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

## TOWN COUNCIL MEETING PUBLIC MEETING AGENDA

Monday, June 12, 2017

(7:00 p.m.)

- 1. ROLL CALL
- 2. PLEDGE OF ALLEGIANCE TO THE FLAG
- 3. MOMENT OF SILENCE
- 4. CHANGES TO AGENDA
- 5. APPROVAL OF AUDIT
- 6. PUBLIC HEARING (7:00 P.M.): Tarben Drainage District
- 7. DEPARTMENT HEAD REPORTS
- 8. INTERNS
- 9. RECREATION DEPARTMENT:
- A. Begin Hiring Process for Reservoir Caretaker
- B. Hiring of Seasonal Recreation Aides

10. ACCOUNTING: Budget Transfer for Additional Accounting Software Funding

- 11. POLICE:
- A. Hiring of Full Time Police Officer
- **B.** Hiring of two Part Time Dispatchers

**12. RESOLUTION: Pilgrim Pipeline** 

13. ENGINEERING: Potential Ground Water Supply – LBG Proposal

14. CODE COMPLIANCE: Hire Part Time Building Inspector (Zombie Grant)

- **15. HIGHWAY DEPARTMENT:**
- A. Item #6: Rubber Tire with and without Operator on the Summer Materials Bid
- B. Award Heavy Equipment Rentals Bid
- **16. ANNOUNCEMENTS**
- **17. PUBLIC COMMENTS**
- 18. POTENTIAL EXECUTIVE SESSION: Selection of Mediator
- **19. ADJOURNMENT**

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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 \_\_\_\_\_ day of \_\_\_\_\_, 2017 at 7:00 o'clock p.m.

#### PRESENT:

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

A RESOLUTION MAKING CERTAIN DETERMINATIONS IN RELATION TO AND APPROVING THE ESTABLISHMENT OF THE TARBEN DRAINAGE DISTRICT OF THE TOWN OF NEWBURGH ORANGE COUNTY, NEW YORK PURSUANT TO ARTICLE 12 OF THE TOWN LAW

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

WHEREAS, a petition dated January 27 2017 has been duly presented to the Town Board, according to law, requesting that the Tarben Drainage District, as hereinafter described, be established in the Town of Newburgh; and

WHEREAS, a map, plan and report dated January 26, 2017 has been duly prepared according to law in such manner and in such detail as has heretofore been determined by the Town Board of the Town of Newburgh showing the boundaries of the proposed Drainage District, a general plan of the drainage system, all outlets and the terminus and course of each drain, such Drainage District to be known as the "Tarben Drainage District"; and

WHEREAS, said map, plan and report showing the facilities involved together with the proposed boundaries of the proposed Tarben Drainage District was prepared by William J. Moreau, P.E., competent engineers, duly licensed by the State of New York, and has been filed in the office of the Town Clerk of said Town, where the same is available during regular office hours for examination by any persons interested in the subject matter thereof; and

WHEREAS, said Tarben Drainage District shall be bounded and described as set forth in Schedule A attached hereto and made a part hereof; and

WHEREAS, the proposed establishment of the Tarben Drainage District has been determined to be an "Unlisted Action" pursuant to the provisions of the State Environmental Quality Review Act and the regulations promulgated thereunder, and the Town of Newburgh Planning Board acting in the capacity as Lead Agency in a coordinated environmental review and related approvals has adopted a "Negative Declaration" pursuant to which it was determined that there will be no adverse environmental impacts or that identified adverse environmental impacts will not be significant for the action which encompasses the proposed establishment of the Tarben Drainage District; and WHEREAS, no amount is proposed to be expended for the improvement as stated in the petition and no financing of the cost of the District's facilities or services is proposed by the issuance of bonds, notes, certificates or other evidences of indebtedness of the Town nor is it proposed to assume debt service on obligations issued pursuant to Subdivision 12 of Town Law §198, the developer of the Tarben Subdivision proposing to install, construct and dedicate the necessary stormwater management facilities without cost to the District; and

WHEREAS, \$5,184.00 is set forth in petition or the map, plan and report appended to the petition as the maximum amount proposed to be expended annually for the performance or supplying of services for the operation and maintenance of the dedicated drainage/stormwater management facilities of the Tarben Drainage District, inclusive of the estimated annual insurance cost to be expended annually for the proposed drainage district and the average annual cost of the District to a typical property is estimated to be \$324.00, which is the same as the cost to the typical one or two family home; and

WHEREAS, an order was duly adopted by said Town Board on May 8, 2017, reciting a description of the boundaries of said proposed District, the services proposed, the fact that said map, plan and report was on file in the Town Clerk's Office for public inspection and specifying the 12th day of June, 2017, at 7:00 o'clock P.M., Prevailing Time, at the Town Hall, 1496 Route 300, in Newburgh, New York, in said Town, as the time when and the place where said Town Board would meet for the purpose of holding a public hearing to consider the establishment of said Drainage District and said map, plan and report filed in relation thereto and to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, notice of the aforesaid public hearing was duly published and posted in the manner and within the time prescribed by Section 193 of the Town Law, and proof of publication and posting has been duly presented to the Town Board; and

WHEREAS, said public hearing was duly held at the times and place as stated above in accordance with the notice and order, at which all persons desiring to be heard were duly heard; and

WHEREAS, said Town Board has duly considered said petition, map, plan and report and the testimony and evidence given at said public hearing.

#### FINDINGS

The Town Board of the Town of Newburgh, Orange County, New York, having considered the documents and related materials submitted, the testimony and evidence given at the public hearing and the following factors, makes the following findings: Section 1. WHETHER THE PETITION IS SIGNED AND ACKNOWLEDGED OR PROVED, OR AUTHENTICATED, AS REQUIRED BY LAW AND IS OTHERWISE SUFFICIENT.

Town Law Section 191 requires that a petition for the establishment or the extension of an improvement district shall be signed by the owners of taxable real property situate in the proposed district or extension thereof, owning in the aggregate at least one-half of the assessed valuation of all the taxable real property of the proposed district or extension thereof, as shown upon the latest completed assessment-roll of said town; provided, however, that if there be any resident owners, the petition shall include the signatures of resident owners owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property of the proposed district or extension owned by resident owners, according to the latest completed assessment roll. If a portion only of a parcel of such real estate appearing upon the assessment-roll is situate within the proposed district or extension thereof, then the town board may determine the relative value of the part thereof within the proposed district or extension thereof, based upon the valuation of the entire parcel as the same appears upon the assessment-roll. Such petition shall describe the boundaries of the proposed district or extension in a manner sufficient to identify the lands included therein as in a deed of conveyance, and shall be signed by the petitioners, and acknowledged or proved in the same manner as a deed to be recorded, or authenticated in the manner provided by the election law for the authentication of nominating petitions. If such petition shall request the construction or acquisition of an improvement, it shall state the maximum amount proposed to be expended therefor. If the petition shall not request the construction or acquisition of an improvement but shall propose the performance or supplying of certain services, it may state the maximum amount to be expended annually for such services.

The subject petition dated January 27, 2017 submitted for the establishment of the Drainage District has been executed by Tarben, Inc., which owns in the aggregate at least one-half of the assessed valuation of all the taxable real property of the proposed district extension, as shown upon the latest completed assessment-roll of the Town of Newburgh. The area is presently vacant land and accordingly there are no resident owners.

The subject petition describes the boundaries of the proposed district in a manner sufficient to identify the lands included therein as in a deed of conveyance. The petition is acknowledged in the same manner as a deed to be recorded. The petition accordingly meets the requirement of Town Law Section 191.

Section 2. WHETHER ALL THE PROPERTY AND PROPERTY OWNERS WITHIN SAID PROPOSED DRAINAGE DISTRICT ARE BENEFITED THEREBY.

The properties in the proposed drainage district are presently vacant. In evaluating whether each property is benefited by the proposed district extension, the Town Board has considered whether the drainage district will enhance the value of the property if it were to be developed. The Town Board finds that the value of properties will be enhanced and accordingly the properties are benefited. The Town Board further finds that all the property and all the property owners within said proposed Drainage District will be benefited by the establishment.

Section 3. WHETHER ALL THE PROPERTY AND PROPERTY OWNERS BENEFITED ARE INCLUDED WITHIN THE LIMITS OF SAID PROPOSED DRAINAGE DISTRICT.

