

*JOSEPH P. PEDI
Deputy Town Clerk, 1496 Route 300
Town of Newburgh, New York 12550
Telephone 845-564-4554*

**WORKSHOP MEETING AGENDA
Monday, April 22, 2019
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.): SOLICITATION OF PUBLIC INPUT ON POTENTIAL PROJECTS FOR COMMUNITY DEVELOPMENT BLOCK GRANT**
 - A. Resolution Authorizing Submission of Application**
 - B. Town of Newburgh Fair Housing Resolution**
- 7. WATER DEPARTMENT: Hydrant Flushing**
- 8. ENGINEERING DEPARTMENT**
 - A. Award Grounds Maintenance Contract for Drainage Districts**
 - B. Approve Advertising of Notice of Bidders for Gardnertown Road Culvert**
 - C. Approve Outside User Status for Shustock**
- 9. HIGHWAY DEPARTMENT: Leaf and Brush Pickup**
- 10. TOWN CLERK APPOINTMENTS**
- 11. RECREATION DEPARTMENT: Hiring of Seasonal Laborer**
- 12. ASSESSOR: Great Palace Tax Certiorari Settlement**
- 13. ACCOUNTING DEPARTMENT: Budget Transfers**
 - A. Heating, Ventilation, and Air Conditioning for Town Hall**
 - B. Purchase of DELL Server**
- 14. ANIMAL CONTROL: T-94 Withdrawal**
- 15. ADJOURNMENT**

GJP:jpp
2nd Draft 4/18/2019 8:45 a.m.

6A
6B



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: COMMUNITY DEVELOPMENT PROGRAM AND
FEDERAL FAIR HOUSING LAW
OUR FILE NO. 800.1(B)(10)(2019)

DATE: APRIL 17, 2019

ATTORNEYS

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

Per Town Engineer James Osborne's request, enclosed please find the following resolutions for the Town Board's consideration following the public hearing scheduled for April 22, 2019.

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

1. Resolution of Town Board Authorizing FY-2020 Orange Urban County Consortium Community Development Program Application; and **6A**
2. Resolution of Town Board in Support of Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Human Rights Law. **6B**

COUNSEL

Stephen P. Duggan, III
John K. McGuirk
(1942-2018)

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

OF COUNSEL

Craig F. Simon
Irene V. Villacci

MCT:kac
Enclosure

cc: Joseph Padi, Deputy Town Clerk (via e-mail)
James Osborne, Town Engineer (via e-mail)
Patrick Hines, McGoey Hauser & Edsall (via e-mail)

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 ____ day of
April, 2019 at 7:00 o'clock p.m.

PRESENT:

6A

Gilbert J. Piaquadio, Supervisor

Elizabeth Greene, Councilwoman

Paul Ruggiero, Councilman

James Presutti, Councilman

Scott M. Manley, Councilman

RESOLUTION OF TOWN BOARD
AUTHORIZING FY-2020 ORANGE URBAN
COUNTY CONSORTIUM COMMUNITY
DEVELOPMENT PROGRAM APPLICATION

Councilman\Councilwoman _____ presented the following resolution which was
seconded by Councilman\Councilwoman _____.

BE IT RESOLVED, that the Town of Newburgh (the "Municipality") is hereby submitting its
Application for consideration under the FY-2020 Orange Urban County Consortium Community
Development Program and the chief elected official or executive officer is hereby authorized to
submit this Application for the Roseton Hills Sewer District-Wastewater Treatment Plant
Improvements project as described in the proposal. Input from citizens and groups has been received
and considered and an application has been prepared which addresses their community concerns.
They further certify that they have read and understood the Orange Urban County Consortium
Community Development Guidelines for the FY-2020 program year and have met all of its
applicable requirements and that the information contained in the Application is accurate and true to
the best of their knowledge. If awarded CDBG funds, the Municipality shall implement the activities
in a manner to ensure compliance with all applicable federal, state, and local laws and regulations;
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:

<u>Elizabeth Greene, Councilwoman</u>	<u>voting</u>
<u>Paul Ruggiero, Councilman</u>	<u>voting</u>
<u>James 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.

Gilbert J. Piaquadio, Supervisor

Date

(845) 564-4552

Telephone Number

I, Joseph P. Pedi, Deputy Town Clerk of the Town of Newburgh, hereby certify that the foregoing is a full, true, and accurate copy of a resolution duly and regularly adopted by the governing body of the municipality, at a meeting duly and regularly held on _____, at which quorum was present throughout, and the required majority of the governing body voted in favor of this resolution. I further certify that this resolution is still in full force and effect and has not been revoked or modified.

Joseph P. Pedi, Deputy Town Clerk
Town of Newburgh

**EXHIBIT "E" - SAMPLE
GOVERNING BODY AUTHORIZING RESOLUTION**

Resolution of the governing body authorizing the submission of this application.

IMPORTANT NOTE: RESOLUTION MUST CONTAIN THE FOLLOWING LANGUAGE OR IT WILL NOT BE ACCEPTED:

At a meeting held on _____ (date), the Municipal Council of _____ (name of Municipality), adopted the following resolution:

"The _____ (name of Municipality) is hereby submitting its Application for consideration under the FY-2020 Orange Urban County Consortium Community Development Program and the chief elected official or executive officer is hereby authorized to submit this Application for _____ (name of project) as described in the proposal. Input from citizens and groups has been received and considered and an application has been prepared which addresses their community concerns. They further certify that they have read and understood the Orange Urban County Consortium Community Development Guidelines for the FY-2020 program year and have met all of its applicable requirements and that the information contained in the Application is accurate and true to the best of their knowledge. If awarded CDBG funds, the Municipality shall implement the activities in a manner to ensure compliance with all applicable federal, state, and local laws and regulations."

Signature of Authorized Representative

Date

Printed Name of Authorized Representative

Telephone Number

IMPORTANT: If the municipality is submitting an Application on behalf of a Subrecipient, the Resolution must reflect that "The Governing Body is in support of submitting the Application on behalf of (name of Subrecipient Applicant)."

CERTIFIED TRUE COPY

I, [name of individual holding the municipal office of Clerk], Clerk of [legal name of municipality], hereby certify that the foregoing is a full, true, and accurate copy of a resolution duly and regularly adopted by the governing body of the municipality, at a meeting duly and regularly held on [date], at which quorum was present throughout, and the required majority of the governing body voted in favor of this resolution. I further certify that this resolution is still in full force and effect and has not been revoked or modified.

Dated:

Signature:

Affix Seal of Municipality Here

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 ___ day of April, 2019 at 7:00 o'clock p.m.

PRESENT:

6B

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

RESOLUTION IN SUPPORT OF TITLE VIII OF THE CIVIL RIGHTS ACT OF 1968 (FEDERAL FAIR HOUSING LAW) AND THE NEW YORK STATE HUMAN RIGHTS LAW

Councilman\Councilwoman _____ presented the following resolution which was seconded by Councilman\Councilwoman _____.

