture Residence) to the adjacent R-3 (Residential) Zoning District having a total acreage of approximately 29.039 acres; and

WHEREAS, the Town Board has additionally caused to be prepared a local law amending the Zoning Code and Zoning Map of the Town of Newburgh which will implement the proposed Comprehensive Plan Update Amendment; and

WHEREAS, the Town Board of the Town of Newburgh recognizes the importance of sound planning as a means of promoting responsible development and protecting the health, safety and general welfare of the citizens of the Town of Newburgh and otherwise fulfilling the legislative findings and intent set forth in Town Law Section 272-a; and

WHEREAS, the Town Board of the Town of Newburgh has caused an Environmental Assessment Form (the "EAF") to be prepared for the proposed adoptions of the Amendment to the Comprehensive Plan Update and the Local Law Amending Chapter 185 Entitled 'Zoning' of the Code of the Town of Newburgh and the Zoning Map of the Town of Newburgh to Rezone

An Area of Land off of Route 9W and Morris Drive comprised of a portion of tax parcel Section 9 Block 1 Lot 56.21 and tax parcel Section 9 Block 1 Lot 56.22 in its entirety from AR (Agriculture Residence) to the adjacent R-3 (Residential) Zoning District and

WHEREAS, the Town Board has determined that the proposed adoption of the aforesaid Amendment to the Comprehensive Plan Update and local law should be reviewed as an action (the "Action") under Part 617 of the General Regulations ("Part 617") 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; and

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

WHEREAS, the Town Board, using all due diligence, has identified the following involved agency for the Action:

None; and

WHEREAS, the Town Board, using all due diligence, has identified the following agencies as potentially interested agencies for the Action:

the Orange County Planning Department,

the Town of Newburgh Planning Board, and

the Town of Newburgh Zoning Board of Appeals; and

WHEREAS, the Town Board proposes to undertake, fund and approve the Action and wishes to assume Lead Agency status in connection with the review of the Action pursuant to SEQR and Part 617.

NOW, THEREFORE, BE IT RESOLVED, the Town Board pursuant to Article 8 of the Environmental Conservation Law ("SEQR"), Part 617 of the General Regulations adopted pursuant thereto ("Part 617") and Chapter 100 entitled "Environmental Quality Review" of the Town of Newburgh Municipal Code, hereby determines that the Action is subject to SEQR and is a Type I action; and

BE IT FURTHER RESOLVED, that no other agency has been identified as an involved agency for the Action

; and

BE IT FURTHER RESOLVED, that the following are identified as interested agencies for the Action:

Orange County Department of Planning

Town of Newburgh Planning Board

Town of Newburgh Zoning Board of Appeals

and;

BE IT FURTHER RESOLVED, that the Town Board hereby directs that a Lead Agency coordination letter be circulated among involved agencies, if any, together with copies of the EAF, and such other information as is appropriate, indicating the Town Board's intent to assume the role of Lead Agency for the Action under SEQR and Part 617, and that copies of the EAF also be forwarded to interested agencies for review and comment.

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.

DRAFT

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, in the Town of Newburgh, Orange County, New York on the ___nd day of June, 2017 at 7:00 o'clock p.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor
Elizabeth J. Greene, Councilwoman
Paul I. Ruggiero, Councilman
James E. Presutti, Councilman
Scott M. Manley, Councilman

RESOLUTION OF TOWN BOARD
CALLING PUBLIC HEARING IN
THE MATTER OF THE AMENDMENT
OF THE COMPREHENSIVE PLAN
UPDATE OF THE
TOWN OF NEWBURGH FOR THE
REZONING OF AN AREA OF LAND
OFF OF ROUTE 9W AND MORRIS DRIVE
COMPRISED OF A PORTION OF TAX PARCEL
SECTION 9 BLOCK 1 LOT 56.21 AND TAX
PARCEL SECTION 9 BLOCK 1 LOT 56.22
FROM AR (AGRICULTURAL RESIDENCE) TO
THE ADJACENT R-3 (RESIDENTIAL) ZONING
DISTRICT
APPLICATION OF OVERLOOK FARMS, INC.

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

WHEREAS, the Town Board recognizes the importance of sound planning as a means of promoting responsible development and protecting the health, safety and general welfare of the citizens of the Town of Newburgh and otherwise fulfilling the legislative findings and intent set forth in Town Law Section 272-a; and

WHEREAS, the participation of citizens in an open, responsible and flexible planning process is essential to the designing of the optimum Town comprehensive plan; and

WHEREAS, pursuant to Town Law Section 272-a, having received an application from a property owner and the consent of another property owner, the Town Board is preparing a proposed amendment to the adopted Comprehensive Plan Update of the Town of Newburgh providing for the rezoning an approximately 29.039 acre area of land which is comprised of the 24.939 acre rear portion of a lot fronting on NYS Route 9W and also having frontage on Morris Drive (Section 9 Block 1 Lot 56.21) and the approximately 4.10 acre lot designated as tax parcel Section 9 Block 1 Lot 56.22 .from the AR (Agricultural Residence) Zoning District to the adjoining R-3 (Residential) Zoning District; and

WHEREAS, Town Law Section 272-a provides that in the event a town board prepares a proposed town comprehensive plan amendment, the town board shall hold one or more public hearings and such other meetings as it deems necessary to assure full opportunity for citizen participation in the preparation of such proposed plan amendment, and in addition, the town board shall hold one or more public hearings prior to adoption of such proposed plan amendment; and

WHEREAS, the Town Board desires to call a public hearing to solicit citizen comment for the preparation and prior to the adoption of the proposed Amendment to the Comprehensive Plan Update for the Rezoning of such area from AR to the adjacent R-3 zoning district.

