

#5

TOWN OF NEWBURGH

AUDIT # 14

DATE: JULY 28, 2025

TOTAL OF ALL PAYMENTS: \$ 1,489,238.66

To Mr. Gilbert Piaquadio and Town Board:

I certify that the invoices contained within this package of \$ 1,489,238.66 plus the paid prior audit of \$ 0.00 were audited by the Town Board on the above date and allowed in the amount shown above. You are authorized and directed to pay each of the claimants the amounts opposite their names.

Dated : July 28, 2025

Town Clerk Office

Town Board:

#6A



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 THE TOWN BOARD OF THE TOWN
NEWBURGH OPPOSING TERMINATION OF THE
NEWBURGH-BEACON FERRY SERVICE
OUR FILE NO. 800.1(B)() (2025)

DATE: JULY 22, 2025

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

Stewart P. Glenn
Mary Fern Breheney
Stephen P. Duggan, III
John K. McGuirk
(1942-2018)

OF COUNSEL

Craig F. Simon

Enclosed please find the above referenced draft resolution for the Town Board's consideration.

MCT:sel
Enc.

cc: Lisa M. Vance Ayers, Town Clerk
David B. Smith, Planning and Development Advisors (via e-mail)

DRAFT

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300 or by videoconference pursuant to the Governor's Executive Orders, in the Town of Newburgh, Orange County, New York on the ___th day of July, 2025 at 7:00 o'clock p.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Paul I. Ruggiero, Councilwoman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

James Politi, Councilman

RESOLUTION OF TOWN BOARD OF TOWN OF NEWBURGH OPPOSING TERMINATION OF THE NEWBURGH- BEACON FERRY SERVICE

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

WHEREAS, the Town of Newburgh is one of the northernmost municipalities in Orange County; and

WHEREAS, Orange County is part of the Metropolitan Commuter Transportation District (MCTD) and its northern boundary is the northern boundary of the MCTD; and

WHEREAS, the Metropolitan Transportation Authority ("MTA") provides no direct public transportation services in or to the Town of Newburgh nor is any MTA infrastructure located in the Town; and

WHEREAS, notwithstanding the Town of Newburgh's location at the northern boundary of Orange County and the MCTD and the absence of any direct MTA service to the Town, Town of Newburgh businesses and residents, in addition to fares and tolls, contribute and pay myriad taxes, fees and surcharges including but not limited to the business payroll regional mobility tax, mortgage taxes, sales taxes, franchise tax surcharges, and taxes for Orange County's payments for the statewide mass transportation operating assistance program, in support of the MTA's funding of public transportation services, including trains, buses, ferries, and subways in the greater New York City area; and

WHEREAS, Town residents and businesses pay similar MTA fees and taxes as other, highly MTA serviced areas even though the Town receives no direct MTA public transportation services or investment and all of Orange County is served by the MTA with a single, sporadically operating train line, the Port Jervis NJ Transit line; and .

WHEREAS the MTA has indicated it seeks to address its lack of service west of the Hudson, including Orange County, by pointing to ways the MTA is trying to help west-of-Hudson commuters reach trains across the river, where Metro-North's Hudson Line trains travel directly to Grand Central Terminal by "subsidizing different strategies for folks to get to the east side of the

Hudson,"; and

WHEREAS, despite such statements, the MTA has announced it has eliminated funding for the Newburgh-Beacon Ferry and will not be investing funds in the repair of critical dock infrastructure; and

WHEREAS, the Newburgh-Beacon Ferry has been a vital transportation link between the City of Newburgh and the City of Beacon, providing essential service for commuters, including commuters from the Town of Newburgh, and contributing to the regional economy for many years; and

WHEREAS, the ferry service was suspended in January 2025 due to the "critical dock infrastructure damage", with further assessment revealing "significant damage" requiring "long-term solutions"; and

WHEREAS, the MTA subsequently announced the permanent discontinuance of the ferry service, citing declining ridership and an estimated annual savings of \$2.1 million; and

WHEREAS, this decision will negatively impact the residents and businesses of the Town of Newburgh as well as the cities of Newburgh and Beacon, particularly those who rely on the ferry for their daily commute to jobs and other destinations in Beacon and connecting train services to New York City; and

WHEREAS, alternatives like bus service, while provided as a replacement until the end of 2025, may not fully address the needs and convenience offered by the ferry, particularly given potential traffic congestion and longer travel times and the discontinuance of ferry service runs counter to the MTA's own representations that it seeks to provide different strategies for underserved west side residents and employees in reaching the MTA's services on the east side of the Hudson River; and

WHEREAS, the ferry service, even with past fluctuations in ridership, holds potential for growth and resurgence, especially with continued efforts to promote its use and integrate it into a comprehensive regional transportation network; and

WHEREAS, the termination of the ferry service may have adverse consequences for the local economy, impacting businesses that depend on ferry users and potentially hindering economic development efforts in both Newburgh and Beacon which also benefit the Town of Newburgh.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Newburgh hereby expresses its strong opposition to the permanent termination of the Newburgh-Beacon Ferry service; and

BE IT FURTHER RESOLVED that the Town of Newburgh urges the MTA and other relevant officials and agencies to reconsider this decision and actively seek viable solutions to restore and enhance the ferry service, including:

- Prioritizing the repair and upgrade of the ferry infrastructure in a timely and efficient manner.
- Exploring funding opportunities to support the long-term sustainability of the ferry service.
- Implementing strategies to increase ridership and promote the benefits of the ferry as a convenient and environmentally friendly mode of transportation.

- Engaging in meaningful dialogue with local communities to understand their needs and concerns regarding the termination of the ferry service;

and

BE IT FURTHER RESOLVED that the Town Clerk forward copies of this resolution to the Hon. Kathleen C. Hochul, Governor of New York State, the Hon Patrick Ryan, Congressman for the 18th Congressional District of New York, the Hon. Robert G. Rolison, State Senator for the 39th Senate District, the Hon. Jonathan G. Jacobson, Assemblyman for the 104th Assembly District, the Federal Transit Administration, Marie Therese Dominguez, Commissioner of the New York State Department of Transportation, the Metropolitan Transportation Authority (MTA), the Dutchess County Executive and Legislature, the Orange County Executive and Legislature, and the Orange County Transportation Council, urging their immediate attention and action on this critical matter.

