

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

SPECIAL MEETING AGENDA
Monday, November 22, 2021
10:00 a.m.

- 1. ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE TO THE FLAG**
- 3. MOMENT OF SILENCE**
- 4. CHANGES TO AGENDA**
- 5. PUBLIC HEARING (10:00 A.M.): Colden Park Phase Two Watermain Project**
 - A. Resolution of SEQRA Determination**
 - B. Public Interest Order for Increase and Improvements of Colden Park Water District**
 - C. Bond Resolution**
 - D. Resolution Authorizing Match Funds**
 - E. Resolution Designating Authorized Representative**
 - F. Resolution Appointing Minority Business Officer**
- 6. ADJOURNMENT**



MEMORANDUM

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
William E. Podszus

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

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

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

RE: COLDEN PARK WATER DISTRICT
WATER MAIN REPLACEMENT PROJECT
OUR FILE NO. 801.____; 800.1(B)() (2021)

DATE: NOVEMBER 19, 2021

Enclosed please find the following draft resolutions and order for the Town Board's consideration at the special meeting scheduled for Monday, November 22, 2021 at 10:00 a.m. following the close of the public hearing scheduled to be conducted pursuant to Town Law Section 202-b which are required in connection with the above referenced project:

1. RESOLUTION OF SEQRA DETERMINATION THAT ACTION IS A TYPE II ACTION: COLDEN PARK WATER MAIN REPLACEMENT PROJECT (We had previously forwarded this resolution for the Board's consideration at its November 8 meeting but the minutes indicate it was not acted upon.)
2. PUBLIC INTEREST ORDER IN THE MATTER OF THE INCREASE AND IMPROVEMENT OF THE FACILITES OF THE COLDEN PARK WATER DISTRICT IN THE TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK
3. BOND RESOLUTION AUTHORIZING THE ISSUANCE OF \$4,945,250 BONDS OF THE TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE COLDEN PAKRK WATER DISTRICT IN THE TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK
4. RESOLUTION AUTHORIZING AND OBLIGATING LOCAL

MATCH FUNDS FOR THE COLDEN PARK WATER MAIN
REPLACEMENT PROJECT

5. RESOLUTION DESIGNATING AUTHORIZED
REPRESENTATIVE FOR THE COLDEN PARK WATER MAIN
REPLACEMENT PROJECT FOR NYS ENVIRONMENT
FACILITIES CORPORATION WIIA FUNDING

6. RESOLUTION APPOINTING MINORITY BUSINESS OFFICER:
COLDEN PARK WATER MAIN REPLACEMENT PROJECT

the Town's consulting engineers at McGoey, Hauser & Edsall, will be delivering the Map, Plan and Report required for the proceedings to the Town Clerk and Board at the November 8, 2021 meeting. Certified copies of the resolutions and order will need to be delivered to the engineers promptly following the close of the meeting in order for the grant submission to be made by the 5:00 o'clock p.m. deadline on the date of the meeting

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

MCT:sel
Enclosure

cc: Joseph P Pedi, Town Clerk (via e-mail)
Ronald Clum, Town Accountant (via e-mail)
James Osborne, Town Engineer (via e-mail)
Pat Hines, McGoey, Hauser & Edsall (via e-mail)
Douglas Goodfriend, Esq. (via e-mail)

At a special meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300 or by videoconference pursuant to S.50001/A.40001 as signed by the Governor, in the Town of Newburgh, Orange County, New York on the 22nd day of November, 2021 at 10:00 o'clock a.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

RESOLUTION OF SEQRA
DETERMINATION THAT
ACTION IS A TYPE II ACTION:
COLDEN PARK
WATER MAIN
REPLACEMENT PROJECT

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

WHEREAS; the Town Board is considering the approval and undertaking of the Colden Park Water Main Replacement Project consisting of the replacement of approximately 9,500 linear feet of watermain and associated valves, hydrants, services and appurtenances within the Town of Newburgh Colden Park water system in and for said Town, as well as incidental costs and expenses in connection therewith, at a maximum estimated cost of \$4,946,250; and

WHEREAS, the work will be financed in part by the NYS Environmental Facilities Corporation under the Water Infrastructure Improvement Grants Fund; and

WHEREAS, the Town Board has reviewed and considered the Colden Park Water Main Replacement project, including the project's funding and planning, as an Action under Part 617 of the General Regulations adopted pursuant to Article 8 of the Environmental Conservation Law and Chapter 100 entitled "Environmental Quality Review" of the Town of Newburgh Municipal Code; and

WHEREAS, Section 617.5(C) (2) of Part 617 provides that the following actions are Type II actions and not subject to review:

"replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire

codes unless such action meets or exceeds any of the thresholds in section 617.4 of this Part [Type I action thresholds].”