NOW, THEREFOR BE IT RESOLVED, that Town Board shall hold a public hearing on the proposed Amendment to the Comprehensive Plan Update for the Rezoning of an Area of Land off of Route 9W and Morris Drive (A Portion of Tax Parcel Section 9 Block 1 Lot 56.21 and Tax Parcel Section 9 Block 1 Lot 56.22) .from the AR (Agricultural Residence) Zoning District to the adjoining R-3 (Residential) Zoning District to be held at the Town Hall at 1496 Route 300 in the Town of Newburgh, New York on the __th day of _____, 2017 at 7: __ o'clock, p.m. Prevailing Time.; and, be it further

RESOLVED, that a copy of the proposed Amendment to the Comprehensive Plan Update for the Rezoning of an Area of Land off of Route 9W and Morris Drive be filed in the office of the Town Clerk be made available for public review; and, be it further

RESOLVED, that the Town Clerk is hereby authorized and direct to a cause a Notice of Public Hearing to be published in the Mid-Hudson Times and The Orange County Post, the newspapers hereby designated as the official newspaper for this purpose at least ten (10) calendar days in advance of the hearing, and also to cause a copy thereof to be posted on the sign board of the Town; and, be it further

RESOLVED, that this resolution shall take effect immediately.

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

<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.

DRAFT

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, in the Town of Newburgh, Orange County, New York on the ___nd day of June, 2017 at 7:00 o'clock p.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

James E. Presutti, Councilman

Scott M. Manley, Councilman

RESOLUTION INTRODUCING LOCAL LAW AMENDING CHAPTER 185 ENTITLED "ZONING" OF THE CODE OF THE TOWN OF NEWBURGH AND THE ZONING MAP OF THE TOWN OF NEWBURGH TO REZONE A PORTION OF TAX PARCEL SECTION 9 BLOCK 1 LOT 56.21 AND TAX PARCEL SECTION 9 BLOCK 1 LOT 56.22 OFF OF NYS ROUTE 9W AND MORRIS DRIVE FROM AR (AGRICULTURAL RESIDENCE) TO THE ADJACENT R-3 (RESIDENTIAL) ZONING DISTRICT; APPLICATION OF OVERLOOK FARMS, INC.

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

BE IT RESOLVED that a Local Law Amending Chapter 185 entitled "Zoning" of the Code of the Town of Newburgh and the Zoning Map of the Town of Newburgh to Rezone a Portion of Tax Parcel Section 9 Block 1 Lot 56.21 and Tax Parcel Section 9 Block 1 Lot 56.22 off of NYS Route 9W and Morris Drive from AR (Agricultural Residence) to the Adjacent R-3 (Residential) Zoning District be and hereby is introduced before the Town Board of the Town of Newburgh in the County of Orange and State of New York, and

BE IT FURTHER RESOLVED that a copy of the aforesaid proposed local law in final form be laid upon the desk of each member of the Town Board at least seven (7) days prior to a public hearing on said proposed local law, and

BE IT FURTHER RESOLVED that the Town Board shall hold a public hearing in the matter of the adoption of the aforesaid local law to be held at the Town Hall at 1496 Route 300 the Town of Newburgh, New York on the ___th day of _____, 2017 at 7:00 o'clock, p.m., and

BE IT FURTHER RESOLVED that the Town Clerk give notice of such public hearing by the publication of a notice in the official newspapers of the Town, specifying the time when and the place where such public hearing will be held at least three (3) days prior to the public hearing in accordance with the requirements of the Municipal Home Rule Law and Section 25-1 of the Town of Newburgh Municipal Code and by posting one copy of the local law together with the notice of hearing on the signboard of his office not later than the day such notice is published; and

BE IT FURTHER RESOLVED that copies of the aforesaid local law and notice of the public hearing be forwarded to all municipalities, agencies and boards required to receive such copies and notices in accordance with the provisions of the New York State General Municipal

Law, the New York State Town Law and the Town of Newburgh Zoning Code.

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. Manlev, Councilman voting _____

Gilbert J. Piaquadio, Supervisor voting _____

The resolution was thereupon declared duly adopted.

Draft

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, in the Town of Newburgh, Orange County, New York on the ___nd day of June, 2017 at 7:00 o'clock p.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

James E. Presutti, Councilman

Scott M. Manley, Councilman

RESOLUTION OF TOWN BOARD PROVIDING FOR REFERRAL OF COMPREHENSIVE PLAN UPDATE AMENDMENT AND LOCAL LAW AMENDING CHAPTER 185 ENTITLED "ZONING" OF THE CODE OF THE TOWN OF NEWBURGH AND THE ZONING MAP OF THE TOWN OF NEWBURGH TO REZONE A PORTION OF TAX PARCEL SECTION 9 BLOCK 1 LOT 56.21 AND TAX PARCEL SECTION 9 BLOCK 1 LOT 56.22 OFF OF NYS ROUTE 9W AND MORRIS DRIVE TO THE ORANGE COUNTY DEPARTMENT OF PLANNING, THE TOWN OF NEWBURGH PLANNING BOARD AND THE TOWN OF NEWBURGH ZONING BOARD OF APPEALS:
APPLICATION OF OVERLOOK FARMS, INC.