WHEREAS, the Town of Newburgh supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Human Rights Law. It is the policy of the Town of Newburgh to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income or Source of Lawful Rent Payment (Section8). The Town of Newburgh further objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Human Rights Law. Therefore, the Town Board of the Town of Newburgh does hereby approve the following resolution:

BE IT RESOLVED, that within available resources, the Town of Newburgh will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New York State Human Rights Law and the U.S. Department of Housing and Urban Development, as appropriate; and

BE IT FURTHER RESOLVED, that the Town of Newburgh shall publicize this resolution

and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New York State Human Rights Law, and any local laws or ordinances; and

BE IT FURTHER RESOLVED, that the Town of Newburgh will at a minimum include, but not be limited to:

(1) the printing and publicizing of this resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the Town's website and in other social media;

(2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing; 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:

<u>Elizabeth Greenc, Councilwoman</u>	<u>voting</u>
<u>Paul Ruggiero, Councilman</u>	<u>voting</u>
<u>James 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.

ATTEST:

Gilbert J. Piaquadio, Supervisor

Date

(845) 564-4552
Telephone Number

I, Joseph P. Pedi, Deputy Town Clerk of the Town of Newburgh, hereby certify that the foregoing is a full, true, and accurate copy of a resolution duly and regularly adopted by the governing body of the municipality, at a meeting duly and regularly held on _____, at which quorum was present throughout, and the required majority of the governing body voted in favor of this resolution. I further certify that this resolution is still in full force and effect and has not been revoked or modified.

Joseph P. Pedi, Deputy Town Clerk
Town of Newburgh

**EXHIBIT "F" - SAMPLE
GOVERNING BODY FAIR HOUSING RESOLUTION**

The _____ (name of municipality) supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Human Rights Law. It is the policy of _____ (name of municipality) to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income or Source of Lawful Rent Payment (Section 8). The _____ (name of municipality) further objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New York State Human Rights Law. Therefore, the Municipal Council of _____ (name of municipality) do hereby approve the following resolution.

BE IT RESOLVED, that within available resources, the _____ (name of municipality) will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New York State Human Rights Law and the U.S. Department of Housing and Urban Development, as appropriate.

BE IT FURTHER RESOLVED, that the _____ (name of municipality) shall publicize this resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New York State Human Rights Law, and any local laws or ordinances.

BE IT FURTHER RESOLVED, that the municipality will at a minimum include, but not be limited to: (1) the printing and publicizing of this resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the Municipal website and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

Approved this ____ day of _____ (month), _____ (year)

ATTEST:

Signature of Authorized Representative


Date

Printed Name of Authorized Representative

Telephone Number

MEMORANDUM

To: Gil Piaquadio, Town Supervisor and Town Board members
Jim Osborne, Town Engineer

From: Jeff Guido, Water Department Manager 

Date: March 27, 2019

Subject: Spring Fire Hydrant Flushing

The Town of Newburgh Water Department will be conducting its Spring Fire Hydrant Flushing Program beginning on Monday, May 6th 2019 and will continue until completion on or before Friday, May 17th 2019.

Pending Town Board approval, please post notice on the Town's website and notify Town Clerk Andrew Zarutskie to publish notices in the Town's official newspapers.

8A

TOWN OF NEWBURGH
TOWN ENGINEER

MEMORANDUM

TO: Gilbert Piaquadio, Town Supervisor & Town Board
FROM: James W. Osborne, Town Engineer *JWO*
DATE: April 9, 2019
RE: DRAINAGE DISTRICTS GROUNDS MAINTENANCE

On 5 April 2019, bids for grounds maintenance services for Town Drainage Districts were received and opened. Two bids were received as delineated on the attached sheet.

Based on the prices bid, it is recommended that the contract be awarded to MTTJ Property Maintenance of Highland Mills, NY.

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

JWO/id
Attachment
cc: M. Hall, Hwy. Supt.

18B

TOWN OF NEWBURGH
TOWN ENGINEER

MEMORANDUM

TO: Gilbert Piaquadio, Town Supervisor & Town Board

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

DATE: April 9, 2019

RE: GARDNERTOWN ROAD CULVERT REPLACEMENT

Based on the recent property and easement acquisitions, Clough Harbor Associates (CHA) are projecting final approval from the NYSDOT will be forthcoming shortly and the project will be released for advertising in May. To maintain the greatest flexibility to advertise in the Town 's official papers, I am requesting Town Board approval to publish the *Notice to Bidders* at the earliest mutually agreed time between the Project Engineer, Town Engineer and Town Clerk's office.

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

JWO/id

cc: **J. Pedi, Deputy Town Clerk**
 A. Papile, CHA
 M. Hall, Hwy. Supt.

8C

Adam Gasparre

From: engineering@townofnewburgh.org
Sent: Tuesday, October 23, 2018 8:54 AM
To: Adam Gasparre
Cc: 'Gil Piaquadio'; 'Mark Taylor'
Subject: RE: Shustock Submittal for Single User Connection

Mr. Gasparre,

The Town Board considered your request for Outside User Status for the property on Lakeview Drive. While the consensus was that it was willing to grant your client Outside User Status, it wanted to have a signed easement agreement in place before it took that action. Therefore, please forward a copy of the executed easement agreement to my attention at your convenience.

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

SEE ATTACHED

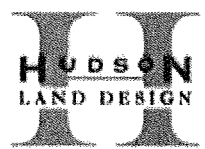
James W. Osborne
Town Engineer
(845) 564-7814 tel
(845) 566-1432 fax

From: Adam Gasparre <agasparr@hudsonlanddesign.com>
Sent: Thursday, October 11, 2018 11:24 AM
To: James Osborne <engineering@townofnewburgh.org>
Cc: Daniel G. Koehler, P.E. <dkoehler@hudsonlanddesign.com>
Subject: Shustock Submittal for Single User Connection

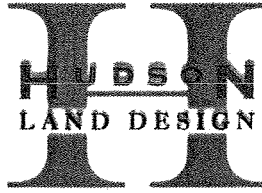
Mr. Osborne,

Please find the attached submittal documents (Sewer Main Connection Plan and Details, Engineers Report for Pumping, Cover Letter, and Easement Agreement) as requested.
The MPR will be provided after the Town Board grants outside user status.

Thank you,



Adam Gasparre
Hudson Land Design
Professional Engineering, P.C.
174 Main Street
Beacon, NY 12508
13 Chamber Street
Newburgh, NY 12550
Phone: 845.440.6926



APR -2 2019

*Civil & Environmental Engineering Consultants
174 Main Street, Beacon, New York 12508
13 Chambers Street, Newburgh, New York 12550
Phone: 845-440-6926 Fax: 845-440-6637
www.HudsonLandDesign.com*

April 2, 2019

Mr. Gil Piaquadio, Town Supervisor
Town of Newburgh Town Board
1496 Route 300
Newburgh, NY 12550

Re: *SHUSTOCK* Shustock Outside User Sewer Connection
Tax IDs: 100-2-1
Town of Newburgh, New York

Dear Supervisor Piaquadio:

On behalf of the Applicant for the above referenced project, Hudson Land Design (HLD) respectfully requests permission to connect to the Crossroads Sewer District as an outside user.

The parcel is located at 44 Lakeview Drive in the Town of Newburgh and obtains water from the consolidated water district. A private on-site sewage disposal system (SDS) via laterals in trenches (i.e., traditional septic field) is the means for sewage disposal.