The Town Board has considered whether any other property or property owners outside of the area of the drainage district proposed by the petitioner are benefited by the establishment of the Tarben Drainage District proposed by the petitioner. The improvements the petitioner proposes to construct at its expense are intended to serve the petitioner's property in order to provide it adequate drainage for future development. No evidence or testimony was presented that other properties or property owners will directly benefit from the establishment of the drainage district. Accordingly, the Town Board finds that all the property and property owners benefited are included within the limits of said proposed Tarben Drainage District.

### Section 4. WHETHER IT IS IN THE PUBLIC INTEREST TO GRANT IN WHOLE THE

### RELIEF SOUGHT AND ESTABLISH SAID DRAINAGE DISTRICT.

The Town Board finds that based upon the testimony and evidence presented pertaining to the drainage system and the public health and safety and considering the statutory factors set forth in Town Law Section 194 it is in the public interest to grant the relief sought and establish said drainage district. The Board also finds, however, that it is in the public interest and public safety considerations dictate that the improvements to be dedicated be appropriately landscaped and fenced so as to adequately mitigate visual effects and protect the public. It is also in the public interest that future purchasers of lots in the drainage district receive notice that they will be annually assessed for the costs of repair, replacement and maintenance of the Drainage District's facilities.

NOW, THEREFORE, BE IT

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

as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found

and determined as follows:

(a) The petition is signed and acknowledged or proved as required by law and

is otherwise sufficient;

(b) All the property and property owners within said proposed Drainage District are benefited thereby;

(c) All the property and property owners benefited are included within the limits of said proposed Drainage District;

(d) It is in the public interest to grant in whole the relief sought and establish said proposed Tarben Drainage District.

Section 2. The establishment of the Tarben Drainage District, as more fully described in the map, plan and report prepared by William J. Moreau, P.E., competent engineers duly licensed by the State of New York, is hereby approved upon the conditions set forth in Sections 3, 4 and 5 below.

Section 3. The approval is conditioned upon the installation of landscaping improvements in conformity to the approved site plan and recommendations of the Town of Newburgh Planning Board to the stormwater management facilities of the Tarben Drainage District, said landscaping improvements constituting a portion of the improvements proposed to be dedicated as public improvements of the Drainage District, and accordingly subject to all requirements for proposed public improvements, including performance and maintenance security requirements.

Section 4. As an additional condition, the stormwater detention basins shown in the map, plan and report shall be fenced in. The fencing shall be acceptable to the Town Engineer and the

Superintendent of Highways, and the applicant shall promptly submit a fencing detail and specification to said Town officers for their review and acceptance, prior, if applicable, to adding same to the final subdivision plan for the Tarben Subdivision.

Section 5. The approval is additionally subject to the condition that all initial contracts of sale for lots in the Tarben Subdivision and deeds shall contain language satisfactory to the Attorney for the Town notifying purchasers and future purchasers that the subject property is within the boundaries of the Tarben Drainage District and subject to assessment and levy by the Town of Newburgh for the repair, replacement and maintenance of the Drainage District's improvements.

<u>Section 6.</u> Said Tarben Drainage District shall be bounded and described as set forth in Schedule A attached hereto and made a part hereof.

<u>Section 7</u>. The proposed improvement, including cost of property rights acquisition, rights of way, easements, construction costs, landscaping costs, legal fees, engineering fees, district expenses incurred in connection with the establishment of the district and the construction of improvements shall be borne by the petitioner and costs of operation and maintenance shall be financed as follows: by assessment of the costs against the properties in the district in just proportion to the benefits derived from the improvements

Section 8. This resolution shall take effect immediately.

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

Paul Ruggiero, Councilman	voting	
James Presutti, Councilman	voting	<u></u>
Scott Manley, Councilman	voting	-
Elizabeth J. Greene., Councilwoma	an_voting	
Gilbert J. Piaquadio, Supervisor	voting	

The resolution was thereupon declared duly adopted.

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#### SCHEDULE "A"

### **Drainage District Boundary Description**

Lands of Tarben Inc. Subdivision Tarben Way Town of Newburgh Orange County, New York

That certain lot of land situate, lying and being in the Town of Newburgh, Orange County, New York, is bounded and described as follows:

Beginning at the intersection of the southeasterly corner of lands of O'Connell and the northerly side of Revere Road; Thence along the lands of O'Connell the following (2) courses: (1) North 13°33'07" East 254.96', (2) North 76°26'53" West 69.40' to a point of intersection with the easterly side of the lands of Gekakis; Thence along said lands of Gekakis North 24°41'04" East 2335.08' to the point along the southerly side of lands of Colandrea; Thence along said lands South 83°01'35" East 545.30' to the point of intersection with lands of Matzeva, Thence along the westerly side of lands of Mazzola; the calong the westerly side of lands of Mazzola the following (2) courses; (1) South 23°1'17" West 47.10', (2) South 30°12'17" West 305.50' to a point at the intersection with the lands of Dickinson, Thence along the westerly side of lands of Dickinson, Fucheck, Glas, Tarben, Inc. and Tausch & Jaffe the following (7) courses; (1) South 24°43'08" West 1336.35', (2) South 63°35'35" East 77.73', (3) South 24°21'55" West 709.83' to a point along the lands of Fayo, Thence along side of lands of Fayo and Walsh the following (4) courses; (1) North 66°32'55" West 64.41', (2) North 76°26'53" West 303.00', (3) South 7°48'37" West 294.35', (4) South 70°29'47" West 71.00' to a point along the northerly side of Rever Road, Thence along said road on a curve to the left having a radius of 175.00' and a curve length of 142.02 to the point and place of beginning.

#### Containing 29.2 acres of land more or less

At a meeting of the Town Board held at the Town Hall, 1496 Route 300 in the Town of Newburgh, Orange County, New York, on the \_\_\_\_\_\_day of \_\_\_\_\_\_,20\_\_\_ at 7:00 o'clock p.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Paul Ruggiero, Councilman

James Presuttit, Councilman

FINAL ORDER OF THE TOWN BOARD OF THE TOWN OF NEWBURGH ESTABLISHING THE TARBEN DRAINAGE DISTRICT OF THE TOWN OF NEWBURGH, ORANGE COUNTY, NEW YORK

Scott Manley, Councilman

Elizabeth J. Greene, Councilwoman

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

WHEREAS, a petition dated January 27, 2017 has been duly presented to the Town Board, according to law, requesting that the Tarben Drainage District, as hereinafter described, be established in the Town of Newburgh; and

WHEREAS, the necessary map, plan and report dated January 26, 2017 prepared by William J. Moreau, P.E., competent engineers duly licensed by the State of New York showing the facilities involved together with the proposed boundaries of the proposed Tarben Drainage District was attached to the petition and has heretofore been filed in the office of the Town Clerk of the Town of Newburgh where the same is available during regular office hours for examination by any persons interested in the subject matter thereon; and

WHEREAS, the boundaries of the proposed Tarben Drainage District are set forth in Appendix "A" annexed hereto and made a part hereof; and

WHEREAS, the establishment of the Tarben Drainage District has been determined to be an "Unlisted Action" for purposes of the State Environmental Quality Review Act and the regulations promulgated thereunder, and the Town of Newburgh Planning Board acting in its capacity as Lead Agency for the Tarben Subdivision has issued a negative declaration for the Action encompassing the establishment of said Drainage District; and

WHEREAS, an order was duly adopted by said Town Board on May 8, 2017, reciting a description of the boundaries of said proposed Drainage District, the services proposed, the maximum amount proposed to be expended, the fact that said map, plan and report was on file in the Town Clerk's office for public inspection and specifying the 12th day of June, 2017, at 7:00 o'clock P.M., Prevailing Time, at the Town Hall, 1496 Route 300, in Newburgh,

New York, in said Town, as the time when and the place where said Town Board would meet for the purpose of holding a public hearing to consider the establishment of said Tarben Drainage District of the Town of Newburgh and said map, plan and report filed in relation thereto and to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, notice of the aforesaid public hearing was duly published and posted in the manner and within the time prescribed by Section 193 of the Town Law, and proof of publication and posting has been duly presented to said Town Board; and

WHEREAS, said public hearing was duly held at the time and place in said order, as aforesaid, at which all persons desiring to be heard were duly heard; and

WHEREAS, the Town Board did duly determine and resolve following said hearing that:

(a) the petition was signed and acknowledged or proved as required by law and is otherwise sufficient;

(b) All the property and property owners within said proposed District were benefitted thereby;

(c) All the property and property owners benefitted were included within the limits of said proposed District of the Town of Newburgh;

