

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

PUBLIC MEETING AGENDA

Monday, December 1, 2014
7:00 p.m.

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE TO THE FLAG**
- 3. MOMENT OF SILENCE**
- 4. CHANGES TO AGENDA**
- 5. APPROVAL OF AUDIT**
- 6. REPORTS FROM DEPARTMENT HEADS**
- 7. IDA RESOLUTION: Barton Cadillac**
- 8. POLICE: Hiring of Part Time Police Officer**
- 9. PERSONNEL: Hiring of Part Time Clerk**
- 10. ASSESSOR:**
 - A. Certiorari: CalEast**
 - B. Certiorari: Ratan**
- 11. BUILDINGS AND GROUNDS:**
 - A. Approval of Construction Materials for Police Dept. Roof**
 - B. Transfer**
- 12. HIGHWAY: Parking Restriction: Stern Drive**
- 13. ZONING OVERLAY:**
 - A. Referral**
 - B. Public Hearing**
 - C. SQRA Designation**
- 14. ANNOUNCEMENTS**
- 15. PUBLIC COMMENTS**
- 16. SOLICITATION OF APPLICANTS FOR VACANT COUNCIL SEAT 2015**
- 17. ADJOURNMENT**

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 4th day of August, 2014 at 7:00 o'clock p.m.

PRESENT:

Gilbert J. Piaquadio, Deputy Supervisor and Councilman

George Woolsey, Councilman

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

RESOLUTION OF TOWN BOARD
AUTHORIZING LETTER OF
SUPPORT FOR APPLICATION OF
WEBB PROPERTIES, INC. FOR
BARTON BIRKS CHEVROLET CADILLAC
DEALERSHIP TO ORANGE COUNTY
INDUSTRIAL DEVELOPMENT AGENCY

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

WHEREAS, Webb Properties, Inc. and/or Barton Birks Chevrolet Cadillac is making application to the Orange County Industrial Development Agency for the proposed new auto dealership facility on NYS Route 17K and Auto Park Place in the Town of Newburgh.

NOW, THEREFORE BE IT RESOLVED, that we the Town Board of the Town of Newburgh hereby authorize the Deputy Supervisor to sign and deliver a letter of support to the Orange County Industrial Development Agency (IDA) for the grant of the full sales tax exemption and the State portion of the mortgage tax exemption, and no specified real property tax abatement, to the Barton Birks Chevrolet Cadillac dealership project on property owned by Webb Properties, Inc. in the Town of Newburgh; and

BE IT FURTHER RESOLVED that the aforesaid 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:

George Woolsey, Councilman _____ voting _____

Elizabeth J. Greene, Councilwoman _____ voting _____

Paul I. Ruggiero, Councilman _____ voting _____

Gilbert J. Piaquadio, Deputy Supervisor and Councilman voting _____

The resolution was thereupon declared duly adopted.



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

Public
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Andrew

Brenda

PERSONNEL DEPT.

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

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

From: Charlene M Black, Personnel

Cl

Date: November 17, 2014

Re: Part time Police Officer: Michael Baresse

Please find attached a letter and Employee Request form from Chief Clancy requesting the approval of a part time Police Officer. Mr. Baresse was a part time officer but resigned due to an on the job injury at his full time employment. He would like to come back to us part time again. He has been pre approved again by Orange County Human Resource. Since he resigned in August, I don't feel we should have to go through the whole process with him again. Please let me know if you have any concerns on that issue. Thank you in advance .

TOWN OF NEWBURGH

EMPLOYMENT REQUEST FORM

To: Personnel Department

NAME OF CANDIDATE: Michael Baresse

DEPARTMENT: Police

TITLE OF POSITION: Police Officer

FULL TIME OR PART TIME: P/T

HOURLY RATE: \$24./hr

IS POSITION FUNDED IN CURRENT BUDGET: YES OR NO

FUND APPROPRIATION NUMBER: 3120.1

PROPOSED HIRE DATE: As soon as possible

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

M. Clancy
DEPARTMENT HEAD SIGNATURE

11/17/14
DATE

ORIGINAL APPLICATION SHOULD BE ON FILE IN THE PERSONNEL DEPARTMENT

COPY TO ACCOUNTING DEPARTMENT
11/15/2010



TOWN OF NEWBURGH POLICE DEPARTMENT

300 Gardnertown Road, Newburgh, New York 12550

Michael Clancy
Police Chief

(845) 564-1100

To: Town Board
From: Chief Michael Clancy
Subject: Request to re-hire P/T Officer
Date: 11/10/2014

One part-time officer, Jeremy Warner, is leaving TNPD effective November 15th. That leaves us with one (1) opening for a part-timer.

Michael Baresse was a part-timer who was out of work for several months following an injury that was not job-related. He needed surgery and had no timetable for that or re-hab following surgery. He resigned at my request in August so that we could fill that slot. He was told to advise the Department once he had surgery and was medically cleared to resume work. As of last week, he is clear to resume work.

Mr. Baresse was one of the very first part-time officers that the Town hired and he has shown to be very dedicated and eager to work.

I am requesting that Mr. Baresse be re-hired as a part-time officer as soon as possible. Would formal Board action be necessary to bring him back? Can he just start once Warner's leaves on the 15th?

Thank you for your time and consideration.

Chief Michael Clancy



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

9
Public
Brenda

PERSONNEL DEPT.

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

To: Deputy Supervisor Piaquadio
Town Board
Cc: Ronald Clum, Town Accountant
From: Charlene M Black, Personnel
Date: November 18, 2014
Re: Terrieann Spampinato

I would like to hire a part time clerk. My 2015 budget was approved with a slot for a part time clerk. I interviewed Terrieann Spampinato and I feel she more than qualifies for the duties I will need her for in my office. At times she will help out the Supervisor's Office when someone is on vacation or out sick. Hiring will be contingent on her completing paperwork, finger print process and physical (which, includes drug/alcohol testing). The salary for this position is \$12.00 per hour and a start date of January 8, 2015. Attached is her application and employee request form. Thank you in advance.

