

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

**WORKSHOP MEETING AGENDA**  
**Wednesday, December 27, 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. **PUBLIC HEARING (7:00 P.M.): Fees**
7. **RECEIVER OF TAXES: Hiring of Administrative Assistant**
8. **PLANNING BOARD: Mobilite**
9. **ROSETON SEWER DISTRICT: Renewal of Maintenance Contract**
10. **BUILDINGS AND GROUNDS:**
  - A. **Hiring of Full Time Custodian**
  - B. **Hiring of Part Time Custodian**
  - C. **Hiring of Director of Buildings & Grounds**
11. **FLEET MAINTENANCE: Budget Transfer**
12. **HIGHWAY: Budget Transfer**
13. **RECREATION DEPARTMENT:**
  - A. **Budget Transfer for Purchase of Utility Vehicle**
  - B. **Budget Transfer for Garage Renovations**
  - C. **Bus Policy: Standard of Conduct**
14. **ENGINEERING:**
  - A. **KIA Car Dealership Performance Securities**
  - B. **Budget Transfer for Sludge Hauling**
  - C. **Budget Transfer for Maintenance Repairs**
15. **ACCOUNTING: Budget Adjustment**
16. **ADJOURNMENT**

**NOTICE OF PUBLIC HEARING  
ON PROPOSED LOCAL LAW**

PLEASE TAKE NOTICE that there has been introduced before the Town Board of the Town of Newburgh in the County of Orange and State of New York on November 21, 2016, Introductory Local Law No. 7 of the Year 2017 entitled "A Local Law Amending Chapter 104 Entitled 'Schedule of Fees' of the Code of the Town of Newburgh: Sewer Rates Effective January 1, 2018" the effect of which is to amend the provisions of the Municipal Code's Schedule of Fees Chapter so as to provide for modifications to the sewer rates for Sewer Districts of the Town in accordance with the approved annual budgets per the following schedule: Crossroads Consolidated Sewer District: \$5.54 per 1,000 gallons of metered water use; Nob Hill Sewer District: \$.0082/gallon of metered water use. \$36.00 continues to be specified as the minimum sewer operating and maintenance charge per quarter for these districts. For the Roseton Hills Sewer District the Combined Operation and Maintenance and Facility Charge is established for 2018 which is \$116.00 per each residential dwelling unit, whether or not an apartment or condominium unit on each parcel as listed on the latest completed Assessment Roll of the Town per quarter.

PLEASE TAKE FURTHER NOTICE that pursuant to Section Twenty of the Municipal Home Rule Law, a public hearing will be held on the aforesaid proposed Local Law before the Town Board of the Town of Newburgh at the Town Hall at 1496 Route 300 in the Town of Newburgh, New York at 7:00 o'clock p.m. on December 27, 2017 at which time all interested parties will be heard. The Town of Newburgh provides reasonable accommodations for the disabled. Disabled individuals who need assistance in order to participate should contact the Town Clerk's office at 564-4554. Advance notice is requested

Dated: December 12, 2017

Andrew J. Zarutskie  
Town Clerk, Town of Newburgh



Rider Weiner & Frankel P.C.  
ATTORNEYS & COUNSELORS AT LAW

**MEMORANDUM**

**TO:** HON. GILBERT J. PIAQUADIO, SUPERVISOR  
TOWN BOARD MEMBERS

P: 845.562.9100  
F: 845.562.9126

**FROM:** MARK C. TAYLOR, ATTORNEY FOR THE TOWN

655 Little Britain Road  
New Windsor, NY 12553  
P.O. Box 2280  
Newburgh, NY 12550

**RE:** PROPOSED LOCAL LAW AMENDING CHAPTER 104  
ENTITLED SCHEDULE OF FEES OF THE CODE OF THE  
TOWN OF NEWBURGH: SEWER RATES EFFECTIVE  
JANUARY 1, 2018  
OUR FILE NO. 800.1(B)( ) (2017)

**DATE:** DECEMBER 20, 2017

**ATTORNEYS**

David L. Rider  
Charles F. Frankel  
Michael J. Matsler  
Mark C. Taylor  
Deborah Weisman-Estis  
M. Justin Rider  
Donna M. Badura  
Amber L. Camio

Enclosed please find the following draft resolution together with a copy of the Local Law for the Town Board's consideration following the close of the public hearing scheduled for December 27.