(d) It was in the public interest to grant in whole the relief sought and establish said proposed district;

(e) The establishment of the Tarben Drainage District of the Town of Newburgh, all as more fully described in the map, plan and report prepared by William J. Moreau, P.E., competent engineer duly licensed by the State of New York, was approved; and

(f) Said Tarben Drainage District of the Town of Newburgh shall be bounded and described as set forth in Appendix A attached hereto and made a part hereof; and

WHEREAS, the Town Board did further determine and resolve that the proposed improvement, including cost of property rights acquisition, rights of way, easements, construction costs, legal fees, engineering fees, district expenses incurred in connection with the establishment of the district and the construction of improvements shall be borne by the petitioner(s) and costs of operation and maintenance of the Tarben Drainage District shall be financed as follows: by assessment of the costs against the properties in the district in just proportion to the benefits derived from the improvements

WHEREAS, it is not proposed that the Town of Newburgh shall finance the cost of the establishment, improvement or service by the issuance of bonds, notes, certificates or other evidences of the indebtedness of the Town therefore, nor is it proposed to assume debt service on obligations issued pursuant to Subdivision 12 of Town Law §198, the developers of the Tarben subdivision having constructed or installed the necessary improvements and dedicated them at no cost to the Town or District, and therefore, pursuant to Town Law §194(6) the permission of the State Comptroller, Department of Audit and Control, is not required; and

#### NOW, THEREFORE, BE IT

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

<u>Section 1</u>. A Drainage District of the Town of Newburgh be established in the said Town of Newburgh, Orange County, New York, to be known and designated as the Tarben Drainage District.

<u>Section 2</u>. Said Tarben Drainage District of the Town of Newburgh shall be bounded and described as set forth in Appendix A attached hereto and made a part hereof.

Section 3. The Town Clerk of the Town of Newburgh, is hereby authorized and directed to cause a certified copy of this order to be duly recorded in the office of the Clerk of the County of Orange within ten (10) days after the adoption of this order.

<u>Section 4</u>. The Town Clerk is hereby authorized and directed to file a certified copy of this order in the Office of the State Department of Audit and Control, Albany, New York, within ten (10) days after the adoption of this order.

Section 5. This order shall take effect immediately.

The foregoing Order was duly put to a vote on roll call which resulted as follows:

Paul Ruggiero, Councilman	voting
James Presutti, Councilman	voting
Scott Manley, Councilman	voting
Elizabeth J. Greene., Councilwoma	<u>n</u> voting
Gilbert J. Piaquadio, Supervisor	voting

The Order was thereupon duly declared adopted.

#### SCHEDULE "A"

### **Drainage District Boundary Description**

Lands of Tarben Inc. Subdivision Tarben Way Town of Newburgh Orange County, New York

That certain lot of land situate, lying and being in the Town of Newburgh, Orange County, New York, is bounded and described as follows:

Beginning at the intersection of the southeasterly corner of lands of O'Connell and the northerly side of Revere Road; Thence along the lands of O'Connell the following (2) courses: (1) North 13°33'07" East 254.96', (2) North 76°26'53" West 69.40' to a point of intersection with the easterly side of the lands of Gekakis, Thence along said lands of Gekakis North 24°41'04" East 2335.08' to the point along the southerly side of lands of Colandrea; Thence along said lands South 83°01'35" East 545.30' to the point of intersection with lands of Matzevala; Thence along the westerly side of lands of Mazzola; the intersection with the lands of Dickinson, Thence along the westerly side of lands of Dickinson, Fucheck, Glas, Tarben, Inc. and Tausch & Jaffe the following (7) courses; (1) South 24°21'55" West 709.83' to a point along the lands of Fayo, Thence along side of Fayo and Walsh the following (4) courses; (1) North 66°32'55" West 64.41', (2) North 76°26'53" West 303.00', (3) South 7°48'37" West 294.35', (4) South 70°29'47" West 71.00' to a point along the northerly side of Revere Road, Thence along said rade of and so following (4) courses; (4) South 70°29'47" West 71.00' to a point along the northerly side of Revere Road, Thence along said road on a curve to the left having a radius of 175.00' and a curve length of 142.02 to the point and place of beginning.

Containing 29.2 acres of land more or less

## **TARBEN DRAINAGE DISTRICT**

### MAP PLAN & REPORT AND SUPPORTING DOCUMENTS

## 16 LOT RESIDENTIAL SUBDIVISION TARBEN WAY TOWN OF NEWBURGH, N.Y.

**Prepared For:** 

Anthony Tarsio 225 Stonywood Drive Newburgh, N.Y. 12550 Telephone: (845)-542-6639

### **PREPARED BY:**

William J. Moreau, P.E. 6 Old North Plank Road, Suite 103 Newburgh, N.Y. 12550 Telephone :(845) 629-1567

> Dated January 26, 2017



### Introduction

The subject parcel is a 29.2 acre wooded tract of land located in the Town of Newburgh, Orange County, New York, and lies along Revere Road. The project involves a 16 – lot residential subdivision consisting of three & four bedroom single-family homes. The proposed lot areas are approximately 1 acre. Each of the lots will have an individual well and sanitary disposal system. The water and sewer designs were reviewed and approved by the NYS Department of Health. The 1863± foot road will be constructed as part of this subdivision.

The drainage district will encompass the 29.2± acres and service all sixteen lots. The creation on the drainage district will provide for a means of maintaining the proposed storm water management facilities. The Town of Newburgh will maintain the facilities, and the annual maintenance cost will be the responsibility of the nineteen lot owners. The 50 foot wide right- of –ways and proposed road, designated as Tarben Way, will be irrevocably offered for dedication to the Town of Newburgh. Access to drainage facilities not located with in the right away will be provided by easements are included in Appendix B.

### Storm Water Collection System

Storm water runoff will be collected by a series of catch basins, swales and culverts located within the right of way, and transported to the storm water management facilities. The collection system consists of sixteen catch basins, two end sections and 1817 lineal feet of high density polyethylene pipe (15", 18, 21 and 24 diameters).

### Storm Water Management System

In accordance with NYSDEC and Town of Newburgh regulations, Storm water management facilities were designed. To provide water quality protection, and to attenuate the peak discharge rate from the site to predevelopment levels. This will be accomplished with the construction of (2) stormwater management ponds. One located between Lots 2 and 4 and a smaller one located at the development's intersection with Revere Road. he storm water management facilities were designed to capture and treat the average annual storm water runoff volume. In the system, water quality protection will be provided through 24-hour extended detention of the water quality volume. Stream channel protection requirements will be provided through 24-hour extended detention of the 1 year, 24 hour storm event. The peak discharges from the 10 year, 25-year, 50-year and 100-year storm events will be controlled to pre-development rates.

Storm water detention and water quality measures will be provided by utilizing a forbay pond and permanent pool for extended detention to supply water quality and quantity controls. Sediment is isolated to a small forbay pond, thereby reducing cleanout costs. At a minimum, annual inspections should be performed. Following initial construction, the system should be inspected every six months for the first year. When sediment exceeds 3 inches, cleanout should be performed. Maintenance is accomplished with the JetVac process. A high pressure nozzle propels itself down the isolator row scouring and suspending the sediment. Sediment is flushed to catch the basin or manhole for vacuuming. Most sewer and pipe maintenance companies have JetVac/Vacuum combination vehicles. Fixed nozzles designed for large diameter pipes are performed. Rear facing jets with a spread of 45 inches are best. Multiple passes are performed until the back flush water is clean. Upstream catch basin should also be cleaned.

### **Construction Cost**

The cost associated with the construction of the storm water collection and management system will be the responsibility of the developer. To ensure that the improvements are constructed, a construction cost estimate will be approved by the town of Newburgh, and performance bond and inspection fees will be posted. After the completed improvements have been accepted by the town of Newburgh, they will be dedicated to the same. The future owners of the 16 lots will not be responsible for any construction costs associated with the storm water facilities.

### Annual Maintenance Costs

The cost of maintaining the storm water management facilities should be borne by the properties that benefit. A schedule of maintenance and the estimated annual costs are as follows:

	<b>Description of Maintenance item</b>	Frequency	Estimated Annual Cost
1	Visual inspection of facilities	quarterly	\$ 1250
2	Cleaning of catch basin	once/year	\$ 1420
3	Sinking fund for sediment removal	once/year	\$ 1250
4	Mowing basin embankments	twice/year	\$ 1000
5	Liability insurance	once/year	<u>\$ 264</u>
			Total \$ 5,184

The total cost of \$5,184 for maintaining the stormwater management facilities should be borne by 16 single family residences. The annual cost to each single family residence is 5,184 divided by 16 = \$324.00. The Town may adjust these charges if the actual costs vary from the above estimate

### **Conclusion**

The storm water management system must remain in good operating order to function properly. The creation of the described Drainage District will ensure proper maintenance of the system, and allow for its designed benefits.