The subject parcel sits in a topographic depression. The soils within the parcel boundary are seasonally saturated with water which has adversely impacted the proper functioning of the SDS. The existing SDS is comprised of a septic tank and pump chamber which pumps to a traditional leach field near the center of the parcel. Seasonally, the existing SDS has shown signs of failure, such as high ground water levels reaching existing grade and a noticeable sewage odor, as well as issues with the pump chamber. The high groundwater table flows into the pump chamber through cracks in the structure and forces the pump to constantly circulate and burn out on a yearly basis. An unsanitary condition occurs with sewage bubbling out of the ground.

The applicant proposes to connect to the Crossroads Sewer District, which is located to the north of the parcel. The Crossroads Sewer District has sewer manholes and sewer mains located in Auto Park Place. The proposed sewer main connection will require the installation of a new pump chamber fitted with a single grinder pump which will pump sewage through an easement to the north of the subject parcel on Parcel 97-2-11.2 (800 Auto Park Place) to the existing sewer manhole in Auto Park Place.

An easement agreement prepared by the applicant's lawyers, Schulte, Roth & Zabel LLP, has been reviewed by the owners of Parcel 97-2-11.2, and the easement agreement has been executed by all parties involved.

Per email correspondence with Mr. James Osborne, P.E., the Town Board preliminarily agreed to grant outside user status to Parcel 100-2-1 upon the execution of aforementioned easement agreement.

Please find enclosed the following materials for consideration of permission to connect to the Crossroads Sewer District as an Outside User:

- Signed Easement Agreement (2 Original copies)
- Email Correspondence from Mr. James Osborne, P.E.

Should you have any questions or require additional information, please feel free to call me at 845-440-6926.

Respectfully,



Adam Gasparre
Project Manager

cc: Daniel and Christina Shustock (via email)
Ron Barton, 800 Auto Park Place (via email)
Daniel G. Koehler, P.E. (HLD File)
Jim W. Osborne (paper copy)

**UTILITY EASEMENT AGREEMENT FOR
SEWER IMPROVEMENTS**

THIS UTILITY EASEMENT AGREEMENT FOR SEWER IMPROVEMENTS EASEMENT (this "**Easement**"), is made the [] day of [], 2018, by and between **BIRKS REALTY INC.**, having an address at 800 Auto Park Place, Newburgh, New York 12550 (the "**Grantor**") and **CHRISTINA SHUSTOCK** and **DANIEL SHUSTOCK**, having an address at 44 Lakeview Drive, Newburgh, New York 12550 (the "**Grantee**").

WITNESSETH:

WHEREAS, Grantor is the owner in fee simple of certain real property located at Auto Park Place, Newburgh, New York 12550 (the "**Auto Park Place Property**"); and

WHEREAS, Grantor wishes to declare, establish and grant to Grantee a permanent exclusive easement on the parcel of property located on the Auto Park Place Property and more particularly described on **Exhibit A** attached hereto (the "**Easement Area**") for the purposes of ingress, egress, construction, installation, inspection, operation, repair, replacement and maintenance of sewer facilities and facilities for the transport of sewerage, including, but not limited to, transmission mains, force mains, manholes, lift stations, pipes, connections and all other related equipment and appurtenances having the capacity for use in connection with the transmission of wastewater of any nature or originating from any source whether on or off the property of Grantor (collectively, the "**Sewer Improvements**").

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged by Grantor, and of the mutual covenants and agreements hereinafter set forth, it is hereby agreed as follows:

1. Grantor hereby grants to Grantee, its successors and assigns, lessees, licensees and agents, a permanent easement over, under, to, through and across the Easement Area for the purposes of ingress and egress to construct, install, inspect, operate, repair, replace, and maintain the Sewer Improvements.

2. Prior to performing any work in the easement area, Grantee shall provide to Grantor for approval a work plan which shall describe in reasonable detail the proposed work activity and a timeline for completion of the work, including hours of daily operations. No work shall be commenced until such time as Grantor provides written approval of the work plan, which approval shall not be unreasonably withheld or delayed.

3. Grantee shall maintain and repair the Sewer Improvements as shall be reasonably necessary from time to time hereafter and Grantee shall restore the grass, landscaping, sod or pavement, as applicable, of Grantor to the condition that existed prior to such maintenance and repair within no less than seven (7) business days after completion of such maintenance and repair. In the event that Grantee fails to satisfactorily or timely restore the property upon completion of the

maintenance and repair, Grantor may perform the necessary restoration work and Grantee shall pay the cost thereof plus an administrative fee of twenty percent (20%) of the cost of the restoration work. In the event that Grantor is required to bring litigation to recover payment from Grantee, the Grantor shall be entitled to recover the reasonable attorneys' fees incurred in such litigation.

4. Grantor shall not, for itself and its successors and/or assigns in title, obstruct, impede or interfere with Grantee's reasonable use of the Easement Area and/or the Sewer Improvements.

5. Except to the extent arising solely from the negligence or intentional misconduct of Grantor, Grantee agrees to defend, indemnify and hold harmless Grantor from any loss, claims, judgments, costs, fines, fees or damages of any kind incurred by Grantor resulting from Grantee's use of and/or work activity upon the easement, including reasonable attorneys' fees incurred by the Grantor.

6. Except to the extent arising from the negligence or willful misconduct of Grantor, Grantee agrees to indemnify and hold Grantor harmless from any actual losses, damages (excluding special, punitive or consequential damages), costs and expenses (including reasonable attorneys' fees) arising from any claim or demand brought by any third party in connection with injury to person or property and occurring from Grantee's negligent acts in its use of the Easement Area.

7. This Easement and the agreements and covenants contained herein shall run with the land and shall be binding upon, and inure to the benefit of, Grantor, Grantee and their respective heirs, administrators, personal representatives, successors and/or assigns.

8. It is understood and agreed that all understandings and agreements heretofore made between the parties hereto are merged in this Easement, which alone fully and completely expresses their agreement, and that the same is entered into after full investigation, neither party relying upon any statement or representation not embodied in this Easement made by the other.

9. Whenever the sense of this document makes it necessary or appropriate, any singular word or term used herein shall include the plural, and any masculine word or term shall include the feminine and neuter genders, and vice versa.

10. This Easement may not be changed, altered, amended, waived, terminated or otherwise modified unless the same shall be in writing by each of the parties hereto.

11. Grantee shall reimburse Grantor for any reasonable and out of pocket legal fees actually incurred by Grantor in connection with the drafting and review of this Easement.


12. This Easement shall be governed by the laws of the State of New York.

[NO FURTHER TEXT ON THIS PAGE; SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties hereto have entered into this Easement on the date and year first above written.

GRANTOR:

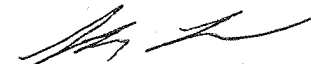
BIRKS REALTY INC.,
a New York corporation


Name:
Title:

State of New York

County of Orange

On the 5 day of April, in the year 2018⁹, before me, the undersigned, personally appeared John Birkenstock, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.