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

WHEREAS, the Town Board of the Town of Newburgh recognizes the importance of sound planning as a means of promoting responsible development and protecting the health, safety and general welfare of the citizens of the Town of Newburgh and otherwise fulfilling the legislative findings and intent set forth in Town Law Section 272-a; and

WHEREAS, having received a request from a property owner for a Zoning Map change, pursuant to Town Law Section 272-a, the Town Board has prepared an amendment to the adopted Comprehensive Plan Update of the Town of Newburgh providing for the rezoning of an area of land off of Route 9W and Morris Drive comprised of a portion of tax parcel Section 9 Block 1 Lot 56.21 and tax parcel Section 9 Block 1 Lot 56.22 in its entirety from AR (Agriculture Residential) to the adjacent R-3 (Residential) Zoning District; and

WHEREAS, Town Law Section 272-a provides that any proposed comprehensive plan or amendment thereto may be referred to the town planning board for review and recommendation before action by the town board and shall be referred, prior to adoption, to the county planning board or agency for review and recommendation as required by Section 239-m of the General Municipal Law; and

WHEREAS, the Town Board has additionally prepared and introduced a Local Law Amending Chapter 185 entitled "Zoning" of the Code of the Town of Newburgh and the Zoning Map of the Town of Newburgh to Rezone A Portion of Tax Parcel Section 9 Block 1 Lot 56.22 and Tax Parcel Section 9 Block 1 Lot 56.21 off of NYS Route 9W and Morris Drive from AR

(Agricultural Residence) to the Adjoining R-3 (Residential) Zoning District, which will implement the proposed Comprehensive Plan Update Amendment; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law and the Town of Newburgh Zoning Code, amendments of zoning laws meeting certain criteria must also be referred to the to the county planning board or agency and the Town Planning Board for review and recommendation.

NOW, THEREFORE, BE IT RESOLVED, that copies of the Amendment to the Town of Newburgh Comprehensive Plan Update for the Rezoning of an Area of Land off NYS Route 9W and Morris Drive (A Portion of Tax Parcel Section 9 Block 1 Lot 56.2' and Tax Parcel Section 9 Block 1 Lot 56.22 from AR (Agricultural Residence) to the Adjacent R3 (Residential) Zoning District be forwarded to the Orange County Department of Planning and the Town of Newburgh Planning Board for their reports in accordance with the provisions of the New York State General Municipal Law in conformity with all applicable rules and regulations which have been established for delivery; and

BE IT FURTHER RESOLVED that copies of the Local Law Amending Chapter 185 entitled "Zoning" of the Code of the Town of Newburgh and the Zoning Map of the Town of Newburgh to Rezone A Portion of Tax Parcel Section 9 Block 1 Lot 56.21 and Tax Parcel Section 9 Block 1 Lot 56.22 off of NYS Route 9W and Morris Drive from AR (Agricultural Residence) to the Adjacent R-3 (Residential) Zoning District be forwarded to the Orange County Department of Planning and the Town of Newburgh Planning Board for their reports in accordance with the provisions of the New York State General Municipal Law and the Town of Newburgh Zoning Code; and

BE IT FURTHER RESOLVED, that a copies of the aforesaid amendment to the adopted Comprehensive Plan Update and local law also be forwarded to the Town of Newburgh Zoning Board of Appeals for its comments.

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.

8c



HON. GILBERT J. PIAQUADIO, SUPERVISOR
TOWN BOARD MEMBERS
June 21, 2017
Page -2-

Establishments as a Permitted Principal Use Subject to Site Plan
Review in the IB Zoning District

DP66, LLC's submission includes Part 1 of a long form Environmental Assessment Form for an action which includes the requested Zoning Law text amendment and the land use permitting /approvals and interior renovation to the existing Orange County Choppers facility for indoor amusement establishment use. In similar circumstances, the Town Board has agreed to the Planning Board acting as the Lead Agency for the SEQRA review, which will include consideration of any potential site specific impacts. If the Town Board determines to adopt that approach again, then it may agree to the Planning Board acting as Lead Agency once the Planning Board's "notice of intent" is received. The Planning Board will be responsible for preparing and circulating Part 2 of the Full EAF, which will be needed for the referral package to be complete.

MCT/sel

Enc.

cc: Town Clerk Andrew J. Zarutskie
James Osborne, Town Engineer (via e-mail)
Gerald Canfield, Code Compliance Supervisor (via e-mail)
John Ewasutyn, Planning Board Chairman (via e-mail)
Michael Donnelly, Esq. Planning Board Attorney (via e-mail)
Pat Hines, McGoey Hauser & Edsall (via e-mail)
Anthony F. Morando, Esq., Cuddy+ Feder, LLP (via e-mail)

Draft

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, in the Town of Newburgh, Orange County, New York on the __th day of June, 2017 at 7:00 o'clock p.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

James E. Presutti, Councilman

Scott M. Manley, Councilman

RESOLUTION OF TOWN BOARD SCHEDULING A PUBLIC HEARING ON A LOCAL LAW AMENDING CHAPTER 185 ENTITLED "ZONING" OF THE CODE OF THE TOWN OF NEWBURGH TO PROVIDE FOR INDOOR AMUSEMENT ESTABLISHMENTS AS A PERMITTED PRINCIPAL USE SUBJECT TO SITE PLAN REVIEW IN THE IB ZONING DISTRICT

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

WHEREAS, a Local Law Amending Chapter 185 Entitled "Zoning" of the Code of the Town of Newburgh to Provide for Indoor Amusement Establishments as a Permitted Principal Use Subject to Site Plan Review in the IB Zoning District has been introduced before the Town Board of the Town of Newburgh in the County of Orange and State of New York by resolution adopted by the Town Board.