## <u>Appendix A</u>

## **Drainage District Maps & Descriptions**

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### **Drainage District Boundary Description**

Lands of Tarben Inc. Subdivision Tarben Way Town of Newburgh Orange County, New York

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Containing 29.2 acres of land more or less

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## <u>Appendix B</u>

## **Town Dedication Maps & Descriptions**





### **Town Dedication**

Lands of Tarben Inc. Subdivision Drainage Area – 'A' Town of Newburgh Orange County, New York

That certain lot of land situate, lying and being in the Town of Newburgh, Orange County, New York, is bounded and described as follows:

From the intersection of the southeasterly corner of lands of O'Connell and the northerly side of Revere Road on a curve to the right having a radius of 175.00' and an arc length of 142.02' to the point of beginning; Thence traveling along the north side of Revere Road on a curve to the left having a radius of 175.00' and an arc length of 27.03' to a point; Thence leaving said road and traveling through the lands of Tarben the following (2) courses; (1) on a curve to the right having a radius 25.00 and a curve length of 32.08', (2) on a curve to the left having a radius 375.00 and a curve length of 244.58' to a point along the westerly side of lands now or formerly Walsh; Thence along said lands the following (2) courses: (1) South 07°48'37" West 247.91', (3) South 70°29'47" West 71.00' to the point and place of beginning.

Containing 0.20 acres of land more or less

### **Town Dedication**

Lands of Tarben Inc. Subdivision Drainage Area – 'B' Town of Newburgh Orange County, New York

That certain lot of land situate, lying and being in the Town of Newburgh, Orange County, New York, is bounded and described as follows:

Beginning at a point at the intersection of the southeasterly corner of lot #4 of filed map #274-16 and the westerly side of the lands of Tausch & Jaffe; Thence traveling along the westerly side of said lands of Tausch & Jaffe South 24°21'55" West 200.00' to a point at the intersection with the northeasterly corner of lot #2 of filed map #274-16; Thence along the northerly line of said lot #2 the following (2) courses: (1) North 51°58'35" West 207.08', (2) North 76°26'53" West 44.96' to a point along the easterly side of the proposed roadway of filed map #274-16; Thence along the easterly side of said roadway on a curve to the left having a radius 325.00 and a curve length 157.82' to a point at the intersection with the southwesterly corner of lot #4 of filed map # 274-16; Thence along the southerly line of said lot #4 the following (2) courses: (1) South 76°26'53" East 33.67', (2) South 64°57'23" East 197.42' to the point and place of beginning.

Containing 0.92 acres of land more or less

### <u>Town Dedication</u> Lands of Tarben Inc. Subdivision Tarben Way Road Description Town of Newburgh Orange County, New York

That certain lot of land situate, lying and being in the Town of Newburgh, Orange County, New York, is bounded and described as follows:

From the intersection of the southeasterly corner of lands of O'Connell and the northerly side of Revere Road on a curve to the right having a radius of 175.00' and an arc length of 26.48' to the point of beginning; Thence leaving said road and traveling through the lands of Tarben Inc. the following (28) courses; (1) on a curve to the left having a radius 25.00 and a curve length of 34.10', (2) on a curve to the left having a radius 325.00 and a curve length of 208.22', (3) North 07°48'37" East 46.44', (4) on a curve to the right having a radius 275.00 and a curve length 283.36', (7) on a curve to the left having a radius 275.00 and a curve length of 396.23', (8) on a curve to the right having a radius 325.00 and a curve length of 229.10', (9) North 24°41'04" East 300.00', (10) on a curve to the left having a radius 375.11' and a curve length of 228.79', (11) on a curve to the left having a radius 25.00 and a curve length of 22.96', (12) on a curve to the right having a radius 50.00 and a curve length of 240.97', (13) on a curve to the left having a radius 25.00 and a curve length of 19.43', (14) on a curve to the right having a radius 425.11 and a curve length of 266.80', (15) South 24°41'04" West 300.00', (16) on a curve to the left having a radius 275.00 and a curve length of 193.86', (17) on a curve to the right having a radius 325.00 and a curve length of 468.27, (18) on a curve to the left having a radius 225.00 and a curve length of 231.84', (19) South 07°48'37" West 46.44', (20) on a curve to the right having a radius 375.00 and a curve length of 244.58', (21) on a curve to the left having a radius 25.00 and a curve length of 32.08', (22) on a curve to the left having a radius of 175.00' and an arc length of 88.51' to the point and place of beginning.

Containing 2.19 acres of land more or less

### June 12, 2017

Interns

The Town of Newburgh's Summer Internship Program begins on July 1<sup>st</sup>, 2017 and will last for six weeks.

I will take on the task of assigning and scheduling the interns, as well as obtain the necessary releases.

If the Town Board is in agreement, we will advertise the following:

Town of Newburgh Supervisor Gil Piaquadio has announced a Summer Internship Program.

You learn a lot in school about the world, however; it's a whole new experience when you have to go out into the real world to find a job in government or politics. Gain an advantage over your competitors by participating in a government internship. Intern with the Town and ascertain on-the-job training and cultivate the skills needed to land your dream job in local, national, international government or in various areas of education.

Summer internships are a good way to get your head out of the books and learn how government works to create the laws that govern our Town. Although unpaid, this internship provides great work experience and serves as an asset to your resume. Interns are able to select their department of interest and select the hours that fit their schedule.

Please contact Supervisor Gil Piaquadio at <u>supervisor@townofnewburgh.org</u> or (845) 564-4552.



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

Thank you for your interest in the Town of Newburgh Internship Program

Requirements are:

1. You must be between the ages of seventeen to twenty two years old

2. Preference goes to Town of Newburgh Resident's

3. You must sign a release form.

Please respond to Supervisor Gil Piaquadio at supervisor@townofnewburgh.org with the following information

1. Your area of Interest

2. The days and hours you would like to intern

3. A short paragraph stating the reason you would like to intern

This is not a paid internship, nor will you receive college credits. This program will not fulfill community service ordered by a court. You will receive a letter from the town indicating your performance and time you donated.

The program is scheduled to start July 1st, 2017 and last for six weeks

Again, thank you for your interest

Gil Piaquadio Supervisor

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## TOWN OF NEWBURGH RECREATION DEPARTMENT

311 ROUTE 32, NEWBURGH, NY 12550

Robert J. Petrillo Commissioner of Parks, Recreation & Conservation 845-564-7815 FAX: 845-564-7827

May 24, 2017

TO: Gil Piaquadio, Supervisor Town Board Members

CC: Charlene Black, Personnel

FROM: Robert J. Petrillo, Commissioner

RE: Request to Begin Hire Process

At this time we are requesting your approval to post internally the position of Reservoir Caretaker replacing Mr. Louis Banks who retired as of May 17<sup>th</sup>.

Thank you for your consideration.

Regards,

Robert J. Petrillo Commissioner

## TOWN OF NEWBURGH RECREATION DEPARTMENT

311 ROUTE 32, NEWBURGH, NY 12550

Robert J. Petrillo Commissioner of Parks, Recreation & Conservation 845-564-7815 FAX: 845-564-7827

June 5, 2017

TO: Gil Piaquadio, Supervisor Town Board Members

CC: Charlene Black, Personnel

FROM: Robert J. Petrillo, Commissioner

RE: Hire Seasonal Recreation Aides

At this time, I would like to request approval to hire Matt McArdle and Jordan Crinieri as Seasonal Recreation Aides at the rate of \$9.70/hour. Mr. McArdle and Ms. Crinieri will be replacing Chaundre Broomfield and Christopher Ott who were previously approved and have since declined the position.

I am proposing a hire date of June  $15^{\text{th}}$ . The salary for this position is in the budget under account 7140-0100.

Thank you for your consideration.