NOW, THEREFORE, BE IT RESOLVED as follows:

That after considering all of the information presented to it, the Town Board determines that the Action is a Type II Action under 6 NYCRR S 617.5 (C) (2).

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>Scott M. Manley, Councilman</u>	<u>voting</u>
<u>Anthony R. LoBiondo, Councilman</u>	<u>voting</u>
<u>Gilbert J. Piaquadio, Supervisor</u>	<u>voting</u>

The resolution was thereupon declared duly adopted.

At a special meeting of the Town Board of the Town of Newburgh, Orange County, New York, held at the Town Hall, in Newburgh, New York in said Town, on November 22, 2021, at 10:00 o'clock A.M., Prevailing Time.

PRESENT:

Gilbert J. Piaquadio
Supervisor

Elizabeth J. Greene
Councilwoman

Paul I. Ruggiero
Councilman

Scott M. Manley
Councilman

Anthony R. LoBiondo
Councilman

<p style="text-align: center;">In the Matter of The Increase and Improvement of Facilities of Colden Park Water District in the Town of Newburgh, Orange County, New York</p>	<p style="text-align: center;">PUBLIC INTEREST ORDER</p>
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WHEREAS, the Town Board of the Town of Newburgh, Orange County, New York, has duly caused to be prepared a map, plan and report including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the proposed increase and improvement of the facilities of Colden Park Water District, in the Town of Newburgh, Orange County, New York (the "Water District"), consisting of costs related to the planning, design, engineering, reconstruction, and construction of improvements consisting of the replacement of approximately 9,500 linear feet of

watermain and associated valves, hydrants, services and appurtenances within the Town of Newburgh Colden Park water system of the Water District, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$4,946,250; and

WHEREAS, at a meeting of said Town Board duly called and held on November 8, 2021, an Order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of facilities of Colden Park Water District in said Town at a maximum estimated cost of \$4,946,250, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Newburgh, New York, in said Town, on November 22, 2021, at 10:00 o'clock A.M., Prevailing Time; and

WHEREAS, said Order duly certified by the Town Clerk was duly published and posted as required by law; and

WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard; NOW, THEREFORE, BE IT

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

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the increase and improvement of the facilities of Colden Park Water District, in the Town of Newburgh, Orange County, New York, consisting of costs related to the planning, design, engineering, reconstruction, and construction of improvements consisting of the replacement of approximately 9,500 linear feet of watermain and associated valves, hydrants, services and appurtenances within the Town of Newburgh Colden Park water system of said Water District, including original furnishings, equipment, machinery,

apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$4,946,250.

Section 2. This Order shall take effect immediately.

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

<u>Elizabeth J. Greene, Councilwoman</u>	VOTING
<u>Paul I. Ruggiero, Councilman</u>	VOTING
<u>Scott M. Manley, Councilman</u>	VOTING
<u>Anthony R. LoBiondo, Councilman</u>	VOTING
<u>Gilbert J. Piacquadio, Councilman</u>	VOTING

The Order was thereupon declared duly adopted.

* * * * *

CERTIFICATION

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

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

1. That a meeting of the Issuer was duly called, held and conducted on the 22nd day of November, 2021.
2. That such meeting was a **special regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (the meeting at which the proceeding was adopted) was given PRIOR THERETO in the following manner:
PUBLICATION (here insert newspaper(s) and date(s) of publication)

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer
this _____ day of November, 2021.

Town Clerk

(CORPORATE
SEAL)

BOND RESOLUTION

At a special meeting of the Town Board of the Town of Newburgh, Orange County, New York, held at the Town Hall, in Newburgh, New York, in said Town, on the 22nd day of November, 2021, at 10:10 o'clock P.M., Prevailing Time.