NOW, THEREFORE, BE IT RESOLVED that a copy of the aforesaid proposed local law in final form be laid upon the desk of each member of the Town Board at least seven (7) days prior to a public hearing on said proposed local law; and

BE IT FURTHER RESOLVED that the Town Board shall hold a public hearing in the matter of the adoption of the aforesaid local law to be held at the Town Hall at 1496 Route 300 the Town of Newburgh, New York on the __th day of _____, 2017 at 7:00 o'clock, p.m., and

BE IT FURTHER RESOLVED that the Town Clerk give notice of such public hearing by the publication of a notice in the official newspapers of the Town, specifying the time when and the place where such public hearing will be held at least three (3) days prior to the public hearing in accordance with the requirements of the Municipal Home Rule Law and Section 25-1 of the Town of Newburgh Municipal Code and by posting one copy of the local law together with the notice of hearing on the signboard of his office not later than the day such notice is published; and

BE IT FURTHER RESOLVED that copies of the aforesaid local law and notice of the

public hearing be forwarded to all municipalities, agencies and boards required to receive such copies and notices in accordance with the provisions of the New York State General Municipal Law, the New York State Town Law and the Town of Newburgh Zoning Code.

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 _____

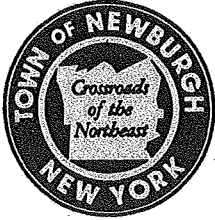
Paul I. Ruggiero, Councilman voting _____

James E. Presutti, Councilman voting _____

Scott M. Manlev, Councilman voting _____

Gilbert J. Piaquadio, Supervisor voting _____

The resolution was thereupon declared duly adopted.



9A

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 16, 2017

I am requesting authorization to use the T-94 account to pay for veterinary services from:
Newburgh Vet

Totaling: \$71.40

Feline:

Canine: \$71.40

Thank you,
Cheryl Cunningham

TOWN OF NEWBURGH

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

DO NOT WRITE IN THIS BOX

DEPARTMENT _____

CLAIMANT'S
NAME
AND
ADDRESS

NEWBURGH VETERINARY HOSPITAL
1716 Route 300
Newburgh, NY 12550
Tel: (845) 564-2660
www.newburghvet.com

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

TERMS

Net 30 Days

Invoice # _____

Canine

Dates	Quantity	Description of Materials or Services	Unit Price	Amount
5/4/17	651140	COPY		5.40
5/4/17	651141			16.50
5/7/17	651346			16.50
5/20/17	652248			16.50
5/23/17	652396			16.50
TOTAL				71.40

CLAIMANT'S CERTIFICATION

Dora McCast certify that the above account in the amount of \$ 71.40 is true and correct; that the items, services and disbursements charged were rendered to or for the municipality on the dates stated; that no part has been paid or satisfied; that taxes, from which the municipality is exempt, are not included; and that the amount claimed is actually due.

5/31/17
DATE

Dora McCast
SIGNATURE

Bookkeeper
TITLE

(Space below for municipal use)

DEPARTMENT APPROVAL

The above services or materials were rendered or furnished to the municipality on the dates stated and the charges are correct.

Date

Authorized Official

APPROVAL FOR PAYMENT

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

Date

Auditing Board

INVOICE

Newburgh Veterinary Hospital

1716 Route 300
Newburgh, NY 12550
845 564-2660



"Your pet is part of our family too." Visit us at www.newburghvet.com

FOR: Town of Newburgh - canine
645 Gidney Ave
Newburgh, NY 12550
(845) 561-3344

Printed: 05-04-17 at 5:48p
Date: 05-04-17
Account: 19984
Invoice: (open)

Date	For	Qty	Description	Price	Discount	Net Price
05-04-17	Spot 4/3/17	1	Panolog / Quadritop Ointment 15ml	24.29	18.89	5.40 **

Total charges, this invoice...

5.40

**Total discount included: 18.89

Your invoice total reflects our **13Stray Cat Accounts** discount.

Reminders for: Spot 4/3/17 (Weight: 62.0 lbs - 3y)	Last done
04/18 CONSULT/EXAM - Annual Wellness	04-03-17
10/17 Canine Kennel Cough Vacc -1 ye	
10/17 FECAL EXAM	
10/14 HEARTWORM TEST	
08/14 CANINE RABIES / 1YEAR	

Spot 4/3/17's weight history (in lbs)

04-03-17 62.00

LIKE US ON FACEBOOK.COM!

GOING AWAY?....BOOK YOUR PETS BOARDING RESERVATION TODAY!

In compliance with New York State law, all medications are non-refundable. We regret any inconveniences.

INVOICE

Newburgh Veterinary Hospital

1716 Route 300
Newburgh, NY 12550
845 564-2660

5

"Your pet is part of our family too." Visit us at www.newburghvet.com

FOR: Town of Newburgh - canine
645 Gidney Ave
Newburgh, NY 12550
(845) 561-3344

Printed: 06-12-17 at 3:35p
Date: 05-23-17
Account: 19984
Invoice: 652396

Date	For	Qty	Description	Price	Discount	Net Price
05-23-17	32-17	1	CANINE RABIES / 1YEAR	33.00	16.50	16.50 **

Total charges, this invoice... 16.50

**Total discount included: 16.50

Your invoice total reflects our **13Stray Cat Accounts** discount.