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HACKER MURPHY, LLP
ATTORNEYS AT LAW
7 AIRPORT PARK BOULEVARD
LATHAM, NEW YORK 12110-1429

TELEPHONE (518) 783-3843
FACSIMILE (518) 783-8101
WWW.HACKERMURPHY.COM

October 21, 2014

Mark C. Taylor, Esq.
Rider, Weiner & Frankel PC
P.O. Box 2280
Newburgh, New York 12550

RE: CalEast v. Town of Newburgh
Index Nos.: 2013-5967 & 2014-5567
Our File No.: 5018.111

Dear Mark:

Attached please find the proposed Order of Settlement and Stipulation of Settlement relative to the above-referenced proceedings. This property is a 123,884 sq. ft. warehouse located at 100 Enterprise Drive (tax map #89-2-13.1) currently leased by Federal Express. The property is currently assessed at \$3,483,600 which equates to a FMV of \$8,819,200 in 2013 and \$9,001,600 in 2014. The assessment is for the building only as the land is owned by NYS-DOT and is not taxable. The proposed settlement discontinues the 2013 proceeding and reduces the 2014 assessment to \$2,805,750 or FMV of \$7,250,000. After review of the lease, income and expense statements and consideration of the cost of further litigation and appraisal costs, John Venezia and I negotiated this settlement. We feel that this is a good settlement.

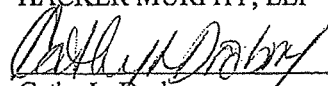
We recommend that the Town Board authorize us to enter into this settlement as proposed. Please place this matter on the agenda for the next Newburgh Town Board Meeting for approval. Please advise me once the Resolution passes and I will sign the original Stipulation of Settlement and forward it to the petitioner's attorney for filing.

I have attached for your review a copy of the refund liability chart which shows the potential liability and the proposed settlement. The Town's refund liability has been calculated using the 2014 tax rates. However, if the settlement is approved and filed with the County Clerk prior to the end of the year, the 2015 property tax bill can be changed to reflect the reduced assessment and there will not be any Town refund liability.

Please do not hesitate to contact me if you have any questions. Thank you.

Very truly yours,

HACKER MURPHY, LLP

By: 
Cathy L. Drobny
cdrobny@hackermurphy.com
Direct Dial: (518) 213-0116

CLD:kah
Attachments

cc: John Venezia, Assessor
Hon. Gilbert J. Piaquadio, Deputy Supervisor acting as Supervisor

Caleast v. T/O Newburgh

Year	Parcel Number	Assessed Value	Claimed Assessed Value	Eq. Rate	FMV	Claimed FMV	Difference	Tax Rate	Refund Liability	Interest	Total Refund Liability
2013	89-2-13.1	\$ 3,483,600	\$ 1,951,000	39.50%	\$ 8,819,241	\$4,939,241	\$ 1,532,600	County	\$ 15,045.38		\$ 15,045.38
								Town	\$ 19,620.04		\$ 19,620.04
								Fire-Cold	\$ 8,665.63		\$ 8,665.63
								Sp. Dist.	\$ 6,294.08		\$ 6,294.08
							Valley Central	School	\$ 90,369.04		\$ 90,369.04
2014	89-2-13.1	\$ 3,483,600	\$ 1,951,000	38.70%	\$ 9,001,550	\$5,041,344	\$ 1,532,600	County	\$ 15,050.13		\$ 15,050.13
								Town	\$ 19,620.04		\$ 19,620.04
								Fire-Cold	\$ 8,665.63		\$ 8,665.63
								Sp. Dist.	\$ 6,294.08		\$ 6,294.08
							Valley Central	School	\$ 96,162.05		\$ 96,162.05
								County	\$ 15,045.38		\$ 15,045.38
								Town	\$ 19,620.04		\$ 19,620.04
								Fire-Cron	\$ 8,665.63		\$ 8,665.63
								School	\$ 90,369.04		\$ 90,369.04

At a Motion Term of the Supreme Court held in and for the County of Orange, Goshen, New York, on the ___ day of _____, 2014

PRESENT: HON. CATHERINE M. BARTLETT J.S.C.
Justice Presiding

STATE OF NEW YORK
SUPREME COURT COUNTY OF ORANGE

CALEAST NAT CITY STATIONS, LLC,

Petitioner,

vs.

ASSESSOR FOR THE TOWN OF NEWBURGH, NEW YORK, BOARD OF ASSESSMENT REVIEW FOR THE TOWN OF NEWBURGH, NEW YORK and THE TOWN OF NEWBURGH, NEW YORK,

Respondents.

ORDER OF SETTLEMENT

**Index No. 2013-5967
2014-5567**

Tax I.D. Number: 89.00-2-13.1

Address: 100 Enterprise Drive – Stewart Industrial Park

The Petitioner having commenced these proceedings under Article 7 of the Real Property Tax Law to review the assessment of certain real property located at 100 Enterprise Drive in the Town of Newburgh, County of Orange under SBL 89.00-2-13.1, for the taxable status dates for the years 2013 and 2014, and the parties having proposed that these proceedings be settled upon the terms and conditions set forth in the annexed Stipulation of Settlement entered into by and between the attorneys for the respective parties; and upon reading said Settlement Agreement, it is

ORDERED, that these proceedings are consolidated under Index No. 2013-5967 and the settlement as set forth in the Stipulation of Settlement executed by the attorneys for the respective parties is hereby approved and the Town of Newburgh, Valley Central School District and County of Orange are to abide thereby according to its terms.

DATED: _____, 2014
Goshen, New York

HON. CATHERINE M. BARTLETT, J.S.C.

STATE OF NEW YORK
SUPREME COURT COUNTY OF ORANGE

CALEAST NAT CITY STATIONS, LLC,

Petitioner,

vs.

ASSESSOR FOR THE TOWN OF NEWBURGH,
NEW YORK, BOARD OF ASSESSMENT REVIEW
FOR THE TOWN OF NEWBURGH, NEW YORK
and THE TOWN OF NEWBURGH, NEW YORK,

Respondents.

Address: 100 Enterprise Drive – Stewart Industrial Park

**STIPULATION OF
SETTLEMENT**

Index No. 2013-5967
2014-5567

Tax I.D. Number: 89.00-2-13.1

IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for the respective parties hereto that a proposed Order, a copy of which is attached hereto, shall be made and entered, approving the settlement of the above tax certiorari proceedings to review the assessment regarding certain real property located at 100 Enterprise Drive in the Town of Newburgh, County of Orange under SBL 89.00-2-13.1 for the taxable status dates for the years 2013 and 2014 and that said assessment be corrected as set forth herein.