The meeting was called to order by Gilbert J. Piaquadio, Supervisor, and upon roll being called, the following were

PRESENT:

ABSENT:

The following resolution was offered by Councilman/woman _____
who moved its adoption, seconded by Councilman/woman _____ to-wit:

BOND RESOLUTION DATED NOVEMBER 22, 2021.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$4,946,250 BONDS OF THE TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE COLDEN PARK WATER DISTRICT, IN THE TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK.

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an Order dated the date hereof, said Town Board has determined it to be in the public interest to improve the facilities of Colden Park Water District, in the Town of Newburgh, Orange County, New York, at a maximum estimated cost of \$4,946,250; and

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which regulations state that Type II Actions will not have any significant adverse impact on the environment; NOW, THEREFORE, BE IT

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

Section 1. For the specific object or purpose of paying the cost of the increase and improvement of Colden Park Water District, in the Town of Newburgh, Orange County, New York, consisting of costs related to the planning, design, engineering, reconstruction, and construction of improvements consisting of the replacement of approximately 9,500 linear feet of watermain and associated valves, hydrants, services and appurtenances within the Town of Newburgh Colden Park water system of said Water District, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in

connection therewith, there are hereby authorized to be issued \$4,946,250 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$4,946,250, which specific object or purpose is hereby authorized at said maximum estimated cost, and that the plan for the financing thereof is by the issuance of the \$4,946,250 bonds of said Town authorized to be issued pursuant to this bond resolution; **PROVIDED, HOWEVER**, that to the extent that any grants-in-aid are received for such specific object or purpose or the Town Board shall appropriate other monies of the Town therefor, the amount of bonds to be issued pursuant to this resolution shall be reduced dollar-for-dollar.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Newburgh, Orange County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from monies raised from said Colden Park Water District as applicable in the manner provided by law, there shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the

serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Supervisor shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 8. The Supervisor is hereby further authorized, at the Supervisor's sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are,

or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 12. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

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>Scott M. Manley, Councilman</u>	<u>VOTING</u>
<u>Anthony R. LoBiondo, Councilman</u>	<u>VOTING</u>
<u>Gilbert J. Piaquadio, Councilman</u>	<u>VOTING</u>

The resolution was thereupon declared duly adopted.

* * * * *

CERTIFICATION

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

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

1. That a meeting of the Issuer was duly called, held and conducted on the 22nd day of November, 2021.
2. That such meeting was a **special regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (the meeting at which the proceeding was adopted) was given PRIOR THERETO in the following manner:

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

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer
this _____ day of November, 2021.

Town Clerk

(CORPORATE
SEAL)

LEGAL NOTICE OF ESTOPPEL

The bond resolution, a summary of which is published herewith, has been adopted on November 22, 2021, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Newburgh, Orange County, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the Town Clerk for a period of twenty days from the date of publication of this Notice.

Dated: Newburgh, New York,
November 22, 2021.

/s/ Joseph P. Pedi
Town Clerk

BOND RESOLUTION DATED NOVEMBER 22, 2021.

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$4,946,250 BONDS OF THE TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE COLDEN PARK WATER DISTRICT, IN THE TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK.

Specific object or purpose:	Increase and improvement of the facilities of the Colden Park Water District
Maximum estimated cost:	\$4,946,250
Amount of obligations to be issued:	\$4,946,250 bonds to be reduced by grants-in-aid received
SEQRA status:	Type II Action. 6 NYCRR Part 617.5 (c)(2). SEQRA compliance materials on file in the office of the Town Clerk where they may be inspected during normal office hours by appointment.

At a special 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 22nd day of November, 2021 at 10:00 o'clock a.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

RESOLUTION AUTHORIZING AND OBLIGATING LOCAL MATCH FUNDS FOR THE COLDEN PARK WATER MAIN REPLACEMENT PROJECT

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

WHEREAS, the Town of Newburgh is applying for a grant from the NYS Environmental Facilities Corporation under the NYS Environmental Facilities Corporation under the Water Infrastructure Improvement Act (WIIA) clean drinking water grant program for the Colden Park Water District Water Main Replacement project consisting of the replacement of approximately 9,500 linear feet of watermain and associated valves, hydrants, services and appurtenances within the Town of Newburgh Colden Park water system in and for said Town, as well as incidental costs and expenses in connection therewith, at a maximum estimated cost of \$4,946,250 ; and