Signature and Office of individual
taking acknowledgment

STACEY FRANK
Notary Public, State of New York
Qualified in Orange County
No. 01FR6168013
Commission Expires June 4, 2019

[signatures continue on following page]

GRANTEE:

Christina Shustock
Christina Shustock, an individual

Daniel Shustock
Daniel Shustock, an individual

State of New York

County of New York

On the 1st day of April, in the year 2019, before me, the undersigned, personally appeared Christina & Dan Shustock, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Rose Cherson
Signature and Office of individual
taking acknowledgment

ROSE CHERSON
Notary Public, State of New York
No. 01CH5013399
Qualified in Nassau County
Certificate Filed in New York County
Commission Expires July 15, 2019

ADA

A. DIACHISHIN AND ASSOCIATES, P.C.

Consulting Engineers and Land Surveyors

115 Yankee Folly Road New Paltz, N.Y. 12561

(845) 419-2305 ph.

(845) 419-2306 fax

e-mail: adapc@bestweb.net

September 5, 2018

Deed Description
Proposed Easement for
Underground Utility
for lands of
Daniel E. Shustock
over lands n/f
Birks Realty, Inc., and Webb Properties, Inc.

ALL THAT PIECE OR PARCEL OF LAND SITUATE, lying, and being in the Town of Newburgh, County of Orange, and State of New York, and is more particularly described as follows:-

BEGINNING at a point in the approximate center of Auto Park Place (Private Road), said point being on the division line between Lot 3 (to the north), Lot 4 (to the west), and Lot 5 (to the east) as shown on a map entitled "Subdivision Plat of lands of Birks Realty, Inc. & Webb Properties, Inc." filed in the Orange County Clerk's office on August 14, 2015 as map number 186-15;

THENCE generally along the center of Auto Park Place and along the southerly bounds of Lot 3 and the northerly bounds of Lot 5 as shown on filed map 186-15 being the lands n/f Birks Realty, Inc, and Webb Properties Inc., and along a curve to the left having a radius of 500.00', an arc length of 22.97' with a chord bearing N 60°-18'-18" E 22.96' to a point;

THENCE through Lot 5 as shown on field map 186-15 the following five (5) courses and distances:-

1. S 30°-58'-33" E 23.62' to a point;
2. S 13°-56'-11" W 22.95' to a point in a paved parking lot;
3. S 18°-59'-05" E 149.87' to a point in a paved parking lot;
4. S 15°-44'-43" E 32.61' to a point;
5. S 05°-11'-40" W 31.36' to a point on the northerly bounds of lands n/f Daniel E. Shustock, Liber 5650, Page 283;

THENCE along the southerly bounds of Lot 5 as shown on filed map 185-15, also being the northerly bounds of lands n/f Daniel E. Shustock, Liber 5650, Page 283, N 67°-51'-08" W 31.98' to the top of a found 3/4" iron pipe;

Lot 3

as shown on subdivision map entitled
 "Subdivision Plat of lands of
 Birks Realty, Inc & Webb Properties, Inc."
 filed August 14, 2015 in the Orange County
 Clerk's Office as map number 185-15

curve
 L=22.97'
 R=500.00
 N60°18'18"E
 22.96'
 chord

Auto Park Place
 (Private Road)

SEWER MANHOLE
 LIGHT POLE

S30°58'33"E
 23.62'

16°47'01" ROTATION

S13°56'11"W
 22.95'

N18°59'05"W

S18°59'05"E

186.37'

149.87'

PROPOSED
 UTILITY
 EASEMENT

N10°40'50"E
 48.03'

S15°44'43"E
 32.61'

N67°51'08"W
 31.98'

S05°11'40"W
 31.36'

S67°51'08"E

557.29'

Lot 4

as shown on subdivision map entitled
 "Subdivision Plat of lands of
 Birks Realty, Inc & Webb Properties, Inc."
 filed August 14, 2015 in the Orange County
 Clerk's Office as map number 185-15

Proposed Easement
 for

Daniel E. Shustock

Lakeview Drive

Tax Map: Section 100, Block 2, Lot 1
 Deed Reference: Liber 5650, Page 283

Town of Newburgh Orange County New York State
 Scale: 1"=50' Date: September 4, 2018

lands n/f

Daniel E. Shustock

Lakeview Drive

Tax Map: Section 100, Block 2, Lot 1
 Deed Reference: Liber 5650, Page 283

Lot 5

as shown on subdivision map entitled
 "Subdivision Plat of lands of
 Birks Realty, Inc & Webb Properties, Inc."
 filed August 14, 2015 in the Orange County
 Clerk's Office as map number 185-15

base map north

FILED MAP #10410

9



HIGHWAY DEPARTMENT

90 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

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

MARK HALL
HIGHWAY SUPERINTENDENT

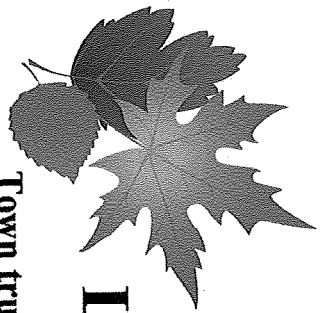
TO: Gil Piaquadio, Supervisor & Town Board Members
FROM: Mark Hall, Highway Superintendent *MH*
DATE: April 11, 2019
RE: Spring Leaf and Brush Pick-up

I would like to get the approval to have the attached letter published in the local newspapers to inform the Town Residents of the Spring pick-up schedule. Pick-up will be for the week of April 29, 2019 to May 2, 2018 and May 3, 2018 for calls.

If you have any questions you may feel free to contact me in my office.

MH/ch

cc: Joseph P. Pedi, Deputy Town Clerk



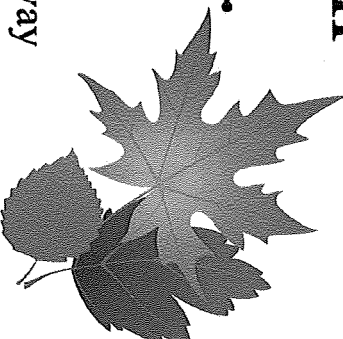
TOWN OF NEWBURGH RESIDENTS LEAF AND BRUSH PICKUP – SPRING OF 2019

Town trucks will pick up bagged leaves and brush which must be less than 4 inches in diameter & no longer than four (4) feet in length & tied in bundles. Leaves will be in CLEAR BAGS ONLY BY ORDER OF TOWN BOARD. CLEAR BAGS are available at many retail outlets & stores in the Greater Newburgh area. Leaves bagged with DIRT AND STONE mixed in will NOT be picked up. Bagged leaves and bundled brush must be placed at the curb no later than 7:00 a.m. Town trucks will not return to any area once they have picked up in the area.

Leaves & brush should be curbside on Monday April 29, 2019 by 7:00 A.M.

The town trucks will be picking up from Mon-April 29, 2019 through Fri-May 3, 2019

A leaf and brush recycling bin is available to the public at the Town of Newburgh Highway Department at 90 Gardnertown Road, Newburgh. Hours are Monday thru Friday 7:00am to 3:00pm.