Regards,

Robert J: Petrillo Commissioner



# TOWN OF NEWBURGH EMPLOYMENT REQUEST FORM

## To: Personnel Department

NAME OF CANDIDATE: MATT MCARDLE
DEPARTMENT: RECREATION
TITLE OF POSITION: RECREATION AIDE
TITLE OF POSITION:
FULL TIME OR PART TIME:
HOURLY RATE:
IS POSITION FUNDED IN CURRENT BUDGET: YES OR NO
FUND APPROPRIATION NUMBER:
PROPOSED HIRE DATE: NOTE: CANUDA DE CANNOT BEGIN WORK WITHOUT PRE-EMPLOYMENT PHYSICAL AND COMPLETION OF
ALL REQUIRED PAPERWORK.
CKK.
DEPARTMENT HEAD SIGNATURE
6/5/17
DATE

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

COPY TO ACCOUNTING DEPARTMENT 11/15/2010

# TOWN OF NEWBURGH EMPLOYMENT REQUEST FORM

## **To: Personnel Department**

NAME OF CANDIDATE: JORDAN CRINIERI
DEPARTMENT: RECREATION
TITLE OF POSITION: RECREATION AIDE
FULL TIME OR PART TIME:
HOURLY RATE:
IS POSITION FUNDED IN CURRENT BUDGET: $\checkmark$ YES OR NO
FUND APPROPRIATION NUMBER: A 7140 - 0100
PROPOSED LIDE DATE. 6/15/17
NOTE: CANDIDATE CANNOT BEGIN WORK WITHOUT PRE-EMPLOYMENT PHYSICAL AND COMPLETION OF ALL REQUIRED PAPERWORK.
KK
DEPARTMENT HEAD SIGNATURE
6517
DATE

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

COPY TO ACCOUNTING DEPARTMENT 11/15/2010



## TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

### RONALD E. CLUM, CPA ACCOUNTANT

845-564-5220 Fax: 845-566-9461 E-Mail: rclumaccountant@townofnewburgh.org

To:	Gil Piaquadio, Town Supervisor
Cc;	Town Board
From:	Ronald E. Clum, Town Accountant
Date:	May 24, 2017
RE:	Additional Accounting Software Funding

At the December 28, 2016 board meeting the board authorized me to transfer \$40,000 of the \$75,000 cost of an accounting system to an accounting software capital project. At this time I am asking for the remaining \$35,000 to be funded.

I analyzed the total payroll expenses, total voucher payments, and total appropriation figures of the General, Highway, Water, and Sewer Funds to come up with how the cost of the accounting system should be allocated between these funds, as detailed below:

FUND	%	AMOUNT	TRANSFERRED	BALANCE
General	55%	\$41,250	\$40,000	\$ 1,250
Highway	15%	\$11,250		\$11,250
Water	20%	\$15,000		\$15,000
Sewer	10%	\$ 7,500		\$ 7,500
~~~~	100%	\$75,000	\$40,000	\$35,000

The General and Water Funds have a budget line for inter-fund transfers which I would like to use.

The Highway and Sewer Funds do not have a budget line for inter-fund transfers so the following budget transfers would be needed before I transfer the money.

Highway Fund:

FROM 030.1964.0499 Refund of Real Prop Taxes TO 030.9902.0900 Inter-fund Transfers AMOUNT \$11,250.00 Sewer Fund:

FROM 050.8130.0499.5010 Other Expenses TO 050.9902.0900.5010 Inter-fund Transfers AMOUNT \$7,500.00

Please authorize the above two budget transfers as well as the authority to transfer \$35,000 from the multiple funds to the accounting software system capital project.

Sincerely,

Ronald E. Clum



## TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

Public Actolo

#### PERSONNEL DEPT.

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

To: Supervisor Piaquadio Town Board Members

From: Charlene M Black, Personnel Director

Date: June 2, 2017

Re: Full Time Police Officer

Please find attached a letter and employee request form for Christopher Shaw, that Police Chief Campbell has recommended. He has had his background and psychological testing done, which came back favorably. Approval is pending paperwork and his fingerprinting done. According to Orange County Civil Service he does not require a physical. He is a Certified Police Officers and will come in at the salary of \$58,234.00 a year. His transfer has been pre- approved by Orange County Civil Service June 1, 2017. The start date will be June 22, 2017. Thank you in advance for your approval.



## 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

June 1, 2017

To: Newburgh Town Board

Cc: Charlene Black/Personnel Department

From: Chief Donald B. Campbell

Subject: Full-Time Police Officer Position

I am requesting authorization to hire Christopher Shaw as a full-time police officer at a starting pay rate of \$58,234 per year. Mr. Thompson is currently a Police Officer with the Village of Walden and is being hired as a resignation/reinstatement. A full background check has been completed. I am requesting Mr. Thompson receive a start date effective June 22, 2017. (Fund appropriation # 001-3120-0100-000)

hN Respectfully submitted,

Donald B. Campbell Chief of Police

# TOWN OF NEWBURGH EMPLOYMENT REQUEST FORM

## To: Personnel Department

DATE

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


### TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

A

PERSONNEL DEPT.

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

To: Supervisor Piaquadio Town Council

From: Charlene M Black, Personnel

Date: June 9, 2017

Re: Part-time Dispatchers

Chief Campbell is requesting approval to hire Valerie Starace and Thomas O'Connell Jr. as part time dispatchers. Upon approval Ms. Starace and Mr. O'Connell will need to complete paperwork, fingerprints, physical and drug/alcohol testing. Thank you in advance.



## 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

June 8, 2017

To: Newburgh Town Board

Cc: Charlene Black/Personnel Department

From: Chief Donald B. Campbell

Subject: Part-Time Dispatcher Position

I am requesting authorization to hire Valerie Starace as a part-time dispatcher at a rate of \$13.52 per hour not to exceed an average of 20 hours per week or 1040 hours in any calendar year. I am requesting she receive a start date effective on or after June 22, 2017 pending a physical exam and fingerprinting. This is a budgeted position that is currently vacant (Fund appropriation # 001-3120-0100-000).

Respectfully, submitted,

Donald B. Campbell Chief of Police

## TOWN OF NEWBURGH EMPLOYMENT REQUEST FORM

To: Personnel Department

NAME OF CANDIDATE: Valerie Stacace	*
DEPARTMENT: Palice Department	
TITLE OF POSITION: Dis protechy	
FULL TIME OR PART TIME P/T	
HOURLY RATE: 13.52 par hour	
IS POSITION FUNDED IN CURRENT BUDGET:YES OR NO	
FUND APPROPRIATION NUMBER:	
PROPOSED HIRE DATE: On a After 6/32/7 NOTE: CANDIDATE CANNOT BEGIN WORK WITHOUT PRE-EMPLOYMENT PHYSICAL AND COMLETTION OF ALL REQUIRED PAPERWORK.	
DEPARTMENT HEAD SIGNATURE	
6/8/17	
DATE	

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



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

June 8, 2017

To: Newburgh Town Board

Cc: Charlene Black/Personnel Department

From: Chief Donald B. Campbell

Subject: Part-Time Dispatcher Position

I am requesting authorization to hire Thomas O'Connell Jr as a part-time dispatcher at a rate of \$13.52 per hour not to exceed an average of 20 hours per week or 1040 hours in any calendar year. I am requesting Mr. O'Connell receive a start date effective on or after June 22, 2017 pending a physical exam and fingerprinting. This is a budgeted position that is currently vacant (Fund appropriation # 001-3120-0100-000).

Respectfully submitted,

Donald B. Campbell Chief of Police

## TOWN OF NEWBURGH EMPLOYMENT REQUEST FORM

## To: Personnel Department

NAME OF CANDIDATE: Thomas O'Connell ic	
DEPARTMENT: Palice Department	
TITLE OF POSITION: D.s. patchy	
FULL TIME OR PART TIME P/T	
HOURLY RATE: HOURLY RATE:	
IS POSITION FUNDED IN CURRENT BUDGET:YES OR NO	
FUND APPROPRIATION NUMBER:	
PROPOSED HIRE DATE: On or After 6/22/7 NOTE: CANDIDATE GANNOT BEGIN WORK WITHOUT PRE-EMPLOYMENT PHYSICAL AND COMLETTION OF	
ALL REQUIRED PAPERWORK.	
Jul B. m	
DEPARTMENT HEAD SIGNATURE	
DATE	

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

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### TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

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

#### PERSONNEL DEPT.

To: Supervisor Piaquadio Town Council

From: Charlene M Black, Personnel

Date: June 12, 2017

Re: Part-time Dispatcher

Chief Campbell is requesting approval to hire Ashley Masopust as part time dispatcher.

Upon approval Ms. Masopust will need to complete paperwork, fingerprints, physical and

drug/alcohol testing. Thank you in advance.



## 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

June 8, 2017

To: Newburgh Town Board

Cc: Charlene Black/Personnel Department

From: Chief Donald B. Campbell

Subject: Part-Time Dispatcher Position

I am requesting authorization to hire Ashley Masopust as a part-time dispatcher at a rate of \$13.52 per hour not to exceed an average of 20 hours per week or 1040 hours in any calendar year. I am requesting she receive a start date effective on or after June 22, 2017 pending a physical exam and fingerprinting. This is a budgeted position that is currently vacant (Fund appropriation # 001-3120-0100-000).

Respectfully submitted,

Donald B. Campbell Chief of Police

## TOWN OF NEWBURGH EMPLOYMENT REQUEST FORM

## To: Personnel Department

NAME OF CANDIDATE: Ashley Masapust
DEPARTMENT:Police Department
TITLE OF POSITION: Dis protocher
FULL TIME OR PART TIME:
HOURLY RATE:
IS POSITION FUNDED IN CURRENT BUDGET:YES OR NO
FUND APPROPRIATION NUMBER:
PROPOSED HIRE DATE: On or offer 6/22/17 NOTE: CANDIDATE CANNOT BEGIN WORK WITHOUT PRE-EMPLOYMENT PHYSICAL AND COMLETTION OF ALL REQUIRED PAPERWORK.
DEPARTMENT HEAD SIGNATURE
6/8/17
DATE

# ORIGINAL APPLICATION SHOULD BE ON FILE IN THE PERSONNEL DEPARTMENT

DRAFT

PRESENT:

Gilbert J. Piaquadio, SupervisorRESOLUTION IN SUPPORT OF<br/>BILL NUMBER A-2628:Elizabeth J. Greene, CouncilwomanAN ACT TO AMEND THE PUBLIC<br/>AUTHORITIES LAW AND THEPaul I. Ruggiero, CouncilmanENVIRONMENTAL CONSERVATION LAW<br/>IN RELATION TO THE CONSTRUCTIONJames E. Presutti, CouncilmanOF A PIPELINE PROPERTY UNDER<br/>THE CONTROL OF THE NEW YORK STATEScott M. Manley., CouncilmanTHURWAY AUTHORITY

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

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 June, 2017 at 7:00 P.M., Prevailing Time.

WHEREAS, the Hon. Frank Skartados, Assemblyman for the 104<sup>th</sup> District, has introduced Bill Number A2628 in the State Assembly, entitled An Act to Amend the Public Authorities Law and the Environmental Conservation Law, in Relation to the Construction of a Pipeline Property Under the Control of the New York State Thruway Authority ; and

WHEREAS, the Bill will amend the Public Authorities Law by adding a new section 389 and amend the Environmental Conservation Law by adding a new section 3-321. The new sections will prohibit a pipeline on the NYS Thruway designed to carry hazardous materials and petroleum extending further than five miles in length along property under the control of the Thruway Authority; and

WHEREAS, the NY State Thruway runs through the Town of Newburgh between its northern and southern boundaries and also between Orange Lake to the west and the Chadwick Lake Reservoir to the east in the Quassaick Creek watershed; and

WHEREAS, the Town of Newburgh already hosts petroleum transportation and storage infrastructure including the West Shore Hudson River freight line and a storage and barge terminal on its Hudson River shoreline, as well as two electric generating stations fueled primarily by natural gas delivered by pipeline; and

WHEREAS, as stated in the Bill's justification, an oil or refined petroleum pipeline constructed to longitudinally occupy the New York State Thruway would present a significant danger to the state's natural lands, waters, population, economy, and tourism. A pipeline incident along the Thruway resulting in the leakage of oil or refined petroleum would have a significant and costly impact on adjacent residential communities, endangered habitats, open spaces, forests, farmlands, streams, aquifers, wetlands, scenic vistas, and water sources, including the Delaware and Catskill Aqueducts that supply water to New York City. An incident would pose a threat to drinking water and thereby impact businesses, local economies, and the health and quality of life of the people in the affected area. A pipeline incident would harm the endangered and threatened species that live along the Thruway which include the red shouldered hawk, wood turtle, barred owl, bobcat, and Indiana bat; and

WHEREAS, even sophisticated leak detection systems cannot guarantee the prevention of a serious incident Oil pipelines are not safe, data from the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA)indicate that more than 2,000 significant accidents involving crude oil and refined petroleum pipelines have occurred between 1995 and 2015, averaging 100 per year and resulting in about \$3 billion in property damage; and

WHEREAS, over time even a well-constructed pipeline becomes vulnerable to an incident caused by accidental impact, deterioration and corrosion, vandalism, terrorism, and natural disasters such as earthquakes. A poorly constructed pipeline is especially vulnerable to leakage from normal system stress and operation; and

WHEREAS, pipelines are not currently inspected to a degree at which the safety of New Yorkers can be guaranteed; and

WHEREAS, a pipeline along the Thruway would be aesthetically disruptive to the natural scenic views we have enjoyed for years and have relied upon for tourism and a pipeline would require numerous maintenance access roads and large and noticeable shut-off valves would be frequently placed above ground along the route, with a higher concentration at environmentally sensitive locations such as wetlands and waterways.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Newburgh in its capacity as governing body of the Town, does hereby support the enactment of Bill Number A2628, entitled An Act to Amend the Public Authorities Law and the Environmental Conservation Law, in Relation to the Construction of a Pipeline Property Under the Control of the New York State Thruway Authority; and