IT IS FURTHER STIPULATED AND AGREED, that the assessment of Petitioner's property at 100 Enterprise Drive in the Town of Newburgh, County of Orange under SBL 89.00-2-13.1 shall remain unchanged at **\$3,483,600.00 in assessed value** for the taxable status date for the year 2013.

IT IS FURTHER STIPULATED AND AGREED, that the assessment of Petitioner's property at 100 Enterprise Drive in the Town of Newburgh, County of Orange under SBL 89.00-2-13.1 be corrected and reduced to **\$2,805,750 in assessed value** for the taxable status date for the year 2014.

IT IS FURTHER STIPULATED AND AGREED, that there shall be audited, allowed and paid by the Valley Central School District to the Petitioner the amounts, if any, paid by Petitioner its agents or representatives, as Valley School District taxes and payments against the said original assessment in excess of what the taxes and payments should have been if the said assessment had been as reduced herein, and such refunds, shall be without interest if paid within sixty (60) days of service of notice of entry of this Order with a demand to audit, and such refunds shall be made payable to **CALEAST NAT CITY STATIONS, LLC** and mailed to **Bruce S. Zeffel, Esq.**

IT IS FURTHER STIPULATED AND AGREED, that the upcoming Town/County tax bills based on the taxable status date for the year 2014, shall reflect the said reduced tax assessment of **\$2,805,750**.

IT IS FURTHER STIPULATED AND AGREED, that the officer or officers having custody of the assessment rolls upon which the above-mentioned and taxes levied thereon are entered, should correct the said entries in conformity with the Stipulation and Order herein.

IT IS FURTHER STIPULATED AND AGREED, that these proceedings are consolidated under Index No. 2013-5967.

IT IS FURTHER STIPULATED AND AGREED, that these proceedings are governed by §727 of the Real Property Tax Law of the State of New York.

IT IS FURTHER STIPULATED AND AGREED, that this stipulation may be signed in counterpart.

IT IS FURTHER STIPULATED AND AGREED, that these proceedings are discontinued, without refunds, costs or disbursements, except that the Court shall retain jurisdiction to enforce the terms of this Stipulation and Order.

Dated: _____ 2014

Dated: _____ 2014

LAW OFFICE OF BRUCE S. ZEFTEL

HACKER MURPHY LLP

By: _____
Bruce S. ZefTEL, Esq.

By: _____
Cathy Drobny, Esq.

Attorneys for Petitioner
4043 Maple Road
Suite 104B
Buffalo, New York 14226-1057

Attorneys for Respondent Town
7 Airport Park Blvd.
Latham New York 12110-1429

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Orange County Tax Map Department
 125 West 25th Street
 Phone 516-521-2498 Fax 516-521-2499

NOTICE
 MAINTENANCE, ALTERATION, SALE OR DISTRIBUTION
 OF ANY PORTION OF THE ORANGE COUNTY TAX
 MAP IS PROHIBITED WITHOUT WRITTEN PERMISSION
 OF THE CLERK, ROAD PROJECT TAX SERVICE DIVISION

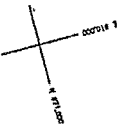
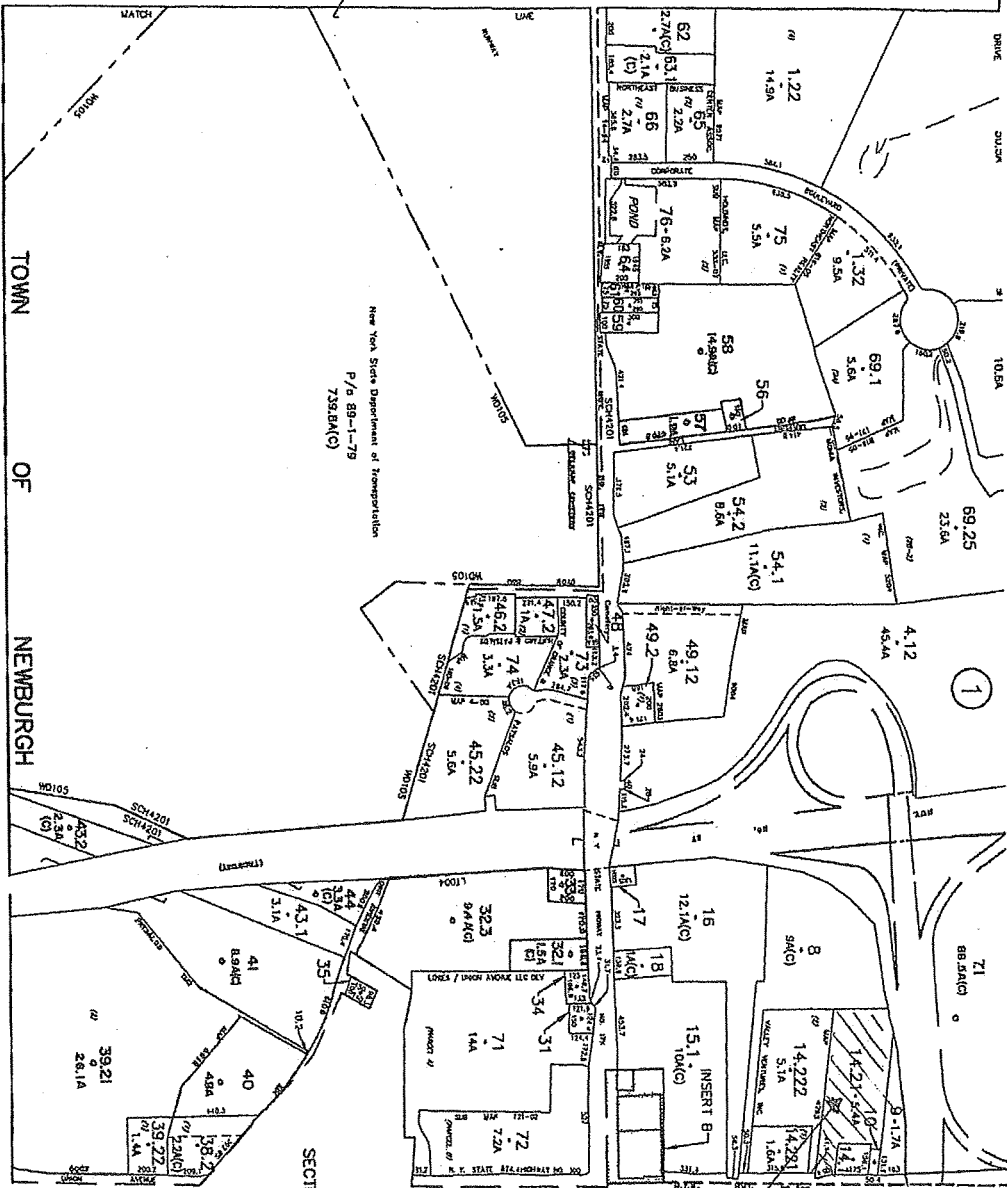
NOT TO BE REPRODUCED FOR COMMERCIAL
 PURPOSES FOR TAX PURPOSES ONLY
 NOT TO BE USED FOR CONVEYANCE