WHEREAS, the grant application requires that the Town commit to provide local match funds to meet the required local match for the costs of the project not covered by the grant amount.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That, as required by the Engineering Planning Grant Program, the Town of Newburgh hereby authorizes and appropriates a local match of twenty percent (20%) of the amount of grant funds received from the NYS Environmental Facilities

Corporation under the Clean Water State Revolving Fund for the Crossroads

Consolidated Sewer District Inflow & Infiltration Project (Grant #104802) ; and

1. That as required by the WIIA Grant Program, the Town of Newburgh hereby authorizes and appropriates a local match for that amount of the maximum estimated project cost of \$4,946,250 not received as grant funds from the NYS Environmental Facilities Corporation.

2. The source of the local match funds shall be from funds allocated for the project in the Town's 2022 budget and from the issuance of bonds pursuant to the bond resolution dated November 22, 2021 duly adopted by the Town Board;

3. The Town of Newburgh may increase this local match through the use of in kind services without further approval from the Town Board.

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>Scott M. Manley, Councilman</u>	<u>voting</u>
<u>Anthony R. LoBiondo, Councilman</u>	<u>voting</u>
<u>Gilbert J. Piaquadio, Supervisor</u>	<u>voting</u>

The resolution was thereupon declared duly adopted.

At a special 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 22nd day of November, 2021 at 10:00 o'clock a.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

RESOLUTION DESIGNATING
AUTHORIZED REPRESENTATIVE
FOR THE COLDEN PARK
WATER MAIN
REPLACEMENT PROJECT FOR NYS
ENVIRONMENTAL FACILITIES
CORPORATION WIIA FUNDING

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

WHEREAS, the NYS Environmental Facilities Corporation pursuant to the Water Infrastructure Improvement Act (WIIA) offers grants to municipalities to help in the funding of water quality infrastructure projects, and

WHEREAS, the Town is undertaking the Colden Park Water Main Replacement project to protect and improve water quality and to protect the public health and the Town's consulting engineers have recommended that the Town apply for a WIIA grant for said project of the Colden Park Water District

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the Town Board hereby authorizes the Town's Supervisor and its consultants to prepare, execute and submit the attached application together with any and all related documents necessary to meet the conditions of the grant application; and
2. That Gilbert J. Piaquadio, Town Supervisor, be designated as the Town's Authorized Representative for the project, with power and authority to execute the funding agreement with NYS Environmental Facilities Corporation and all associated documents.

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>Scott M. Manley, Councilman</u>	<u>voting</u>
<u>Anthony R. LoBiondo, Councilman</u>	<u>voting</u>
<u>Gilbert J. Piaquadio, Supervisor</u>	<u>voting</u>

The resolution was thereupon declared duly adopted.

At a special 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 22nd day of November, 2021 at 10:00
o'clock a.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

RESOLUTION APPOINTING
MINORITY BUSINESS OFFICER;
COLDEN PARK WATER MAIN
REPLACEMENT PROJECT

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

WHEREAS, the Town Board is required that the Town appoint a Minority
Business Officer in order to satisfy requirements for funding of the Colden Park Water
Main Replacement Project

NOW, THEREFORE, BE IT RESOLVED as follows:

That the Town Board does hereby appoint Councilman Paul I. Ruggiero as the Minority
Business Officer for the Town of Newburgh.

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

Elizabeth J. Greene, Councilwoman voting _____

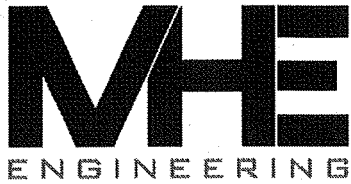
Paul I. Ruggiero, Councilman voting _____

Scott M. Manley, Councilman voting _____

Anthony R. LoBiondo, Councilman voting _____

Gilbert J. Piaquadio, Supervisor voting _____

The resolution was thereupon declared duly adopted.