Reminders for: **32-17**

Last done

05/18	CANINE RABIES / 3 YEAR
11/17	Spay your pet at 5-6 months
11/17	Canine Kennel Cough Vacc -1 ye
11/17	FECAL EXAM
05/15	CONSULT/EXAM - Annual Wellness
11/14	HEARTWORM TEST

LIKE US ON FACEBOOK.COM!

GOING AWAY?....BOOK YOUR PETS BOARDING RESERVATION TODAY!

In compliance with New York State law, all medications are non-refundable. We regret any inconveniences.



9B

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 9, 2017

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

Totaling: \$49.00

Feline:

Canine: \$49.00

Thank you,
Cheryl Cunningham

VOUCHER

To NAC

ATTENTION

FLANNER/ ANIMAL HOSPITAL, P.C.
789 Little Britain Road
New Windsor, NY 12553
845-565-PETS (7337)

CLAIMANT'S
NAME
ADDRESS

TERMS

Order No.

DO NOT WRITE IN THIS BOX

Date Voucher Received

FUND - APPROPRIATION

AMOUNT

TOTAL

Abstract No.

Vendor's
Ref. No.

VOUCHER NUMBER

Fee	Quantity	Description of Materials or Services	Unit Price	Amount
5-16-17	Trw 331866	2017-06-15 Turkey Mix (# AMJ)		28.00
TOTAL				28.00

(See Instructions on Reverse Side)

CLAIMANT'S CERTIFICATION

Jean Tobin

I, Jean Tobin, certify that the above account in the amount of \$ 28.00 is correct and correct; that the items, services and disbursements charged were rendered to or for the municipality on the dates stated; that no part has been paid; that taxes, from which the municipality is exempt, are not included; and that the amount claimed is actually due.

6-7-17
DATE

Jean Tobin
SIGNATURE

Accts. Manager
TITLE

(Space Below for Municipal Use)

DEPARTMENT APPROVAL

above services or materials were rendered or furnished to municipality on the dates stated and the charges are cor-

APPROVAL FOR PAYMENT

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



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 23, 2017
Invoice Number
331866

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

2017-06-15 Terrier Mix (# AMJ)

Species: Canine
Sex: Male
Age: 5 years and 1 month old
Breed: Terrier Mix
Coat Color: Grey
Rabies Tag Number:

Date	Description	Qty	Price
05/16/2017	Boarding - Town/City/Shelter ¹	1.00	\$ 28.00

Total for 2017-06-15 Terrier Mix: \$ 28.00

Total Invoice: \$ 28.00

Previous Balance: \$

Total Amount Due: \$

New Balance Due: \$

Provider Boarding

#19-16
"No problem"

Notes

¹5/16/17

Cashier: JEAN

TOWN OF NEWBURGH

1496 ROUTE 300
NEWBURGH, N.Y. 12550

VOUCHER

Order No. _____

DO NOT WRITE IN THIS BOX

DEPARTMENT _____

JBNA

CLAIMANT'S NAME AND ADDRESS

Flannery Animal Hospital
789 Little Britain Road
New Windsor, NY 12553

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

TERMS _____

May 2016 vouchers

Vendor's Ref. No. _____

Dates	Quantity	Description of Materials or Services	Unit Price	Amount
5-21-16		Ins # 265916 (2/16-2/20/16) Dukerham (ALF)		21.00
TOTAL				21.00

(See Instructions on Reverse Side)

CLAIMANT'S CERTIFICATION

I, JEAN TOBIN, certify that the above account in the amount of \$ 21.00 is true and correct; that the items, services and disbursements charged were rendered to or for the municipality on the dates stated; that no part has been paid or satisfied; that taxes, from which the municipality is exempt, are not included; and that the amount claimed is actually due.

5-27-16
DATE

Jean Tobin
SIGNATURE

Accts Manager
TITLE

(Space Below for Municipal Use)

DEPARTMENT APPROVAL

The above services or materials were rendered or furnished to the municipality on the dates stated and the charges are correct.

DATE _____

AUTHORIZED OFFICIAL _____

APPROVAL FOR PAYMENT

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

DATE _____

AUDITING BOARD _____



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"
 Species: Canine
 Sex: Male Neutered
 Age: 5 years old
 Breed: Doberman Pinscher
 Coat Color: (None)
 Rabies Tag Number:
 Rabies Vaccine: 05/21/2017

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



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 21, 2016
Invoice Number
OPEN: 0

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

2016-20-2016 Doberman (# ALF)

Rabies Vaccine: 05/21/2017

Species: Canine
Sex: Male Neutered
Age: 5 years old
Breed: Doberman Pinscher
Coat Color: (None)
Rabies Tag Number:

Signature →

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
Total Invoice:			\$ <u>24.00</u>

Dr. Mark A. Masucci

10A

**TOWN OF NEWBURGH
TOWN ENGINEER**

MEMORANDUM

TO: Gil Piaquadio, Town Supervisor & Town Board
FROM: James W. Osborne, Town Engineer *JWO*
DATE: June 13, 2017
RE: **DELAWARE AQUEDUCT TAP WTP – BUDGET TRANSFER**

To cover litigation expenses which may not be chargeable to the NYSEFC loan, and based on discussions with Ron Clum, Town Accountant, I am requesting the following budget transfer:

From: Interfund Transfer (040-9902-0900)
To: DAT WTP Capital Project (6055.0200)
Amount: \$32,000

As this requires Town Board action, I am requesting that this item be put on the next available agenda. If you have any questions, please see either Ron Clum or myself.