ADJOINING REFERENCE

TOWN OF NEWBURGH
 334600
 Scale 1" = 490' Section No. 95

CODE	SPECIAL DISTRICT
SCHE100	NEWBURGH CENTRAL SCHOOL DISTRICT
SCHE420	VALLEY CENTRAL SCHOOL DISTRICT
W010	STEWART AND OGLE WATER DISTRICT



95/759/73
 MB
 07/17/73
 LB

HACKER MURPHY, LLP
ATTORNEYS AT LAW
7 AIRPORT PARK BOULEVARD
LATHAM, NEW YORK 12110-1429

TELEPHONE (518) 783-3843
FACSIMILE (518) 783-8101
WWW.HACKERMURPHY.COM

November 18, 2014

Mark C. Taylor, Esq.
Rider, Weiner & Frankel, P.C.
P.O. Box 2280
Newburgh, New York 12550

RE: Ratan Newburgh LLC v. Town of Newburgh
Index No. 07859/10; 7485/11; 5970/12; 5928/13
Our File No. 5018.061

Dear Mark:

Attached please find the proposed Consent Judgment in reference to the above-referenced proceedings. The property is the Ramada Inn located at 1289 Route 300. The assessed value is \$2,350,000 and the full market value of the subject property ranges from \$7,164,634 in 2010 to \$5,974,684 in 2013. The settlement discontinues the 2011, 2012 and 2013 proceedings, Stipulation of Discontinuance is attached. The petitioner did not file in 2014. The 2010 assessment is being reduced from \$2,350,000 to \$2,115,000 (reduction of \$235,000). As part of the settlement, the petitioner agreed to waive \$1,500 of the Town's portion of the refund. After consideration of the cost of the appraisal and future litigation costs, John Venezia and I feel that this is a very good settlement for the Town.

We recommend that the Town Board authorize us to enter into this settlement as proposed. Please place this matter on the agenda for the next Newburgh Town Board Meeting for approval. Once the Resolution passes, please let me know and I will sign the Consent Order and forward it to the petitioner's attorney for filing.

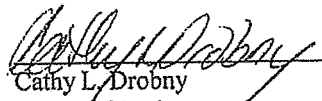
I have enclosed for your review a copy of the refund liability chart which shows the potential liability and the proposed settlement with full refunds and with the waiver of refunds as stated above. Also enclosed is a copy of the letter from the petitioner's attorney agreeing to a partial waiver of Town refunds as stated above.

Please do not hesitate to contact me if you have any questions. Thank you.

Very truly yours,

HACKER MURPHY, LLP

By:


Cathy L. Drobny
cdrobny@hackermurphy.com
Direct Dial: (518) 213-0116

CLD:kah
Attachments

cc: John T. Venezia, Assessor
Gilbert Piaquadio, Deputy Supervisor Acting as Supervisor

At an IAS Term of the Supreme Court of the State of New York held in and for the County of Orange, at the Courthouse thereof located in Goshen, New York.

PRESENT:

HON. CATHERINE M. BARTLETT, AJSC

Justice.

-----X
In the Matter of the Application of

RATAN NEWBURGH LLC,

Petitioner,

-against-

**THE ASSESSOR OF THE TOWN OF NEWBURGH,
THE BOARD OF ASSESSMENT REVIEW OF THE TOWN
OF NEWBURGH and THE TOWN OF NEWBURGH,**

Respondents.

For Review Under Article 7 of the RPTL.
-----X

**CONSENT
JUDGMENT**

Index Nos.

07859/10

The above Petitioner having heretofore served and filed the Petition and Notice to review the tax assessment fixed by the Town of Newburgh for the 2010 assessment year upon certain real property located at 1289 Route 300, Town of Newburgh, and designated as Section 95, Block 1, Lot 14.21 on the Official Assessment Map of the Town of Newburgh, and

The issues of these proceedings having duly come on for trial at an IAS Term of this Court, and the petitioner having appeared by **WILLIAM E. SULZER, ESQ.**, of Griffin, Coogan, Sulzer & Horgan, P.C., and the respondents having appeared by **CATHY DROBNY, ESQ.**, of Hacker Murphy LLP, Attorneys for the Respondent, and

the parties having made their settlement, it is

ORDERED, ADJUDGED AND DECREED, that the assessments on the above-referenced property(s) be and the same are hereby reduced, corrected and fixed for the assessment years as follows:

<u>Assess. Year</u>	<u>Assessed Valuation Reduced From</u>	<u>Assessed Valuation Reduced To</u>	<u>Amount of Reduction</u>
2010	2,350,000	2,115,000	235,000

and confirmed, it is further

ORDERED, ADJUDGED AND DECREED, that the officer or officers having custody of the assessment rolls upon which the above-mentioned assessments and any taxes levied thereon are entered shall correct the said entries in conformity with this Order and shall note upon the margin of said rolls, opposite of said entries, that the same have been corrected by the authority of this order, and it is further

