

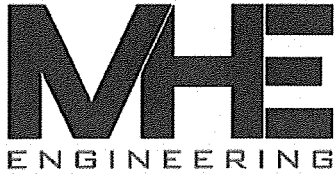
JOSEPH P. PEDI
Town Clerk, 1496 Route 300
Town of Newburgh, New York 12550
Telephone 845-564-4554

WORKSHOP MEETING AGENDA
Monday, September 27, 2021
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. TOWN CLERK: Presentation of Tentative Town Budget for 2022 to Town Board**
- 7. PRESENTATION TO TOWN BY AMBULANCE CORP**
- 8. ENGINEERING DEPARTMENT:**
 - A. Approval to Release Stormwater Management Security for Golden Vista**
 - B. Crossroads Sewer District – Infiltration and Inflow Engineering Survey**
 - C. Request to Approve Maintenance of Stormwater Management Facility**
- 9. RESOLUTIONS: Request to Conduct Traffic Study**
- 10. ASSESSOR:**
 - A. Settlement of Tax Certiorari Cross Roads Court Real Estate (Hampton Inn)**
 - B. Approval to Hire Deputy Assessor**
 - C. Resolution Not to Renew Agreement for Assessment Services with Orange County**
- 11. CODE COMPLIANCE DEPARTMENT: Approval to Enter Into Agreement with Consultant to Update Guidelines for Wireless Communications 5G**
- 12. PERSONNEL DEPARTMENT: Extension of Employee Assistance Program (EAP) Contract**
- 13. RECEIVER OF TAXES: 2021 Unpaid Sewer Bond Re-levy**
- 14. POLICE DEPARTMENT: Approval to Purchase TruNarc Portable Analytical Instrument**
- 15. ADJOURNMENT**

GJP; jpp

First Revision – September 24, 2021 at 9:25 am



8A

20 September 2021

Town of Newburgh
1496 Route 300
Newburgh, NY 12550

ATTENTION: GILBERT PIAQUADIO, SUPERVISOR
TOWN BOARD

SUBJECT: TOWN OF NEWBURGH
GOLDEN VISTA STORMWATER MANAGEMENT SECURITY RELEASE
TOWN PROJECT # 2016-07 & 1999-33

Dear Supervisor Piaquadio,
This office has received As Built Plans for the Stormwater Management Facilities located on the subject site. Representatives of this office have field reviewed the project and have identified that the site has been stabilized in compliance with NYSDEC and Town of Newburgh requirements. A Stormwater Security release letter dated 22 December 2020 has been received. The 2020 letter identifies the title and dates of the As Built drawings.

This office's records identify a Bond amount of \$652,694.00. A copy of the approved Stormwater Management Security Cost Estimate is attached.

Based on the above this office takes no exception to the release of the Stormwater Securities for the Golden Vista project numbers.

Please be advised for clarity the project name changed during the Planning Board process and may be referenced as the Meadow Ridge Expansion project rather than the original project name of Golden Vista.

Very Truly Yours,

MHE Engineering, D.P.C.

A handwritten signature in cursive script, appearing to read 'Patrick J. Hirres'.

Patrick J. Hirres
Principal
PJH/kbw

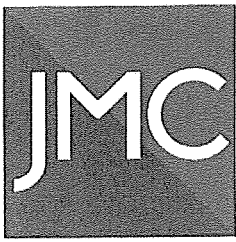
Cc: James Osborne, Town Engineer
Gerald Canfield, Code Enforcement
John Ewasutyn, Town Planning Board Chairman
Anthony P. Nester, RLA JCM Site Development Consultants

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



Site Planning	Environmental Studies
Civil Engineering	Entitlements
Landscape Architecture	Construction Services
Land Surveying	3D Visualization
Transportation Engineering	Laser Scanning

December 22, 2020

Mr. Patrick Hines
 McGoey, Hauser and Edsall Consulting Engineers, D.P.C.
 33 Airport Center Drive
 Suite 202
 New Windsor, NY 12553

RE: JMC Project 16015
 Meadow Ridge
 Meadow Hill Road
 Town of Newburgh, New York

(Stormwater Bond Release and Drainage Infrastructure Certification)

Dear Mr. Hines:

On behalf of PCD Development, LLC, we are pleased to submit the following JMC PLLC and Maser Engineering P.C. As-Built drawings in support of the Town’s consideration in releasing the projects Stormwater Bond and to certify the installation of the project’s stormwater drainage infrastructure. The following is a list of enclosed drawings:

JMC PLLC Drawings:

Drawing No.	Title	Revision/Date
SP-5	“Site Grading Plan”	Rev. #7, dated 04/11/2019
SP-6	“Site Utilities Plan”	Rev. #9, dated 04/11/2019

Maser Engineering P.C. As-Built Surveys:

Sheet No.	Sheet Title	Revision/Date
01 of 01	“As-Built Plan”	dated 08/20/2020
01 of 01	“Detention Basin”	dated 07/24/2020
01 of 04	“Detention Basin #1”	dated 09/02/2020
02 of 04	“Detention Basin #2”	dated 09/02/2020
03 of 04	“Detention Basin #3”	dated 09/02/2020
04 of 04	“Detention Basin #4”	dated 09/02/2020


In support of the Town's consideration to release the project's Stormwater Bond, we have provided the above noted As-Builts and latest JMC approved Site Grading and Utilities Plans. To aid in the review of the As-Built surveys against the latest approved Site Plans, we have superimposed key proposed elements of the site's Bio-Retention, Stilling/Forebay and Extended Detention basins As-Builts for comparison. As you can see from the enclosed As-Built surveys, the project's stormwater management practices have been constructed substantially in accordance with the Site Plan Approval documents prepared by this office and meet NYSDEC requirements for water quality and quantity under the SPDES General Permit.

In addition, this letter will serve as our statement that to the best of our knowledge and belief, based upon our periodic observations of construction of the drainage infrastructure system, we believe the system made in connection with the Meadow Ridge community was constructed substantially in compliance with the Site Plan Approval drawings prepared by JMC PLLC.

We trust that the above information in conjunction with the enclosed As-Built surveys satisfy the Town's requirement in releasing the project's Stormwater Bond and acceptance of the certification that the on-site drainage infrastructure has been constructed substantially in accordance with the approved drawings and documents. Should you have any questions, or require any additional information, please do not hesitate to contact us at (914) 273-5225.

Sincerely,

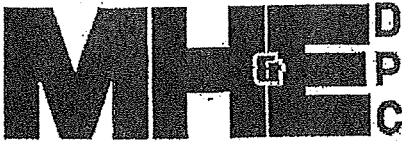
JMC Planning Engineering Landscape Architecture & Land Surveying, PLLC



Anthony P. Nester, RLA
Associate Principal

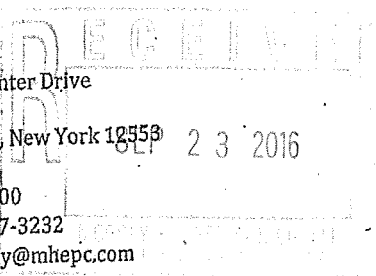
Cc: Mr. Henry Szwed
Mr. Stuart Green
Mr. Joseph Sarchino

16A



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

Main Office
33 Airport Center Drive
Suite 202
New Windsor, New York 12553
(845) 567-3100
fax: (845) 567-3232
e-mail: mheny@mhepc.com



THE COPY

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

APPROVED

DATE OF TOWN BOARD ACTION: SEP 19 2016

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

1 September 2016 VOTE OF TOWN BOARD: 5-0

Town of Newburgh
1496 Route 300
Newburgh, NY 12550
Andrew J. Zarutskie
ANDREW J. ZARUTSKIE, TOWN CLERK

ATTENTION: JAMES OSBORNE, TOWN ENGINEER

SUBJECT: MEADOW HILL EXPANSION (FORMERLY GOLDEN VISTA) (16-07)
REVISED STORMWATER MANAGEMENT SECURITY COST
ESTIMATE

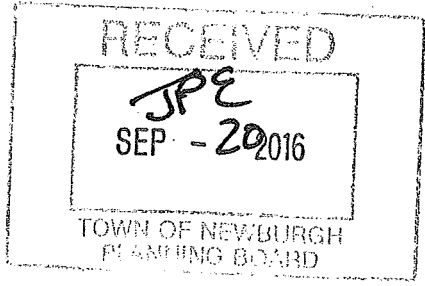
Dear Jim:

This office has received a revised cost estimate dated 10 August 2016 with regard to increased costs for stormwater management on the subject project. A revised cost estimate in the amount of \$652,600.94 has been prepared by JCM Engineering, the Applicant's representative. Based on a review of the revised cost estimate this office takes no exception to the Town Board accepting the increase in the stormwater management securities by \$184,766.84.

Please feel free to contact the undersigned should you require any additional information regarding this matter.

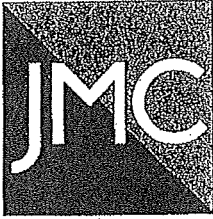
Very Truly Yours,

Patrick J. Hines
Patrick J. Hines
Principal



cc: Gilbert Piaquadio, Town Supervisor
Mark Taylor, Town Attorney
John Ewasutyn, Planning Board Chairman

PJH/kbw
I:\town of newburgh pb\2016 correspondence\9-1-16 osborne--meadow hill exp(golden vista) (16-07)stormwater mgmnt cost est..doc



Site Planning
 Civil Engineering
 Landscape Architecture
 Land Surveying
 Transportation Engineering

Environmental Studies
 Entitlements
 Construction Services
 3D Visualization
 Laser Scanning

Project: Meadow Hill Expansion
 Location: Town of Newburgh, NY
 Type of Estimate: Stormwater Cost Estimate

Job No.: 16015
 Date: 8/11/2016
 Revised Date:
 Cmp'd: MT
 Chk'd:

Drawing Reference:
 Dwg. SP-6 "Utilities Plan", Rev. 2, dated 08/10/2016

ITEM	CLASSIFICATION OF WORK	QUAN	UNIT	UNIT PRICE	AMT	SECTION TOTAL
1.00	STORMWATER					
1.01	CATCH BASIN	25	EA	\$3,600.00	\$90,000.00	
1.02	STORMWATER MANHOLE	15	EA	\$4,000.00	\$60,000.00	
1.03	OUTLET CONTROL STRUCTURE	1	EA	\$10,000.00	\$10,000.00	
1.04	STORMWATER UNDERDRAIN (8")	480	LF	\$28.00	\$13,440.00	
1.05	STORMWATER PIPE (HDPE-12")	1,454	LF	\$55.00	\$79,970.00	
1.06	STORMWATER PIPE (HDPE-15")	1,603	LF	\$68.00	\$109,004.00	
1.07	STORMWATER PIPE (HDPE-18")	267	LF	\$70.00	\$18,690.00	
1.08	STORMWATER PIPE (HDPE-24")	545	LF	\$75.00	\$40,875.00	
1.09	CONCRETE HEADWALL	9	EA	\$3,000.00	\$27,000.00	
1.10	RIP RAP DRAINAGE CHANNEL	767	CY	\$52.00	\$39,884.00	
						\$488,863.00
2.00	STORMWATER MANAGEMENT					
2.01	BIORETENTION	ALLOW		\$30,000.00	\$30,000.00	
2.02	STORMWATER EXTENDED DETENTION BASIN	ALLOW		\$40,000.00	\$40,000.00	
						\$70,000.00
3.00	EROSION CONTROL					
3.01	SEDIMENT & EROSION CONTROL MEASURES	ALLOW		\$40,000.00	\$40,000.00	
3.02	DISTURBANCE	5	ACRE	\$3,500.00	\$17,500.00	
						\$57,500.00
4.00	STORMWATER MANAGEMENT AREA & RESTORATION /STABILIZATION PLANTINGS					
4.01	ACER RUBRUM 'OCTOBER GLORY' / RED MAPLE (3'-3 1/2" CAL.)	11	EA	\$375.00	\$4,125.00	
4.02	AMELANCHIER CANADENSIS / SHADBLOW SERVICEBERRY (7'-8' HT.)	18	EA	\$300.00	\$5,400.00	
4.03	QUERCUS PALUSTRIS / PIN OAK (3'-3 1/2" CAL.)	9	EA	\$375.00	\$3,375.00	
4.04	MYRICA PENNSYLVANICA / NORTHERN BAYBERRY (3'-4' HT.)	64	EA	\$75.00	\$4,800.00	
4.05	RHODODENDRON VISCOSUM / SWAMP AZALEA (2'-3' HT.)	101	EA	\$50.00	\$5,050.00	
4.06	VIBURNUM DENTATUM 'ARROWWOOD' / ARROWWOOD VIBURNUM (4'-5' HT.)	59	EA	\$50.00	\$2,950.00	
	DEER RESISTANT SHORT PRARIE MIX FOR MEDIUM SOILS / RESTORATION MIX (SEED)	144,888	SF	\$0.03	\$4,346.58	
4.07	NEW ENGLAND EROSION CONTROL MIX / RESTORATION MIX (SEED)	11,231	SF	\$0.03	\$336.93	
4.08	FORB MIX / NORTHEAST WETLAND GRASS (SEED)	9,681	SF	\$0.03	\$290.43	
4.09	NORTHEAST WETLAND HUMMOCK MIX / RESTORATION MIX (SEED)	2,570	SF	\$0.03	\$77.10	
4.10	NYSDEC STORMWATER BASIN MIX #1 / LOWEST ZONE (SEED)	7,141	SF	\$0.03	\$214.23	
4.11	NYSDEC STORMWATER BASIN MIX #3 / HIGHEST ZONE (SEED)	9,089	SF	\$0.03	\$272.67	
						\$31,237.94
5.00	AS-BUILT SURVEY					
5.01	SURVEY	ALLOW		\$5,000.00	\$5,000.00	
						\$5,000.00
						TOTAL
						\$652,600.94

8B

TOWN OF NEWBURGH
TOWN ENGINEER

MEMORANDUM

TO: Gilbert Piaquadio, Town Supervisor & Town Board
FROM: J. Osborne, Town Engineer *JWO*
DATE: 16 September 2021
RE: NYSDEC Consent Order

Attached for Town Board review and approval is a proposed scope of work for analysis of extraneous flows in the Town's sewage collection system. This study is required to meet one of the conditions of the NYSDEC Consent Order for the Meadow Hill South Sanitary Sewer overflow. The proposed cost of the study is \$120,000 with a grant from the NYSDEC covering \$100,000 of this cost.