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

Paul Ruggiero, Councilman voting _____

Scott M. Manley, Councilman voting _____

Anthony R. LoBiondo, Councilman voting _____

James Politi, 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, Lisa M. Vance Ayers, 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 July, 2025, 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 July, 2025.

Lisa M. Vance Ayers, Town Clerk

#6B



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: ELMHURST AVENUE CULVERT REPLACEMENT OVER BUSHKILL
CREEK; IDENTIFICATION OF THE RESPONSIBLE LOCAL OFFICIAL/
EQUITABLE BUSINESS OPPORTUNITIES ADMINISTRATOR
OUR FILE NO. 801.156, 800.1(B)() (2025),

DATE: JULY 24, 2025

Enclosed please find for the Town Board's consideration the following draft resolution which the Town's engineers have advised is required for compliance with funding requirements:

RESOLUTION IDENTIFYING COUNCILMAN PAUL I. RUGGIERO AS THE RESPONSIBLE LOCAL OFFICIAL AND EQUITABLE BUSINESS OPPORTUNITIES ADMINISTRATOR OF THE TOWN OF NEWBURGH AND COUNCILMAN ANTHONY R. LOBIONDO AS ALTERNATE LOCAL OFFICIAL AND ADMINISTRATOR

MCT/sel
Enc.

cc: Lisa M. Vance Ayers, Town Clerk (via e-mail)
Pat Hines, Principal, McGoey, Hauser & Edsall (via e-mail)
Tim Moot, CPL
Mark Long, CPL

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 13th day of July, 2025 at 7:00 o'clock p.m.

PRESENT:

- Gilbert J. Piaquadio, Supervisor
- Paul I. Ruggiero, Councilman
- Scott M. Manley, Councilman
- Anthony R. LoBiondo, Councilman
- James Politi, Councilman

RESOLUTION IDENTIFYING COUNCILMAN PAUL I. RUGGIERO AS THE RESPONSIBLE LOCAL OFFICIAL AND EQUITABLE BUSINESS OPPORTUNITIES ADMINISTRATOR OF THE TOWN OF NEWBURGH AND COUNCILMAN ANTHONY R. LOBIOONDO AS ALTERNATE LOCAL OFFICIAL AND ADMINISTRATOR

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

WHEREAS, the Town Board of the Town of Newburgh, as the governing body of said town, has the authority to identify a Responsible Local Official authorized to act as the Town's Equitable Business Opputunities Administrator for locally sponsored contracts receiving Federal or State Aid, including the Elmhurst Avenue Culvert Replacement Project, as well as an alternate Official and Administrator; and

WHEREAS, the Town is required to identify a single primary user in order to access and use the Equitable Business Opportunities (EBO) web-based reporting system for Title VI compliance reporting requirements for Federal and State Aid locally sponsored contracts; and

WHEREAS, the Town's Local Responsible Official will be the Town's Equitable Business Opputunities Administrator who will access the EBO system.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Newburgh hereby identifies Councilman Paul I. Ruggiero as the Town's Responsible Local Official authorized to access the EBO system as the Town's Equitable Business Opputunities Administrator; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Newburgh hereby identifies Councilman Anthony R. LoBiondo as the Alternate Responsible Local Responsible Official who can be designated as the Alternate Equitable Business Opputunities Administrator;

BE IT FURTHER RESOLVED, that no salary or wage shall be paid to either Paul I. Ruggiero or Anthony R. LoBiondo in consideration of their service as Equitable Business Opputunities Administrator or Alternate Equitable Business Opputunities Administrator; and

BE IT FURTHER RESOLVED, that this resolution shall be effective immediately.

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

| | |
|---|---------------|
| <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>James Politi, Councilman</u> | <u>voting</u> |
| <u>Gilbert J. Piaquadio, Supervisor</u> | <u>voting</u> |

The resolution was thereupon declared duly adopted.

#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: LOCAL LAW AMENDING CHAPTER 174 ENTITLED "VEHICLES AND
TRAFFIC" OF THE CODE OF THE TOWN OF NEWBURGH; STOP
INTERSECTION ON NEVERSINK DRIVE
OUR FILE NO. 800.1(B)() (2025)

DATE: JULY 24, 2025

Enclosed please find the following introductory local law for the Town Board's consideration.

Introductory Local Law No. __ of 2025 Amending Chapter 174 Entitled "Vehicles and Traffic" of the Code of the Town of Newburgh: Stop Intersection on Neversink Drive.

Also enclosed is the following draft resolution.

Resolution Introducing Local Law Amending Chapter 174 Entitled "Vehicles and Traffic" of the Code of the Town of Newburgh: Stop Intersection on Neversink Drive and Providing for a Public Notice and Public Hearing.

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

MCT:sel

Enclosures

cc: Lisa M. Vance Ayers, Town Clerk (via e-mail)
Pat Hines, Engineers Representative (via e-mail)
Bruce Campbell, Chief of Police (via e-mail)
Mark Hall, Highway Superintendent (via e-mail)

**INTRODUCTORY LOCAL LAW #_ OF 2025
AMENDING CHAPTER 174 ENTITLED
“VEHICLES AND TRAFFIC”
OF THE CODE OF THE TOWN OF NEWBURGH:
STOP INTERSECTION
ON NEVERSINK DRIVE**

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

SECTION 1 - TITLE

This Local Law shall be referred to as “A Local Law Amending Chapter 174 entitled ‘Vehicles and Traffic’ of the Code of the Town of Newburgh: Stop Intersection on Neversink Drive”.

SECTION 2 - AMENDMENT TO SECTION 174-42 OF CHAPTER 174

§174-42 entitled “Schedule IX: Stop Intersections” of Chapter 174 entitled “Vehicles and Traffic” of the Code of the Town of Newburgh which provides in part “[i]n accordance with the provisions of §174-12, the following described intersections are hereby designated as stop intersections, and stop signs shall be installed as follows:” is hereby amended by the addition of the following intersections:

| Stop Sign on | Direction of Travel | At Intersection of |
|---------------------|----------------------------|---------------------------|
| Neversink Drive | South | Delaware Road |

SECTION 4 - VALIDITY

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

SECTION 5 - EFFECTIVE DATE

This Local Law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law or such later date as the Stop Signs are installed.