ORDERED, ADJUDGED AND DECREED, that the **COUNTY OF ORANGE** and/or **TOWN OF NEWBURGH**, State of New York, be and are hereby directed and authorized to audit, allow and pay to the petitioner the amount, if any, of State, County, Town, Judiciary, Sewer District, Highway, Fire, Library, and all other ad valorem taxes, together with the proportionate share of any interest or penalty paid by reason of delinquent payment of any excess taxes, paid by the petitioner as taxes against the erroneous assessments in excess of what the taxes would have been if the said assessments had been determined by this Order, together with interest thereon from

the date of payment thereof as provided by statute, and it is further

ORDERED, ADJUDGED AND DECREED, that there shall be audited, allowed and paid to the Petitioners by the **NEWBURGH ENLARGED CITY SCHOOL DISTRICT** the amount of all School and/or library taxes paid by the petitioner as taxes against the said erroneous assessments in excess of what the taxes would have been if the said assessments made in the aforesaid years had been determined by this Order, together with interest thereon from the date of payment thereof as provided by statute, and it is further

ORDERED, ADJUDGED AND DECREED, that all tax refunds are to be paid with interest pursuant to §726 of the Real Property Tax Law of the State of New York; provided, however, interest shall be waived in the event that payment is made within sixty (60) days from the date of service of this Order with notice of entry upon the respective taxing authorities, and it is further

ORDERED, ADJUDGED AND DECREED, that all tax refunds hereinabove directed to be made by respondent, the **TOWN OF NEWBURGH** and/or any of the various taxing authorities, be made by check or draft payable to the order of **GRIFFIN, COOGAN, SULZER & HORGAN, P.C.**, as attorneys for the petitioners, who are to hold the proceeds as trust funds for appropriate distribution, and who are to remain subject to the further jurisdiction of this Court in regard to their attorney's lien, pursuant to Judiciary Law §475 and it is further

ORDERED, ADJUDGED AND DECREED, that this Order hereby constitutes and represents full settlement of each of the tax review proceedings herein, and there are no costs or allowances awarded to, by or against any of the parties, and that upon compliance with the terms of this Order, the above-entitled proceedings be and the same are settled and discontinued.

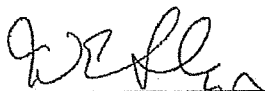
Dated:

ENTER,

**HON. CATHERINE M. BARTLETT
ACTING SUPREME COURT JUSTICE**

**SIGNING AND ENTRY OF THE WITHIN
ORDER IS HEREBY CONSENTED TO:**

CATHY DROBNY, ESQ.
Attorney for Respondents
Hacker Murphy, LLP
7 Airport Park Blvd.
Latham, New York 12110-1429
(518) 213-0116



WILLIAM E. SULZER, ESQ.
Griffin, Coogan, Sulzer & Horgan, P.C.
Attorneys for Petitioner
51 Pondfield Road
Bronxville, New York 10708
(914) 961-1300

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ORANGE

-----X
RATAN NEWBURGH LLC,

Petitioner,

STIPULATION OF
DISCONTINUANCE

-against-

Index No.


THE TOWN OF NEWBURGH, ITS ASSESSOR
AND BOARD OF ASSESSMENT REVIEW,

07485/11
05970/12
05928/13

Respondents.
-----X

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for the parties to the above entitled action that the 2011 through 2013 tax review proceedings for the above-captioned property be, and the same hereby is discontinued, with prejudice and without costs to either party against the other. This Stipulation may be filed without further notice with the Clerk of the Court.

Dated: August 18, 2014



GRIFFIN, COOGAN, SULZER
& HORGAN, P.C.
Attorneys for Petitioner
51 Pondfield Road
Bronxville, New York 10708
(914) 961-1300

HACKER MURPHY LLP
Attorneys for Respondent
7 Airport Park Boulevard
Latham, New York 12110
(518) 783-3843

Ratan Newburgh, LLC v. T/O Newburgh - Settlement

Year	Parcel Number	Assessed Value	Reduced AV	Taxable AV	Exemption Percent	Eq. Rate	FMV	Reduced FMV	Difference AV & Reduced AV	Tax Rate	Refund Liability
2010	95-1-14.21	\$2,350,000	\$2,115,000		0%	32.80%	\$7,164,634	\$6,448,171	\$235,000	County 9.456600 Town 11.5016 Fire-OL 3.8128 Sp.Dist. 3.5419	\$2,222.30 \$2,702.88 \$896.01 \$832.35
2011	95-1-14.21	\$2,360,000	\$2,360,000	\$2,355,000	0.21%	35.60%	\$6,629,213	\$6,629,213		County 9.3141 Town 11.4049 Fire-OL 3.92 Sp.Dist. 3.6782	\$14,757.07 -
2012	95-1-14.21	\$2,360,000	\$2,360,000	\$2,355,000	0.19%	39.02%	\$6,048,180	\$6,048,180		County 9.1063 Town 11.6477 Fire-OL 4.00 Sp.Dist. 3.8115	-
2013	95-1-14.21	\$2,360,000	\$2,360,000	\$2,356,000	0.17%	39.50%	\$5,974,684	\$5,974,684		County 9.8169 Town 12.80 Fire-OL 4.06 Sp.Dist. 4.4578	-
									Newburgh	School 64.201666	-
									Newburgh	County 69.8428	-
										County	\$2,222.30
										Town	\$2,702.88
										Fire-OL	\$896.01
										Sp. Dist	\$832.35
										School	\$14,757.07