Elizabeth J. Greene, Councilwoman
James E. Presutti, Councilman

Gil Piaquadio, Supervisor

Paul I. Ruggiero, Councilman
Scott M. Manley, Councilman

BY ORDER OF THE TOWN BOARD Joseph P. Pedi, Deputy Town Clerk



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

11

PERSONNEL DEPT.

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

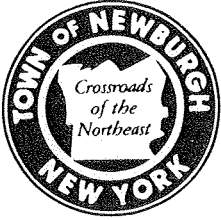
To: Supervisor Piaquadio
Town Board Members ✓

From: Charlene M Black, Personnel

Date: April 15, 2019

Re: Seasonal Laborer

Mr. Petrillo would like to hire William Overton, effective 4/29/2019, as a seasonal laborer to replace Shane Grogan who has since declined the position. Mr. Overton is a returnee. His salary will be \$11.10 per hour.
Thank you in advance.



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

April 10, 2019

TO: Gil Piaquadio, Supervisor
Town Board Members

CC: Charlene Black, Personnel

FROM: Robert J. Petrillo, Commissioner

RE: Hire Seasonal Laborer

At this time, I would like to request approval to hire Mr. William Overton for the position of Seasonal Laborer in the Recreation Department. This position was previously approved for Mr. Shane Grogan who has since declined the position. Mr. Overton will be hired at the rate of \$11.10/hour. The salary for this position is in the 2019 budget.

Start date for this position will be on April 29th.

Regards,

Robert J. Petrillo
Commissioner

TOWN OF NEWBURGH

EMPLOYMENT REQUEST FORM

To: Personnel Department

NAME OF CANDIDATE: WILLIAM OVERTON

DEPARTMENT: RECREATION

TITLE OF POSITION: LABORER

FULL TIME OR PART TIME: SEASONAL

HOURLY RATE: \$ 11.10

IS POSITION FUNDED IN CURRENT BUDGET: YES OR NO

FUND APPROPRIATION NUMBER: A7140.5100

PROPOSED HIRE DATE: 4/29/19

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



DEPARTMENT HEAD SIGNATURE

4/11/19

DATE

ORIGINAL APPLICATION SHOULD BE ON FILE IN THE PERSONNEL
DEPARTMENT

COPY TO ACCOUNTING DEPARTMENT
11/15/2010



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

Attorney-Client privileged
MEMORANDUM

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

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

RE: SETTLEMENT OF TAX CERTIORARI (2015, 2016, 2017 AND
2018);
GREAT PALACE REALTY (5 LAKESIDE ROAD)
OUR FILE NO. 800.24

DATE: APRIL 16, 2019

P: 845.562.9100
F: 845.562.9126
655 Little Britain Road
New Windsor, NY 12553
P.O. Box 2280
Newburgh, NY 12550

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

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

COUNSEL
Stephen P. Duggan, III
John K. McGuirk
(1942-2018)

OF COUNSEL
Craig F. Simon
Irene V. Villacci

Enclosed are copies of a letter from Cathy Drobny, Esq. of E. Stewart Jones, Hacker Murphy regarding the above referenced proposed settlement, a proposed Consent Order and Judgment and charts showing the claimed refund liability and the approximate refunds that will be due from the taxing jurisdictions under the proposed settlement of the above referenced real property tax assessment appeal. Also enclosed is a map showing the location of the tax parcel which is the subject of the proceedings. The parcel contains the Four Points Sheraton on Lakeside Road.

The settlement provides for reduction in the assessed value for each of 2015, 2016, 2017 and 2018 by \$91,492 from \$1,829,840 to \$1,738,348. The consent Order and Judgment specifies that the provisions of RPTL Section 727 applies, meaning that the 3 year hold on Assessed Value, subject to the statutory exceptions and on further petitions will be in place. The charts indicate that the refund liability for the Town (including Highway but not including special districts and the Fire District) for the reductions would be approximately \$5,178.92 versus claimed liability of \$93,220.45.

Also attached is a proposed resolution which would authorize the Settlement.

cc: Joseph Pedi, Deputy Town Clerk
Lori Coady, Assessor (via e-mail)
Deborah Smith, Receiver of Taxes (via e-mail)
Ronald Clum, Town Accountant (via e-mail)
Cathy L. Drobny, Esq. (via e-mail)



E. STEWART
Jones Hacker Murphy LLP
ATTORNEYS & COUNSELORS AT LAW

28 SECOND STREET
TROY, NY 12180
PHONE: (518) 274-5820
FAX: (518) 274-5875

7 AIRPORT PARK BOULEVARD
LATHAM, NY 12110
PHONE: (518) 783-3843
FAX: (518) 783-8101

511 BROADWAY
SARATOGA SPRINGS, NY 12866
PHONE: (518) 584-8886

www.joneshacker.com

PLEASE REPLY TO:
Latham

April 1, 2019

VIA E-MAIL - mtaylor@riderweiner.com

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

Re: Great Palace v. Town of Newburgh
Index Nos. 2015-5436, EF004496-2016, EF005461-2017, EF007256-2018
Our File No. 5018.128

Dear Mr. Taylor:

Attached please find the proposed Consent Order and Judgment relative to the above-referenced proceedings. There are currently four (4) years pending on this property which is the Four Points Sheraton at 5 Lakeside Road. The FMV of the property is \$4,815,368 in 2015; \$5,082,889 in 2016; \$5,313,124 in 2017 and \$5,381,882 in 2018. After review of the discovery documents provided, including the income and expense statements and the STAR¹ report for December 2013, 2014, 2015 and 2016 the Town offered a 5% reduction for all years. The proposed settlement reduces the assessments to a FMV of \$4,574,600 in 2015, \$4,828,744 in 2016, \$5,047,468 in 2017 and \$5,112,788 (AV \$1,738,348) in 2018. The assessed value of \$1,738,348 will be held for the statutory three (3) year freeze in 2019, 2020 and 2021 subject to the exceptions. Lori and I feel that this is a good settlement.²

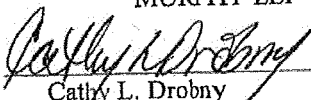
We recommend that the Town Board authorize us to enter into this settlement as proposed. Please place this matter on the agenda for the next Newburgh Town Board meeting for approval. Once the Resolution passes, please let me know and I will sign and forward the Order and Judgment to the petitioner's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

I have attached for your review a copy of the refund liability charts, which show the potential liability versus the proposed settlement refund liability.

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

Very truly yours,

E. STEWART JONES HACKER
MURPHY LLP

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

CLD:kah

Attachments

cc: Lori Coady, Assessor
Gilbert Piauquadio, Supervisor

¹ The STAR program is used by the global hotel industry as a vital revenue management tool. The report benchmarks a hotel's performance against its competitive aggregate and local market. The STAR program tracks and delivers monthly, weekly and daily data.

² Due to the number of years at issue, this is one of the proceedings on the Judge's radar.

At a Special Condemnation and Tax Certiorari Term of the Supreme Court of the State of New York, held in and for the County of Orange, Goshen, New York, on the _____ day of _____, 20_____.