MAP, PLAN AND REPORT
FOR
COLDEN PARK
WATER MAIN REPLACEMENT PROJECT

TOWN OF NEWBURGH
ORANGE COUNTY, NEW YORK

PREPARED FOR:
Town of Newburgh
1496 Route 300
Newburgh, NY 12550

PREPARED BY:
MHE Engineering, D.P.C.
33 Airport Center Dr. Suite 202
New Windsor, NY 12553

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

DATE: 8 November 2021
JOB #: 21-154

NEW YORK OFFICE

33 Airport Center Drive, Suite 202, New Windsor, NY 12553
845-567-3100 | F: 845-567-3232 | mheny@mhepc.com

PENNSYLVANIA OFFICE

111 Wheatfield Drive, Suite 1, Milford, PA 18337
570-296-2765 | F: 570-296-2767 | mhepa@mhepc.com

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- APPENDIX B: LIST OF SBL'S IN DISTRICT
- APPENDIX C: COST ESTIMATE

I. INTRODUCTION

The Town of Newburgh operates the Colden Park Water System within the Town. The existing distribution main within the Colden Park Water System is mostly 6" asbestos concrete pipe. Town of Newburgh Town code requires water main throughout the Town to be ductile-iron pipe and a minimum of 8" in diameter. This Map, Plan and Report was prepared to establish a Bond number for the estimated cost of the proposed improvements.

II. BENEFIT AREA

The area to be served generally includes homes within the Colden Park neighborhood of the Town. In general, the Colden Park Water System is located south of 17K across from Colden Hill Road in the Town of Newburgh. The list of Tax Map lots are included in the debt service of the proposed action (See Appendix B).

III. EXISTING CONDITIONS & PROPOSED IMPROVEMENTS

The existing 6" asbestos concrete distribution main that serves the Colden Park Water System is past its useful life and there are frequent breaks which require continued maintenance. In an effort to mitigate this ongoing problem, the Town is looking to upgrade the existing main. A small portion of the main was recently upgraded to 8" ductile-iron pipe. The proposed improvements would consist of replacing the rest of the distribution main, along with all associated valves, hydrants and services.

The total estimated cost for the proposed improvements is detailed in Appendix C.

IV. OPERATION AND MAINTENANCE

The following cost impacted to a typical household has been estimated, assuming 100% of the estimated project costs will be financed by the residents of the Colden Park Water System at a 4.5% interest rate.

The following is therefore, an analysis of the annual user cost for a single family home.

Yearly debt serviced per tax lot per user (207 SBLs)	\$1,452.87
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V. CONCLUSION

On the basis of the above, we find that the project is technically feasible and therefore we recommend the Town proceed with the proposed water system improvements.

Respectfully submitted,

MHE Engineering, D.P.C.