As the above requires Town Board action, I am requesting that this item be placed on the next available agenda.

If you have any questions or comments, I am available to discuss them.

Cc: Jeff Guido, Sewer Department Manager
Mark Taylor, Town Attorney

JWO/dd

**AGREEMENT
BETWEEN OWNER AND ENGINEER
FOR STUDY AND REPORT
PROFESSIONAL SERVICES**

THIS IS AN AGREEMENT effective as of _____ (“Effective Date”) between Town of Newburgh (“Owner”) and MHE Engineering, D.P.C. (“Engineer”).

Owner’s Project, of which Engineer’s services under this Agreement are a part, is generally identified as follows: Crossroads Sewer District Engineering Planning Grant (“Project”).

Engineer’s services under this Agreement are generally identified as follows: MHE will evaluate existing conditions and provide recommendations based on site evaluations while accounting for cost effective/energy efficient measures for future design. (“Study and Report Services”).

Other terms used in this Agreement are defined in Article 7.

Owner and Engineer further agree as follows:

ARTICLE 1 – SERVICES OF ENGINEER

1.01 *Scope*

- A. Engineer shall provide, or cause to be provided, the services set forth herein and in Exhibit A.
- B. MHE will retain a subcontractor to install (3) flow monitors into the three (3) manholes (As shown on the attached map) within the Crossroads Sewer District for a period of one (1) month.
- C. Based on the flow monitoring results, MHE will evaluate the highest areas of infiltration and inflow and recommend the highest evaluated areas of I&I to be televised (up to 20,000-linear feet of 8” Gravity Sewer Main).
- D. MHE will evaluate the televising videos and qualitatively recommend the mitigation measures of I&I observed from the videos.
- E. MHE will prepare a report for approval by NYEFC to satisfy the Engineering Planning Grant requirements.

ARTICLE 2 – OWNER’S RESPONSIBILITIES

2.01 *General*

- A. Owner shall pay Engineer as set forth in Article 4 and Appendix 1.
- B. Owner shall provide Engineer with all criteria and full information as to Owner’s requirements for the Study and Report Services, including but not limited to design objectives and constraints; space, capacity and performance requirements; flexibility and expandability goals; any anticipated funding sources; and budgetary limitations.
- C. Owner shall furnish to Engineer all existing studies, reports, and other available information pertinent to the Engineer’s performance of the Study and Report Services, including reports and

TOWN OF NEWBURGH
TOWN ENGINEER

8C

MEMORANDUM

TO: Supervisor Gilbert Piaquadio and Town Board Members
FROM: Patrick J. Hines, Representative Engineer for the Town *PJH*
DATE: 23 September 2021
RE: Houses of Labor Subdivision - Dewey Drive
Stormwater Management Facilities Maintenance/ Mowing

During recent reviews of the subject Drainage District it was noted that the Stormwater Management Facilities located on the subject subdivision are in need of maintenance. The subdivision has a Drainage District to provide for the long-term operation and maintenance of the Stormwater Management Facilities. We have contacted MTTJ Property Maintenance for a quote to brush hog the growth within the stormwater management area. MTTJ Property Maintenance provides the annual contract for maintenance of the other Drainage Districts in the Town of Newburgh.

This office recommends the Town award the one time "brush hog" mowing of the detention pond located on the site. MTTJ has provided a cost of \$1,525.00 for this service. It is anticipated this service will be provided during the Fall of 2021.

Town Board action to authorize the Town's Stormwater Maintenance Contractor to provide the "brush hog" service in the amount of \$1,525.00 is required.

If you have any questions or comments I am available to discuss this further with you.

Cc: Jim Osborne, Town Engineer
Ron Clum, Town Accountant
Mark Hall, Highway Superintendent



MTTJ
PROPERTY
MAINTENANCE

P.O. Box 13
Highland Mills, NY 10930

Estimate

Date	Estimate #
9/22/2021	426

Name / Address
Town of Newburgh, NY James Osbourne 1496 Rte 300 Newburgh, NY 12550

			Project
Description	Qty	Rate	Total
Brush Clearing- Deliver Track Skid Steer to site and clear area of brush off roadway leading into stormwater pond. Once area leading into stormwater pond is cleared of brush, MTTJ will clear berms and down into pond (provided ground is stable/ dry).	1	1,525.00	1,525.00
		Subtotal	\$1,525.00
		Sales Tax (8.125%)	\$0.00
		Total	\$1,525.00

Phone #
845-238-4485

E-mail
mark@mttjpropertymaintenance.com



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

MEMORANDUM

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

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

RE: RESOLUTION OF TOWN BOARD; REQUEST FOR NEW YORK STATE DEPARTMENT OF TRANSPORTATION SPEED LIMIT STUDY OF NYS ROUTE 300 BETWEEN THE INTERSECTIONS OF ROCK CUT ROAD (ORANGE COUNTY ROUTE 23) AND FOX HILL ROAD AND FOR A TRAFFIC PLAN TO PLACE AND MAINTAIN APPROPRIATELY DESIGNED TRAFFIC CONTROL DEVICES AND FOR RIGHT OF WAY BRUSH MAINTENANCE
OUR FILE NO. 800.1(B)() (2021)

DATE: SEPTEMBER 14, 2021

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

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

In accordance with Supervisor Piaquadio's request, enclosed please find for the Town Board's consideration the above referenced draft Resolution requesting the NYSDOT to perform a speed limit study of NYS Route 300 between Rock Cut Road and Fox Hill Road, as well as to design and implement a traffic plan to place appropriate traffic devices to warn, guide and regulate traffic and to undertake cutting and maintenance of brush and branches to improve visibility for traffic. The section of highway subject to the request has been extended from Kings Drive to include the additional segment running to the Fox Hill Road intersection based upon review.

MCT:sel

Enc.

cc: Joseph P. Pedi, Town Clerk (via e-mail)
Donald Bruce Campbell, Chief of Police (via e-mail)
Mark Hall, Highway Superintendent (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 ___th day of September,
2021 at 7:00 o'clock p.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

Scott Manley, Councilman

Anthony R. LoBiondo, Councilman

RESOLUTION OF TOWN BOARD:
REQUEST FOR NEW YORK STATE
DEPARTMENT OF TRANSPORTATION
SPEED LIMIT STUDY OF NYS ROUTE 300
BETWEEN THE INTERSECTIONS OF ROCK
CUT ROAD/FOREST ROAD (ORANGE
COUNTY ROUTE 23) AND FOX HILL ROAD
AND FOR A TRAFFIC PLAN TO PLACE AND
MAINTAIN APPROPRIATELY DESIGNED
TRAFFIC CONTROL DEVICES AND FOR
RIGHT OF WAY BRUSH MAINTENANCE

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

WHEREAS, the Town Board of the Town of Newburgh, based upon citizens' reports,
observations and petition, is particularly concerned with the traffic safety along the NYS Route
300; and

WHEREAS, the Town Board of the Town of Newburgh has received requests from the
public for reductions in the 45 mile per hour speed limit on New York State Route 300 between the
intersections of Rock Curt Road/Forest Road (Orange County Route 23) and Fox Hill Road where
at least 40 reported accidents have occurred in the past 3 years; and

WHEREAS, the Town Board has reviewed and examined these requests and determined
that a reduction in the speed limit on New York State Route 300 between these intersections would
be in the interest of public safety in light of the accident history, traffic and sight conditions along
the highway; and

WHEREAS, the New York State Department of Transportation has the capability to
perform a speed limit study of the highway between these intersections on New York State Route
300; and

WHEREAS, authority to determine whether the speed limit on a state highway will be
reduced is vested in the New York State Department of Transportation by the Vehicle and Traffic
Law; and

WHEREAS, the public has requested additional measures be performed on NYS Rote 300
between these intersections including but not limited to the cutting of brush, weeds and branches in
the right of way, and the installation of properly designed traffic control devices, such as signs and

flashing lights in order to warn, guide and regulate traffic on NYS Route 300.

NOW, THEREFORE, BE IT RESOLVED that by this Resolution, the Town Board of the Town of Newburgh requests the New York State Department of Transportation to perform a speed limit study of New York State Route 300 between the intersections of Rock Cut Road/Forest Road (Orange County Route 23) and Fox Hill Road; and

BE IT FURTHER RESOLVED, that by this Resolution, the Town Board of the Town of Newburgh requests the New York State Department of Transportation design and implement a traffic plan to place and maintain appropriate traffic control devices along New York State Route 300 to warn, guide and regulate traffic between the intersections of Rock Cut Road/Forest Road (Orange County Route 23) and Fox Hill Road; and

BE IT FURTHER RESOLVED, that by this Resolution, the Town Board of the Town of Newburgh requests the New York State Department of Transportation to promptly undertake the cutting and maintenance of brush and branches along New York State Route 300 to improve visibility for traffic between the intersections of Rock Cut Road/Forest Road (Orange County Route 23) and Fox Hill Road for the purposes of traffic safety; and

BE IT FURTHER RESOLVED, that the Supervisor, Town Engineer, Attorney for the Town and Town Clerk are hereby authorized to deliver a certified copy of this Resolution, and to prepare, execute, submit and deliver, in the name and on behalf of the Town Board, all such forms, certificates, documents and papers as may be necessary to effectuate and carry out the content of the foregoing resolutions to the appropriate offices of the New York State Department of Transportation; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution be delivered to the Hon. James Skoufis, Senator for the 39TH District, the Hon. Jonathan G. Jacobson, Assemblyman for the 104TH District, and Erik Denega, P.E., P.M.P, Orange County Commissioner of Public Works, by the Town Clerk; and

BE IF 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:

Elizabeth J. Greene, Councilwoman voting _____

Paul I. Ruggiero, Councilman voting _____

Scott Manley, Councilman voting _____

Anthony R. LoBiondo, Councilman voting _____

Gilbert J. Piaquadio, Supervisor voting _____

The resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
COUNTY OF ORANGE) SS:
TOWN OF NEWBURGH)

I, Joseph P. Pedi, Town Clerk of the Town of Newburgh, DO HEREBY CERTIFY that I have compared the foregoing resolution, duly adopted by the Town Board of the Town of Newburgh on the ___th day of September, 2021, and entered in the minutes of the proceedings of said Board, and that the foregoing is a true and correct copy of said resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my name and the seal of said Town on this _____ day of September, 2021.