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 July, 2025 at 7:00 o'clock p.m.

PRESENT:

- Gilbert J. Piaquadio, Supervisor
- Paul I. Ruggerio, Councilman
- Scott M. Manley, Councilman
- Anthony R. LoBiondo, Councilman
- James Politi, Councilman

RESOLUTION OF TOWN BOARD INTRODUCING A LOCAL LAW AMENDING CHAPTER 174 ENTITLED "VEHICLES AND TRAFFIC" OF THE CODE OF THE TOWN OF NEWBURGH: STOP INTERSECTION ON NEVERSINK DRIVE AND PROVIDING FOR PUBLIC NOTICE AND PUBLIC HEARING

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

BE IT RESOLVED that a Local Law Amending Chapter 174 entitled 'Vehicles and Traffic' of the Code of the Town of Newburgh: Stop Intersection on Neversink Drive be and hereby is introduced before the Town Board of the Town of Newburgh in the County of Orange and State of New York, and

BE IT FURTHER RESOLVED that a copy of the aforesaid proposed local law in final form be laid upon the desk of each member of the Town Board at least seven (7) days prior to a public hearing on said proposed local law, and

BE IT FURTHER RESOLVED that the Town Board shall hold a public hearing in the matter of the adoption of the aforesaid local law to be held at the Town Hall at 1496 Route 300 in the Town of Newburgh, New York on the ___th day of _____, 2025 at 7: __ o'clock, p.m., and

BE IT FURTHER RESOLVED that the Town Clerk give notice of such public hearing by the publication of a notice in the official newspapers of the Town, specifying the time when and the place where such public hearing will be held at least three (3) days prior to the public hearing, and posting of such notice together with a copy of such local law in accordance with the requirements of the Municipal Home Rule Law and Chapter 25 of the Code of the Town of Newburgh.

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

Paul I. Ruggiero, Councilman voting

Scott M. Manley, Councilman voting

Anthony R. LoBiondo, Councilman voting

James Politi, Councilman voting

Gilbert J. Piauquadio, Supervisor voting

The resolution was thereupon declared duly adopted

#7



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

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
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M. Justin Rider

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

COUNSEL

Stewart P. Glenn
Mary Fern Breheney
Stephen P. Duggan, III
John K. McGuirk
(1942-2018)

OF COUNSEL

Craig F. Simon

MEMORANDUM

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

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

RE: PROPOSED LOCAL LAW AMENDING CHAPTER 152
ENTITLED "SMOKING" OF THE CODE OF THE TOWN
OF NEWBURGH
OUR FILE NO. 800.1(B)() (2025)

DATE: JULY 21, 2025

In accordance with the Town Board's request, enclosed for the Board's review and consideration is a proposed Local Law which replaces the Municipal Code's current "Smoking" Chapter's text with new provisions addressing smoking of tobacco, cannabis and related products as well as e-cigarettes and vaping by all individuals on all Town owned properties. Additionally enclosed for the Board's consideration is a draft Resolution introducing the Local Law and scheduling a public hearing.

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

MCT/sel
Enc.

cc: Town Clerk Lisa M. Ayers (via e-mail)
Donald Bruce Campbell, Chief of Police (via e-mail)
Code Compliance Supervisor, Gerald Canfield via e-mail)

**TOWN OF NEWBURGH
INTRODCUTORY LOCAL LAW NO. _ OF THE YEAR 2025
AMENDING CHAPTER 152 ENTITLED “SMOKING”
OF THE CODE OF THE TOWN OF NEWBURGH**

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

SECTION 1 – TITLE

This Local Law shall be referred to as “A Local Law Amending Chapter 152 Entitled “Smoking” of the Code of the Town of Newburgh.”

SECTION 2 - AMENDMENT TO CHAPTER 152

The current text of Chapter 152 entitled “Smoking” is hereby deleted in its entirety and a new text is added to read as follows:

“§ 162-1 Findings and purpose.

A. The Town Board of the Town of Newburgh finds there is an increasing public awareness and acceptance of the dangers that smoking tobacco products, cannabis, e-cigarettes and other vaping products have on the health and wellbeing of the general public and that such activities have the potential to create a serious health hazard for the employees of the Town, the citizens of the Town, and those who visit and utilize Town property. Accordingly, in order to protect and promote the public health, safety and welfare of the employees and citizens of the Town of Newburgh, it is necessary to restrict the acts of smoking and vaping tobacco, cannabis and related smoking and vaping products in and on Town property, including buildings, parks and playgrounds.

B. The Town Board of the Town of Newburgh further finds it is in the Town's best interest to do all it can to protect the Town's property from the danger of fire posed by discarded tobacco, cannabis, and vaping products, as well as the prevalence of unsightly litter caused by same.

C. In light of the above findings, the Town Board has adopted this Chapter, the primary purpose of which is to prohibit all smoking and vaping on town owned property, except in specific designated outdoor areas.

D. The Town Board also recognizes that the Clean Indoor Air Act, adopted by the New York State Legislature as Public Health Law, Article 13-E, § 1399- n et seq., already effectively prohibits smoking and vaping in almost all public and private indoor workplaces, as well as numerous specified outdoor areas and occupied transportation vehicles. The Clean Indoor Air Act, however, allows localities to adopt and enforce local laws regulating smoking and vaping, as long as any

such local law is at least as strict as the State Law. Accordingly, this local law is enacted to enhance the prohibitions of the Clean Indoor Air Act as it pertains to Town buildings and Town property.

E. The Town Board further recognizes that the New York State Smoke-Free Park Law enacted by the New York State Legislature as Public Health Law 1399-O-2 et seq prohibits smoking in both state and local government public parks and the term “park” is defined by the law to include “public parks, beaches, pools, boardwalks, marinas, playgrounds, recreation centers, and group camps” and includes “equipment, buildings and facilities” but excludes park parking lots and roads. Public Health Law Section 1399-R(3) allows local governments to adopt and enforce local laws regulating smoking and vaping in parks, as long as any such local law is at least as strict as the State Law. Accordingly, this local law is enacted to enhance the prohibitions of the Smoke Free Park Law as it pertains to Town parks and playgrounds.