*M. J. Rider*  
(1906-1968)  
*Elliott M. Weiner*  
(1915-1990)

RESOLUTION OF ADOPTION OF LOCAL LAW NO. \_\_\_\_ OF 2017  
AMENDING CHAPTER 104 ENTITLED "SCHEDULE OF FEES" OF  
THE TOWN OF NEWBURGH MUNICIPAL CODE: SEWER RATES  
EFFECTIVE JANUARY 1, 2018

**COUNSEL**

Stephen P. Duggan, III  
John K. McGuirk

Should you have any questions or concerns in this regard, please feel free to contact me.

**OF COUNSEL**

Craig F. Simon  
Irene V. Villacci

MCT:sel  
Enclosures

**cc:** Town Clerk Andrew J. Zarutskie (via e-mail)  
Receiver of Taxes Deborah Smith (via e-mail)  
Town Engineer James Osborne (via e-mail)  
Town Accountant Ronald Clum (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 27th day of December, 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 ADOPTION OF LOCAL LAW NO. \_\_ OF 2017 AMENDING CHAPTER 104 ENTITLED 'SCHEDULE OF FEES' OF THE TOWN OF NEWBURGH MUNICIPAL CODE: SEWER RATES EFFECTIVE JANUARY 1, 2018

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

WHEREAS, the Town Board of the Town of Newburgh adopted a resolution on the 11<sup>th</sup> day of December, 2017 ordering a public hearing to be held on the 27th day of December, 2017 at 7:00 o'clock p.m., prevailing time, to hear all interested parties on Introductory Local Law No. \_\_ of the Year 2017 entitled "A Local Law Amending Chapter 104 entitled 'Schedule of Fees' of the Town of Newburgh Municipal Code: Sewer Rates Effective January 1, 2018"; and

WHEREAS, a notice of Public Hearing was duly advertised on the \_\_th day of December, 2017 in The Mid-Hudson Times and on the \_\_th day of December, 2017 in The Orange County Post and posted on the Town Clerk's sign board together with a copy of the Local Law on the \_\_th day of December, 2017; and

WHEREAS, the Public Hearing was duly held on the 27th day of December, 2017 at 7:00 o'clock p.m., at Town Hall, 1496 Route 300, Newburgh, New York and all parties in attendance were permitted to speak on behalf or in opposition of the proposed Local Law or any part thereof; and

WHEREAS, due to the adoption of intervening local laws or the Town Board's determination not to act upon introductory local laws, upon adoption and filing with the Secretary of State said Local Law will be designated as Local Law No. \_\_ of 2017; and

WHEREAS, the adoption of said Local Law revising the Schedule of Fees of the Town of Newburgh constitutes a legislative action pertaining to routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment, and accordingly is a Type II Action under the State Environmental Quality Review Act;; and

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

**NOW, THEREFORE, BE IT RESOLVED** as follows:

1. The Town Board of the Town of Newburgh hereby adopts said Local Law No. \_\_ of 2017 entitled "A Local Law Amending Chapter 104 entitled 'Schedule of Fees' of the Town of Newburgh Municipal Code: Sewer Rates Effective January 1, 2018".
2. The Town Clerk is hereby directed to enter this resolution and said Local Law in the minutes of this meeting and the Local Law Book of the Town of Newburgh and to give due notice of the adoption of said Local Law to the Secretary of State and to the public.

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

The resolution was thereupon declared duly adopted.

**TOWN OF NEWBURGH**  
**INTRODUCTORY LOCAL LAW NO. \_\_ OF THE YEAR 2017**  
**AMENDING CHAPTER 104 ENTITLED**  
**"SCHEDULE OF FEES"**  
**OF THE CODE OF THE TOWN OF NEWBURGH:**  
**SEWER RATES**  
**EFFECTIVE JANUARY 1, 2018**

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

SECTION 1 - TITLE

This Local Law shall be referred to as "A Local Law Amending Chapter 104 entitled 'Schedule of Fees' of the Code of the Town of Newburgh Sewer Rates Effective January 1, 2018".

SECTION 2 - AMENDMENTS TO CHAPTER 104

That Chapter 104 entitled "Schedule of Fees" of the Town of Newburgh Municipal Code is amended as follows:

1. Subsection 104-3(C)(1) of Section 104-3 entitled "Sanitation and water fees" of Chapter 104 entitled "Schedule of Fees" of the Town of Newburgh Municipal Code be and hereby is amended to read as follows:

"(1) Sewer operation and maintenance charge.