Ratan Newburgh, LLC v. T/O Newburgh

Year	Parcel Number	Assessed Value	Claimed Assessed Value	Taxable AV	Exemption Percent	Eq. Rate	FMV	Claimed FMV	Difference AV & Claimed AV	Taxable AV & Claimed Taxable AV	Difference		Refund Liability
											AV	FMV	
2010	95-1-14.21	\$2,350,000	\$ 235,000		0%	32.80%	\$ 7,164,634	\$ 716,463	\$ 2,115,000		County	9.456600	\$ 20,000.71
										Town	11.5016	\$ 24,325.88	
										Fire-OL	3.8128	\$ 8,084.07	
										Sp.Dist.	3.5419	\$ 7,491.12	
										School	62.796033	\$132,813.61	
2011	95-1-14.21	\$2,360,000	\$ 235,000	\$2,355,000	0.21%	35.60%	\$ 6,629,213	\$ 660,112	\$ 2,125,000		County	9.3141	\$ 19,745.89
				\$2,355,000						Town	11.4049	\$ 24,178.39	
				\$2,360,000						Fire-OL	3.92	\$ 8,322.78	
				\$2,355,000						Sp.Dist.	3.6782	\$ 7,797.78	
										School	63.687865	\$135,336.71	
2012	95-1-14.21	\$2,360,000	\$ 235,000	\$2,355,500	0.19%	39.02%	\$ 6,048,180	\$ 602,255	\$ 2,125,000		County	9.1063	\$ 19,309.91
				\$2,355,500						Town	11.6477	\$ 24,698.95	
				\$2,360,000						Fire-OL	4.00	\$ 8,502.98	
				\$2,355,500						Sp.Dist.	3.8115	\$ 8,082.29	
										School	64.201666	\$136,428.54	
2013	95-1-14.21	\$2,360,000	\$ 236,000	\$2,356,000	0.17%	39.50%	\$ 5,974,684	\$ 597,468	\$ 2,124,000		County	9.8169	\$ 20,811.83
				\$2,356,000						Town	12.80	\$ 27,139.82	
				\$2,360,000						Fire-OL	4.06	\$ 8,626.41	
				\$2,356,000						Sp.Dist.	4.4578	\$ 9,450.54	
										School	69.8428	\$148,346.11	
										County		\$ 79,868.34	
										Town		\$100,343.04	
										Fire-OL		\$ 33,516.24	
										Sp. Dist		\$ 32,821.72	
										School		\$552,924.97	

BE IT FURTHER RESOLVED, that Hacker & Murphy, LLP, the Deputy Supervisor, the Attorney for the Town, the Town's Assessor and other officers of the Town are hereby authorized to take such actions and to make, execute and deliver, or cause to be made, executed and delivered, in the name of and on behalf of the Town, all such certificates, documents and papers as may be necessary to effectuate and carry out the settlement; and

BE IT FURTHER RESOLVED that the aforesaid resolutions shall take effect immediately.

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

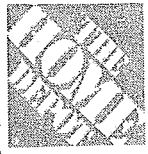
George Woolsey, Councilman voting _____

Elizabeth J. Greene, Councilwoman voting _____

Paul I. Ruggiero, Councilman voting _____

Gilbert J. Piaquadio, Deputy Supervisor and Councilman voting _____

The resolution was thereupon declared duly adopted.



SPECIAL SERVICES CUSTOMER INVOICE

Store: ~~1250~~ NEWBURGH
1220 ROUTE 300
NEWBURGH, NY 12550

Phone: (845) 561-6540
Salesperson: MCP383
Reviewer:

This is only a QUOTE for the merchandise and services printed below. This becomes an Agreement upon payment and an endorsement by a Home Depot register validation.

Name: **CORNELL LES** Home Phone: (845) 728-1102
Address: 11 POWDER MILL RD Work Phone: (845) 562-1082

City: NEWBURGH Job Description: POLICE STATION
State: NY Zip: 12550 County: ORANGE

Page 1 of 1 No. 1250-399524
VALIDATION AREA
ORDER ID: 1250-399524
RECALL AMOUNT: 1,626.68
ADBL MDSE SUBTOTAL: 1,626.68
SALES TAX: 0.00
TOTAL: 1,626.68
TOWN OF NEWBURGH
CORNELL LESLIE F
QUOTE is valid for this date: 11/18/2014

CUSTOMER PICKUP #1

MERCHANDISE AND SERVICE SUMMARY

REF # W02 SKU # 0000-515-664 Customer Pickup / Will Call

We reserve the right to limit the quantities of merchandise sold to customers

STOCK MERCHANDISE TO BE PICKED UP:	REF #	SKU	QTY	UM	DESCRIPTION	PI	TAX	PRICE EACH	EXTENSION
R01		0000-386-081	150.00	EA	7/16" 4X8' OSB /	N		\$8.97	\$1,345.50*
R03		0000-133-494	10.00	BX	1-5/8" PG 10 EXTERIOR SCREW 5 LB /	N		\$26.97	\$269.70*
R04		0000-675-652	1.00	EA	8D 2-1/2" BRIGHT COMMON 5 LB /	A		\$11.48	\$11.48
SCHEDULED PICKUP DATE: 11/20/2014									END OF CUSTOMER PICKUP - REF #W02
MERCHANDISE TOTAL									\$1,626.68

TOTAL CHARGES OF ALL MERCHANDISE & SERVICES

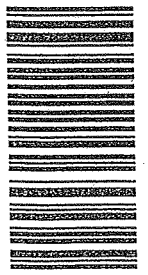
Policy Id (PI):	A: 90 DAYS DEFAULT POLICY
The Home Depot reserves the right to limit / deny returns. Please see the return policy sign in stores for details.	
ORDER TOTAL	\$1,626.68
SALES TAX	\$0.00
TOTAL	\$1,626.68
BALANCE DUE	\$1,626.68

END OF ORDER No. 1250-399524

WILL-CALL MERCHANDISE PICK-UP
Will-Call items will be held in the store for 7 days only.

Check your current order status online at
www.homedepot.com/orderstatus

FOR WILL CALL
MERCHANDISE PICK-UP
PROCEED TO WILL CALL OR
SERVICE DESK AREA
(Pro Customers, Proceed To The Pro Desk)
* Indicates item markdown
Customer Copy



(9801) 01:00467062

SYSTEM GENERATED
Ticket# 136441
Operator KGRAN01

TAYLOR RECYCLING
350 NEELYTOWN ROAD
MONTGOMERY NY 12549
(845) 457-4021

Date: 11/20/14
In/Tm: 9:06 AM
Out Tm: 9:06 AM

Billing Cust# 01-0005287
TOWN OF NEWBURGH RECREATION
311 ROUTE 32
NEWBURGH NY 12550

Service Cust# -0000000
TOWN OF NEWBURGH RECREATION
1496 ROUTE 300
NEWBURGH NY 12550

Vehicle ID: TOWN OF NEWB Trailer ID: 5287 Origin: ORAX
Comment: POLICE DEPT. ROOF

Material	Gross Wgt	Tare Wgt	Net Wgt	Qty	Amount
C&D	41680 LB	27000 LB	14680 LB	7.34 TN	550.50

Total- 550.50

Driver Signature _____

Weighmaster Signature _____
Weighmaster - KAYLA GRANIERI
Weighmaster License# - 602140

11B



I am requesting a transfer from contingency Account 001-1990-0499 to Bldg & Grounds account repairs to non-vehicle 001-1620-0474 in the amount of \$ 2500.00 to cover the cost of roofing materials for the Police Department.