Joseph P. Pedi, Town Clerk

9/13/21

Cindy Torres-Bender
State Route 300
Walkill, N.Y. 12589

[Redacted]

Dear Board Members,

Attached you will find documentation indicating numerous reported accidents dating from January 1/17/18 through 8/5/21. This documentation covers the area from the intersection of route 300 and Rock cut Rd/Forest road up until Route 300 wherein it meets Kings Drive. In summary there have been 10 accidents at/around Kings Dr., 6 at/around Vincent Lane, and 24 at the intersection of Route 300 and Rock Cut road/Forest Rd, in total - 40 accidents within this span of highway. For the residents living in this area, as well as others that travel these roads consistently, there is currently a grave concern for safety on this stretch of highway. Currently, there is a posted 45 mile an hour sign at the curves in both directions, but most traffic tends to go well above the speed limit. Due to overgrowth of brush and the bends in the road, it is treacherous coming into or getting out of driveways or roadways connecting to Route 300. Although it is understood that Route 300 is a state highway, and not in the jurisdiction of the town of Newburgh, we, the undersigned, are requesting help from the Town of Newburgh to request that safeguards be put in place by the NYS Department of Highways. We are requesting that all brush be cut back on both sides of 300 so that there is a clear visibility for on-coming traffic, specifically between 2130 state rt 300 and 2132 state route 300, that flashing warning lights of what the posted speed is/how fast you are going are installed at each curve in the road, and that speed bumps or other road devices are installed to slow down traffic. We would also request that reducing the current speed limit be taken into consideration. Until appropriate actions are taken by the state, we would also request that the Town of Newburgh Police department monitor the excessive speeds in this area. We appreciate any assistance that the town can provide to us to ensure the safety of our community. Thank you.

Print Name	Signature	Address
Jaymin Glee	Jaymin Glee	19 Kings drive
Bobby Rodriguez	Bobby Rodriguez	15 Kings Drive
Jestin Rodriguez	Jestin Rodriguez	15 Kings Drive
Samantha Rodriguez	Samantha Rodriguez	15 Kings Drive
Steve Peach	Steve Peach	13 Kings Dr.
Brian Camen	Brian Camen	18 Kings Dr
Melissa Fish	Melissa Fish	11 Kings Drive
Rochelle Ostrander	Rochelle Ostrander	2125 Rte 300, Walkill NY
Richard Ostrander	Richard Ostrander	2125 Rte 300, Walkill NY

ACCIDENTS FOUND MATCHING CRITERIA ENTERED

Accident No.	Date	Location of Accident
NB-00109-18	01/17/2018	STATE ROUTE 300 & Kings Dr and Route 300 TOWN OF NEWBURGH ORANGE.
NB-00130-19	01/20/2019	ROUTE 300 & KINGS DRIVE TOWN OF NEWBURGH ORANGE
NB-00142-21	02/02/2021	STATE ROUTE 300 & kings dr TOWN OF NEWBURGH ORANGE
NB-00154-20	02/04/2020	STATE ROUTE 300 & kings hill terrace TOWN OF NEWBURGH ORANGE
NB-00203-19	02/07/2019	ROUTE 300 & KINGS DRIVE TOWN OF NEWBURGH ORANGE
NB-00217-18	02/07/2018	STATE ROUTE 300 & kings dr TOWN OF NEWBURGH ORANGE
NB-00309-18	03/02/2018	STATE ROUTE 300 & KINGS DR TOWN OF NEWBURGH ORANGE
NB-00317-18	03/02/2018	ROUTE 300 & KINGS DRIVE TOWN OF NEWBURGH ORANGE
NB-00348-20	03/23/2020	RT 300 & kings dr TOWN OF NEWBURGH ORANGE
NB-00408-18	03/22/2018	ROUTE 300 & Kings Hill Ter TOWN OF NEWBURGH ORANGE
NB-00842-21	08/05/2021	STATE ROUTE 300 & kings dr TOWN OF NEWBURGH ORANGE
NB-00907-18	07/13/2018	STATE ROUTE 300 & KINGS HILL TER TOWN OF NEWBURGH ORANGE
NB-01156-19	08/27/2019	NYS RT 300 & KINGS DR TOWN OF NEWBURGH ORANGE.

Total Records Matching Criteria: 13

ACCIDENTS FOUND MATCHING CRITERIA ENTERED

<u>Accident No.</u>	<u>Date</u>	<u>Location of Accident</u>
NB-00468-21	05/08/2021	STATE ROUTE 300 & vincent lane TOWN OF NEWBURGH ORANGE
NB-00730-20	08/12/2020	ROUTE 300 & vincent lane TOWN OF NEWBURGH ORANGE
NB-01286-19	09/29/2019	STATE ROUTE 300 & Vincent Lane TOWN OF NEWBURGH ORANGE
NB-01353-18	10/16/2018	ROUTE 300 & vincent lane TOWN OF NEWBURGH ORANGE
NB-01386-19	10/23/2019	STATE ROUTE 300 & VINCENT LN TOWN OF NEWBURGH ORANGE
NB-01531-18	11/16/2018	RTE 300 & vincent ln TOWN OF NEWBURGH ORANGE

Total Records Matching Criteria:	6
----------------------------------	---

ACCIDENTS FOUND MATCHING CRITERIA ENTERED

<u>Accident No.</u>	<u>Date</u>	<u>Location of Accident</u>
NB-00057-20	01/16/2020	FOREST RD & rt 300 TOWN OF NEWBURGH ORANGE
NB-00328-21	03/31/2021	FOREST RD & route 300 TOWN OF NEWBURGH ORANGE

Total Records Matching Criteria: 2

ACCIDENTS FOUND MATCHING CRITERIA ENTERED

Accident No.	Date	Location of Accident
NB-00309-21	03/19/2021	ST RT 300 & FOREST RD TOWN OF NEWBURGH ORANGE
NB-00873-18	07/09/2018	STATE ROUTE 300 & FOREST RD TOWN OF NEWBURGH ORANGE
NB-01150-19	08/23/2019	STATE ROUTE 300 & FOREST RD TOWN OF NEWBURGH ORANGE
NB-01742-19	12/21/2019	ST RT 300 & Forest rd TOWN OF NEWBURGH ORANGE

Total Records Matching Criteria: 4

ACCIDENTS FOUND MATCHING CRITERIA ENTERED

<u>Accident No.</u>	<u>Date</u>	<u>Location of Accident</u>
NB-00064-18	01/02/2018	NYS RT 300 & ROCK CUT RD TOWN OF NEWBURGH ORANGE
NB-00197-21	02/12/2021	STATE ROUTE 300 & ROCK CUT RD TOWN OF NEWBURGH ORANGE
NB-00246-21	03/07/2021	STATE ROUTE 300 & east rock cut rd TOWN OF NEWBURGH ORANGE
NB-00279-20	03/03/2020	STATE ROUTE 300 & rock cut rd TOWN OF NEWBURGH ORANGE
NB-00336-20	03/12/2020	STATE ROUTE 300 & e rock cut rd TOWN OF NEWBURGH ORANGE
NB-00529-18	04/24/2018	STATE ROUTE 300 & ROCK CUT RD TOWN OF NEWBURGH ORANGE
NB-00566-20	06/25/2020	ST RT 300 & ROCK CUT RD TOWN OF NEWBURGH ORANGE
NB-00709-18	06/02/2018	STATE ROUTE 300 & E Rock Cut Rd and State Route TOWN OF NEWBURGH..
NB-00819-18	06/19/2018	RT 300 & Rock Cut Rd ORANGE
NB-00993-18	08/04/2018	NYS RT 300 & ROCK CUT RD TOWN OF NEWBURGH ORANGE
NB-01119-19	08/20/2019	STATE ROUTE 300 & east rock cut rd TOWN OF NEWBURGH ORANGE

Total Records Matching Criteria: 11

ACCIDENTS FOUND MATCHING CRITERIA ENTERED

<u>Accident No.</u>	<u>Date</u>	<u>Location of Accident</u>
NB-00565-20	06/23/2020	ROCK CUT RD & STATE ROUTE 300 TOWN OF NEWBURGH ORANGE
NB-00703-18	05/27/2018	ROCK CUT RD & Route 300 TOWN OF NEWBURGH ORANGE
NB-00762-20	08/23/2020	ROCK CUT RD & State Route 300 TOWN OF NEWBURGH ORANGE
NB-00910-18	07/13/2018	ROCK CUT RD & ROUTE 300 TOWN OF NEWBURGH ORANGE
NB-01170-20	12/07/2020	ROCK CUT RD & STATE ROUTE 300 TOWN OF NEWBURGH ORANGE
NB-01222-19	09/07/2019	ROCK CUT RD & ST RT 300 TOWN OF NEWBURGH ORANGE
NB-01481-19	11/06/2019	ROCK CUT RD & st rt 300 TOWN OF NEWBURGH ORANGE

Total Records Matching Criteria:	7
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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 (2017, 2018, 2019);
CROSS ROADS COURT REAL ESTATE, LLC (1 Crossroads
Court)
OUR FILE NO. 800.24

DATE: SEPTEMBER 15, 2021

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

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 Stipulation and Order of Settlement and a chart showing the claimed refund liability for 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. As you may recall, the Town Board approved a proposed settlement for the then pending proceedings on this property in early 2020. As Ms. Drobny advises in her letter, the court closures and pandemic impacts on the hospitality industry, however, led to the property owner seeking to address the 2021 assessed value in the settlement.

As before, the settlement provides for a discontinuance with no reduction in assessed value for 2017, 2018 and 2019. The settlement further provides for a reduction in the 2020 assessed value from \$5,338,200 to \$4,991,000 as provided in the original proposed settlement. For 2021, the assessed value will be further reduced from \$4,991,000 to \$3,400,000. The Stipulation and Order now specifies that the provisions of RPTL Section 727 will not apply, meaning the 2022 and future assessments may be modified and challenged. The attorneys for the Newburgh Enlarged City School District will also be signatories to the Stipulation of Settlement.

The charts indicate that there will be refund liability of approximately \$19,404.52 for the Town, including Highway, without consideration of special district refunds, and Orange Lake Fire District refund liability of approximately \$7,973.75, versus claimed refund liability for the Town of approximately \$91,33.17, taking into account the business investment exemption.

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

cc: Joseph P. Pedi, 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

Please send all mail to:
SCHENECTADY

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

200 HARBORSIDE DRIVE, SUITE 300
SCHENECTADY, NY 12305

September 9, 2021

VIA E-MAIL - mtaylor@riderweiner.com

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

511 BROADWAY
SARATOGA SPRINGS, NY 12866

1659 CENTRAL AVENUE, SUITE 103
ALBANY, NY 12205

Re: Cross Roads Court Real Estate, LLC v. Town of Newburgh
Index Nos. EF005562-2017, EF007128-2018, EF005999-2019,
EF003223-2020 & EF004924-2021
Our File No. 5018.0147

FAX: (518) 274-5875

www.joneshacker.com

Dear Mr. Taylor:

Attached please find a proposed Stipulation & Order of Settlement relative to the above-referenced proceedings. There are currently five (5) years pending. There was a settlement agreement for 2017 to 2020 but the petitioner pulled the agreement due to COVID and its effects on the hospitality industry.

The subject property is the Hampton Inn & Suites located at 1 Crossroads Court, tax map #95-1-45.12. It is a +/- 99,030 sq. ft. hotel with 136 rooms, indoor pool, bistro, bar and meeting rooms. The original settlement agreement discontinued the 2017, 2018 and 2019 proceedings and reduced the assessment in 2020 to an FMV of \$15,500,000. Copies of the original settlement agreement and refund chart are attached. The revised proposed settlement, which includes the 2021 proceeding, is the same as the original settlement for the 2017 to 2020 proceedings but also includes the 2021 proceeding. The 2021 assessment is reduced to an assessed value of \$3,400,00 (FMV of \$12,035,398). The 2020 I & E and STR Report were provided and reviewed prior to negotiating the revised proposed settlement. RPTL §727 is waived and shall not apply to the 2021 value; the Assessor can increase the 2022 assessment and the taxpayer can challenge the 2022 assessment. We believe that this is a good settlement.

Also attached for your review are copies of the refund liability charts, which show the potential liability versus the proposed settlement refund liability.¹

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 to the School District's attorney for execution and return to petitioner's attorney for execution and submission to the Court.

¹ The property has a business exemption and the refund amounts calculated may not be 100% accurate.

Mark C. Taylor, Esq.
Rider, Weiner & Frankel, P.C.
September 9, 2021
Page 2

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 Piaquadio, Supervisor

**STATE OF NEW YORK
SUPREME COURT COUNTY OF ORANGE**

In the Matter of the Application of
CROSS ROADS COURT REAL ESTATE, LLC,

Petitioner,

-against-

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

Respondents.

**STIPULATION & ORDER
OF SETTLEMENT**

Index Nos.:
EF005562-2017,
EF007128-2018,
EF005999-2019,
EF003223-2020 &
EF004925-2021

For the review of the assessment for the years 2107, 2018, 2019,
2020 and 2021 of certain real property in the said **TOWN OF
NEWBURGH.**

Assigned Judge:
Hon. Catherine M. Bartlett, J.S.C.