JWO/id

cc: R. Clum, Accountant

10B: ii

TOWN OF NEWBURGH
TOWN ENGINEER

MEMORANDUM

TO: Gil Piaquadio, Town Supervisor & Town Board
FROM: James W. Osborne, Town Engineer *JWO*
DATE: June 20, 2017
RE: W \ MOUNTAINVIEW WATER STORAGE TANK

I am requesting the following budget transfer to a new Capital Project for the Rehabilitation of the Mountainview Water Storage Tank.

From: Interfund Transfer
To: Mountainview WST Rehabilitation
Amount: \$75,000

I am also requesting authorization to solicit a design engineering proposal to prepare the plans and specifications for this project. The inspection reports identifying the need to replace the interior and exterior coatings on the tank were previously supplied to the Town Board (and are available in my office).

As these two actions require Town Board approval, I am requesting that these items be placed on the next available agenda. If you have any questions or comments, I am available to discuss them with you.

JWO/id

cc: R. Clum, Accountant
J. Guido, Water Dept.



**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

10D
Main Office
33 Airport Center Drive
Suite 202
New Windsor, New York 12553

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

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

19 June 2017

Town of Newburgh
1496 Route 300
Newburgh, NY 12550


ATTENTION: JAMES OSBORNE, TOWN ENGINEER
SUBJECT: RESTAURANT DEPOT (2015-33)
STORMWATER SECURITY RELEASE

Dear Mr. Osborne:

This office has received a request to release the stormwater securities for the Restaurant Depot Project (PB #2015-33). The original stormwater security in the amount of \$419,745.00 was posted by the Applicant based on cost estimates submitted by the Applicants representative. The Applicant is requesting the release of the stormwater bonding as the stormwater infrastructure depicted on the approved plans has been constructed in substantial compliance with the plans.

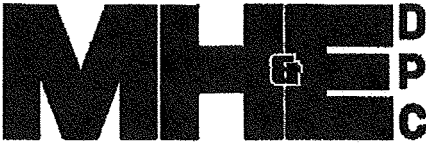
This office takes no exception to releasing the stormwater bonding in the amount originally posted by the Applicant. A Stormwater Facilities Maintenance Agreement should be on file with the Town to provide for long term operation and maintenance of the stormwater facilities.

Very Truly Yours,


Patrick J. Hines
Principal

Cc: Gilbert J. Piaquadio, Supervisor
Gerald Canfield, Code Enforcement Supervisor
John P. Ewasutyn, Planning Board Chairman
Lawrence Marshall, P.E.

PJH/kbw
i:\town of newburgh pb\2017 correspondence\6-19-17 osborne-r depot- stormw sec release.doc



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

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

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

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

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

19 June 2017

Town of Newburgh
1496 Route 300
Newburgh, NY 12550

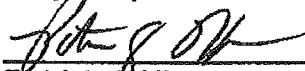
ATTENTION: JAMES OSBORNE, TOWN ENGINEER
SUBJECT: RESTAURANT DEPOT (2015-33)
LANDSCAPE SECURITY REDUCTION

Dear Mr. Osborne:

This office has received a request for reduction in the landscape securities for the Restaurant Depot Project (PB #2015-33). The site landscaping has been installed in substantial compliance with the approved plans. The Town code requires landscape securities to remain in place for 2 years to assure that plant materials survive through the initial installation. The Applicants are requesting a reduction in the original bond amount to a maintenance level.

This office takes no exception to the reduction of the landscape security to a maintenance amount in order to provide security for replacement of any landscape materials which do not survive the two year maintenance period. 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 J. Piaquadio, Supervisor
Gerald Canfield, Code Enforcement Supervisor
John P. Ewasutyn, Planning Board Chairman
Lawrence Marshall, P.E.

PJH/kbw
i:\town of newburgh pb\2017 correspondence\6-19-17 osborne-r depot-landscape.doc



TOWN OF NEWBURGH RECREATION DEPARTMENT

311 ROUTE 32, NEWBURGH, NY 12550

Robert J. Petrillo
Commissioner of Parks, Recreation & Conservation

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

June 13, 2017

TO: Gil Piaquadio, Supervisor
Town Board Members

CC: Charlene Black, Personnel

FROM: Robert J. Petrillo, Commissioner

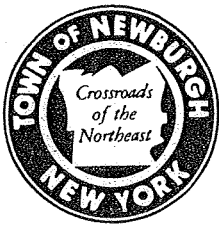
RE: Recreation Aides Salary Increase

At this time, I would like to request approval to increase the pay rate for Jael Pettigrew and Brittany Bloomer to \$10/hour. Mr. Pettigrew and Ms. Bloomer will now be placed in a supervisory position for the teen and young camper groups respectively. The previous counselors assigned to these positions have since declined employment.

Thank you for your consideration.