<b>Sewer District</b>	<b>Rate/Fee (per gallons consumed per premises)</b>
Crossroads Consolidated	\$5.54 per 1,000 <u>gallons</u>
Nob Hill	\$.0082/gallon

The following minimum operating and maintenance charge shall apply to all connected properties, including but not limited to those without water meters: \$36.00 per quarter"

2. Subsection 104-3(C)(3) of Section 104-3 entitled "Sanitation and water fees" of Chapter 104 entitled "Schedule of Fees" of the Town of Newburgh Municipal Code be and hereby is amended to read as follows:

"(3) Combined Operation and  
Maintenance and Facility Charge  
Roseton Hills Sewer District

\$116.00 per each residential dwelling unit, whether or  
not an apartment or condominium unit on each parcel  
as listed on the latest completed Assessment Roll of  
the Town per quarter"

### SECTION 3 - UNCONSTITUTIONALITY OR ILLEGALITY

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 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.

### SECTION 4 - EFFECTIVE DATE

This Local Law shall take effect on the later of the date 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 or January 1, 2018.

Town of Newburgh  
Crossroads of the Northeast  
*Deborah A. Smith*  
*Receiver of Taxes and Assessments*  
1496 Route 300  
Newburgh, New York 12550

Telephone (845) 564-4553

Fax (845) 566-1432

Memorandum

DATE: December 20, 2017  
TO: Supervisor Gilbert Piaquadio  
Town Board Members  
cc. Charlene Black, Personal  
FROM : Deborah A. Smith  
Receiver of Taxes

I am requesting the appointment of Lea Ripa to provisional Administrative Assistant as of January 1, 2018.

The salary for this position is \$15.42 per hour, which is included in the Receiver of Taxes 2018 Town Budget.





## TOWN OF NEWBURGH

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1496 Route 300, Newburgh, New York 12550

PERSONNEL DEPT.

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

To: Deborah Smith, Receiver of Taxes

From: Charlene M. Black, Personnel

Re: Administrative Assistant

Date: December 11, 2017

We sent out a canvas for Administrative Assistant on November 27, 2017. Out of the thirty seven (37) letters, no one is interested in the position. At this time you can hire Lea Ripa, as Administrative Assistant at a salary of \$15.42 per hour provisionally, effective January 1, 2018. The exam will take place in the spring of 2018. She must pass the exam with a high grade to remain in that position. If you have any questions please do not hesitate to contact my office.

# TOWN OF NEWBURGH

## EMPLOYMENT REQUEST FORM

**To: Personnel Department**

NAME OF CANDIDATE: Lea Ripa

DEPARTMENT: Receiver of Taxes

TITLE OF POSITION: Administrative Assistant

FULL TIME OR PART TIME: Full Time

HOURLY RATE: \$15.42

IS POSITION FUNDED IN CURRENT BUDGET:  YES OR NO

FUND APPROPRIATION NUMBER: 001-1330-0100

PROPOSED HIRE DATE: January 1 2018

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

[Signature]  
DEPARTMENT HEAD SIGNATURE

12-20-17  
DATE

**ORIGINAL APPLICATION SHOULD BE ON FILE IN THE PERSONNEL  
DEPARTMENT**

COPY TO ACCOUNTING DEPARTMENT  
11/15/2010



JCO, INC.

# AN ENVIRONMENTAL SERVICES GROUP

P.O. BOX 616 110 SULLIVAN STREET  
WURTSBORO, NY 12790  
(845) 888-5755

November 20th, 2017

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

RE: Roseton Hills  
Wastewater Treatment Facility  
Operation and Maintenance Services

Dear Supervisor Piaquadio:

JCO, Inc. proposes to do the following:

#### SCOPE OF SERVICES

- Provide NYS Grade 2A Certified Operators and laborers/technicians as needed;
- Provide daily site visits (365 days/year) to the facilities to ensure their proper operation and maintenance;
- Perform in-house laboratory analyses for process control and to satisfy regulatory requirements;
- Collect and transport the required samples to a NYS certified laboratory for analysis;
- Recommend, coordinate and supervise other work/services performed by independent contractors;
- Perform routine preventative maintenance duties as per manufacturer's recommendations;
- Maintain 24 hour/day emergency communications and coverage of the facilities;
- Complete and submit the proper monthly monitoring reports to the New York State DEC;
- Maintain general liability, professional liability and pollution liability insurance coverages;

JCO, Inc. shall be compensated the following amount for providing routine operation services to the wastewater treatment system:

TWO THOUSAND, SEVEN HUNDRED AND FIFTY (\$2,750.00) DOLLARS per month for 2018, 2019 and 2020 calendar years.