§ 162-2 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

CANNIBIS

All parts of the plant of the genus Cannabis, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin.

CANNABIS-INFUSED PRODUCTS

Products that have been manufactured and contain either cannabis or concentrated cannabis and other ingredients that are intended for use or consumption.

ELECTRONIC CIGARETTE OR E-CIGARETTE

An electronic device that delivers an aerosol or vapor which is inhaled by an individual user, and shall include any refill, cartridge and any other component of such a device.

SMOKING

To inhale or exhale the smoke of burning tobacco, tobacco infused product, cannabis or cannabis infused product and also to carry burning tobacco, tobacco infused product, cannabis or cannabis infused product in the form of a cigarette, cigar, or any other smoke-producing product or device, including but not limited to pipes.

TOBACCO OR TOBACCO-INFUSED PRODUCT

Any product, made wholly or in part of tobacco or of any other substance, irrespective of size or shape and whether or not such tobacco or substance is flavored, adulterated or mixed with any other ingredient, intended for consumption.

TOWN PARKS AND PLAYGROUNDS

All parks, playgrounds and recreation centers and areas and group camps and includes equipment, buildings and facilities, parking lots, driveways, walkways, and trails used, operated and maintained by the Town of Newburgh.

TOWN BUILDING

Any building, structure or enclosed outdoor area owned, leased, used or operated by the Town of Newburgh or any of its departments and used for the conduct of public business.

TOWN PROPERTY

Any land, building, structure, or outdoor area owned, leased, licensed, used or operated by the Town of Newburgh or any of its departments for the conduct of public business, including but not limited to Town Buildings and Town Parks and Playgrounds.

VAPING

The use or ignition of an electronic cigarette or e-cigarette.

§ 162-3 Prohibitions.

The smoking of tobacco, tobacco infused product, cannabis and cannabis infused product and vaping on or in any Town Property and Town Building is prohibited, except in outdoor areas specifically designated for smoking and vaping. No such designated area shall be located in a Town Park or Playground.

§ 162-4 Penalties.

Any person convicted of a violation of any provision of this chapter shall be subject to a fine not to exceed \$500 per violation.

§ 162-5 Signage.

“Smoking of Tobacco, Cannabis and Related Products and Vaping are Prohibited Except in Designated Outdoor Areas” or signs with equivalent language, shall be clearly and conspicuously posted at each entrance to Town Property. In addition, the international “no smoking” symbol (a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) or other signage required by applicable law or regulation shall also be posted in all Town Buildings.

§ 162-6 Enforcement.

This chapter may be enforced by any law enforcement officer or agent, including but not limited to the Town of Newburgh Police, New York State Police, Orange County Sheriff, any other local police, constable or peace officer, any Town of Newburgh Code Enforcement Officer, or any other person so designated by the Town Board of the Town of Newburgh.”

SECTION 3 - SEVERABILITY

Should any provision of this Local Law be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Local Law as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

SECTION 4 – EFFECTIVE DATE

This Local Law shall be effective upon its filing with the Secretary of State in accordance with the Municipal Home Rule Law.

DRAFT

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300 in the Town of Newburgh, Orange County, New York on the ___th day of July, 2025 at 7:00 P.M., Prevailing Time

PRESENT:

Gilbert J. Piaquadio, Supervisor

Paul I. Ruggerio, Councilman

Scott M. Manley, Councilman

Anthony R. LoBiondo, Councilman

James Politi, Councilman

RESOLUTION OF TOWN BOARD
INTRODUCING AND SCHEDULING A
PUBLIC HEARING ON A LOCAL LAW
AMENDING CHAPTER 152 ENTITLED
"SMOKING" OF THE CODE OF THE
TOWN OF NEWBURGH

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

WHEREAS, the Town Board of the Town of Newburgh, County of Orange, State of New York, has determined to undertake an amendment of the Town Code's Smoking Chapter to further address the dangers that smoking tobacco products, cannabis, e-cigarettes and other vaping products have on the health and wellbeing of the general public and the potential such activities have to create a serious health hazard for the employees of the Town, the citizens of the Town, and those who visit and utilize Town property.

NOW, THEREFORE, BE IT RESOLVED that an Introductory Local Law, entitled "A Local Law Amending Chapter 152 Entitled 'Smoking' of the Code of the Town of Newburgh" be and hereby is introduced before the Town Board of the Town of Newburgh in the County of Orange and State of New York; and

BE IT FURTHER RESOLVED that a copy of the aforesaid proposed local law in final form be laid upon the desk of each member of the Town Board; and

BE IT FURTHER RESOLVED that the Town Board shall hold a public hearing in the matter of the adoption of the aforesaid local law to be held at the Town Hall at 1496 Route 300 the Town of Newburgh, New York on the ___th day of _____, 2025 at 7:00 o'clock, p.m.; and

BE IT FURTHER RESOLVED that the Town Clerk give notice of such public hearing by the publication of a notice in the official newspaper of the Town, specifying the time when and the place where such public hearing will be held at least three (3) days prior to the public hearing in accordance with the requirements of the Municipal Home Rule Law and Section 25-1 of the Town of Newburgh Municipal Code and by posting a copy of the local law together with

the notice of hearing on the signboard of her office not later than the day such notice is published and on the Town's website.

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

Paul I. Ruggiero, Councilman voting _____

Scott M. Manley, Councilman voting _____

Anthony R. LoBiondo, Councilman voting _____

James Politi, Councilman voting _____

Gilbert J. Piaquadio, Supervisor voting _____

The resolution was thereupon declared duly adopted.