Home Depo Plywood.....\$ 1626.68
Taylor Recycling \$ 550.50 Disposal of old shingles
Woodards Grate \$ 204.80

INTRODUCTORY LOCAL LAW #__ OF 2014
AMENDING SECTION 174-45
SCHEDULE XII: PARKING PROHIBITED AT ALL TIMES
OF CHAPTER 174 ENTITLED
“VEHICLES AND TRAFFIC”
OF THE CODE OF THE TOWN OF NEWBURGH
NO PARKING
ALONG THE WEST SIDE OF STERN DRIVE
BETWEEN NORTH STREET AND A POINT 100 FEET
FROM NORTH STREET

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

SECTION 1 – TITLE

This Local Law shall be referred to as “A Local Law Amending Section 174-45 Schedule XII: Parking Prohibited at All Times of Chapter 174 entitled ‘Vehicles and Traffic’ of the Code of the Town of Newburgh: No Parking Along the West Side of Stern Drive Between North Street and a Point 100 Feet from North Street”.

SECTION 2 – AMENDMENT TO CHAPTER 174

§174-45 entitled “Schedule XII: Parking Prohibited at All Times” of Chapter 174 entitled “Vehicles and Traffic” of the Code of the Town of Newburgh which provides “[i]n accordance with the provisions of §174-18, no person shall park a vehicle at any time upon any of the following described street or parts thereof” is hereby amended by the addition of the following street part:

Name of Street	Side	Location
Stern Drive	West	From North Street to a point 100 feet from North Street

SECTION 3 – VALIDITY

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

SECTION 4 – 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.

the Municipal Home Rule Law and Chapter 25 of the Code of the Town of Newburgh.

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

George Woolsey, Councilman voting _____

Elizabeth J. Greene, Councilwoman voting _____

Paul I. Ruggiero, Councilman voting _____

Gilbert J. Piaquadio, Deputy Supervisor and Councilman voting _____

The resolution was thereupon declared duly adopted.

INTRODUCTORY LOCAL LAW # __ OF 2014
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 INCLUDE
AN INTERCHANGE BUSINESS (IB) ZONED AREA IN THE SOUTHWEST SECTION
OF THE TOWN IN THE
LIGHT AND HEAVY INDUSTRIAL EQUIPMENT AND RECREATIONAL
VEHICLE SALES, SERVICE AND REPAIR (LHI) OVERLAY DISTRICT

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

SECTION 1 – TITLE

This Local Law shall be referred to as “A Local Law Amending Chapter 185 entitled ‘Zoning’ of the Code of the Town of Newburgh and the Zoning Map of the Town of Newburgh to Include an Interchange Business (IB) Zoned Area in the Southwest Section of the Town in the Light and Heavy Industrial Equipment and Recreational Vehicle Sales, Service and Repair (LHI) Overlay District.”

SECTION 2 – PURPOSE AND INTENT

The Town Board of the Town of Newburgh declares its intent to modify the Zoning Map of the Town of Newburgh to include an area located in the southwest section of the Town which is zoned Interchange Business (IB) in the Light and Heavy Industrial Equipment and Recreational Vehicle Sales, Service, and Repair (LHI) Overlay District. The area includes properties on or in close proximity to the Interstate 84 and New York State Route 747 interchange 5A and bounds on the Town of Montgomery. Given the proximity of the properties in this area to both the interstate and state highways, the Town Board has identified it as one which is suitable for establishments and uses of this type within the Town of Newburgh, in addition to the uses already permitted in the IB zoning district. This is particularly so in light of the conversion and upgrade of the former Drury Lane to a State highway and the completion of the interchange in 2007.

SECTION 3 – AMENDMENTS TO CHAPTER 185

1. Subsection 185-8(H) is hereby amended to read as follows:

“H. LHI Light and Heavy Industrial Equipment and Recreational Vehicle Sales, Service and Repair Overlay District. There is hereby created a Light and Heavy Industrial Equipment and Recreational Vehicle Sales, Service and Repair Overlay District. The boundaries of said district conform to and are contiguous with the B Business zoning district boundaries along the Route 9W Corridor. The purpose of

this district is to establish clear guidelines for future development along the Route 9W Corridor in the context of vehicular and industrial equipment sales, service and repair. An area in the southwest section of the Town contiguous with the boundaries of the IB Interchange Business zoning district at the Interstate 84 and NYS Route 747 interchange 5A and bounding on the Town of Montgomery is also included in said district, as it is deemed similarly suited for vehicular and industrial equipment sales, service and repair as is the Route 9W corridor, particularly in light of the conversion of this former section of Drury Lane to a State highway.”

2. Section 185-48.4 entitled “Light and Heavy Industrial Equipment and Recreational Vehicle Sales, Service and Repair Overlay District” is amended to read as follows:

“§ 185-48.4 Light and Heavy Industrial Equipment and Recreational Vehicle Sales, Service and Repair Overlay District.

- A. Findings. The Town of Newburgh’s 2005 Comprehensive Plan Update documents that given the motor vehicle and other uses existing on Route 9W, it may be appropriate to also permit the sale and service of recreational vehicles. Further, light and heavy industrial equipment should be regulated in a comparable manner. An area zoned IB Interchange Business at the Interstate 84 and NYS Route 747 interchange 5A in the southwest section of the Town is found to be similarly suitable for these uses given the commercial vehicular traffic using those routes.
- B. Purpose. The purpose of the Light and Heavy Industrial Equipment and Recreational Vehicle Sales, Service, and Repair Overlay District (hereafter the “LHI District”) is to establish clear guidelines for future development along the Route 9W corridor and at the Interstate 84 and NYS Route 747 interchange 5A that provides for the sales, service and repair of light and heavy industrial equipment and recreational vehicles uses.
- C. Location. The boundaries of the LHI district conform to and are contiguous with the B Business zoning district boundaries along the Route 9W Corridor and with the IB Interchange Business zoning district boundaries for the section of said district bounding on the Town of Montgomery and at or in close proximity to the Interstate 84 and NYS Route 74 interchange 5A.
- D. Any deviation from the application as originally approved by the Planning Board shall require a new application before the Planning Board and shall be in conformance with these regulations.
- E. Adequate landscaping shall be provided and maintained along all property boundaries that front Route 9W, Route 747 or any other roadway. This

landscaping shall be accomplished through either retention of suitable existing vegetation and/or the introduction of new plantings. Natural planting and, where necessary, earthen berms shall be employed to buffer adjacent properties from vehicle storage areas. All landscaping, buffers, screening, and setbacks shall conform to the requirements set forth in §185-21.