- NO additional costs for emergencies, overtime work or additional staffing;

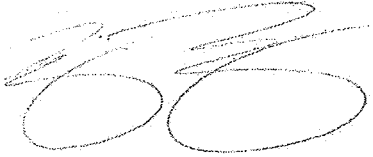
JCO, Inc. provides the personnel to perform the routine operation and maintenance of the facility. The Owner is responsible for all costs associated with operating and maintaining the facilities (ie. all utilities, treatment chemicals, laboratory reagents, state approved lab fees, property taxes, capital improvements, all supplies, equipment, repairs, sludge disposal fees, independent contractor fees, etc.).

JCO is responsible for grounds maintenance (i.e. snow plowing, mowing and weed whacking).

Either party may cancel this agreement (in writing) at any time without cause.

If you have any questions and/or comments regarding this matter, please feel free to give our office a call.

Respectfully,



Ryan J. Rysinger  
President

Acknowledgement of this Agreement is requested at this time.

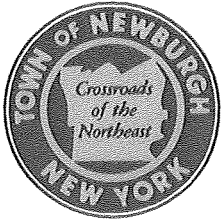
Accepted by:

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OWNER REPRESENTATIVE

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DATE



## TOWN OF NEWBURGH

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10A

1496 Route 300, Newburgh, New York 12550

PERSONNEL DEPT.

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

To: Town Board  
Ron Clum, Accountant  
Charlene M Black, Personnel

From: Supervisor Piaquadio

Date: December 20, 2017

Re: Vacancy

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This is a request to hire a full time custodian to replace Mark Nahow, who retired earlier this year. I do have a candidate that I would like to hire. His name is Isaiah Rodriguez. Attached is his employee request form. His employment will be pending your approval and Mr. Rodriguez completing all the necessary requirements. His start date would not be until January 4, 2018, which will give the Personnel department enough time to have Mr. Rodriguez complete his physical, drug/alcohol test, fingerprints and paperwork. Thank you in advance.

**TOWN OF NEWBURGH**  
**EMPLOYMENT REQUEST FORM**

**To: Personnel Department**

NAME OF CANDIDATE: Isaiak Rodriguez

DEPARTMENT: Building & Grounds

TITLE OF POSITION: Custodial Worker

FULL TIME OR PART TIME: F/T


HOURLY RATE: \$16.8665

IS POSITION FUNDED IN CURRENT BUDGET:  YES OR NO

FUND APPROPRIATION NUMBER: 601.1626.0100

PROPOSED HIRE DATE: 1/4/18

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

  
\_\_\_\_\_  
DEPARTMENT HEAD SIGNATURE

12/20/17  
\_\_\_\_\_  
DATE

**ORIGINAL APPLICATION SHOULD BE ON FILE IN THE PERSONNEL  
DEPARTMENT**

COPY TO ACCOUNTING DEPARTMENT  
11/15/2010

Date: December 22, 2017

From: Town of Newburgh Supervisor Gil Piaquadio

To: Town Council

Re: Part-Time Director of Building and Grounds

Since the retirement of Les Cornell, I have served as the Acting Director of the Building and Grounds Department.

I would like to propose that Robert Petrillo serve as the Part-Time Director of Building and Grounds effective January 1<sup>st</sup>, 2018 for a yearly stipend of \$10,000. This expense is reflected in the 2018 Budget with account # 001-1626-0100.

A handwritten signature in black ink, appearing to read "Gil", enclosed within a large, loopy oval shape.



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

*Fleet  
 Maint*

11

Date: 11/28/17

Is the budget adjustment under \$5,000? Yes \_\_\_\_\_ No:

If yes: Please give Gil a copy to sign and deliver to the Accounting Office.

If no: Please have the board approve at the next available board meeting.

Reason why the budget transfer is needed Tire budget has been exhausted. There are pending tire purchases already made and more tire purchases to be made before the end of the year.

From: Account Number: 11640.451 Amount: \$10,000.00  
 Account Description: Parts Budget Amount: \_\_\_\_\_

From: Account Number: \_\_\_\_\_ Amount: \_\_\_\_\_  
 Account Description: \_\_\_\_\_ Amount: \_\_\_\_\_

To: Account Number: 11640.453 Amount: \$10,000.00  
 Account Description: Tire Budget Amount: \_\_\_\_\_

To: Account Number: \_\_\_\_\_ Amount: \_\_\_\_\_  
 Account Description: \_\_\_\_\_ Amount: \_\_\_\_\_

Please note: The total of the from and to should equal.