P R E S E N T :

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

-----X
In the Matter of

CONSENT ORDER & JUDGMENT

GREAT PALACE REALTY,

Petitioner,
-against-

<u>Index No.</u>	<u>Assessment Year</u>
15-005436	2015
16-EF004496	2016
17-EF005461	2017
18-EF007256	2018

THE BOARD OF ASSESSORS AND/OR THE
ASSESSOR OF THE TOWN OF NEWBURGH AND
THE BOARD OF ASSESSMENT REVIEW,

Tax Map No.: 86/1/39.21

Respondents.
-----X

The above petitioners having heretofore served and filed the Petitions and Notices to review the tax assessments fixed by the Town of Newburgh with respect to premises located at 5 Lakeside Road, Newburgh, New York, also designated as Section 86, Block 1, Lot 39.21 on the Official Assessment Map of the Town of Newburgh for the assessment years 2015, 2016, 2017 and 2018, 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 WARREN M. DUBITSKY, ESQ., of HERMAN

KATZ CANGEMI & CLYNE, LLP, and the respondents having appeared by CATHY L. DROBNY, ESQ., of E. STEWART JONES HACKER MURPHY, LLP, Attorneys for the Town of Newburgh, and the parties having made their settlement, it is

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

Assessment Year	Tax Map Number	Original Assessed Value	Reduction	Corrected Assessed Value
2015	86/1/39.21	\$1,829,840	\$91,492	\$1,738,348
2016	86/1/39.21	\$1,829,840	\$91,492	\$1,738,348
2017	86/1/39.21	\$1,829,840	\$91,492	\$1,738,348
2018	86/1/39.21	\$1,829,840	\$91,492	\$1,738,348

and so reduced 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 said entries, that the same have been corrected by the authority of this Order, and it is further

ORDERED, that there shall be audited, allowed and paid to the petitioner by the Valley Central School District, the amount of School 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 from the date of payment thereof as provided by statute, and it is further

ORDERED AND DIRECTED that the Commissioner of Finance of the County of Orange, State of New York, be and are hereby directed and authorized to audit, allow and to pay to the petitioner the amount, if any, of State, County, Town, Judiciary, Sewer District and any special taxes paid by the petitioner as taxes against said 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 AND DIRECTED, 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; except that in the event the refund of taxes is paid within ninety (90) days from the date of service of a copy of this judgment with Notice of Entry, then interest is waived; together with the amounts of interest and penalties, if any, paid on the excess of any of the aforesaid taxes by reason of delinquent payment, and it is further

ORDERED AND DIRECTED, 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 HERMAN KATZ CANGEMI & CLYNE, LLP, as attorneys for the petitioner, 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, that in the event that the taxes are unpaid and have already been billed for the Town of Newburgh in accordance with the original assessed valuation, the officer or officers having custody of said assessment rolls are hereby directed to forward to petitioner, care of HERMAN KATZ CANGEMI & CLYNE, P.C., attorneys for Petitioner, 538 Broadhollow Road, Suite 307, Melville, New York 11747, a new bill or bills, taxing said petitioners on the basis of the final total assessed valuation as herein provided, as well as recalculating any and all interest and penalties that might be due, and it is further

ORDERED AND DIRECTED, that the terms of R.P.T.L. §727 shall apply to this settlement in all respects for the 2019, 2020 and 2021 assessment years in the amount of \$1,738,348, and it is further

ORDERED AND DIRECTED, that the parties have agreed that the assessment has been found to be unlawful, unequal, excessive or misclassified, and shall therefore be reduced for the 2018 assessment year. Upon final entry of the Consent Order & Judgment reducing said assessment, petitioner acknowledges that they will not file an RPTL Article 7 petition to review the assessment on such property for the 2019 through 2021 assessment years; the period set forth in RPTL §727. In the event, as a result of administrative delay or other reason, the assessment is not set at \$1,738,348 for 2019 and a petition is filed, the Town may reduce the assessment to \$1,738,348, and upon the assessment being reduced and a refund for overpaid taxes, if any, being paid, the Petitioner shall discontinue the tax review proceedings for the 2019 assessment year with prejudice. No further approval of the Board of Trustees shall be needed for the Town to carry out this provision. This provision shall survive the entry of the Order. This paragraph shall survive judgment, and it is further

ORDERED, 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.

ENTER,


A.J.S.C.

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

E. STEWART JONES HACKER MURPHY, LLP
Attorneys for Respondents

By: **CATHY L. DROBNY, ESQ.**
7 Airport Park Boulevard
Latham, New York 12110
(518) 274-5820

HERMAN KATZ CANGEMI & CLYNE, LLP
Attorneys for Petitioner



By: **WARREN M. DUBITSKY, ESQ.**
538 Broadhollow Road, Suite 307
Melville, New York 11747
(631) 501-5011

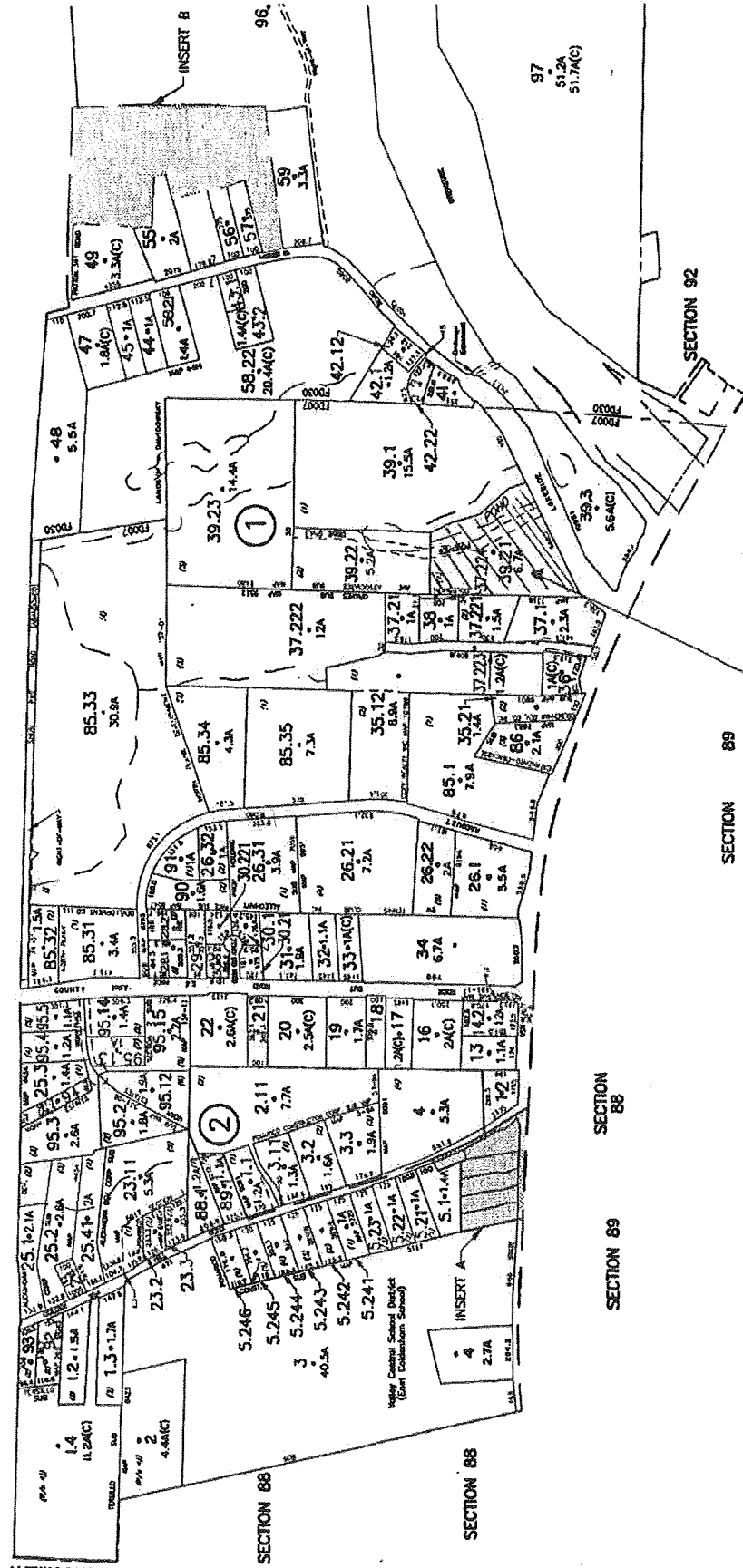
Great Palace Realty v. Newburgh - Settlement