**BE IT FURTHER RESOLVED,** that certified copies of this Resolution be delivered, by the Town Clerk to the Hon. Frank Skartados, Assemblyman for the 104<sup>TH</sup> District, the Hon. Andrew Cuomo, Governor and the Hon. William J. Larkin, Jr., Senator for the 39<sup>TH</sup> District; 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	
James E. Presutti, Councilman	voting	
Scott M. Manley, Councilman	voting	
Gilbert J. Piaquadio, Supervisor	voting	

The resolution was thereupon declared duly adopted.

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

I, Andrew J. Zarutskie, 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 June, 2017, 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 June, 2017.

Andrew J. Zarutskie, Town Clerk

1 2

### STATE OF NEW YORK

#### 2628--A

2017-2018 Regular Sessions

#### IN ASSEMBLY

January 20, 2017

Introduced by M. of A. SKARTADOS, SKOUFIS, MOSLEY, ABINANTI, GOTTFRIED, BRABENEC, JAFFEE, STIRPE, HOOPER -- Multi-Sponsored by -- M. of A. COOK, GLICK -- read once and referred to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law and the environmental conservation law, in relation to the construction of a pipeline property under the control of the New York state thruway authority

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The public authorities law is amended by adding a new section 389 to read as follows:

§ 389. Pipeline limitation. Notwithstanding the provisions of subdivi-3 sion eleven of section three hundred fifty-four of this title or any 4 other law, rule or regulation to the contrary, the authority shall not 5 construct or maintain or enter into any lease or contract for the 6 construction or maintenance of or grant any permit or easement in 7 connection with the construction of a longitudinal pipeline designed to 8 carry hazardous substances or petroleum, extending further than five 9 miles in length along property under the control of the authority. 10

11 § 2. The environmental conservation law is amended by adding a new 12 section 3-321 to read as follows:

13 § 3-321. Pipeline limitation.

Notwithstanding any law, rule or regulation to the contrary, the department shall not approve any application for any permit, certification or authorization in connection with the construction of a longitudinal pipeline designed to carry hazardous substances or petroleum, extending further than five miles in length along property under the control of the New York state thruway authority.

20 § 3. This act shall take effect immediately.

EXPLANATION--Matter in <u>italics</u> (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD01551-02-7

#### NEW YORK STATE ASSEMBLY MEMORANDUM IN SUPPORT OF LEGISLATION submitted in accordance with Assembly Rule III, Sec 1(f)

#### BILL NUMBER: A2628A

**SPONSOR:** Skartados (MS)

TITLE OF BILL: An act to amend the public authorities law and the environmental conservation law, in relation to the construction of a pipeline property under the control of the New York state thruway authority

#### PURPOSE OR GENERAL IDEA OF BILL:

This legislation will prohibit a pipeline on the NYS Thruway designed to carry hazardous materials including but not limited to petroleum.

#### SUMMARY OF SPECIFIC PROVISIONS:

The bill will amend the Public Authorities Law by adding a new section 389 and amend the Environmental Conservation Law by adding a new section 3-321. The new sections will prohibit a pipeline on the NYS Thruway designed to carry hazardous materials including but not limited to petroleum.

#### JUSTIFICATION:;

An oil or refined petroleum pipeline constructed to longitudinally occupy the New York State Thruway would present a significant danger to the state's natural lands, waters, population, economy, and tourism. A pipeline incident along the Thruway resulting in the leakage of oil or refined petroleum would have a significant and costly impact on adjacent residential communities, endangered habitats, open spaces, forests, farmlands, streams, aquifers, wetlands, scenic vistas, and water sources, including the Delaware and Catskill Aqueducts that supply water to New York City. An incident would pose a threat to drinking water and thereby impact businesses, local economies, and the health and quality of life of the people in the affected area. A pipeline incident would harm the endangered and threatened species that live along the Thruway, which include the red shouldered hawk, wood turtle, barred owl, bobcat, and Indiana bat.

Pipelines can cause more damage than trains transporting crude oil. A rail car's capacity limits the amount of petroleum it can transport, and incidents involving trains are discovered quickly. Pipelines, on the other hand, can leak for an indefinite period of time, and pipeline accidents are often discovered only after their effects have been felt.

Even sophisticated leak detection systems cannot guarantee the prevention of a serious incident. According to the Leak Detection Study performed by Kiefner & Associates, published on December 12, 2012,

http://public.leginfo.state.ny.us/navigate.cgi?NVDTO:

advanced pressure-sensitive systems (from Computational Pipeline Monitoring) detected just 17 of 87 incidents. These sensors and shutoff valves will likely exist as the only means of detection for underground pipelines, since visual inspections are impossible to conduct. If a leak is left undetected, the consequences are dire. One quart of oil can contaminate up to a quarter million gallons of drinking water.

Oil pipelines are not safe. Data from the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration (PHMSA) indicate that more than 2,000 significant accidents involving crude oil and refined petroleum pipelines have occurred between 1995 and 2015, averaging 100 per year and resulting in about \$3 billion in property damage. Over time even a well-constructed pipeline becomes vulnerable to an incident caused by accidental impact, deterioration and corrosion, vandalism, terrorism, and natural disasters such as earthquakes. A poorly constructed pipeline is especially vulnerable to leakage from normal system stress and operation.

Pipelines are not currently inspected to a degree at which the safety of New Yorkers can be guaranteed. Currently, 135 federal inspectors oversee 2.6 million miles of pipeline. Each inspector is thus responsible for supervising almost enough pipe to circle the Earth. While PHMSA officials may be aided by state inspectors, there has been no guarantee that this will occur in New York State. Furthermore, an analysis of inspection records obtained by the nonprofit Public Employees for Environmental Responsibility (PEER) indicates that only a fifth of the nation's 2.6 million miles of pipeline have been inspected by the PHMSA or its state partners since 2006.

Local fire departments are not equipped to handle pipeline-related incidents. Preparation for an adequate response to such occurrences would necessitate a significant amount of funding and training. Without proper training and equipment, our local firefighters would be put at great risk when called to duty.

A pipeline along the Thruway would be aesthetically disruptive to the natural scenic views we have enjoyed for years and have relied upon for tourism. A pipeline would require numerous maintenance access roads. Moreover, large and noticeable shut-off valves would be frequently placed above ground along the route, with a higher concentration at, environmentally sensitive locations such as wetlands and waterways. A typical pipeline shutoff valve associated with a 36-inch diameter pipeline requires stands over five meters tall and weighs approximately eight metric tons.

Furthermore, it is entirely conceivable that a project along the Thruway might utilize two pipelines: one transporting crude oil south to refineries, and another transporting refined products north. Such a plan would significantly increase the risks and impacts of a single line.

In the 2016 State of the State address, Governor Cuomo declared that by 2030, fifty percent of the state's energy must come from renewable sources, and that protecting the environment should always be one of our top priorities. To fulfill the governor's plan, we must refrain from investing in hazardous sources of energy like petroleum and crude oil. Disallowing the construction of dangerous pipelines is essential to this effort.

This bill will prohibit the authorization of the construction of a pipeline extending further than 5 miles in length within property under the

http://public.leginfo.state.ny.us/navigate.cgi?NVDTO:

control of the New York State Thruway Authority.

#### PRIOR LEGISLATIVE HISTORY:

04/12/16: A.9831A Referred to Corporations, Authorities, and Commissions.

FISCAL IMPLICATIONS:

None.

EFFECTIVE DATE: Immediate.

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 June, 2017 at 7:00 P.M., Prevailing Time.

PRESENT:

Gilbert J. Piaquadio, Supervisor Elizabeth J. Greene, Councilwoman Paul I. Ruggiero, Councilman James E. Presutti, Councilman

RESOLUTION IN SUPPORT OF BILL NUMBER S-5139/ A-2446: AN ACT TO AMEND THE TRANSPORTATION CORPORATIONS LAW, IN RELATION TO THE CONSTRUCTION OF NEW PIPELINES

Scott M. Manley., Councilman

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

WHEREAS, the Hon. William J. Larkin, Jr., Senator for the 39TH District, has introduced Bill Number S-5139 in the State Senate and the Hon. Frank Skartados, Assemblyman for the 104TH District, has introduced Bill Number A2446 in the State Assembly, both entitled An Act to Amend the Transportation Corporations Law, in Relation to the Construction of New Pipelines; and

WHEREAS, the legislation will amend Section 87 the Transportation Corporations Law of transportation corporations law to give local control to towns over permitting the construction of new pipelines that would be constructed within their municipality by providing that no new pipeline may be constructed through any town without the authorization by resolution of the town board of such town, current law only requiring resolutions from cities and villages authorizing the construction of pipelines to be constructed within their boundaries; and

WHEREAS, pipelines can cause great disruption to communities. In addition, they may transport volatile and dangerous materials that pose health and environmental hazards to the communities through and adjacent to which they may be constructed. In order for a new pipeline to be constructed within a town's borders, this legislation would require a resolution by the town board authorizing the construction of the pipeline, including prescribing the route, manner of construction and terms upon which the authorization would be granted; and

WHEREAS, this proposal simply affords towns the same important local input on new pipeline projects that the law currently grants to cities and villages.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Newburgh in its capacity as governing body of the Town, does hereby support the enactment of Bill Number S-5139/A2446, entitled An Act to Amend the Transportation Corporations Law, in Relation to the Construction of New Pipelines ; and