Regards,

Robert J. Petrillo
Commissioner



TOWN OF NEWBURGH RECREATION DEPARTMENT

311 ROUTE 32, NEWBURGH, NY 12550

11B
[Handwritten signature]

Robert J. Petrillo
Commissioner of Parks, Recreation & Conservation

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

June 21, 2017

TO: Gil Piaquadio, Supervisor
Town Board Members

CC: Charlene Black, Personnel

FROM: Robert J. Petrillo, Commissioner

RE: Create Recreation Coordinator Position

At this time, I would like to request approval to create a Recreation Coordinator position in the Recreation Department. This title is a management level tested position.

Thank you for your consideration.

Regards,

Robert J. Petrillo
Commissioner

Data Processing June 26th Workshop Agenda

I am requesting the purchase of 36.36 computer maintenance hours from Firthcliffe Technologies of Cornwall New York for a total of \$ 3000.00 from account 001.1689.0497

Thank you

A handwritten signature in black ink, enclosed within a large, hand-drawn oval. The signature is stylized and appears to be the initials 'JEL'.

Firthcliffe Technologies, Inc.

198 Willow Ave
 Cornwall, NY 12518
 PH: 845-534-9800

Estimate

12

Date	Estimate No.
6/19/2017	211

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



		Vendor Quote #(s)	
Description	Qty	Unit Cost	Total
Maintenance Agreement -- Purchase of Block of 36.36 Hours for Computer Repair	1	3,000.00	3,000.00
Thank you for your business!		Total	\$3,000.00

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

Signature/Date

VOUCHER

DEPARTMENT Town Hall

CLAIMANT'S
NAME
AND
ADDRESS

Firthcliffe Technologies, Inc
198 Willow Ave
Cornwall, NY 12518

TERMS _____

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

Vender's
Ref. No.

Dates	Quantity	Description of Materials or Services	Unit Price	Amount
6/19/17	1	Maintenance Agreement	3000.00	3000.00
TOTAL				3000.00

(See Instructions on Reverse Side)

CLAIMANT'S CERTIFICATION

I, Stacey Lyle, certify that the above account in the amount of \$ 3000.00 is true and correct; that the items, services and disbursements charged were rendered to or for the municipality on the dates stated; that no part has been paid or satisfied; that taxes, from which the municipality is exempt, are not included; and that the amount claimed is actually due.

6/19/17 Stacey Lyle VICE President
DATE SIGNATURE TITLE

(Space Below for Municipal Use)

DEPARTMENT APPROVAL

The above services or materials were rendered or furnished to the municipality on the dates stated and the charges are correct.

DATE _____ AUTHORIZED OFFICIAL _____

APPROVAL FOR PAYMENT

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

DATE _____ AUDITING BOARD _____

Firthcliffe Technologies, Inc.

198 Willow Ave
Cornwall, NY 12518
PH: 845-534-9800

Invoice

Date	Invoice #
6/19/2017	11721

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

P.O. No.	Terms	Project
	Per M/A terms	

Quantity	Description	Rate	Amount
1	Maintenance Agreement	3,000.00	3,000.00
0	-- Purchase of Block of 36.36 Hours for Computer Repair		0.00

Thank you for your business!	Total	\$3,000.00
------------------------------	--------------	------------

Firthcliffe Technologies, Inc.

198 Willow Ave
 Cornwall, NY 12518
 PH: 845-534-9800

Statement

Date
6/14/2017

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

Amount Due	Amount Enc.
-\$966.24	

Date	Transaction	Amount	Balance
03/09/2017	Balance forward		-1,039.37
03/13/2017	INV #11284. VOID: Maintenance Agreement - block of time	0.00	-1,039.37
03/16/2017	INV #11299. JMF Labor to monitor server event logs & Daily Remote B/U March 2017	275.00	-764.37
03/17/2017	INV #11307. JMF 3/13/17 Remote Administration (Paul)	41.25	-723.12
03/17/2017	INV #11309. JMF 3/6/17 Remote Administration (Paul)	41.25	-681.87
03/29/2017	INV #11369. 3/28/17 Remote Administration (Bob)	41.25	-640.62
03/30/2017	PMT #74839. Inv# 11284 ck 3/29/17	-3,000.00	-3,640.62
03/31/2017	INV #11374. 3/29/17 Remote Administration (Bob)	41.25	-3,599.37
04/14/2017	INV #11446. JMF Labor to monitor server event logs & Daily Remote B/U April 2017	275.00	-3,324.37
04/17/2017	INV #11454. 4/13/17 Service Call (Paul)	825.00	-2,499.37
04/21/2017	INV #11471. JMF 4/18/17 Remote Administration (Paul)	41.25	-2,458.12
04/24/2017	INV #11475. JMF 4/17/17 Service Call (Paul)	598.13	-1,859.99
05/09/2017	INV #11538. 5/8/17 Remote Administration - Recreation (Bob)	82.50	-1,777.49
05/15/2017	INV #11552. JMF Labor to monitor server event logs & Daily Remote B/U May 2017	275.00	-1,502.49
05/16/2017	INV #11556. 5/11/17 Service Call - Court (Paul)	41.25	-1,461.24
05/16/2017	INV #11557. 5/11/17 Service Call - Recreation Department (Paul)	82.50	-1,378.74
05/16/2017	INV #11568. 5/16/17 Remote Administration (Bob)	41.25	-1,337.49
05/30/2017	INV #11586. JMF 5/26/17 Remote Administration (Fred)	82.50	-1,254.99
05/31/2017	INV #11589. 5/11/17 Remote Administration (Bob)	123.75	-1,131.24
05/31/2017	INV #11624. 5/31/17 Remote Administration (Bob)	41.25	-1,089.99
06/08/2017	INV #11658. 6/7/17 Remote Administration (Bob)	41.25	-1,048.74
06/08/2017	INV #11659. 6/8/17 Remote Administration (Bob)	41.25	-1,007.49
06/08/2017	INV #11661. 6/8/17 Remote Administration (Bob)	41.25	-966.24