*[Signature]*  
 Department Head Signature

*[Signature]*  
 Gil Piaquadio, Town Supervisor





# HIGHWAY DEPARTMENT

90 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

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

**TO:** Gil Piaquadio, Supervisor, & Town Board Members

**FROM:** Highway Department

**DATE:** December 19, 2017

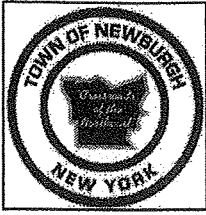
**RE:** Transfer Request

I would like to request the following budget transfers could you please put this on the agenda for the next meeting:

<b>FROM:</b>	<b>TO:</b>	<b>AMOUNT:</b>
5130.452 Machinery/Vehicle Repair	5130.451 Machinery/Vehicle Parts	\$15,000.00
5110.497 Maint. Cont./Leases/Rentals	5110.466 Operating Supplies	\$10,000.00

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

ch  
cc: R. Clum, Accounting



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

HIGHWAY DEPT

Date: 12-19-17

Is the budget adjustment under \$5,000? Yes \_\_\_\_\_ No: ✓

If yes: Please give Gil a copy to sign and deliver to the Accounting Office.

If no: Please have the board approve at the next available board meeting.

Reason why the budget transfer is needed MORE VEHICLE PARTS WERE NEEDED FOR BREAKDOWNS & MAINTENANCE. MORE EVERYDAY SUPPLIES WERE NEEDED.

From: Account Number: 5130.452 Amount: \$15,000.<sup>00</sup>  
 Account Description: MACHINERY/VEHICLE REPAIR Amount: \_\_\_\_\_

From: Account Number: 5110.497 Amount: \$10,000.<sup>00</sup>  
 Account Description: MAINT. CONT./LEASES/RENTALS Amount: \_\_\_\_\_

To: Account Number: 5130.451 Amount: \$15,000.<sup>00</sup>  
 Account Description: MACHINERY/VEHICLE PARTS Amount: \_\_\_\_\_

To: Account Number: 5110.466 Amount: \$10,000.<sup>00</sup>  
 Account Description: OPERATING SUPPLIES Amount: \_\_\_\_\_

Please note: The total of the from and to should equal.

[Signature]  
 Department Head Signature

[Signature]  
 Gil Piaquadio, Town Supervisor



# TOWN OF NEWBURGH RECREATION DEPARTMENT

311 ROUTE 32, NEWBURGH, NY 12550

13A

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

December 18, 2017

TO: Gil Piaquadio, Supervisor  
Town Board Members

CC: R. Clum, Accounting

FROM: Robert J. Petrillo, Commissioner

RE: 2017 Budget Transfer / 4x4 Utility Vehicle Purchase

At this time we are requesting a budget transfer of \$11,000 from 6773.0100 Transportation for Aging – Personal Services to 7110-0200 Facility – Equipment.

This transfer will cover the approved purchase price of the 4 x 4 utility vehicle from Dutchess Recreational Vehicles.

Regards,

Robert J. Petrillo  
Commissioner



# TOWN OF NEWBURGH RECREATION DEPARTMENT

311 ROUTE 32, NEWBURGH, NY 12550

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

December 19, 2017

13 B

TO: Gil Piaquadio, Supervisor  
Town Board Members

CC: R. Clum, Accounting

FROM: Robert J. Petrillo, Commissioner

RE: 2017 Budget Transfer / Garage Renovations

At this time we are requesting a budget transfer of \$8,000 from the following accounts.

- \$5,000 from 5630-0100 Dial-A-Bus - Payroll
- \$3,000 from 6773-0200 Transportation for Aging - Equipment

The total amount will be transferred to 7110-0499 Facility – Other Expenses to cover the Recreation Department's portion of the renovations to be completed on the garage.

Regards,

Robert J. Petrillo  
Commissioner

Joe P.

14A

TOWN OF NEWBURGH  
TOWN ENGINEER

MEMORANDUM

TO: Gil Piaquadio, Town Supervisor & Town Board  
FROM: James W. Osborne, Town Engineer *JWO*  
DATE: December 19, 2017  
RE: PB \ KIA CAR DEALERSHIP

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Per the attached letters, the Letters of Credit covering the Stormwater Management Soil & Erosion Control and Landscaping performance securities are going to be cancelled on 4 January 2018. The status of the site is as follows:

1. MH&E has confirmed that all disturbed areas have been stabilized with permanent vegetation.
2. As-Built drawings of the permanent Stormwater & Pollution Prevention measures have not been submitted.
3. Verification of the landscaping installation has not been received and cancellation of the LOC removes the landscaping maintenance security.

Based on these outstanding issues, it is recommended that the LOCs be called and the cash held until documentation of compliance with the approved site plan is documented.

If you have any questions or comments, please feel free to contact me.