Year	Parcel Number	Assessed Value	Reduced Assessed Value	Eq. Rate	FMV	Reduced FMV	Difference	Tax Rate	Refund Liability	
2015	86-1-39.21	\$ 1,829,840	\$ 1,738,348	38.00%	\$ 4,815,368	\$ 4,574,600	\$ 91,492	County	10.3172	\$ 943.94
								Town	9.3402	\$ 854.55
								Highway	4.1586	\$ 380.48
								Fire-Cold	5.8689	\$ 536.96
								Sp. Dist.	4.3015	\$ 393.55
								Library		\$ -
							Valley Central	School	66.164892	\$ 6,053.56
2016	86-1-39.21	\$ 1,829,840	\$ 1,738,348	36.00%	\$ 5,082,889	\$ 4,828,744	\$ 91,492	County	10.7266	\$ 981.40
								Town	8.9568	\$ 819.48
								Highway	4.7918	\$ 438.41
								Fire-Cold	5.8917	\$ 539.04
								Sp. Dist.	4.2899	\$ 392.49
								Library		\$ -
							Valley Central	School	68.482292	\$ 6,265.58
2017	86-1-39.21	\$ 1,829,840	\$ 1,738,348	34.44%	\$ 5,313,124	\$ 5,047,468	\$ 91,492	County	11.1261	\$ 1,017.95
								Town	9.2118	\$ 842.81
								Highway	5.2743	\$ 482.56
								Fire-Cold	5.9608	\$ 545.37
								Sp. Dist.	4.2714	\$ 390.80
								Library		\$ -
							Valley Central	School	68.906917	\$ 6,304.43
2018	86-1-39.21	\$ 1,829,840	\$ 1,738,348	34.00%	\$ 5,381,882	\$ 5,112,788	\$ 91,492	County	11.0305	\$ 1,009.20
								Town	9.4132	\$ 861.29
								Highway	5.4584	\$ 499.40
								Fire-Cold	6.8111	\$ 623.16
								Sp. Dist.	3.9814	\$ 364.27
								Library		\$ -
							Valley Central	School	68.679945	\$ 6,283.67
									COUNTY	\$ 3,952.49
									TOWN	\$ 3,378.07
									HIGHWAY	\$ 1,800.85
									FIRE-COLD	\$ 2,244.53
									SP. DIST.	\$ 1,541.11
									LIBRARY	\$ -
									SCHOOL	\$ 24,907.24
									Total	\$ 37,824.28

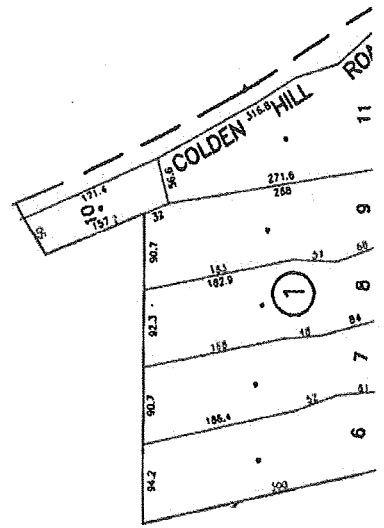
Great Palace Realty v. Newburgh

Year	Parcel Number	Assessed Value	Claimed Assessed Value	Eq. Rate	FMV	Claimed FMV	Difference	Tax Rate	Refund Liability
2015	86-1-39.21	\$ 1,829,840	\$ 182,984	38.00%	\$ 4,815,368	\$ 481,537	\$ 1,646,856	County	10.3172 \$ 16,990.94
								Town	9.3402 \$ 15,381.96
								Highway	4.1586 \$ 6,848.62
								Fire-Cold	5.8689 \$ 9,665.23
								Sp.Dist.	4.3015 \$ 7,083.95
								Library	\$ -
2016	86-1-39.21	\$ 1,829,840	\$ 182,984	36.00%	\$ 5,082,889	\$ 508,289	\$ 1,646,856	Valley Central	66.164892 \$ 108,964.05
								County	10.7266 \$ 17,665.17
								Town	8.9568 \$ 14,750.56
								Highway	4.7918 \$ 7,891.40
								Fire-Cold	5.8917 \$ 9,702.78
								Sp.Dist.	4.2899 \$ 7,064.85
								Library	\$ -
2017	86-1-39.21	\$ 1,829,840	\$ 182,984	34.44%	\$ 5,313,124	\$ 531,312	\$ 1,646,856	Valley Central	68.482292 \$ 112,780.47
								County	11.1261 \$ 18,323.08
								Town	9.2118 \$ 15,170.51
								Highway	5.2743 \$ 8,686.01
								Fire-Cold	5.9608 \$ 9,816.58
								Sp.Dist.	4.2714 \$ 7,034.38
								Library	\$ -
2018	86-1-39.21	\$ 1,829,840	\$ 182,984	34.00%	\$ 5,381,882	\$ 538,188	\$ 1,646,856	Valley Central	68.906917 \$ 113,479.77
								County	11.0305 \$ 18,165.65
								Town	9.4132 \$ 15,502.18
								Highway	5.4584 \$ 8,989.20
								Fire-Cold	6.8111 \$ 11,216.90
								Sp.Dist.	3.9814 \$ 6,556.79
								Library	\$ -
								Valley Central	68.679945 \$ 113,105.98
								COUNTY	\$ 71,144.84
								TOWN	\$ 60,805.22
								HIGHWAY	\$ 32,415.23
								FIRE-COLD	\$ 40,401.49
								SP. DIST.	\$ 27,739.97
								LIBRARY	\$ -
								SCHOOL	\$ 448,330.27
								Total	\$ 680,837.03

TOWN OF MONTGOMERY



170	100	100	100	97.5
50.1	51	52	53	ROAD
E. PATTON				54
				1A
100	100	100	100	100
50.2	50.2	50.2	50.2	50.2
				58.12
				1.5A
				1



Subject Parcel

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:

<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.