The above named Petitioner having duly brought these Real Property Tax Law ("RPTL") Article 7 proceedings to review the tax assessments made against premises owned by the Petitioner Cross Roads Court Real Estate, LLC located at 1 Crossroads Court (SBL No. 95-1-45.12) in the Town of Newburgh, County of Orange, State of New York (the "Parcel"), for the years 2017, 2018, 2019, 2020 and 2021 and being the real property mentioned and more fully described in the petition made and filed herein, and issue having been duly joined herein, and the Petitioner having appeared by Goldman Attorneys PLLC, Paul J. Goldman, Esq., the Respondents Town of Newburgh having appeared by E. Stewart Jones Hacker Murphy LLP, Cathy L. Drobny, Esq., Respondent-Intervenor Newburgh Enlarged Town School District having appeared by Shaw, Perelson, May & Lambert, LLP, Marc Sharff, Esq., and the parties having entered into and consent to this Stipulation & Order of Settlement;

NOW, on motion of Goldman Attorneys PLLC, attorneys for Petitioner, it is hereby,

1. ORDERED, ADJUDGED and DECREED, that the Petitioner will discontinue the 2017, 2018 and 2019 proceedings; and it is further,

2. ORDERED, ADJUDGED and DECREED, that the 2020 assessment of the Parcel shall be corrected from an assessed value of \$5,338,200 to an assessed value of \$4,991,000; and it is further

3. ORDERED, ADJUDGED and DECREED, that the 2021 assessment of the Parcel shall be corrected from an assessed value of \$5,338,200 to an assessed value of \$3,400,000; and it is further,

4. ORDERED, ADJUDGED and DECREED, that the Parties agree that RPTL §727 shall not apply to this settlement; and it is further,

5. The parties specifically acknowledge that the corrected assessed values of the Parcel set forth in Paragraphs 2 and 3 and the waiver of RPTL §727 were specifically negotiated by the Parties.

Dated: _____, 2021
Goshen, New York

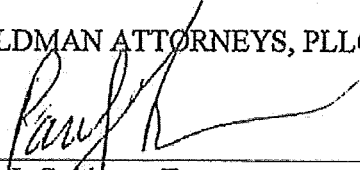
Hon. Catherine M. Bartlett
Justice, Supreme Court

STIPULATION

The Attorneys for the respective Parties do hereby consent to this Stipulation & Order of Settlement.

Dated: 8/2, 2021

GOLDMAN ATTORNEYS, PLLC



Paul J. Goldman, Esq.
Erika C. Browne, Esq.
Attorneys for Petitioner
Cross Roads Court Real Estate, LLC
255 Washington Avenue Extension, Suite 108
Albany, New York 12205
(518) 431-0941

Dated: _____, 2021

E. STEWART JONES HACKER MURPHY LLP

Cathy L. Drobny, Esq.
Attorneys for Respondent
Town of Newburgh
200 Harborside Drive, #300
Scheneectady, New York 12305
(518) 274-5820

Dated: _____, 2021

SHAW, PERELSON, MAY & LAMBERT, LLP

Marc Sharff, Esq.
Attorneys for Respondent-Intervenor
Newburgh Enlarged City School District
115 Stevens Avenue
Valhalla, New York 10595
(914) 741-9870

Crossroads Court v. Newburgh Petitioner Claimed Value

Year	Parcel Number	Assessed Value	Taxable Assessed Value	Petitioner's Claimed Taxable AV	Eq. Rate	FMV	Claimed FMV	Difference AV	Taxable Assessed Value	Tax Rate	Refund Liability
2017	95-1-45.12	\$ 230,100	\$ 230,100	\$ 230,100	34.44%	\$ 668,118	\$ 668,118	\$ -	\$ -	County 11.1261 Town 9.2118 Highway 5.2743 Fire-OL 3.9272 Sp. Dist. 4.6515 Library School	\$ -
2018	95-1-45.12	\$ 5,338,200	\$ 2,784,150	\$ 2,155,050	34.00%	\$ 15,700,568	\$ 12,000,000	\$ 1,258,200	\$ 629,100	County 11.0305 Town 9.4132 Highway 5.4584 Fire-OL 3.9814 Sp. Dist. 4.3375 Library School	\$ 6,935.29 \$ 5,921.84 \$ 3,433.88 \$ 5,009.40 \$ 2,728.72
2019	95-1-45.12	\$ 5,338,200	\$ 3,039,555	\$ 2,898,000	32.20%	\$ 16,578,261	\$ 9,000,000	\$ 2,440,200	\$ 1,342,110	County 11.5799 Town 9.6560 Highway 5.4916 Fire-OL 4.1105 Sp. Dist. 4.3442 Library School	\$ 15,541.50 \$ 12,959.41 \$ 7,370.33 \$ 10,030.44 \$ 5,830.39
2020	95-1-45.12	\$ 5,338,200	\$ 3,294,960	\$ 2,695,500	28.95%	\$ 17,823,706	\$ 9,000,000	\$ 2,642,700	\$ 1,585,620	County 11.8689 Town 10.8692 Highway 4.7485 Fire-OL 4.1140 Sp. Dist. 4.3467 Library School	\$ 18,819.57 \$ 17,234.42 \$ 7,529.32 \$ 10,872.07 \$ 6,892.21
2021	95-1-45.12	\$ 5,338,200	\$ 3,550,365	\$ 1,695,000	28.25%	\$ 18,886,283	\$ 6,000,000	\$ 3,643,200	\$ 2,368,080	County 11.8689 Town 10.8692 Highway 4.7485 Fire-OL 4.1140 Sp. Dist. 4.3467 Library School	\$ 28,105.50 \$ 25,739.14 \$ 11,244.83 \$ 14,988.12 \$ 10,293.33
Consolidated Water I & II, Orange Lake Fire District and Consolidated Light on County bills School District on a Pilot Payment Plan											
										County 69.405.86 Town 51.854.81 Highway 29.578.36 Fire-OL 40.900.03 Sp. Dist. 25.744.66 Library School	\$ - \$ - \$ - \$ - \$ - \$ -
										Total	\$131,874.43

Crossroads Court v. Newburgh Settlement

Year	Parcel Number	Reduced			Eq. Rate	FMV	Reduced FMV	Difference		Taxable		Refund Liability
		Assessed Value	Reduced Assessed Value	Assessed Taxable Value				Assessed Value	Value	Assessed Value	Value	
2017	95-1-45.12	\$ 230,100	\$ 230,100	\$ 230,100	34.44%	\$ 668,118	\$ 668,118	\$ -	\$ -	County 11.1261 Town 9.2118 Highway 5.2743 Fire-OL 3.9272 Sp. Dist. 4.6515 Library 3.472455 School 75.922863	\$ -	
2018	95-1-45.12	\$ 5,338,200	\$ 5,338,200	\$ 2,784,150	34.00%	\$ 15,700,588	\$ 15,700,588	\$ -	\$ -	County 11.0306 Town 9.4132 Highway 5.4584 Fire-OL 3.9814 Sp. Dist. 4.3375 Library 3.410414 School 73.757176	\$ -	
2019	95-1-45.12	\$ 5,338,200	\$ 5,338,200	\$ 3,039,555	32.20%	\$ 16,578,261	\$ 16,578,261	\$ -	\$ -	County 11.5799 Town 9.6560 Highway 5.4916 Fire-OL 4.1105 Sp. Dist. 4.3442 Library 3.438755 School 72.719540	\$ -	
2020	95-1-45.12	\$ 5,338,200	\$ 4,991,000	\$ 3,086,640	29.95%	\$ 17,822,706	\$ 16,664,441	\$ 347,200	\$ 208,320	County 11.8689 Town 10.8682 Highway 4.7485 Fire-OL 4.1140 Sp. Dist. 4.3487 Library 3.542079 School 71.885193	\$ 2,472.53 \$ 2,264.27	
2021	95-1-45.12	\$ 4,991,000	\$ 3,324,685	\$ 2,290,335	28.25%	\$ 17,667,297	\$ 12,035,398	\$ 1,591,000	\$ 1,034,160	County 11.8689 Town 10.8682 Highway 4.7485 Fire-OL 4.1140 Sp. Dist. 4.3487 Library 3.521783 School 71.473310	\$ 12,274.22 \$ 11,240.38 \$ 4,910.66 \$ 6,545.37 \$ 4,495.14	
Consolidated Water & II, Orange Lake Fire District and Consolidated Light on County bills School District on a Pilot Payment Plan												
										County	\$ 14,746.75	
										Town	\$ 13,504.65	
										Highway	\$ 5,899.87	
										Fire-OL	\$ 7,973.75	
										Sp. Dist	\$ 5,400.64	
										Library	\$ -	
										School	\$ -	
										Total	\$ 47,525.68	

SECTION 60

SECTION 58

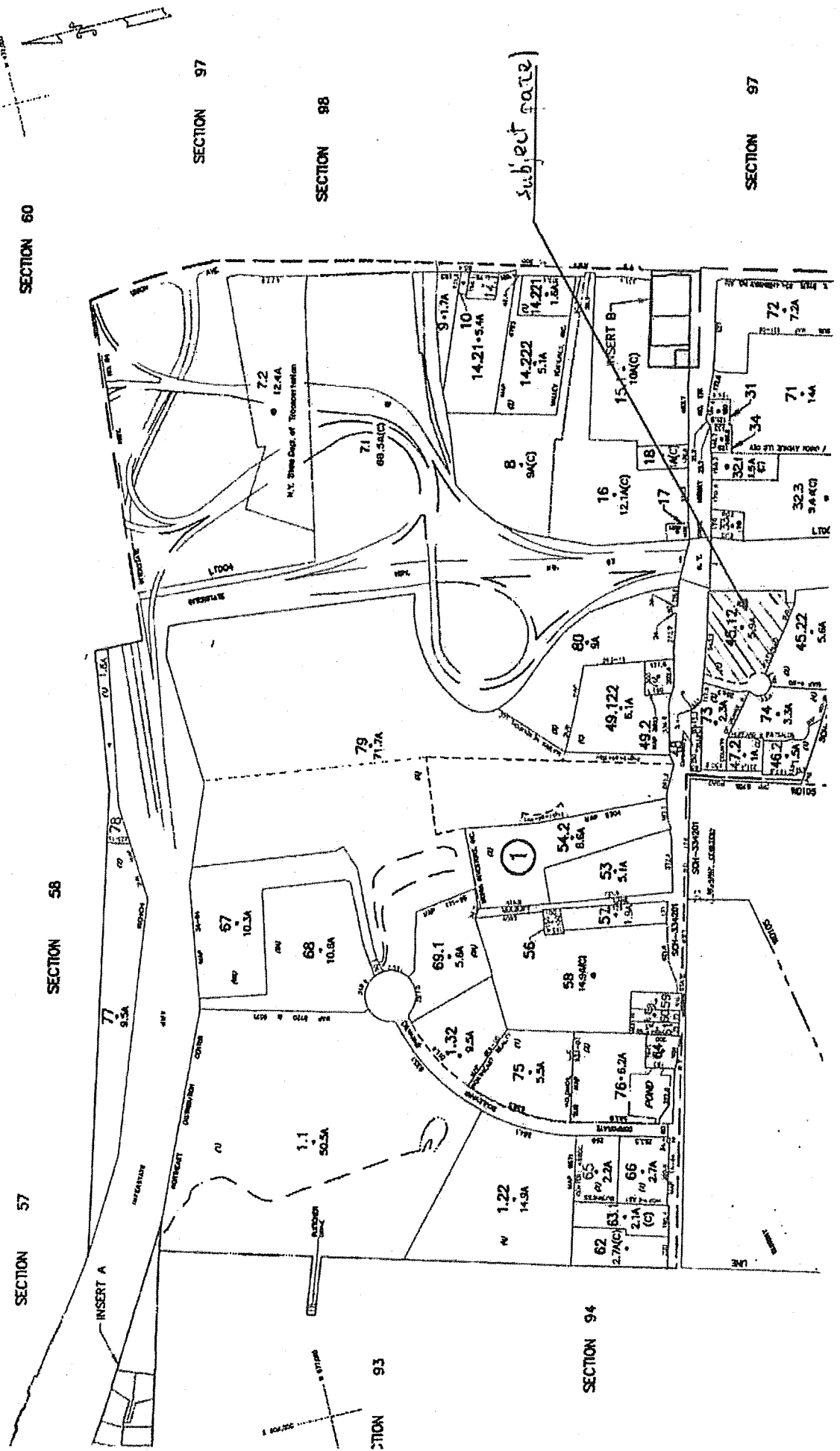
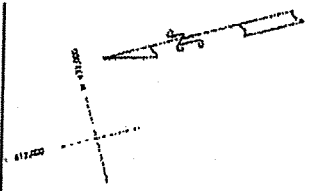
SECTION 57

SECTION 97

SECTION 98

SECTION 97

subject gate



SECTION 93

SECTION 94



Image Mate Online

Navigation GIS Map Tax Maps | DTF Links

Help Contact Us Log In

Commercial

- Property Info
- Owner/Sales
- Inventory
- Improvements
- Tax Info
- Report
- Comparables

Municipality of Newburgh			
SWIS:	334600	Tax ID:	95-1-45.12
Tax Map ID / Property Data			
Status:	Active	Roll Section:	Wholly Exem
Address:	1 Crossroads Ct		
Property Class:	414 - Hotel	Site Property Class:	414 - Hotel
Ownership Code:			
Site:	Com 1	In Ag. District:	No
Zoning Code:	-	Bldg. Style:	Not Applicable
Neighborhood:	41126 -	School District:	Newburg
Property Description:	Lt1 Patsalos Sub Map 4-00		
Total Acreage/Size:	5.90	Equalization Rate:	----
Land Assessment:	2021 - \$230,100	Total Assessment:	2021 - \$4,991,000
Full Market Value:	2021 - \$17,667,257		
Deed Book:	13824	Deed Page:	258
Grid East:	607940	Grid North:	973512
Bank Code:	N/A		

Special Districts for 2021				
Description	Units	Percent	Type	Value
FD030-Orange lk fire	0	0%		0
LT004-Consol lt	0	0%		0
WD001-Consol wtr 1	0	0%		0
WD002-Consol wtr 2	0	0%		0

Photographs

(Click on photo to enlarge it.)