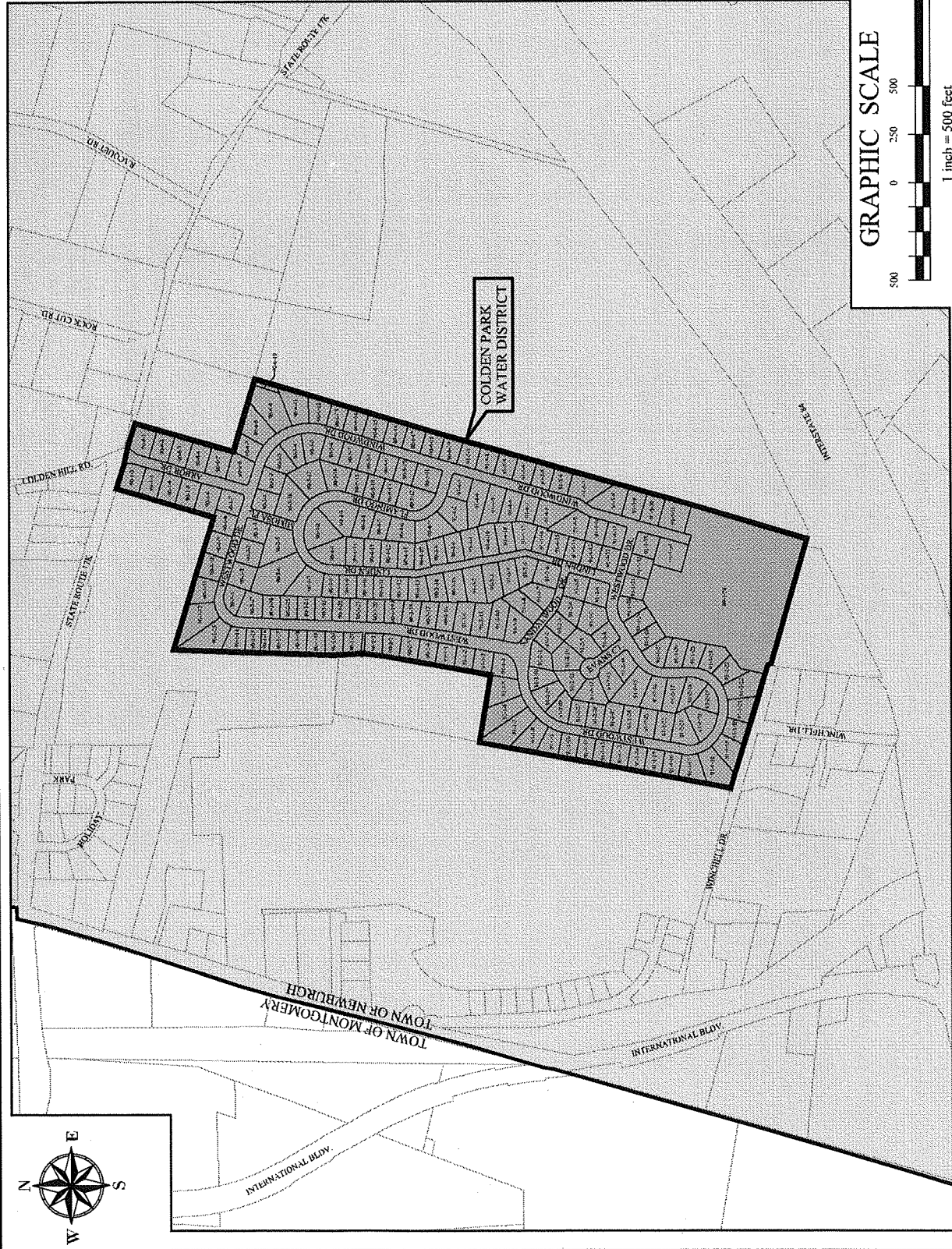
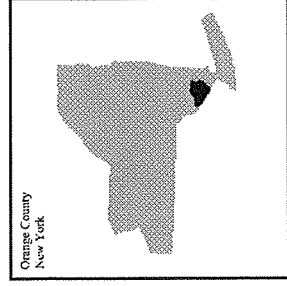
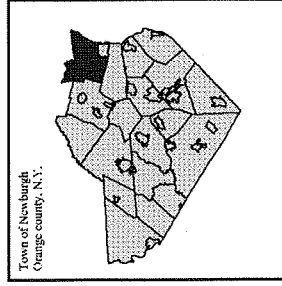
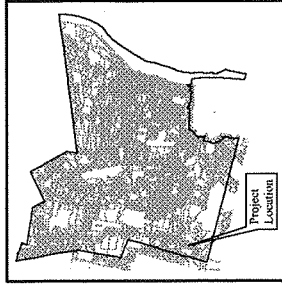


Shawn E. Arnott, P.E.
Senior Engineer

Appendix A
MAP OF COLDEN PARK BENEFITERS

Colden Park Water District
Town of Newburgh
Orange County, N. Y.

Produced By:
MFE
ENGINEERS
November 3, 2021



Appendix B
LIST OF SBL'S IN DISTRICT

	SBL
1	90-1-2
2	90-1-3
3	90-1-4
4	90-1-5
5	90-1-6
6	90-1-7
7	90-1-8
8	90-1-9
9	90-1-10
10	90-1-11
11	90-1-12
12	90-1-13
13	90-1-14
14	90-1-15
15	90-1-16
16	90-1-17
17	90-1-18
18	90-1-19
19	90-1-20
20	90-1-21
21	90-2-1
22	90-2-2
23	90-2-3
24	90-2-4
25	91-1-1
26	91-1-2
27	91-1-3
28	91-1-4
29	91-1-5
30	91-1-6
31	91-1-7
32	91-1-8
33	91-1-9
34	91-1-10
35	91-1-11
36	91-1-12
37	91-1-13
38	91-1-14
39	91-1-15
40	91-1-16
41	91-1-17
42	91-1-18
43	91-1-19
44	91-1-20
45	91-1-21
46	91-1-22