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

13A

13B

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

Date: April 16, 2019

RE: Budget Transfers

I am in receipt of two invoices in which there needs to be budget transfers and/or cash transfers in order to pay. They are as follow: 1.) AMI Services for labor material, and equipment to replace entryway HVAC unit at \$8,245.00 and 2.) Dell for the new server at \$15,077.80

The first requires a budget transfer of

FROM:	Contingency Account A.1990.5499	\$8,245.00
TO:	B&G Town Hall Equipment	\$8,245.00

The second requires to fund the computer reserve for the \$15,077.80 plus anticipated expenditures for the year. At this time, I would like to fund the Computer Reserve account \$30,000. Please authorize me to initiate this transfer of cash from the general checking to the reserve.

Thank you in advance for your approval.

Ronald E. Clum, CPA

4/16/19

Date



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 Services Utilizing T-94 Account

Date: April 16, 2019

I am requesting authorization to use the T-94 account to pay for services from: Walden Humane Society

Totaling: \$200.00

Feline: \$

Canine: \$200.00

TOWN OF NEWBURGH

1496 Route 300
Newburgh, New York 12550
(845) 564-5220

H02880

DO NOT WRITE IN THIS BOX

DEPARTMENT Dog Control

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

CLAIMANT'S NAME AND ADDRESS
HSW
PO Box 135
walden NY 12586

TERMS Net 30 Days

Invoice # _____

Dates	Quantity	Description of Materials or Services	Unit Price	Amount
2/13/19	② Dogs	Pitty mix 2 Female "Drama 3 Storm" transfer 2/13/19	\$100 \$100	
			TOTAL	\$200

CLAIMANT'S CERTIFICATION
I, Cait Calderin certify that the above account inf the amount of \$ 200 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.

4/10/14 DATE
[Signature] SIGNATURE
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 for paid from the appropriations indicated above

Date

Auditing Board

Storm

Report # 10-19

DOG SEIZURE AND DISPOSITION REPORT

Distribution: Original - DCO/Seizing Officer, Copy 1 - Municipality, Copy 2 - Shelter, Last Copy - Owner/Adopter

1. City/Town/Village: Nbg County: Orange, NY
Description of Dog Seized: License Tag No. _____ Breed: Pit
Sex: F Color: brn/wh Age: 1 Owner of Record: _____
Owner Address: _____
Date of Seizure: 2/5/19 Time of Seizure: 3:30 pm Location of Seizure: Tombard Road
Reason for Seizure: WCO - loose No. of Impoundments in past 12 mos. (include this one): 2
Comments: _____

2. Disposition Instructions If Dog Not Redeemed
At expiration of the _____ day redemption period, above described dog is available for adoption on _____ (date).
If not adopted by _____ (date), the dog shall be humanely euthanized.

3. Signature of DCO or Seizing Officer _____ Date: 2/5/19

4. I hereby acknowledge receipt of above described dog (Signatures required below):
Shelter Agent _____ Date 2/13/19 Secondary Shelter Agent Jody Butler Date 2/13/19

5. **REDEMPTION** - Impoundment Fees Must Be Collected and Dog Must Have Valid License Before Being Returned to Owner.

Impoundment fees are due for _____ days. Impoundment fees have been received in the amount of \$ _____. I hereby certify that this dog has been licensed pursuant to the provisions of Article 7 of the Agriculture and Markets Law.
NY State License Tag Number _____
NY City License Tag Number (If applicable) _____
Out of State License Tag Number (If applicable) _____
Signature & Title of DCO/Clerk/Shelter Agent _____ Date _____

5A. I acknowledge receipt of above described dog: Date _____ Signature of Owner _____
Print Name, Address and Phone # of Owner _____

6. **ADOPTION** - All Dogs Must Be Licensed Prior to Release.
I hereby certify that the dog has been licensed pursuant to the provisions of Article 7 of the Agriculture and Markets Law.
License tag number _____ Adoption fees have been received in the amount of \$ _____
and all local adoption requirements have been complied with.

6A. Signature and Title of DCO/Clerk/Shelter Agent _____ Date _____

Adoption Release, Waiver and Disclosure
I hereby accept possession and title of the dog identified above to be harbored as a pet at my own risk, and hereby release and waive any right against the (municipality) _____ which I may have now or in the future for any damages to person or property caused by said dog. No claims or representations as to the behavior or temperament of adopted animals are made by the municipality.

6B. Signature of Adopter _____ Date _____
Print Name, Address and Phone # of Adopter _____
Signature of Witness _____

7. **EUTHANASIA** - Must Be Performed in Accordance with AVMA Guidelines on Euthanasia and Article 26 of the NYS Agriculture and Markets Law
Signature of person performing euthanasia _____ Date of euthanasia _____

lynn parker

heart guard plus 2-9-19

DL-18 (Rev 9/08)

New York State Department of Agriculture and Markets
Division of Animal Industry, Dog Licensing Unit
10B Airline Drive, Albany, NY 12235

Drama

DOG SEIZURE AND DISPOSITION REPORT

Report # 9-19

Distribution: Original - DCO/Seizing Officer, Copy 1 - Municipality, Copy 2 - Shelter, Last Copy - Owner/Adopter

1. City/Town/Village: Nba County: Orange, NY
Description of Dog Seized: License Tag No. _____ Breed: Pit
Sex: F Color: Gray Brindle Age: 3yr Owner of Record: _____
Owner Address: _____
Date of Seizure: 2/5/19 Time of Seizure: 3:30pm Location of Seizure: Gardner Farm Rd
Reason for Seizure: FOUND - loose No. of Impoundments in past 12 mos. (include this one): 1
Comments: injured - bleeding from punctures w/ no weight bearing on lt front leg

2. Disposition Instructions If Dog Not Redeemed
At expiration of the _____ day redemption period, above described dog is available for adoption on _____ (date).
If not adopted by _____ (date), the dog shall be humanely euthanized.

3. Signature of DCO or Seizing Officer _____ Date: 2/5/19

4. I hereby acknowledge receipt of above described dog (Signatures required below):
Shelter Agent _____ Date 2/13/19 Secondary Shelter Agent Jody Botje Date 2/13/19

5. **REDEMPTION** - Impoundment Fees Must Be Collected and Dog Must Have Valid License Before Being Returned to Owner.

Impoundment fees are due for _____ days. Impoundment fees have been received in the amount of \$ _____. I hereby certify that this dog has been licensed pursuant to the provisions of Article 7 of the Agriculture and Markets Law.
NY State License Tag Number _____
NY City License Tag Number (If applicable) _____
Out of State License Tag Number (If applicable) _____
Signature & Title of DCO/Clerk/Shelter Agent _____ Date _____

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Print Name, Address and Phone # of Owner _____

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License tag number _____ Adoption fees have been received in the amount of \$ _____
and all local adoption requirements have been complied with.

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6B. Signature of Adopter _____ Date _____
Print Name, Address and Phone # of Adopter _____
Signature of Witness _____

7. **EUTHANASIA** - Must Be Performed in Accordance with AVMA Guidelines on Euthanasia and Article 26 of the NYS

Agriculture and Markets Law
Signature of person performing euthanasia _____ Date of euthanasia _____

heartworm & legions practice