95-1-45.12

Photo

Photo 1 of 9 →

Pictometry Connect

Documents

No documents found for this parcel

Maps

- View Tax Map
- Pin Property on GIS Map
- View in Google Maps
- View in Bing Maps

Map Disclaimer

Land Types	
Type	Size
Primary	5.90 acres



Image Mate Online

Navigation GIS Map Tax Maps | DTF Links

Help Contact Us Log In

Commercial

- Property Info
- Owner/Sales
- Inventory
- Improvements
- Tax Info
- Report
- Comparables

Municipality of Newburgh

SWIS:	334600	Tax ID:	95-1-45.12	
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Ownership Information

Name	Secondary Name	Address
LLC Crossroads Court Real Estate		P.O. Box 10804 Newburgh NY 12552
Orange County IDA		P.O. Box 10804 Newburgh NY 12552

Sale Information

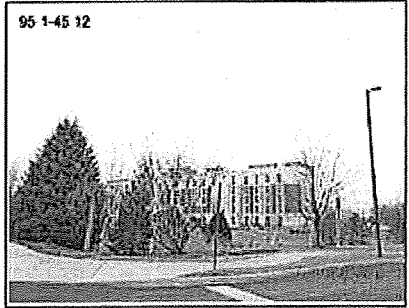
Sale Date	Price	Property Class	Sale Type	Prior Owner
11/24/2014	\$0	330 - Vacant comm	Land Only	Milano, Martin J
	Value Usable	Arms Length	Deed Book	Deed Page
	No	No	13824	258

Historic Deed Information

Photographs

(Click on photo to enlarge it.)

95-1-45-12



Photo

Photo 1 of 9 →

Pictometry Connect

Documents

No documents found for this parcel

Maps

- View Tax Map
- Pin Property on GIS Map
- View in Google Maps
- View in Bing Maps

Map Disclaimer

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, in the Town of Newburgh, Orange County, New York on the ___th day of September, 2021 at 7:00 o'clock p.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

RESOLUTION OF TOWN BOARD
AUTHORIZING SETTLEMENT OF
PROCEEDINGS UNDER ARTICLE
7 OF THE REAL PROPERTY
TAX LAW:
SBL #95-1- 45.12
CROSS ROADS COURT REAL ESTATE
LLC (1 CROSSROADS COURT)
INDEX NUMBERS 2017-EF005562; 2018-
EF007128, 2019-EF005999, 2020-EF003223
and 2021-EF004925

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

WHEREAS, Cross Roads Court Real Estate, LLC (the "Petitioner") has instituted proceedings under Article 7 of the Real Property Tax Law by which Petitioner seeks to obtain judicial review and reduction of the assessment of real property in the Town of Newburgh, Orange County, New York, consisting of a hotel and related improvements located on a parcel of land at 1 Crossroads Court (Section 95-Block 1-Lot 45.12) on the tax assessment roll for the tax years 2017, 2018, 2019, 2020 and 2021; and

WHEREAS, special counsel to the Town, E. Stewart Jones Hacker Murphy, LLP, has negotiated a settlement of the proceeding with the Petitioner, the terms of which are embodied in a proposed Stipulation & Order of Settlement annexed hereto and recommended that the Town Board authorize the settlement; and

WHEREAS, after review and discussion, the Town Board has determined it to be in the best interests of the Town to authorize the settlement.

NOW, THEREFORE, BE IT RESOLVED that the Town Board hereby authorizes and directs E. Stewart Jones Hacker Murphy, LLP to execute and deliver the Stipulation and Order of Settlement on behalf of the Town; and

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

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

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

Elizabeth J. Greene, Councilwoman voting _____

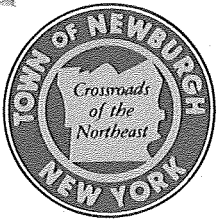
Paul I. Ruggiero, Councilman voting _____

Scott M. Manley, Councilman voting _____

Anthony R. LoBiondo, Councilman voting _____

Gilbert J. Piaquadio, Supervisor voting _____

The resolution was thereupon declared duly adopted.



TOWN OF NEWBURGH

10B

1496 Route 300, Newburgh, New York 12550

PERSONNEL DEPT.

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

To: Supervisor Piaquadio ✓
Town Board

From: Charlene M Black, Personnel Director

Date: September 14, 2021

Re: Assistant Assessor

After your interview with Nancy Elgueta, I was told you would like to hire her as the Assistant Assessor for the Town of Newburgh. Per the canvas letter sent to her, her salary will be \$60,000.00 and she will be a level two manager. That being said Ms. Elgueta will need to come in to complete her paperwork, have a physical and be drug and alcohol tested. Her fingerprints are still on file under our DCJS list. A start date of on or after October 11, 2021. Thank you in advance.

TOWN OF NEWBURGH

EMPLOYMENT REQUEST FORM

To: Personnel Department

NAME OF CANDIDATE: Nancy Elgueta

DEPARTMENT: Assessor

TITLE OF POSITION: Assistant Assessor

FULL TIME OR PART TIME: Full time

HOURLY RATE: Yearly \$ 60,000⁰⁰

IS POSITION FUNDED IN CURRENT BUDGET: YES OR NO

FUND APPROPRIATION NUMBER: 1355, 5100

PROPOSED HIRE DATE: on or after 10/11/2021

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

Andrew M. Slank for Bill Piagnaded
DEPARTMENT HEAD SIGNATURE

9/14/2021
DATE

ORIGINAL APPLICATION SHOULD BE ON FILE IN THE PERSONNEL
DEPARTMENT

10C



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

MEMORANDUM

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

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

RE: RESOLUTION DETERMINING NOT TO FURTHER AMEND
AND EXTEND AGREEMENT FOR EXEMPTION AND
ASSESSMENT SERVICES WITH THE ORANGE COUNTY
REAL PROPERTY TAX SERVICES OFFICE EXPIRING
DECEMBER 31, 2021 AND RESTORING THE
PERFORMANCE OF EXEMPTION AND ASSESSMENT
SERVICES TO THE OFFICE OF TOWN ASSESSOR
OUR FILE NO. 800.1(B)()(2015); 800.1(B)()2018;
800.1(B)()(2021)

DATE: SEPTEMBER 16, 2021

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

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 please find the above draft resolution for the Board's consideration. While the Agreement for assessment services with Orange County will expire on December 31, 2021 in the ordinary course, the resolution will provide clarity in the public record with regard to the Town Board's decision on how to proceed forward and the restoration of authority in the office of Town Assessor.

Should you have any questions or concerns, please do not hesitate to contact me.

MCT/sel

Enc.

cc: Joseph P. Pedie, Town Clerk
Deborah Smith, Receiver of Taxes (via e-mail)
Ronald Clum, Town Accountant (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 ___th day of September, 2021 at 7:00 P.M., Prevailing Time.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

RESOLUTION DETERMINING NOT TO FURTHER EXTEND AND AMEND AGREEMENT FOR EXEMPTION AND ASSESSMENT SERVICES WITH THE ORANGE COUNTY REAL PROPERTY TAX SERVICES OFFICE EXPIRING DECEMBER 31, 2021 AND RESTORING THE PERFORMANCE OF EXEMPTION AND ASSESSMENT SERVICES TO THE OFFICE OF TOWN ASSESSOR

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

WHEREAS, the Town of Newburgh and Orange County, pursuant Section to 1537 of the Real Property Tax Law of the State of New York and Article 5-G of the General Municipal Law, entered into an Agreement dated December 11, 2015 for the Orange County Office of Real Property Tax Services to perform exemption and assessment services for the Town commencing on January 1, 2016 through December 31, 2018 (the "Agreement"); and

WHEREAS, the Town and Orange County subsequently entered into an amendment and restatement of the Agreement for the period commencing on January 1, 2019 through December 31, 2021; and

WHEREAS, the Town Board in consultation with the County Office of Real Property Tax Services has determined not to further amend and extend the Agreement when it expires on December 31, 2021, and to restore the functions of exemption and assessment services to the office of Town Assessor; and

WHEREAS, the determination is a Type II Action under SEQRA as a matter of routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Newburgh that the Agreement, as amended, shall not be renewed or extended and shall be allowed to expire on December 31, 2021 in accordance with its terms; and

BE IT FURTHER RESOLVED, that the portions of prior resolutions removing the performance of the functions of exemption and assessment services from the office of Town Assessor are repealed effective January 1, 2022, so that those functions are restored to the office of Town Assessor as of said date; and

BE IT FURTHER RESOLVED, that the Supervisor and other officers of the Town are hereby authorized and empowered to make, execute and deliver, or cause to be made, executed and delivered, in the name of and on behalf of the Town, all such notices, certificates, agreements, documents and papers and to take such actions as may be necessary to effectuate and carry out the contents of the foregoing resolutions; and

BE IT FURTHER RESOLVED, that the aforesaid resolutions shall take effect

immediately or as otherwise provided.

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.

STATE OF NEW YORK)
COUNTY OF ORANGE) SS:
TOWN OF NEWBURGH)

I, Joseph P. Pedi, Town Clerk of the Town of Newburgh, DO HEREBY CERTIFY that I have compared the foregoing resolution, duly adopted by the Town Board of the Town of Newburgh on the ___th day of September, 2021, and entered in the minutes of the proceedings of said Board, and that the foregoing is a true and correct copy of said resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my name and the seal of said Town on this _____ day of September, 2021.

Joseph P. Pedi, Town Clerk

September 15, 2021

Supervisor Gilbert Piaquadio and
Town Board Members

Re: **Town of Newburgh – Wireless Code, Chapter 168**
Proposed HDR Scope for Wireless Code Review and Modifications

Dear Supervisor Piaquadio and Members of the Town Board:

HDR is excited to present this proposal for technical review and update of the existing Wireless Telecommunications Facility Code (Chapter 168). The scope presented herein is based on our experience with Wireless Telecommunications planning, FCC rulings and guidance, code updates in other municipalities, and technical reviews of various aspects of wireless facility applications. We have been working on behalf of the Town and several other NYS municipalities since the early 2000's.

This scope and budget estimate is based on our experiences on similar projects completed for other municipalities in the area. In 2013, HDR began an assessment of Chapter 168 with the Town Attorney and Code Compliance Supervisor. Work performed and recommendations for updates that were noted at that time will be utilized for this effort, recognizing that much has changed in technology, siting strategies, and FCC rulings even since that time.

The details of the proposed level-of-effort and costs are approximate and are likely to depend on required research, outreach, and the nature of Town feedback received in order to complete and implement updates to the Town's Wireless Code. We look forward to working with the Town Board, Planning Board, Code Compliance Department, and Town Attorney to prepare proposed revisions to the Code with consideration to emerging technologies, State and FCC rulings, and with anticipation of applications from commercial wireless carriers and infrastructure companies that may range from new cell tower structures to upgrades of existing cell sites to small cell antennas located on utility poles and in Rights-of-Way (ROWs).

Scope of Work

HDR will coordinate with the Town Board and other Town representatives (Town Attorney, Code Compliance Department, and others) to review all sections of the existing Wireless Code. Items to be considered for updating or modifications will be identified, with rationales provided that are based on observations / experiences over the past few years (FCC rulings, legal determinations in New York and elsewhere; the Town of Newburgh's experiences in reviewing / processing "minor" modifications and facility upgrades) along with new, emerging issues (distributed antenna systems [DAS] and small cells; co-locating on ROW structures; etc.). HDR tracks relevant industry information and news (legal decisions, policies) from the area and nationally, and our interfacing with other municipal and carrier representatives since 2000 will provide valuable perspectives for this Code review and update process.