#8B



TOWN OF NEWBURGH RECREATION DEPARTMENT

311 ROUTE 32, NEWBURGH, NY 12550

Jim Presutti

Commissioner of Parks, Recreation & Conservation

845-564-7815

FAX: 845-564-7827

TO: Gil Piaquadio, Supervisor
Town Board Members

CC: Lisa Ayers, Town Clerk

FROM: Jim Presutti, Commissioner

DATE: July 17, 2025

RE: Recreation Department Sealed Bid – Picnic Tables

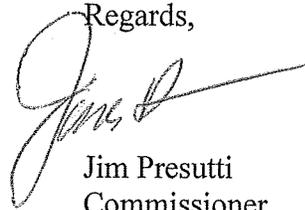
Sealed bids for picnic tables at Chadwick Lake Park, large pavilion, were opened on Tuesday, July 15th. It was a successful bid with nine companies submitting on time bids and three others missing the cutoff time. The bid summary is attached for your review.

We would like to request the Town Board approve Global Industrial representing the lowest bid at \$30,120.

Upon your bid approval, we are also requesting approval to take funds from the Parkland Trust for this purchase.

Thank you for your consideration.

Regards,



Jim Presutti
Commissioner

#9A



TOWN OF NEWBURGH ANIMAL CONTROL & SHELTER

645 GIDNEY AVE. NEWBURGH, NY 12550

TEL: (845)561-3344

FAX: (845) 561-2220

To: Town Board

From: Tracey Carvell, Animal Control

Subject: Authorization to pay Vet Services Utilizing Account 5144

Date: 7.18.25

I am requesting authorization to pay for Vet service:

F.A.H.

*Totaling: \$ 101.90

Canine: \$ 101.90

Feline: \$

Other: \$

TOWN OF NEWBURGH
 TRACY ACO
 645 GIDNEY AVENUE
 Newburgh, NY 12550

78569
 TONAC

TONAC #69533

Space Below for City Use

| | |
|-----------------------|--------|
| Purchase Order | |
| Date Received | |
| Fund & Approp Charged | AMOUNT |
| A0522 3510.448 | |
| | |
| | |
| | |
| Verified | |
| | |

VCA FLANNERY ANIMAL HOSPITAL
 789 Little Britain Road
 New Windsor, NY 12553
 9180

Terms

July 2025 Voucher

Claimants Invoice #

| Date | Invoice | Amount |
|--------|--|-----------|
| 7-4-25 | INV# 535 675 4718 2025-07-03 (M) Black Pit mix | \$ 101.90 |

Jean Tobin

that the services and disbursements charged therein were rendered to or for the city of Newburgh on the dates stated, that no part thereof has been paid or satisfied and that the amount claimed is actually due.

7-8-25
 Date

Jean Tobin
 Authorized Signature & Title

Acct Manager
 Federal ID#

Space below for City use

Department Approval
 The above services or materials have been rendered or furnished to the City of newburgh and the charges are correct

Approved for Payment
 I hereby approve this claim and order it paid from the appropriations indicated the above

Date Authorized Official

Date Comptroller or City Manager



VCA Flannery Animal Hospital PC
 789 Little Britain Rd. | New Windsor, NY 12553 | (845) 565 - 7387

Dr. Miller | Date: 7/8/2025 at 07:48 | Invoice: 5356754718 | Cashier: Jean T

Client

Town Of Newburgh 2025 Animal Control (#78569)
 Tracey ACO
 645 Gidney Ave
 Newburgh, NY 12550

Patient

2025-07-03 Black Pit Mix (#169816)
 Species: Canine (Pitbull Mix)
 Sex: Male | Color: Black
 Birth: | Age: | Weight: 93.4 lb

Detailed Visit Information

| Date | Description | Qty | Price | Tax | Total Price |
|----------|-------------------------|------|---------|--------|-------------|
| 7/4/2025 | Boarding Animal Control | 1.00 | \$50.95 | \$0.00 | \$50.95 |
| 7/5/2025 | Boarding Animal Control | 1.00 | \$50.95 | \$0.00 | \$50.95 |

Subtotal: \$101.90

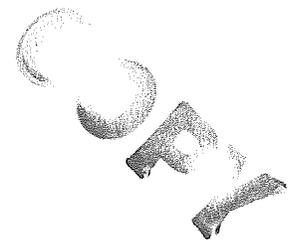
A Message from VCA

Please note all prescription refill request require at least 24-hour notice. For home delivery, download the myVCA app.

Invoice Summary

| Patient Name | Total Price | Total Tax | Total Due |
|--------------------------|-------------|-----------|-----------|
| 2025-07-03 Black Pit Mix | \$101.90 | \$0.00 | \$101.90 |

| | |
|---------------|----------|
| Prev Balance: | |
| Total Due: | \$101.90 |
| Amount Paid: | \$0.00 |
| Amount Due: | |



For information on how we collect and use information about you and your pet, and how you may opt-out of some uses, please see our Privacy Policy at vcahospitals.com/privacy-policy.

Thank you for trusting us with your pet's care. Your friends at VCA Flannery Animal Hospital PC.

#9B



TOWN OF NEWBURGH ANIMAL CONTROL & SHELTER

645 GIDNEY AVE. NEWBURGH, NY 12550

TEL: (845)561-3344

FAX: (845) 561-2220

To: Town Board

From: Tracey Carvell, Animal Control

Subject: Authorization to pay Vet Services Utilizing Account 5144

Date: 7/9/25

I am requesting authorization to pay for Vet service:

F.A.H.

*Totaling: \$ 33.47

Canine: \$ 33.47

Feline: \$

Other: \$

TOWN OF NEWBURGH
 TRACY ACO
 645 GIDNEY AVENUE
 Newburgh, NY 12550

TONAC #69533

Space Below for City Use

| | |
|-----------------------|--------|
| Purchase Order | |
| Date Received | |
| Fund & Approp Charged | AMOUNT |
| A0522 3510.448 | |
| | |
| | |
| | |
| Verified | |

VCA FLANNERY ANIMAL HOSPITAL
 789 Little Britain Road
 New Windsor, NY 12553
 9180

Terms June 2025 voucher Claimants Invoice # _____

| Date | Invoice | Amount |
|---------|--|----------|
| 6-30-25 | FAV# 535 675 3 860 6-30-25 Spunky (M) LHASO | \$ 33.47 |

Jean Tobin

that the services and disbursements charged therein were rendered to or for the city of Newburgh on the dates stated, that no part thereof has been paid or satisfied and that the amount claimed is actually due.