- F. Adequate lighting and appropriate signage shall be provided based upon convenience and safety considerations and applicable Town standards as set forth in this Zoning Chapter. No lighting shall cast objectionable glare upon adjacent properties or roadways.
- G. All truck and equipment service and repairs shall be conducted inside an enclosed building.
- H. All vehicle and equipment storage shall take place within a fully enclosed building or behind a solid fence so that it is not visible from adjacent properties or by site visitors.”

SECTION 4 – AMENDMENT TO THE ZONING MAP

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, is hereby amended to extend and include within the boundaries of the Light and Heavy Industrial Equipment and Recreational Vehicle Sales, Service and Repair (LHI) Overlay Zoning District, an area the boundaries of which conform to and are contiguous with the IB Interchange Business zoning district boundaries in the southwest section of the Town bounding on the Town of Montgomery and at or near the Interstate 84 and Route 74 interchange, including but not limited to the tax parcels designated on the tax map for the Town of Newburgh as Section 89 Block 1 Lots 81, 11.1, 11.2, 11.3, 19.21, 19.23, 80.1, 80.2 a portion of 20 and sections of the NYS Route 747 and Interstate 84 rights of way, as shown on the amended Zoning Map which accompanies and which with all explanatory material thereon is hereby adopted and made part of this Local Law.

SECTION 5 – VALIDITY

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

SECTION 6 – EFFECTIVE DATE

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

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 14th day of November, 2014 at 7:00 o'clock p.m.

PRESENT:

Gilbert J. Piaquadio, Deputy Supervisor and Councilman

George Woolsey, Councilman

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

RESOLUTION OF TOWN BOARD INTRODUCING AND PROVIDING FOR REFERRAL OF 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 INCLUDE AN INTERCHANGE BUSINESS (IB) ZONED AREA IN THE SOUTHWEST SECTION OF THE TOWN IN THE LIGHT AND HEAVY INDUSTRIAL EQUIPMENT AND RECREATIONAL VEHICLE SALES, SERVICE AND REPAIR (LHI) OVERLAY DISTRICT

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

WHEREAS, the Town Board of the Town of Newburgh has caused a local law to be prepared Amending Chapter 185 entitled 'Zoning' of the Code of the Town of Newburgh to Include an Interchange Business (IB) Zoned Area in the Southwest Section of the Town in the Light and Heavy Industrial Equipment and Recreational Vehicle Sales, Service and Repair (LHI) Overlay District.

NOW, THEREFORE, BE IT RESOLVED, that said Local Law Amending Chapter 185 entitled 'Zoning' of the Code of the Town of Newburgh and the Zoning Map of the Town of Newburgh is hereby 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 copies of the aforesaid local law 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 copy of the aforesaid 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:

George Woolsey, Councilman _____ voting _____

Elizabeth J. Greene, Councilwoman _____ voting _____

Paul I. Ruggiero, Councilman _____ voting _____

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

The resolution was thereupon declared duly adopted.

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

PRESENT:

Gilbert J. Piaquadio, Deputy Supervisor and Councilman

George Woolsey, Councilman

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

RESOLUTION OF TOWN BOARD SCHEDULING A PUBLIC HEARING ON 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 INCLUDE AN INTERCHANGE BUSINESS (IB) ZONED AREA IN THE SOUTHWEST SECTION OF THE TOWN IN THE LIGHT AND HEAVY INDUSTRIAL EQUIPMENT AND RECREATIONAL VEHICLE SALES, SERVICE AND REPAIR (LHI) OVERLAY 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 and the Zoning Map of the Town of Newburgh to Include an Interchange Business (IB) Zoned Area in the Southwest Section of the Town in the Light and Heavy Industrial Equipment and Recreational Vehicle Sales, Service and Repair (LHI) Overlay 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.

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 _____, 2014 at 7:___ 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:

George Woolsey, Councilman voting _____

Elizabeth J. Greene, Councilwoman voting _____

Paul I. Ruggiero, Councilman voting _____

Gilbert J. Piaquadio, Deputy Supervisor and Councilman voting _____

The resolution was thereupon declared duly adopted.

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 as it is the local agency with the broadest governmental powers to investigate the impacts of the proposed action and is the only agency that can enact a zoning amendment

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 the following agencies identified by the EAF, using all due diligence, are involved agencies for the Action:

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

and no others

and;

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

Town of Newburgh Planning Board
308 Gardnertown Road
Newburgh, New York 12550

Town of Newburgh Zoning Board of Appeals
308 Gardnertown Road
Newburgh, NY 12550

Orange County Department of Planning
1887 County Building
124 Main Street
Goshen, NY 10924

; and

BE IT FURTHER RESOLVED, that the Town Board hereby directs that a Lead Agency coordination Notice be circulated among involved agencies together with copies of Part 1 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 all 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:

George Woolsey, Councilman voting

Elizabeth J. Greene, Councilwoman voting _____

Paul I. Ruggiero, Councilman voting _____

Gilbert J. Piaquadio, Deputy Supervisor and Councilman voting _____

The resolution was thereupon declared duly adopted.



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

GIL PIAQUADIO
Deputy Supervisor
Acting as Supervisor

845-564-4552
Fax: 845-566-9486
e-mail: councilmanpiaquadio@townofnewburgh.org

December 1, 2014

Town Board Members

I am requesting the Town Board to seek candidates and conduct interviews for the position of Councilman.

With candidates making written notification to the Town Clerk no later than December 15th 2014

Gil Piaquadio
Deputy Supervisor
Acting as Supervisor