HDR will complete the technical review of the existing Wireless Code and prepare a "red-lined" version of proposed / recommended changes. Mark-ups will look to acknowledge relevant rules

and policies and technologies and enhance the Town's application requirements and internal review procedures. As alluded to, we are now seeing different types of proposals and applications from the wireless industry (aside from those involving new tower structures where the main objective is to provide "coverage" to an unserved area). Trends indicate that lower power / lower elevation (but more) cell sites are required to enhance service in terms of "capacity" and densification (not solely coverage). The advent of new technologies and 5G services will likely drive the need for an increased number of cell site applications submitted to the Town over time.

The Wireless Code review will also provide a comparison of the existing code items (definitions of types of wireless facilities, municipal review times) to recent FCC and industry changes, such as the November 18, 2009 Declaratory Ruling (WT Docket No. 08-165), which sets forth timeframes in which a local authority must act on a wireless facility siting application ("Shot Clock"); Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, also referred to as the "Spectrum Act"; FCC October 21, 2014 Report and Order (defining substantial vs. non-substantial modifications to existing cell sites; providing information on small cells and DAS and work in the public ROW); FCC September 26, 2018 Declaratory Ruling and Third Report and Order (FCC 18-133; addressing regulatory "barriers" that inhibit the deployment of infrastructure necessary for 5G and other advanced wireless services); and other similar rulings. We acknowledge that future policy – and possible State legislation – may dictate (or limit) certain types of municipal reviews involving State or County ROWs, the SHPO and SEQRA processes, or where small cells are proposed for deployment. For conformance with local zoning and for protection of the aesthetic, cultural, historical, and ecological resources of the Town to remain in the forefront, well-planned modifications to the Wireless Code are important.

The full Wireless Code (Chapter 168) will be reviewed, and "red-lines" comments will be submitted (in draft form) for discussion purposes to the Town Board, Town Attorney, and other Town representatives, as directed. The comments will focus on recommendations for code modifications to improve the Town's processes in handling items such as: recognizing FCC rulings and timeframes; reviewing different types of wireless applications (new facilities such as towers, other structures, and small cells; modifications to existing cell sites; co-locations; and recertifications); preferred siting of wireless facilities; Code definition updates; assessing alternate technologies and mitigation techniques; inspection and maintenance of cell sites; and various other items.

HDR will provide preliminary comments and suggested edits for the Code via insertion of red-line changes and margin comments in a Word document, so that suggested modifications can be viewed vs. the current code. This task assumes the submittal of a digital copy and hardcopies of the review work, and our participation at one (1) meeting to present our findings and recommendations to the Town Board. HDR will assess and incorporate comments from meeting discussions. For costing purposes, HDR assumes that all comments will be addressed within a single round of comments. A final "clean" copy of the recommended Wireless Code changes will be submitted to the Town Board and Town Attorney.

Sub-Tasks

The following work is anticipated as part of this scope to appropriately review and update Chapter 168:

- *Technical review of the existing Wireless Code, other Town codes, Town map resources, Land Uses, other information;*

- *Site reconnaissance (inventory of existing cell site locations and configurations in the Town [towers, water tanks / rooftops, small cells], land uses and zoning, local / county / state roads and ROWs);*
- *Research and summaries of FCC rulings, including those applying to conventional macro sites and small cells, application review timeframes and logistics, and related items;*
- *Providing guidance based on HDR's experience with other municipal wireless ordinances including: definitions as related to FCC criteria (e.g., substantial changes; Eligible Facilities Request), RF emissions and safety, fees and escrows, removal bonds, and other information.*

As part of the scope, HDR will also prepare Draft Aesthetic Guidelines incorporating best practices for wireless facility siting and construction, stealth technologies, and design guidelines. These will be referenced in the Chapter 168 updates and in the application procedures. Updated wireless facility application forms and checklists (first draft) will also be developed.

HDR will provide support to the Board(s) and Town Attorney as related to the adoption of updates to the Wireless Code, including the SEQRA review process.

Proposed Budget

The estimated initial budget for the above Scope of Work, which is anticipated over several months, is **\$14,500**. The work includes research of FCC and other policies / rulings, incorporating suggested edits ("red lines") into the Wireless Code document, consulting with the Town Attorney and others during the process, and preparing the deliverable / presentation to the Town Board. Work is proposed to be completed on a time and materials (T&M) basis, within an approved initial budget set by the Town, under a new Task Order per our Standard Agreement and Labor Rates (in-place with the Town). A proposed Task Order 2020-08 is provided as Attachment A.

Should follow-on tasks be required to support adoption of the Wireless Code changes, such as additional meetings with the Town Board or other Departments, SEQRA review of the code modifications, and/or responding to additional rounds of comments/feedback, a Task Order modification will be provided for consideration. It is noted that proposed Wireless Code edits can be considered for notification in the NYSDEC Environmental Notice Bulletin (ENB) under a formal SEQRA resolution. As such, a comment period from the public, wireless carriers, and other interested parties should be considered.

Staffing

For this assignment, HDR will use its experience on similar Wireless Code update projects that have included the Town of Clarkstown, Village of Woodbury, Village of Lake Success, Village of Haverstraw, and Village of Sleepy Hollow. We have performed wireless review work in upwards of 30 NYS municipalities over time and have gleaned much practical information from working with diverse codes and communities. Our knowledge of the Town's unique physical features and zoning – along with our first-hand experience with the existing cell sites in the Town and surrounding communities – will be incorporated into the Code review and update work.

The below Staff Roster and Rate sheet is proposed to be utilized for this assignment, with experienced staff situated in the Hudson Valley (and typically reporting to our Mahwah, New Jersey office). Resumes and specific wireless project experience will be furnished if requested; I look forward to discussing this scope of work with the Town Board at an upcoming session.

Labor Rates		
Staff	Role	2021 Rates
Jacob Bower	Accounting; Admin	\$100.00
Sean Decken	Production / Deliverables	\$94.00
Haley Rosado, Colin Mills	Graphics, Environmental Scientist, Recon and Mapping	\$150.00
TBD, if necessary	Structural Engineer II	\$155.00
Stacy Calta	Technical / Code; Visual Assessment; SEQRA	\$161.00
Michael Musso, P.E.	Program / Project Manager	\$242.00

* The above rates are those of our 2021 Letter of Interest that was submitted to the Town in late 2020 for continued consulting services. These rates are applicable through December 31, 2021.

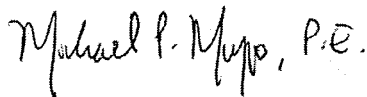
HDR thanks you for considering us. Please let me know if we can provide you with any additional information, or if you have any questions regarding this proposal. I can be reached at michael.musso@hdrinc.com or 845-304-9639 (mobile).

Sincerely,

Henningson, Durham & Richardson

Architecture & Engineering, P.C.

In Association with HDR Engineering, Inc.



Michael P. Musso, P.E., M.S., MPH
Senior Project Manager

Attachment

TASK ORDER 2020-08

This Task Order pertains to an Agreement by and between Town of Newburgh, New York, (“OWNER”), and Henningson, Durham & Richardson Architecture and Engineering, P.C. (“ENGINEER”), dated July 1, 2020, (“the Agreement”). Engineer shall perform services on the project described below as provided herein and in the Agreement. This Task Order shall not be binding until it has been properly signed by both parties. Upon execution, this Task Order shall supplement the Agreement as it pertains to the project described below.

TASK ORDER NUMBER: **2020-08**

PROJECT NAME: *Wireless Code (Chapter 168) Review and Update*

PART 1.0 PROJECT DESCRIPTION: Consulting services to review and develop proposed updates and edits to the Town of Newburgh’s Wireless Code (Chapter 168). Develop draft Aesthetic Guidelines for wireless telecommunication facilities. Develop Forms and Checklists for wireless applications.

PART 2.0 SCOPE OF SERVICES TO BE PERFORMED BY ENGINEER ON THE PROJECT:

Refer to HDR Scope Letter dated September 14, 2021

- Technical Review of the existing Wireless Code, other Town codes, Town map resources, Land Uses, other information;
- Site reconnaissance (inventory of existing cell site locations and configurations in the Town [towers, water tanks / rooftops, small cells], land uses and zoning, local / county / state roads and ROWs);
- Research and summaries of FCC rulings, including those applying to conventional macro sites and small cells, application review timeframes and logistics, and related items;
- Provide guidance based on HDR’s experience with other municipal wireless ordinances including: definitions as related to FCC criteria (e.g., substantial changes; Eligible Facilities Request), RF emissions and safety, fees and escrows, removal bonds, and other information.
- Prepare proposed edits to Chapter 168 (“red line” submittals for review and comment):
 - Recognize FCC rulings and timelines.
 - Definition updates.
 - Procedures for assessing new facilities (towers, other structures, and small cells), modifications to existing cell sites, co-locations, and recertifications.
- Prepare draft Aesthetic Guidelines incorporating best practices for wireless facility siting and construction, stealth technologies, and design guidelines;
- Develop Town Application Forms and Checklists for wireless facility applications;
- Participation at meetings and workshops to discuss findings and recommendations and to obtain Board, public, and stakeholder feedback
 - Scope assumes one (1) meeting with the Town Board and one (1) meeting or work session with the Planning Board

- Provide support with adoption of Chapter 168 edits and SEQRA review process.

PART 3.0 OWNER'S RESPONSIBILITIES:

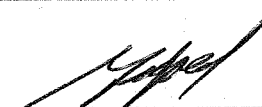
- Furnish HDR with relevant zoning and land use maps, Town Comprehensive Plan, and other plans and mapping resources.
- Provide comments on draft Wireless Code updates and draft Aesthetic Guideline submittals by HDR.

PART 4.0 PERIODS OF SERVICE: September 20, 2021 – March 31, 2022

PART 5.0 ENGINEER'S FEE: Total initial estimated fee is **\$14,500**. This is a time and materials (T&M) budget estimate, based on the above scope of work and HDR's 2021 hourly labor rate sheet. Should an increased level-of-effort be required, HDR will inform the Town and obtain authorization to modify the above-noted budget.

PART 6.0 OTHER: N/A

This Task Order is executed this ___ day of _____, 2021.

<p>_____ "OWNER"</p> <p>BY: <u></u></p> <p>NAME: <u>Gilbert Piagnadio</u></p> <p>TITLE: <u>Supervisor</u></p> <p>ADDRESS: <u>1496 Route 300</u> <u>Newburgh, NY 12550</u></p>	<p>Henningson, Durham & Richardson Architecture and Engineering, P.C. "ENGINEER"</p> <p>BY: _____</p> <p>NAME: <u>Yiannoulla Charalambous</u></p> <p>TITLE: <u>Authorized Representative</u></p> <p>ADDRESS: <u>500 Seventh Avenue</u> <u>New York, NY 10018</u></p>
--	--



TOWN OF NEWBURGH

12

1496 Route 300, Newburgh, New York 12550

PERSONNEL DEPT.

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

To: Supervisor Piaquadio ✓
Town Board

Cc: Ron Clum, Accountant

From: Charlene M Black, Personnel 

Date: September 20, 2021

Re: Extension of EAP Contract

Please see the attached letter from Catholic Charities who administer our EAP program. They are raising their fee by 3% for 2021-2022, from \$5487.00 to \$5651.00. Mr. Piaquadio will need to sign the extension per the letter attached. Please approve this so we can go forward with the EAP program, since it is part of our handbook and the union contracts. Many of our employees have been utilizing the program. Thank you in advance.



Corporate Services EAP
305 North Street
Middletown, NY 10940
Tel: 845.344.5565
Fax: 845.344.6982

September 10, 2021

Charlene Black
Personnel Director
Town of Newburgh
1496 Rt. 300
Newburgh, NY 12550

Dear Charlene:

Attached is Addendum No. 7, extending the EAP agreement between Town of Newburgh and Corporate Services EAP. If the addendum meets with your approval, please have two originals signed and returned to me. I will forward a fully executed original to you for your file.

Also enclosed is a copy of the invoice for the first quarter of our new contract year, 8/15/21 – 11/14/21. You will note that we have adjusted our fee to include a 3% annual increase. While we try to keep costs down, we periodically must factor in an increase in order to cover our own rising business expenses.

This communication will be followed by our annual "year in review" information. We forward our invoice separately and prior to the report which allows us to maintain consistency in the billing cycle. We appreciate your patience with this process.

Please give me a call if you have any questions or concerns.

Sincerely,

Pat Hollenbeck
Contract Manager

Encl.