CURRENT	1-30 DAYS PAST DUE	31-60 DAYS PAST DUE	61-90 DAYS PAST DUE	OVER 90 DAYS PAST DUE	Amount Due
-966.24	0.00	0.00	0.00	0.00	-\$966.24



United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

May 23, 2017

By Federal Express

Mark C. Taylor
Attorney for the Town
Town of Newburgh
1496 Route 300
Newburgh, NY 12550

Re: *United States v. Town of Newburgh*, No. 08 Civ. 5902 (SCR)

Dear Mr. Taylor:

This Office represents the United States of America (the "Government") in the above-referenced action under the federal Safe Drinking Water Act, which was resolved pursuant to a Consent Decree entered on September 16, 2008 (the "Consent Decree").

I write in response to your March 1, 2017 letter that (1) represents that the Town of Newburgh (the "Town") has satisfied the requirements for termination stated in paragraph 82 of the Consent Decree and (2) requests termination of the Consent Decree pursuant to paragraph 83 thereof. Based on this representation, the United States will agree to termination of the Consent Decree. Accordingly, enclosed for your review please find a proposed Stipulation and Order Terminating Consent Decree (the "Stipulation"). If acceptable, please sign the Stipulation on behalf of the Town and return the original to me. I will then sign and file the fully-executed Stipulation with the Court.

Thank you for your attention to this matter.

Sincerely,

JOON H. KIM
Acting United States Attorney

By:

PIERRE ARMAND

Assistant United States Attorney

Tel.: (212) 637-2124

Fax: (212) 637-2730

Email: pierre.armand@usdoj.gov

Encl.

cc: Nicole Kraft (by email)

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

..... X
UNITED STATES OF AMERICA,

Plaintiff,

08 Civ. 5902

-against-

THE TOWN OF NEWBURGH, NEW YORK,

**STIPULATION AND ORDER
TERMINATING CONSENT
DECREE**

Defendant.

..... X

WHEREAS, on June 30, 2008, the United States of America on behalf of the U.S. Environmental Protection Agency ("EPA") commenced this action against the Town of Newburgh, New York (the "Town" and, collectively with EPA, the "parties"), seeking injunctive relief and the payment of civil penalties for violations of the Safe Drinking Water Act ("SDWA"), 42 U.S.C. § 300f, *et seq.*, the National Primary Drinking Water Regulations ("NPDWR") promulgated by EPA pursuant to Section 1412 of the SDWA, 42 U.S.C. § 300g-1, including the Surface Water Treatment Rule ("SWTR"), 40 C.F.R. §§ 141.70-141.75, and the Stage 1 Disinfectants and Disinfection Byproducts Rule ("Stage 1 DBPR"), 40 C.F.R. §§ 141.130-141.135 [Docket Entry 1];

WHEREAS, on September 16, 2008, the Court entered a Consent Decree agreed to by the parties [Docket Entry 4];

WHEREAS, paragraph 82 of the Consent Decree provides that after the Town has satisfactorily completed all of the compliance requirements set forth in Sections VI (Compliance Requirements) of the Consent Decree; paid the civil penalty, any accrued stipulated penalties and all accrued interest as required by this Consent Decree; complied with the requirements of Section VII (Supplemental Environmental Project); operated the Water Treatment Plant (defined in Section IV of the Consent Decree); and maintained continuous satisfactory compliance with all requirements of this Consent Decree and all applicable provisions of the SDWA, the NPDWR, the

SWTR, the Stage 1 DBPR and the Interim Enhanced Surface Water Treatment Rule, 40 C.F.R. §§ 141.170-141.175, for a period of twelve (12) consecutive months, the Town may request termination of the Consent Decree;

WHEREAS, Paragraph 83 of the Consent Decree provides that if the United States agrees that the Consent Decree may be terminated, the parties shall submit, for the Court's approval, a stipulation terminating the Consent Decree;

WHEREAS, the Town represents that it has satisfied the requirements for termination stated in paragraph 82 of the Consent Decree;

WHEREAS, the United States agrees pursuant to paragraph 83 of the Consent Decree that the Consent Decree may be terminated; and

WHEREAS, paragraph 65 of the Consent Decree, by its terms, will continue in force until five years after the termination of the Consent Decree.

NOW, THEREFORE, IT IS HEREBY ORDRED AS FOLLOWS:

1. The Consent Decree is terminated.

Dated: Newburgh, New York
May __, 2017

TOWN OF NEWBURGH, NEW YORK

By: _____

MARK C. TAYLOR
1496 Route 300
Newburgh, NY 12550
Tel.: (845) 564-7814
Fax: (845) 566-1432
Attorney for the Town of Newburgh

Dated: New York, New York
May __, 2017

JOON H. KIM
Acting United States Attorney
Southern District of New York

By:

PIERRE ARMAND
Assistant United States Attorney
86 Chambers Street
New York, NY 10007
Tel.: (212) 637-2724
Fax: (212) 637-2730
Email: pierre.armand@usdoj.gov

SO ORDERED.

Date: _____, 2017

HON:

UNITED STATES DISTRICT JUDGE