7-3-25 Jean Tobin
 Date Authorized Signature & Title ~~XXXXXXXXXX~~

-----Space below for City use-----

| | |
|---|---|
| <p>Department Approval</p> <p>The above services or materials have been rendered or furnished to the City of newburgh and the charges are correct</p> <p><u>7/9/25</u> Date</p> <p><u>[Signature]</u> Authorized Official</p> | <p>Approved for Payment</p> <p>I hereby approve this claim and order it paid from the appropriations indicated the above</p> <p><u>[Signature]</u> Date</p> <p><u>[Signature]</u> Comptroller or City Manager</p> |
|---|---|



VCA Flannery Animal Hospital PC
 789 Little Britain Rd. | New Windsor, NY 12553 | (845) 565 - 7387

Dr. Miller | Date: 7/2/2025 at 07:57 | Invoice: 5356753860 | Cashier: Jean T

Client

Town Of Newburgh 2025 Animal Control (#78569)
 Tracey ACO
 645 Gidney Ave
 Newburgh, NY 12550

Patient

6-30-25 Sparky (#169739)
 Species: Canine (Lhasa Apso Mix)
 Sex: Male Intact | Color: Black And Brown
 Birth: | Age: | Weight: 25 lb

Detailed Visit Information

| Date | Description | Qty | Price | Discount | Tax | Total Price |
|-----------|--------------------------------|------|---------|----------|--------|-------------|
| 6/30/2025 | Exam/Consultation Well Patient | 1.00 | \$99.95 | -\$99.95 | \$0.00 | \$0.00 |
| | Rabies Vaccine 1yr Canine | 1.00 | \$66.95 | -\$33.48 | \$0.00 | \$33.47 |

Subtotal: \$33.47

| | | |
|-----------|--------------------------|-----------|
| Discounts | Shelters/Rescue/PetStore | -\$133.43 |
|-----------|--------------------------|-----------|

A Message from VCA

Please note all prescription refill request require at least 24-hour notice. For home delivery, download the myVCA app.

Invoice Summary

| Patient Name | Total Price | Total Discount | Total Tax | Total Due |
|----------------|-------------|----------------|-----------|-----------|
| 6-30-25 Sparky | \$166.90 | -\$133.43 | \$0.00 | \$33.47 |

| | |
|---------------|---------|
| Prev Balance: | |
| Total Due: | \$33.47 |
| Amount Paid: | \$0.00 |
| Amount Due: | |

COPY

For information on how we collect and use information about you and your pet, and how you may opt-out of some uses, please see our Privacy Policy at vcahospitals.com/privacy-policy.

Thank you for trusting us with your pet's care. Your friends at VCA Flannery Animal Hospital PC.

#10



Town of Newburgh
1496 Route 300
Newburgh, NY 12550
845-564-4552

Date: 7/22/2025

Is the budget adjustment under \$7,500 ? Yes _____ No X

If yes, please give Gil a copy to sign and deliver to the Accounting Office.

If no, please have the board approve at the next available board meeting.

Reason why the budget transfer is needed To cover unexpected repairs to pump stations

From: Account Number: 8340.5499
Account Description: Other Expenses Amount: \$10,000.00

To: Account Number: 8340.5473
Account Description: Repairs to
Treatment Plant Amount: \$10,000.00

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

Steve Anz
Department Head Signature

Gil Piaquadio, Town Supervisor



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

#11 Lisa

PERSONNEL DEPT.

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

To: Town Supervisor
Town Board

From: Charlene M Black, Personnel

Date: July 16, 2025

Re: 1-Full Time MEO H1

Mark Hall, Highway Superintendent is recommending the hiring of one full-time MEO Brett Sullivan. Mr. Sullivan will need to complete his paperwork, fingerprinting, and CDL physical with Drug / Alcohol testing. The intended start date will be on or after Monday, August 4, 2025. The salary for MEO H1 is \$29.1792 per hour, which is the 2025 salary rate. Mr. Sullivan is a previous employee and will not need to be trained.

Thank you



HIGHWAY DEPARTMENT

90 GARDNERTOWN ROAD
NEWBURGH, NEW YORK 12550

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

MARK HALL
HIGHWAY SUPERINTENDENT

To: Town Supervisor
Town Board

From: Mark Hall, Highway Superintendent 

Date: July 16, 2025

Re: 1-Full Time MEO H1

I am recommending the hiring of Brett Sullivan as a full-time MEO H1. Mr. Sullivan has worked for me in the past and he was always a dedicated and hard worker. I am looking for a hire date of on or after August 4th, 2025, with a salary of \$29.1792 per hour. Mr. Sullivan would not have to be trained. He would have to complete the paperwork and etc with the Personnel Department. Thank you in advance.

TOWN OF NEWBURGH

EMPLOYMENT REQUEST FORM

To: Personnel Department

NAME OF CANDIDATE: Brett Sullivan

DEPARTMENT: Highway

TITLE OF POSITION: MEO H1

FULL TIME OR PART-TIME: Full time

HOURLY RATE: \$ 29.1792

IS POSITION FUNDED IN CURRENT BUDGET: YES OR NO

FUND APPROPRIATION NUMBER: 5110.5100

PROPOSED HIRE DATE: on or after 8/4/2025

NOTE: CANDIDATE CANNOT BEGIN WORK WITHOUT FINGERPRINTS, PRE-EMPLOYMENT PHYSICAL, DRUG/ALCOHOL TESTING AND COMPLETION OF ALL REQUIRED PAPERWORK.