**EAP SERVICES AGREEMENT
ADDENDUM NUMBER 7**

ADDENDUM No. 7, dated as of this 15th day of August 2021 by and between TOWN OF NEWBURGH ("Organization"), 1496 Route 300, Newburgh, NY 12550 and CATHOLIC CHARITIES OF ORANGE, SULLIVAN AND ULSTER, 305 North Street, Middletown, NY 10940 ("CORPORATE SERVICES");

WHEREAS, the Organization and Corporate Services have entered into an EAP Services Agreement (the "Agreement") dated as of August 15, 2014; and

WHEREAS the Organization and Corporate Services wish to extend the term of the Agreement and make other amendments as set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Schedule A of the Agreement is hereby amended to add the following paragraph:

"The term of this Agreement shall be for a period of ONE (1) YEAR commencing on August 15, 2021 and shall be automatically renewed for a subsequent one-year term unless amended or terminated".

2. Schedule A, No. 1, of the Agreement is hereby deleted and replaced by the following:

"Fees: In consideration of the services provided to Organization under the Agreement, Organization shall pay to Corporate Services annual fees of \$5,651.00.

All other terms of the Agreement, except as specifically amended or modified herein, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Addendum Number 7 as of the date first above written.

TOWN OF NEWBURGH

By: _____

Title: _____

CATHOLIC CHARITIES OF ORANGE, SULLIVAN AND ULSTER

By: _____

Title: _____

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

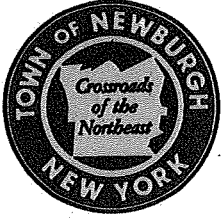
Phone 845-564-4553

Fax 845-566-1432

DATE: September 20, 2021
TO: Gilbert Piaquadio, Supervisor
FROM: Deborah A. Smith, Receiver of Taxes
SUBJECT: 2021 Unpaid Sewer Bond Re-levy

I am requesting to be on the September 227, 2021 Workshop Meeting for the approval of unpaid Sewer Bond Re-levy for the 2021 Property Taxes.

I will provide backup to the Town Clerk.



TOWN OF NEWBURGH POLICE DEPARTMENT

300 Gardnertown Road, Newburgh, New York 12550

**DONALD B. CAMPBELL
CHIEF OF POLICE**

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

September 23, 2021

To: Newburgh Town Board

From: Chief Bruce Campbell

Purpose: Purchase TruNarc narcotics analyzer.

I am requesting permission to purchase a TruNarc Thermo Scientific Portable Analytical Instrument along with a five year warranty, training for 12 officers and 100 test strips. The device is now required to prosecute all narcotics cases in Orange County. The device can be purchased off of New York State Contract #PC69042 for \$31,883.90 and would be purchased using drug seizure monies budget line 3120.5485.

Donald B. Campbell
Chief of Police

Sales Quotation

Thermo Scientific Portable Analytical Instruments Inc.

2 Radcliff Rd
Tewksbury, Massachusetts 01876
United States

Quote Number	Created Date	Exp. Delivery Terms	Page
00251134	09/09/2021	ARO	1 / 7
Contact:	Phone	Payment Term	Valid To
Michael Nagle		Net 30	12/31/2021
Inco Terms		Shipping Method	
FOB Destination - Newburgh, NY		Fed Ex 2nd Day	

Submitted To:

Peter Talarico
Lt
Newburgh Police Department
300 Gardnertown Rd
Newburgh, New York 12550
United States

Phone: 845-564-1100
Email: ptalarico@townofnewburghpd.org

THANK YOU FOR YOUR INTEREST IN THERMO SCIENTIFIC INSTRUMENTATION

To Place an Order:	
Contact:	Mike Nagle
Phone:	(617) 716-9831
Fax:	
Email:	michael.nagle@thermofisher.com
Additional instructions, terms & conditions on last page	

NASPO HIRE contract PC69042 (Group: 38232 Award: 23173)
Effective August 8, 2020 through May 31, 2025

Pricing located at https://online.ogs.ny.gov/purchase/spg/pdfdocs/3823223173PL_ThermoSciPAI.pdf

Pos.	Product Code	Product Name	Sales Price	Quantity	Total Price
1.00	800-01045-01	TruNarc, Unlimited, Warranty - 5 Yrs, Train-12	USD 31,331.00	1.00	USD 31,331.00
		TruNarc Unlimited Model with 5 years of warranty. Includes factory repair, loaner units when available and 24/7 technical support. Companion PC TruNarc admin software, unlimited access to TruNarc eLearning course and free basic software updates to core narcotics library are provided for the life of the instrument. Includes TruNarc on-site instructor led training for up to 12 students within the Continental United States (CONUS) - expires 9 months after date of purchase.			
2.00	810-01462-01	TruNarc Solution Kit (Type H) - 100, English	USD 552.90	1.00	USD 552.90
		TruNarc Solution Kit (Type H) for identification of Heroin and other special narcotics. Kit includes 100 Test Sticks and 100 Solution Vials with Ethanol. Note that because of the Ethanol, this product ships as a Hazardous Goods shipment. The shelf life for Type H-sticks is approximately one year from shipment.			
Total:					USD 31,883.90

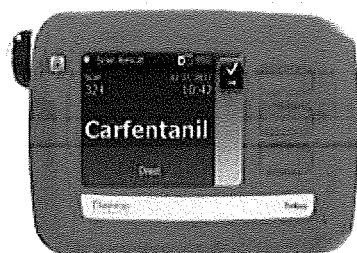
When applicable, commodities, technology, or software to be provided in furtherance of this order shall be exported from the United States in accordance with applicable U.S export laws or regulations. Diversion contrary to US law prohibited. Unless otherwise agreed to in writing, Thermo Scientific Portable Analytical Instruments Inc. terms and conditions shall apply and take precedence.

thermo scientific



Thermo Scientific TruNarc Handheld Narcotics Analyzer

Field-based presumptive narcotics, precursor and cutting agent testing

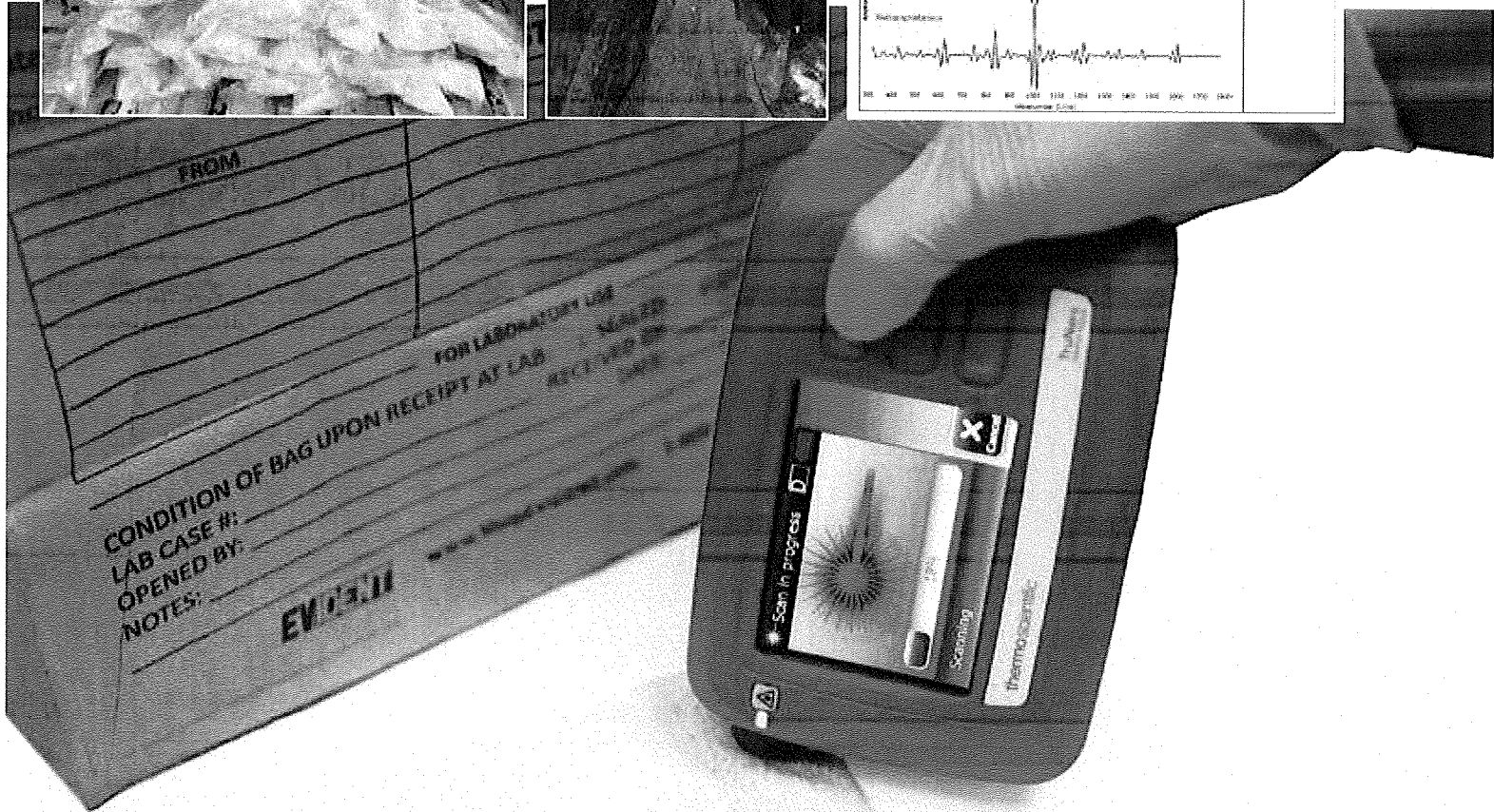
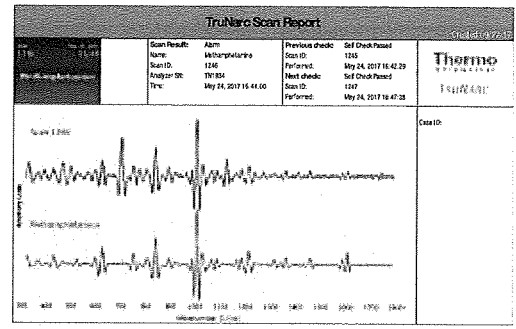


ThermoFisher
SCIENTIFIC

The TruNarc Handheld Narcotics Analyzer

- Tests for almost 500 substances, including narcotics, stimulants, depressants, hallucinogens and analgesics
- Library regularly updated to include emerging drug threats
- Requires no direct contact with most substances
- Delivers clear, real-time results for presumptive evidence
- Provides automated, tamper-proof records with scan results, including time-and-date stamps to help expedite prosecution

limits direct contact



Helping law enforcement

EVIDENCE

(TO BE OPENED BY AUTHORIZED PERSONNEL ONLY)
INSTRUCTIONS FOR USE:
1. Complete all form information
2. Carefully place evidence in bag
3. Securely seal bag with sealant

Agency: _____
Case #: _____
Description of Contents: _____
Description of Offense: _____
Suspect's Full Name: _____
Victim's Full Name: _____
Evidence Collected By: _____
Evidence Bag Sealed By: _____
Date Sealed: _____
Phone # _____



TruNarc: Efficient, Economical, Safe

Agencies across the United States who deploy TruNarc are seeing immediate benefits:

- Even little known substances can be identified almost instantly in the field
- The need for Law Enforcement Officers to handle potentially lethal narcotics is greatly reduced
- Valuable lab time is freed up for higher priority cases
- Reduced demand for lab testing delivers significant cost savings

powered
by
thermoseal
inc.

stay ahead of the curve: safe, prec

TruNarc Success Stories

quickly identified fentanyl

Quincy PD, Massachusetts: Little-known Drugs Identified Quickly

- TruNarc immediately identified an unknown sample as Alpha-PVP (“Flakka”) a synthetic cathinone
- Official state-wide alert about new drug issued next day