JWO/id  
Attachment  
cc: M. Taylor, Attorney  
G. Canfield, Code Compliance Supervisor  
P. Hines, MH&E  
J. Sarchino, JMC

November 28, 2017

Town of Newburgh  
1496 Route 300  
Newburgh, NY 12550

*Healy Kia*

RE: Cancellation of \$82,037.50 PDH Realty, LLC Letter of Credit No. 21601041

To whom it may concern,

By receipt of this notice, Rhinebeck Bank will hereby effectively cancel the above referenced Letter of Credit facility at its current maturity date of January 4, 2018. Please return any original documents or correspondence pertaining to this facility to Rhinebeck Bank.

Documents may be mailed back directly to Rhinebeck Bank at the following address:

Rhinebeck Bank  
Attn. Commercial Lending  
2 Jefferson Plaza  
Poughkeepsie, NY 12601

Please confirm receipt of this letter with Rhinebeck Bank. You may email us at [ASwenson@rhinebeckbank.com](mailto:ASwenson@rhinebeckbank.com).

Thank you for your prompt attention to this matter. If you have any questions, please do not hesitate to contact us.

Sincerely,



Austin Swenson  
Commercial Portfolio Assistant  
Rhinebeck Bank  
(845) 454-8555



November 28, 2017

Town of Newburgh  
1496 Route 300  
Newburgh, NY 12550

RE: Cancellation of \$212,694.00 PDH Realty, LLC Letter of Credit No. 21601042

To whom it may concern,

By receipt of this notice, Rhinebeck Bank will hereby effectively cancel the above referenced Letter of Credit facility at its current maturity date of January 4, 2018. Please return any original documents or correspondence pertaining to this facility to Rhinebeck Bank.

Documents may be mailed back directly to Rhinebeck Bank at the following address:

Rhinebeck Bank  
Attn. Commercial Lending  
2 Jefferson Plaza  
Poughkeepsie, NY 12601

Please confirm receipt of this letter with Rhinebeck Bank. You may email us at [ASwenson@rhinebeckbank.com](mailto:ASwenson@rhinebeckbank.com).

Thank you for your prompt attention to this matter. If you have any questions, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Austin Swenson", written over a horizontal line.

Austin Swenson  
Commercial Portfolio Assistant  
Rhinebeck Bank  
(845) 454-8555



Corporate Offices  
2 Jefferson Plaza  
Poughkeepsie, NY 12601  
845-454-8555  
www.rhinebeckbank.com

**ISSUING BANK:**  
Rhinebeck Bank  
2 Jefferson Plaza  
Poughkeepsie, NY 12601

**RE: IRREVOCABLE STANDBY LETTER OF CREDIT NO. 21601041**

Rhinebeck Bank hereby establishes our Irrevocable Standby Letter of Credit for the account of PDH Realty, LLC (the "Applicant") in favor of the Town of Newburgh (the "Beneficiary"), available by your drafts at site drawn on us for a sum not to exceed eighty two thousand thirty seven and 50/100 (U.S.\$82,037.50)U.S. Dollars

**ISSUE DATE:           JANUARY 4, 2016**

**BENEFICIARY:       TOWN OF NEWBURGH  
                          1496 ROUTE 300  
                          NEWBURGH, NEW YORK 12550**

**APPLICANT:         PDH REALTY, LLC  
                          PO BOX 859  
                          GOSHEN, NEW YORK 10924**

**EXPIRATION DATE AT RHINEBECK BANK: TWO YEARS FROM ISSUANCE OR ANY EXTENDED DATE**

**This Credit shall be available by:**

1.     The Beneficiary's Drafts drawn at sight bearing the clause "Drawn under Rhinebeck Bank Letter of Credit No. 21601041"
2.     The original of this Letter of Credit.
3.     A Certificate upon Beneficiary's Letterhead stating the following:

The undersigned, an authorized officer of the Town of Newburgh, New York, (the "Beneficiary") hereby certifies to Rhinebeck Bank, with reference to Irrevocable Standby Letter of Credit No. 21601041 issued by the Bank in favor of the Beneficiary, that PDH Realty, LLC (the "Applicant") (i) has failed to complete certain landscaping improvements in conformance with the approved landscaping plan for Healey KIA (2015-25) and standards and specifications of the Beneficiary, or (ii) has failed to maintain in good health or replace damaged, unhealthy or dead plant materials and related landscaping improvements in conformance with the approved landscaping plan





for Healey KIA (2015-25) for a period of two (2) years from the date of completion and acceptance of said improvements by the Town of Newburgh, or any subsequent date of replacement or, in the alternative to post an acceptable maintenance bond or other acceptable security with the Town of Newburgh ensuring such maintenance or replacement, or (iii) has failed to reconstruct, restore or repair existing paving, shoulders, drainage improvements, water and/or sewer utilities of the Beneficiary damaged or subsequently affected by the construction or installation of said landscaping improvements. Accordingly, the Beneficiary is entitled to and is making a drawing under the Letter of Credit in the amount of the site draft accompanying this Certificate.