DEPARTMENT HEAD SIGNATURE

2/16/25
DATE

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

Record & Return to:

Attn: Newburgh Town Clerk
Town Clerk's Office
1496 Route 300
Newburgh, New York 12550

#12B

**STORMWATER MANAGEMENT FACILITY AND
WASTEWATER TREATMENT PLANT WITH SURFACE DISCHARGE
EASEMENT AND MAINTENANCE AGREEMENT**

THIS STORMWATER MANAGEMENT FACILITY EASEMENT AND MAINTENANCE AGREEMENT (this "Agreement") is made as of this ___ day of _____, 2025 (the "Effective Date"), by and between **YM & YH Developers, LLC**, New York limited liability company having an address at 1156 59th Street, Brooklyn, New York 11219 (hereinafter the "Developer") and the **TOWN OF NEWBURGH**, a municipal corporation of the State of New York, with principal offices located at 1496 Route 300, Newburgh, New York, 12550 (hereinafter the "Town"), Developer and Town are sometimes hereinafter referred to individually as a "Party" and, collectively, as the "Parties."

WITNESSETH:

WHEREAS, Developer is the fee owner of that certain real property located along Route 300, in the Town of Newburgh, County of Orange, State of New York, identified as Tax Parcel Number 34.-2-45, which property is more particularly described as set forth in Schedule "A" attached hereto and made a part hereof (the "Site"); and

WHEREAS, Developer has received final, amended site plan approval from the Town Planning Board by resolution dated December 19, 2024 and filed with the Town Clerk on January 22, 2025 (the "Final Approval Resolution"), which amended a prior approval dated November 21, 2021, allowing the Developer to develop on the Site a new 262,080-square foot warehouse distribution facility and other site improvements including stormwater controls, utility lines (water, sewer, electric, gas, etc.), a wastewater treatment plant with surface discharge ("WWTP") car parking spaces, trailer/truck storage spaces, loading docks, dark-sky compliant lighting, signage and landscaping to be known as "Farrell Industrial Park" (the "Project"); and

WHEREAS, the Town and Developer desire to enter into this Agreement to provide for the long term maintenance and continuation of stormwater control measures approved by the Town for the Project (the "Stormwater Control Measures"); and

WHEREAS, the Town and the Developer desire that the Stormwater Control Measures be built in accordance with the approved project plans and thereafter be maintained, cleaned, repaired, replaced and continued in perpetuity in order to ensure optimum performance of the components.

NOW, THEREFORE, the Town and the Developer agree as follows:

1. This Agreement binds the Town, and the Developer, its successors and assigns to any maintenance provisions depicted in the approved project plans and Stormwater Pollution Prevention Plan which are on file with the Town's Stormwater Management Officer and consist of the following:

- a. Site plans prepared by JMC Planning, Engineering, Landscape Architecture, and Land Surveying PLLC (“JMC PLLC”) and approved by the Town of Newburgh Planning Board in Resolution of Approval for Amended Site Plan for the Farrell Industrial Park (Project # 2023-09) dated December 19, 2024, and as revised to address the conditions of approval:

| Author | Title | Last Revision Date |
|---------------|--|---------------------------|
| JMC PLLC | C-000 Cover Sheet | March 26, 2025 |
| JMC PLLC | C-002 Cover Sheet (OCDOH Watermain Extension) | March 26, 2025 |
| JMC PLLC | C-010 Existing Conditions Map and Site Removals Plan | March 26, 2025 |
| JMC PLLC | C-020 Tree List | March 26, 2025 |
| JMC PLLC | C-021 Tree List | March 26, 2025 |
| JMC PLLC | C-022 Tree List | March 26, 2025 |
| JMC PLLC | C-023 Tree List | March 26, 2025 |
| JMC PLLC | C-024 Tree List | March 26, 2025 |
| JMC PLLC | C-025 Tree List | March 26, 2025 |
| JMC PLLC | C-030 Tree Preservation Plan | March 26, 2025 |
| JMC PLLC | C-031 Tree Preservation Plan | March 26, 2025 |
| JMC PLLC | C-032 Tree Preservation Plan | March 26, 2025 |
| JMC PLLC | C-033 Tree Preservation Plan | March 26, 2025 |
| JMC PLLC | C-100 Layout Plan | March 26, 2025 |
| JMC PLLC | C-101 Site Distance Plan | March 26, 2025 |
| JMC PLLC | Preliminary Lot Consolidation & Subdivision Plan | September 27, 2021 |
| JMC PLLC | C-200 Grading Plan | March 26, 2025 |
| JMC PLLC | C-201 Phase 1A Grading and Erosion & Sediment Control Plan | March 26, 2025 |
| JMC PLLC | C-202 Phase 1B Grading and Erosion & Sediment Control Plan | March 26, 2025 |
| JMC PLLC | C-203 Phase 1C Grading and Erosion & Sediment Control Plan | March 26, 2025 |
| JMC PLLC | C-204 Phase 2 Grading and Erosion & Sediment Control Plan | March 26, 2025 |
| JMC PLLC | C-210 Driveway Profile | March 26, 2025 |
| JMC PLLC | C-300 Utilities Plan and Sanitary Sewer Profile | March 26, 2025 |
| JMC PLLC | C-320 Watermain Extension Profile | March 26, 2025 |
| JMC PLLC | C-600 Lighting Plan | March 26, 2025 |
| JMC PLLC | C-700 Truck Turning Plan | March 26, 2025 |
| JMC PLLC | C-900 Construction Details | March 26, 2025 |

| | | |
|---------------------|--|-------------------|
| JMC PLLC | C-901 Construction Details | March 26, 2025 |
| JMC PLLC | C-902 Construction Details | March 26, 2025 |
| JMC PLLC | C-903 Construction Details | March 26, 2025 |
| JMC PLLC | C-904 Construction Details | March 26, 2025 |
| JMC PLLC | C-906 Construction Details (Site Entrance) | March 26, 2025 |
| JMC PLLC | C-907 Construction Details (Site Entrance) | March 26, 2025 |
| JMC PLLC | C-908 Construction Details (Private Watermain Extension) | March 26, 2025 |
| JMC PLLC | L-100 Landscape Plan | March 26, 2025 |
| JMC PLLC | L-900 Landscape Details | March 26, 2025 |
| Pratt Design Studio | SD1 Ground Floor Plan | February 25, 2025 |
| Pratt Design Studio | SD2 Overall Roof Plan | February 25, 2025 |
| Pratt Design Studio | SD3 Elevations | February 25, 2025 |
| Pratt Design Studio | SD4 Cross Sections & Monument Sign | February 25, 2025 |