Etowah County, Alabama: Reduced Court Wait Times

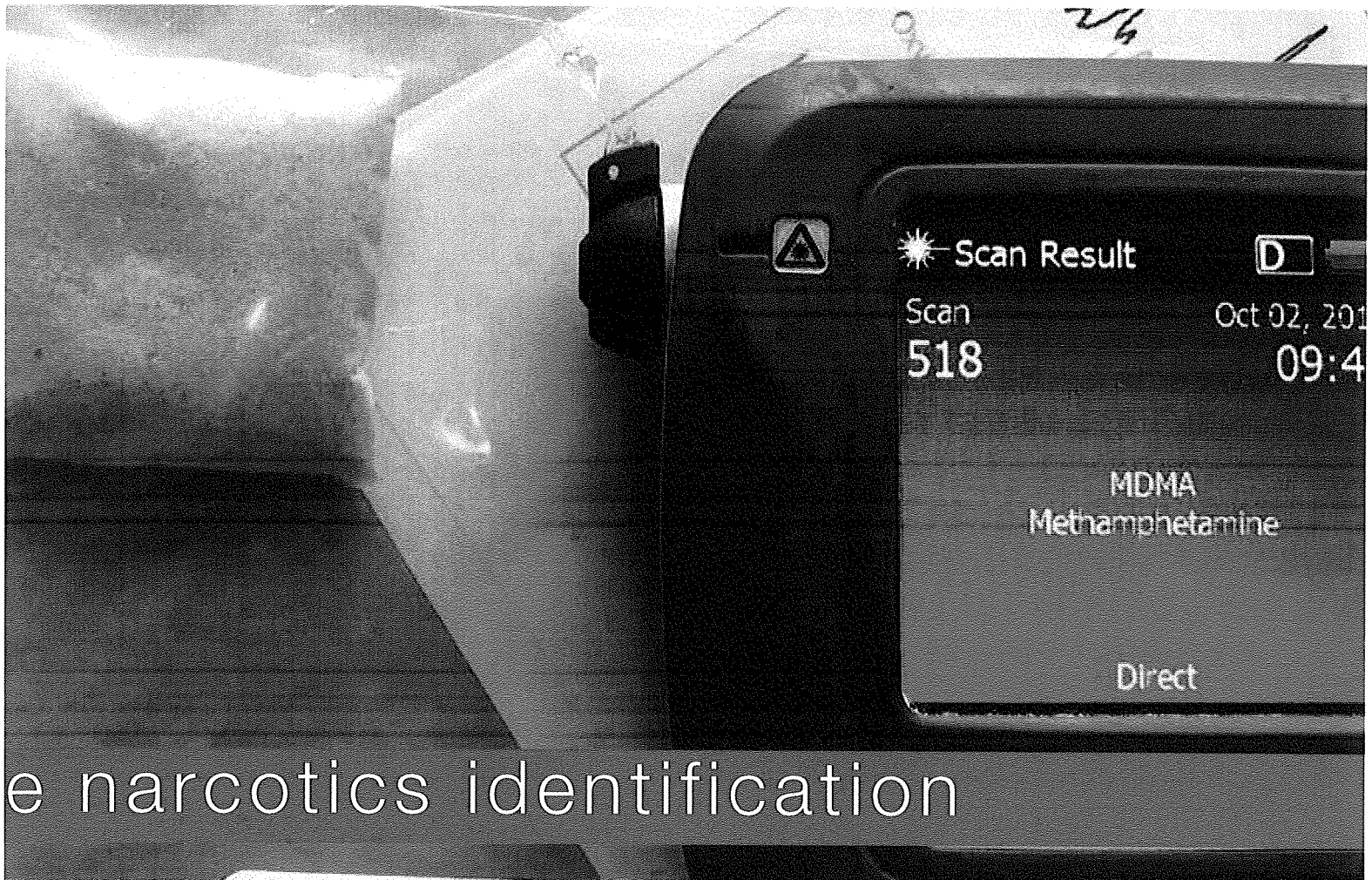
- *“We’re definitely seeing a benefit because of TruNarc. We’re able to take cases to the grand jury where before we didn’t have a toxicology report. Now, a defendant doesn’t have to wait for his day in court. It’s been a godsend.”*

– Etowah County

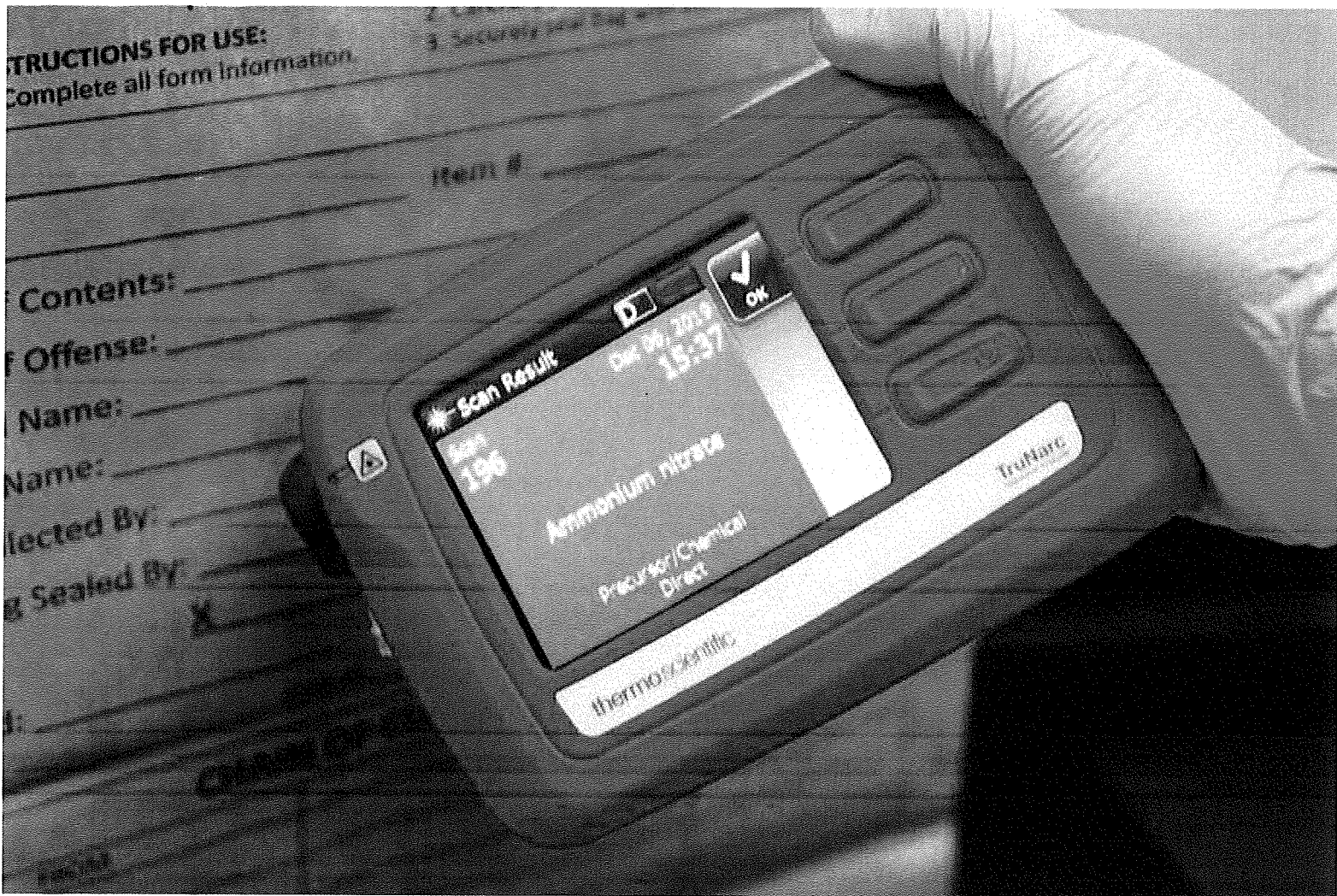
Charles County, Maryland: Improved Protection for Law Enforcement Officers

- Using TruNarc, officers quickly identified fentanyl (a potent opioid absorbed by touch, potentially causing overdose or death) in heroin seizure.
- *“The safety of our officers is one of our top priorities, and this technology will allow us to safely identify controlled dangerous substances quickly and accurately without having to wait on lab results.”*

– Charles County



the narcotics identification



TruNarc Helps Keep Officers Safe

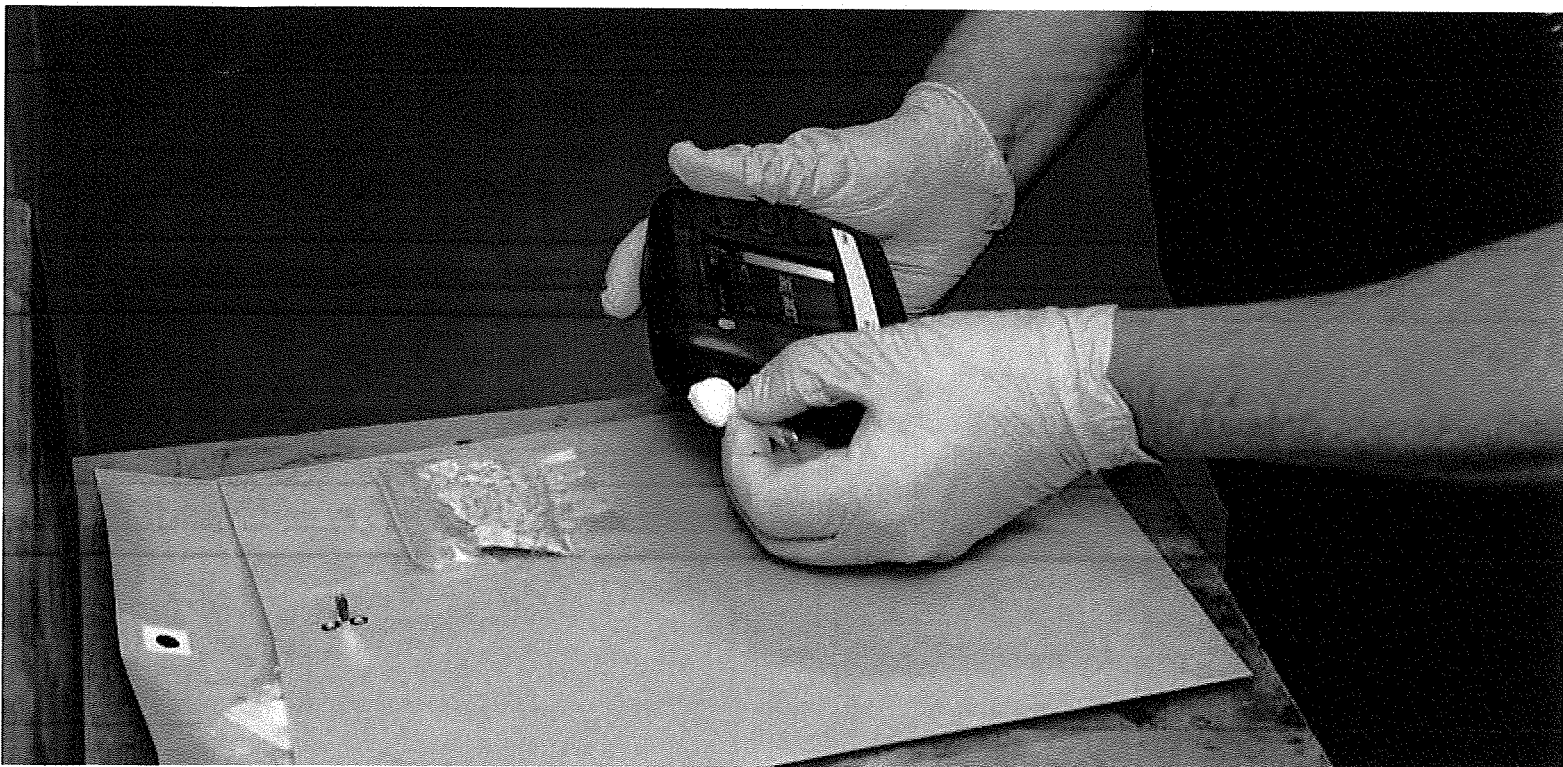
The use of illicit narcotics and opioids continues to skyrocket. Emerging lethal drugs like fentanyl and carfentanil threaten public safety.

To save lives and protect law enforcement officers, banned substances need to be identified quickly, safely and accurately.

The Thermo Scientific™ TruNarc™ Analyzer rapidly identifies drugs and can reduce the backlog of cases at crime labs while decreasing costs. This leads to quicker case resolution and helps drug offenders access treatment faster.

saves time and money





TruNarc: A more accurate and reliable presumptive test

Specifications	Description
Weight	1.25 lb (.570 kg)
Size	6.4 x 4.1 x 2.0 in. (16.26 x 10.41 x 5.10 cm)
Library	Controlled substances, cutting agents and precursors
Configurations	Unlimited or Pay-Per-Scan
Data export formats	CSV, SPC, PDF, SCZ, SCN
Battery	Rechargeable internal 3.7V battery pack (10 hrs.); DC wall adapter, 5V DC, 1.5A; optional car charger
Operating temperature	14° F to 122° F (-10° C to +50° C)
Language configurations	English, Arabic, Chinese, Czech, Dutch, French, Japanese, Polish, Russian, Spanish
Computer administration	TruNarc Admin software connected via microUSB to USB
Reachback support	Spectral analysis by staff chemists available
Validation	Third party test results available on request

To learn more about the TruNarc or schedule a demo, please visit us on line at: thermofisher.com/trunarc