The Beneficiary has executed this certificate as of the \_\_\_\_ day of January, 2016.

TOWN OF NEWBURGH

By: \_\_\_\_\_  
Typed Name:  
Title:

**Partial Drawings Are Permitted.**

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

This Letter of Credit is subject to the Uniform Customs and Practice for Documentary Credits (1993 Revision) International Chamber of Commerce Publication No. 500 (the "UCP"). As to matters not governed by the UCP, this Credit is subject to the laws of New York State as in effect from time to time, including, without limitation, Article 5 of the Uniform Commercial Code as in effect in the State of New York (the "UCC"). In the event of any conflict between the terms of this Letter of Credit and the UCC or Uniform Customs, the terms of this Letter of Credit will prevail.

Rhinebeck Bank hereby agrees that all drafts drawn under and in compliance with the terms of this Credit shall be duly honored upon presentation by mail or overnight courier to Rhinebeck Bank, 2 Jefferson Plaza, Poughkeepsie, New York on or before the expiration date or any extended date as hereinbefore set forth.

This Credit sets forth in full Rhinebeck Bank's undertaking.

Very truly yours,

Rhinebeck Bank

By: \_\_\_\_\_

Typed Name: Steven Rossi

Title: Vice President, Credit Administration



Corporate Offices  
2 Jefferson Plaza  
Poughkeepsie, NY 12601  
845-454-8555  
www.rhinebeckbank.com

**ISSUING BANK:**  
Rhinebeck Bank  
2 Jefferson Plaza  
Poughkeepsie, NY 12601

**RE: IRREVOCABLE STANDBY LETTER OF CREDIT NO. 21601042**

Rhinebeck Bank hereby establishes our Irrevocable Standby Letter of Credit for the account of PDH Realty, LLC (the "Applicant") in favor of the Town of Newburgh (the "Beneficiary"), available by your drafts at site drawn on us for a sum not exceed two hundred twelve thousand six hundred ninety four and 00/100 (U.S.\$212,694.00)U.S. Dollars

**ISSUE DATE:           JANUARY 4, 2016**

**BENEFICIARY:       TOWN OF NEWBURGH  
1496 ROUTE 300  
NEWBURGH, NEW YORK 12550**

**APPLICANT:         PDH REALTY, LLC  
PO BOX 859  
GOSHEN, NEW YORK 10924**

**EXPIRATION DATE AT RHINEBECK BANK: TWO YEARS FROM ISSUANCE OR ANY EXTENDED DATE**

**This Credit shall be available by:**

1. The Beneficiary's Drafts drawn at sight bearing the clause "Drawn under Rhinebeck Bank Letter of Credit No. 21601042"
2. The original of this Letter of Credit.
3. A Certificate upon Beneficiary's Letterhead stating the following:

The undersigned, an authorized officer of the Town of Newburgh, New York, (the "Beneficiary") hereby certifies to Rhinebeck Bank, with reference to Irrevocable Standby Letter of Credit No. 21601042 issued by the Bank in favor of the Beneficiary, that PDH Realty, LLC (the "Applicant") (i) has failed to complete certain storm water improvements in conformance with the approved storm water plan for Healey KIA (2015-25) and standards and specifications of the Beneficiary, or (ii) has failed to maintain in good health or replace damaged, unhealthy or dead plant materials and related landscaping improvements in conformance with the approved storm water plan



for Healey KIA (2015-25) for a period of two (2) years from the date of completion and acceptance of said improvements by the Town of Newburgh, or any subsequent date of replacement or, in the alternative to post an acceptable maintenance bond or other acceptable security with the Town of Newburgh ensuring such maintenance or replacement, or (iii) has failed to reconstruct, restore or repair existing paving, shoulders, drainage improvements, water and/or sewer utilities of the Beneficiary damaged or subsequently affected by the construction or installation of said storm water improvements. Accordingly, the Beneficiary is entitled to and is making a drawing under the Letter of Credit in the amount of the site draft accompanying this Certificate.

The Beneficiary has executed this certificate as of the \_\_\_\_ day of January, 2016.