- b. Stormwater Pollution Prevention Plan (“SWPPP”) dated December 3, 2020, last revised March 26, 2025, prepared by JMC PLLC,
 - c. Overall Earthwork Analysis memorandum, dated December 6, 2024, prepared by JMC PLLC,
 - d. Any amendments to documents set forth above that may be approved by the Town and
 - e. Supplemental contractor and subcontractor certifications required by the Town’s Municipal Code.
2. The Developer shall maintain, clean, repair, replace and continue the Stormwater Control Measures depicted on the approved project plans for the Project, as necessary to ensure optimum performance of the measures to design specifications. The Stormwater Control Measures shall include, but shall not be limited to, the following: drainage ditches, swales, dry wells, infiltrators, drop inlets, pipes, culverts, soil absorption devices and retention ponds and other stormwater practices identified in the SWPPP approved by the Town.
3. The Developer shall be responsible for all expenses related to the maintenance of the Stormwater Control Measures and shall establish a means for the collection and distribution of expenses among parties for any commonly owned facilities.
4. The Developer shall provide for the periodic inspection of the Stormwater Control Measures, not less than once a year, to determine the condition and integrity thereof. Such inspection shall be performed by a professional engineer licensed by the State of New York (the “Inspecting Engineer”). The Inspecting Engineer shall prepare and submit to the Town within thirty (30) days of the inspection, a written report of the findings including recommendations for those actions necessary for the continuation of the Stormwater Control Measures. In addition, the Town Engineer or his or her designated representative shall have the right to enter upon the Site at

reasonable times and in a reasonable manner upon three (3) days' notice for the purpose of inspection of the Stormwater Control Measures.

5. The Developer shall not authorize, undertake or permit alteration, abandonment, modification or discontinuation of the Stormwater Control Measures except in accordance with written approval of the Town.

6. The Developer shall undertake necessary maintenance, repairs and replacement of the Stormwater Control Measures at the direction of the Town or in accordance with the recommendations of the Inspecting Engineer.

7. Title to the WWTP and related utility facilities, backup power facilities, meters, alarms and equipment and any subsequent replacements, alterations, additions or expansions shall be held at all times by the owner of the other improvements comprising the Project and shall not be separately conveyed, pledged, mortgaged, hypothecated, leased, rented, contributed, dedicated or otherwise transferred in whole or in part separately from the Project and Site. This restriction shall not be construed to restrict Developer's ability to contract with a qualified third party for the operation, maintenance and management of the WWTP and related facilities in accordance with the manual approved by the Department of Environmental Conservation. Developer shall provide copies to the Town of the approved manual and of all notices to the Department of Environmental Conservation of discharges of raw or partially treated sewage and reports of remedial measures taken.

7. This agreement shall be recorded in the Office of the County Clerk, County of Orange. All rights, title and privileges herein granted, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors, assigns and legal representatives.

8. If ever the Town determines that the Developer has failed to construct or maintain the Stormwater Control Measures in accordance with the approved project plans or has failed to undertake corrective action specified by the Town or by the Inspecting Engineer, the Town is authorized to enter upon the Site at reasonable times and in a reasonable manner upon three (3) days' notice to undertake such corrective steps as reasonably necessary for the preservation, continuation or maintenance of the Stormwater Control Measures. However, before taking any corrective action, the Town shall give the Developer written notice of the nature of any existing defects. If the Developer fails within thirty (30) days from the date of the notice to commence corrective action or to appeal the matter to the Town Zoning Board of Appeals, the Town may take necessary corrective action, except if there are emergency circumstances set forth in the notice under which the public health, safety or the environment is endangered, then the Town may take corrective action if the Developer fails to commence action within three (3) days of the notice and to diligently prosecute the action to conclusion. The Developer shall reimburse the Town upon demand, within thirty (30) days of receipt of such demand for all actual costs and expenses, including reasonable attorneys' fees, incurred in enforcing this Agreement and curing a violation. If the Town is not reimbursed within the prescribed time, the Town is authorized to affix the expenses thereof as a lien against the Site. Any work undertaken by the Town shall be performed

in a good and workmanlike manner and the Town shall promptly repair any damage to the Site outside the stormwater management system (or to the system itself) caused by the Town's activities.

9. This Agreement shall not be revised or amended except in writing signed by the Town and the Developer (or its successors and assigns).

10. This Agreement is effective on the date first written above.

[Signature Page Follows]

IN WITNESS WHEREOF, the Parties hereto have duly executed this Agreement effective the day and year first above written.

TOWN OF NEWBURGH

By: _____
Name: Gilbert J. Piaquadio
Title: Supervisor

YM & YH Developers, LLC
a New York limited liability company

By: _____
Name:
Title:

[Acknowledgements Follow]

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

On the ____ day of _____, in the year 202_, before me, the undersigned, personally appeared Supervisor Gilbert J. Piaquadio, personally known to me or proved to me on the basis of satisfactory evidence to be the individual (s) whose name (s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity (ies), and that by his/her/their signature (s) on the instrument, the individual (s), or the person upon behalf of which the individual (s) acted, executed the instrument.

Notary Public

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

On the _____ day of _____, in the year 202_, before me, the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual (s) whose name (s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity (ies), and that by his/her/their signature (s) on the instrument, the individual (s), or the person upon behalf of which the individual (s) acted, executed the instrument.

Notary Public

SCHEDULE "A"

(Legal Description of Property)

#13



TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

JOSEPH P. PEDI
*Receiver of Taxes
and Assessments*

845-564-4553
Fax: 845-566-1432
e-mail: receiveroftaxes@townofnewburgh.org

To: Town Board

From: Joseph PEDI

Subject: Authorization to Start Process to Hire Replacement

Date: July 28, 2025

I am seeking authorization to start the process of hiring a First Deputy Receiver of Taxes who will replace Donna Cucchiara who is scheduled to retire at the end of 2025.

Ideally, I would like this replacement to be on board in September of 2025 during the collection of school taxes. This will provide excellent training in school tax collection along with the standard collection of municipal utility invoices.

I plan to first post the position internally before soliciting externally.