47	91-1-23
48	91-1-24
49	91-1-25
50	91-1-26
51	91-1-27
52	91-1-28
53	91-1-29
54	91-1-30
55	91-1-31
56	91-1-32
57	91-1-33
58	91-1-34
59	90-6-1
60	90-6-2
61	90-6-3
62	90-6-4
63	90-6-5
64	90-6-6
65	90-6-7
66	90-6-8
67	90-6-9
68	90-6-10
69	90-6-11
70	90-6-12
71	90-6-13
72	90-6-14
73	90-6-15
74	90-6-16
75	90-6-17
76	90-6-18
77	90-6-19
78	91-5-1
79	91-5-2
80	91-5-3
81	91-5-4
82	91-5-5
83	91-5-6
84	91-5-7
85	91-5-8
86	91-5-9
87	91-5-10
88	91-5-11
89	91-2-1
90	91-2-2
91	91-2-3
92	91-2-4
93	91-2-5

94	91-2-6
95	91-2-7
96	91-2-8
97	91-2-9
98	91-2-10
99	91-2-11
100	91-2-12
101	91-2-13
102	91-2-14
103	91-2-15
104	91-2-16
105	91-2-17
106	91-2-18
107	91-2-19
108	91-2-20
109	91-2-21
110	91-2-22
111	91-2-23
112	91-2-24
113	91-2-25
114	91-2-26
115	91-2-27
116	91-2-28
117	91-2-29
118	91-2-30
119	90-3-1
120	90-3-2
121	90-3-3
122	90-3-4
123	90-3-5
124	90-3-6
125	90-3-7
126	90-3-8
127	90-3-9
128	90-3-10
129	90-3-11
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131	90-3-13
132	90-3-14
133	90-3-15
134	90-3-16
135	90-3-17
136	90-3-18
137	90-3-19.2
138	90-3-20
139	90-3-21
140	90-3-22

141	90-3-23
142	90-3-24
143	90-3-25
144	90-3-26
145	90-3-27
146	91-3-1
147	91-3-2
148	91-3-3
149	91-3-4
150	91-3-5
151	91-3-6
152	91-3-7
153	91-3-8
154	91-3-9
155	91-3-10
156	91-3-11
157	90-5-1
158	90-5-2
159	90-5-3
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162	90-5-6
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169	90-5-13
170	90-5-14
171	90-5-15
172	90-5-16
173	90-5-17
174	90-5-18
175	90-4-1
176	90-4-2
177	90-4-3
178	90-4-4
179	90-4-5
180	90-4-6
181	90-4-7
182	90-4-8
183	90-4-9
184	90-4-10
185	90-4-11
186	90-4-12
187	90-4-13

188	90-4-14
189	91-4-1
190	91-4-2
191	91-4-3
192	91-4-4
193	91-4-5
194	91-4-6
195	91-4-7
196	91-4-8
197	91-4-9
198	91-4-10
199	91-4-11
200	91-4-12
201	91-4-13
202	91-4-14
203	91-4-15
204	91-4-16
205	91-4-17
206	91-4-18
207	91-4-19

Appendix C
COST ESTIMATE



Town of Newburgh
Colden Park Watermain Improvement Project
Schematic of Probable Construction Cost

Last Revised:
 13-Oct-21
Revised By:
 QMM

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXT. PRICE	TOTALS
<i>Colden Park Watermain Improvement:</i>						
1	Maintenance and Protection of Traffic	1	LS	\$ 25,000	\$ 25,000	
2	8" Ductile Iron Watermain	9,500	LF	\$ 200	\$ 1,900,000	
3	8" Gate Valves	25	EA	\$ 6,500	\$ 162,500	
4	Hydrants	22	EA	\$ 10,000	\$ 220,000	
5	Connection to Existing Watermain	9	EA	\$ 10,000	\$ 90,000	
6	Water Service Connections	180	EA	\$ 5,000	\$ 900,000	
				Subtotal		\$ 3,297,500
				Construction Contingencies (20%)		\$ 659,500
				Estimated Total Construction Cost		\$ 3,957,000
				Engineering and Design Services (25%)		\$ 989,250
				Total Design and Construction Cost		\$ 4,946,250

* Note(s): 1) This is an "Estimate of Probable Construction Cost," for estimating purposes only.