TOWN OF NEWBURGH

By: \_\_\_\_\_  
Typed Name:  
Title:

**Partial Drawings Are Permitted.**

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


This Letter of Credit is subject to the Uniform Customs and Practice for Documentary Credits (1993 Revision) International Chamber of Commerce Publication No. 500 (the "UCP"). As to matters not governed by the UCP, this Credit is subject to the laws of New York State as in effect from time to time, including, without limitation, Article 5 of the Uniform Commercial Code as in effect in the State of New York (the "UCC"). In the event of any conflict between the terms of this Letter of Credit and the UCC or Uniform Customs, the terms of this Letter of Credit will prevail.

Rhinebeck Bank hereby agrees that all drafts drawn under and in compliance with the terms of this Credit shall be duly honored upon presentation by mail or overnight courier to Rhinebeck Bank, 2 Jefferson Plaza, Poughkeepsie, New York on or before the expiration date or any extended date as hereinbefore set forth.

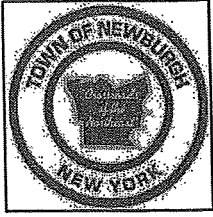
This Credit sets forth in full Rhinebeck Bank's undertaking.

Very truly yours,

Rhinebeck Bank

By:   
Typed Name: Steven Rossi  
Title: Vice President, Credit Administration





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

Date: 12-21-2017

Is the budget adjustment under \$5,000? Yes \_\_\_\_\_

No:

If yes: Please give Gil a copy to sign and deliver to the Accounting Office.

If no: Please have the board approve at the next available board meeting.

Reason why the budget transfer is needed MOVE BUDGET TO  
RELECT ACTUAL COSTS

From: Account Number: 8130.0499.5020 Amount: \$10,000  
Account Description: OTHER EXPENSES Amount: \_\_\_\_\_

From: Account Number: \_\_\_\_\_ Amount: \_\_\_\_\_  
Account Description: \_\_\_\_\_ Amount: \_\_\_\_\_

=====

To: Account Number: 8130.0457.5020 Amount: \$10,000  
Account Description: SLUDGE HAULING Amount: \_\_\_\_\_

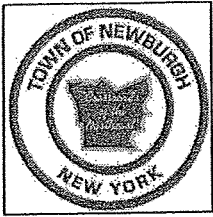
To: Account Number: \_\_\_\_\_ Amount: \_\_\_\_\_  
Account Description: \_\_\_\_\_ Amount: \_\_\_\_\_

Please note: The total of the from and to should equal.

=====

James Osbr  
Department Head Signature

\_\_\_\_\_  
Gil Piaquadio, Town Supervisor



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

Date: 12-21-2017

Is the budget adjustment under \$5,000? Yes \_\_\_\_\_

No:

If yes: Please give Gil a copy to sign and deliver to the Accounting Office.

If no: Please have the board approve at the next available board meeting.

Reason why the budget transfer is needed ADDITIONAL MAINTENANCE  
REPAIRS REQUIRED

From: Account Number: 8330.0430.4002 Amount: \$ 33,000  
Account Description: \_\_\_\_\_ Amount: \_\_\_\_\_

From: Account Number: \_\_\_\_\_ Amount: \_\_\_\_\_  
Account Description: \_\_\_\_\_ Amount: \_\_\_\_\_

To: Account Number: 8330.0474.4002 Amount: \$ 33,000  
Account Description: \_\_\_\_\_ Amount: \_\_\_\_\_

To: Account Number: \_\_\_\_\_ Amount: \_\_\_\_\_  
Account Description: \_\_\_\_\_ Amount: \_\_\_\_\_

Please note: The total of the from and to should equal.

James Osb  
Department Head Signature

\_\_\_\_\_  
Gil Piaquadio, Town Supervisor



**TOWN OF NEWBURGH**

1496 Route 300, Newburgh, New York 12550

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**RONALD E. CLUM, CPA**  
ACCOUNTANT

845-564-5220

Fax: 845-566-9461

E-Mail: rclumaccountant@townofnewburgh.org

**To: Town Board and  
Gil Piaquadio, Town Supervisor**

**From: Ronald E. Clum, CPA** *[Signature]*

**Date: December 21, 2017**

**RE: Budget Adjustment**

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During my preliminary review of the expenditure ledgers the following budget adjustments are needed before year end.

From:	Account #001.1420.0407	\$30,723.00	Tax Cert Attorney
To:	Account #001.1410.0100	\$12,000.00	Town Clerk – Payroll
	Account # 001.1626.0100	\$ 6,000.00	Build & Grounds – Payroll
	Account # 001.1640.0100	\$ 8,000.00	Fleet – Payroll
	Account #001.1990.0499	\$ 4,723.00	Suspense Account

Thank you in advance for your approval.

*[Signature]*

Ronald E. Clum, CPA

12/21/17

Date