**BE IT FURTHER RESOLVED**, that the Town Board wishes to thank Senator Larkin and Assemblyman Skartados for introducing this legislation which will place the citizens of towns on an equal footing with those of cities and villages; and

**BE IT FURTHER RESOLVED**, that certified copies of this Resolution be delivered, by the Town Clerk to, the Hon. Andrew Cuomo, Governor, the Hon. William J. Larkin, Jr., Senator for the 39<sup>TH</sup> District and the Hon. Frank Skartados, Assemblyman for the 104<sup>TH</sup> District ; 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	
James E. Presutti, Councilman	voting	
Scott M. Manley, Councilman	voting	
Gilbert J. Piaquadio, Supervisor	voting	

The resolution was thereupon declared duly adopted.

### STATE OF NEW YORK

#### 5139

2017-2018 Regular Sessions

#### IN SENATE

March 9, 2017

- Introduced by Sen. AMEDORE -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions
- AN ACT to amend the transportation corporations law, in relation to the construction of new pipe lines

## The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 87 of the transportation corporations law is 2 amended to read as follows:

§ 87. Construction through villages, towns and cities. No new pipe 3 line shall be constructed into or through any incorporated village, town 4 or city in this state, unless authorized by a resolution prescribing the 5 route, manner of construction and terms upon which granted, adopted at a 6 regular meeting of the board of trustees of the village, town board, or 7 the legislative body of the city by a two-thirds vote thereof, but such 8 resolution shall not affect any private right. No pavement shall be 9 10 removed in any city under the provisions of this article, except as directed by the legislative body, nor until the corporation seeking to 11 12 remove the same shall give a bond in such sum as the legislative body 13 may require for relaying of any pavements removed. In case any pavement 14 shall have been removed and not properly relaid, the city may sue such corporation, for the cost of relaying such pavement. 15

16 § 2. This act shall take effect immediately.

EXPLANATION--Matter in <u>italics</u> (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD01645-03-7

http://public.leginfo.state.ny.us/navigate.cgi?NVDTO:

6/6/2017

#### NEW YORK STATE SENATE INTRODUCER'S MEMORANDUM IN SUPPORT submitted in accordance with Senate Rule VI. Sec 1

#### BILL NUMBER: S5139

#### SPONSOR: AMEDORE

#### TITLE OF BILL:

An act to amend the transportation corporations law, in relation to the construction of new pipe lines

#### PURPOSE:

To amend section 87 of transportation corporations law to give local control to towns over permitting the construction of new pipelines that would be constructed within their municipality.

#### SUMMARY OF PROVISIONS:

Section one provides that no new pipeline may be constructed through any town without the authorization by resolution of the town board of such town.

#### EXISTING LAW:

Current law requires resolutions from cities or villages authorizing the construction of pipelines to be constructed within their boundaries.

#### JUSTIFICATION:

Pipelines can cause great disruption to communities. In addition, they may transport volatile and dangerous materials that pose health and environmental hazards to the communities through and adjacent to which they may be constructed. In order for a new pipeline to be constructed within a town's borders, this legislation would require a resolution by the town board authorizing the construction of the pipeline, including prescribing the route, manner of construction and terms upon which the authorization would be granted.

This proposal simply affords towns the same important local input on new pipeline projects that the law currently grants to cities and villages.

#### LEGISLATIVE HISTORY:

New bill.

#### FISCAL IMPLICATIONS:

http://public.leginfo.state.ny.us/navigate.cgi?NVDTO:

None.

#### EFFECTIVE DATE:

## This act shall take effect immediately.

http://public.leginfo.state.ny.us/navigate.cgi?NVDTO:

#### LEGGETTE, BRASHEARS & GRAHAM, INC.

### PROFESSIONAL GROUNDWATER AND ENVIRONMENTAL SERVICES

600 East Crescent Avenue, Suite 200 Upper Saddle River, NJ 07458 PHONE 201-818-0700 FAX 201-818-0505 www.lbgweb.com

#### May 1, 2017

Mr. James W. Osborne, P.E. Town Engineer Town of Newburgh 1496 Route 300 Newburgh, NY 12550

RE:

Cost Proposal for Review of Potential New Water-Supply Well at the Anchorage On The Hudson Development Town of Newburgh, New York

Dear Mr. Osborne:

The hydrogeologic and environmental consulting firm of Leggette, Brashears & Graham, Inc. (LBG) is pleased to present this proposal and cost estimate to the Town of Newburgh, New York (the Town) for provision of services related to assessing the potential for an existing well located at the "Anchorage On The Hudson" residential development (the Development) to serve as a future groundwater supply for the Town. As we understand it, the Anchorage On The Hudson developer has indicated that he had a well installed at the property several years back that was originally intended to serve as a drinking water supply for the Development. Based on the results of an evaluation completed on the developer's behalf by The Chazen Companies (Chazen), the well was reportedly tested and proven to yield about 500 gallons per minute (gpm).

As per our discussion, the Town is interested in determining from the available information if the well is capable of supporting pumpage at a rate of 500 gpm, and if the source of the water is influenced by leakage from the New York City aqueduct located nearby. If the available information cannot be used to make such a determination, then the Town would also like to know what additional evaluations would be needed to provide the necessary data and/or information.

#### Scope of Work

The proposed work will be initiated with the collection and review of the existing information regarding the construction of the well and subsequent testing completed by Chazen.

#### Mr. James W. Osborne, P.E.

In addition, we will review information available from our files regarding the local groundwater conditions (e.g., published and unpublished hydrogeological and geological reports, and well records) and the nearby New York City (NYC) aqueduct. The gathered information will be used to determine the potential extent of the tapped aquifer and related potential recharge sources. The information review would also utilize the preliminary fracture-trace survey completed previously by LBG on behalf of the Town for the subject area.

Based on our experience in conducting similar evaluations elsewhere and our familiarity with the groundwater resources of the Town and relevant New York State Department of Environmental Conservation (NYSDEC) testing requirements for supply wells, we anticipate being provided from the developer and/or Chazen with as much of the following information as possible for our subsequent review and consideration:

- The NYSDEC Well Record form, driller's log, and geologic log for the proposed supply well, and for any other wells installed on behalf of the developer at the property;
- Pumping test data (e.g., step-rate, constant-rate, etc.) and related groundwater level data collected in connection with non-testing periods (graphical and tabulated formats if possible);
- Any surface and/or downhole geophysical logs, and downhole video inspection records;
- Any groundwater quality data for the proposed well;
- A map/site plan showing the well and, if applicable, other nearby wells on or near the property, along with mapped wetlands, topography, and existing utilities and structures.

During completion of the information/data review, an LBG hydrogeologist may conduct a reconnoiter of the property area and well to help substantiate the reported conditions. The results of our information and data review will be summarized in a letter report submitted to the Town for its consideration. The report will include recommendations regarding the adequacy of the yield and potability of the proposed well.

If our evaluation suggests the well may not be capable of supporting a pumping rate of 500 gpm, and/or is viability is dependent upon a groundwater recharge source associated with leakage form the nearby NYC aqueduct, then recommendations regarding the possible yield of the well without this recharge source and/or identification of viable alternative options for development of a groundwater supply from the property will be provided. If the provided data and information are not adequate for providing a conclusion regarding the yield of the well and/or the potential for any recharge influences from NYC aqueduct leakage, then recommendations regarding possible additional evaluations will be provided.

2

#### COST ESTIMATE

The estimated cost for providing consulting services in connection with the proposed scope of work should range from about \$4,500 to 5,000. We will implement the proposed work upon receipt of notice to proceed from the Town. We estimate the completion time for the project is about 1 to 2 weeks following our receipt of the available information provided by the developer and/or Chazen.

Thank you for the opportunity to submit this proposal and associated cost estimate, we look forward to working with the Town on this project. If you have any questions or need additional information, please call.

Very truly yours,

LEGGETTE, BRASHEARS & GRAHAM, INC.

Frank Getehell, P.G. Hydrogeologist/Sr. Vice President

FG:ak

B:Newburgh Water Documents Newburgh Marina Well Info Assessment SOW CostPro\_5-01-17.docx

3

## TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

PERSONNEL DEPT.

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

To: Supervisor Piaquadio Town Board Members

From: Charlene M Black, Personnel

Date: June 7, 2017

Re: Part time Building Inspector (Zombie Grant)

There is a request from Gerald Canfield, Code Compliance Supervisor, to hire Mark Bethea as a part time Building Inspector for the Zombie Grant. His salary will be \$18.00 per hour. Mr. Bethea will need to complete his paperwork, physical, drug/alcohol testing and fingerprints. His hire date will be contingent on him completing all the above and your approval. The earliest date of hire would be on or about June 22, 2017. Thank you for your time in this matter.

Cc: Ronald Clum, Town Accountant

## TOWN OF NEWBURGH

— Crossroads of the Northeast— OLD TOWN HALL 308 GARDNERTOWN ROAD NEWBURGH, NEW YORK 12550

CODE COMPLIANCE DEPT. TELEPHONE 845-564-7801 FAX LINE 845-564-7802

To: Supervisor Piaquadio

June 2, 2017

**Charlene Black Personnel** 

From: Gerald Canfield Code Compliance Supervisor

Re: Hiring Part Time Bldg. Inspector

I wish to hire Mark Bethea to fulfill one of the Part Time Temporary Building Inspector positions created and funded for by the Zombie Property Remediation and Prevention Initiative Program. Attached for your view are the application and resume for Mr. Bethea. Additionally I have attached the April 24, 2017 authorization by the Board to start the hiring process.

## TOWN OF NEWBURGH EMPLOYMENT REQUEST FORM

To: Personnel Department

the NAME OF CANDIDATE: DEPARTMENT: TITLE OF POSITION: FULL TIME OR PART TIME: HOURLY RATE: IS POSITION FUNDED IN CURRENT BUDGET: YES OR NO FUND APPROPRIATION NUMBER: Zembie PROPOSED HIRE DATE: NOTE: CANDIDATE CANNOT BEGIN WORK WITHOUT PRE-EMPLOYMENT PHYSICAL AND COMPLETION OF ALL REQUIRED PAPERWORK. DEPARTMENT HEAD SIGNATURE

DATE

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

COPY TO ACCOUNTING DEPARTMENT 5-22-2017



## HIGHWAY DEPARTMENT

90 GARDNERTOWN ROAD NEWBURGH, NEW YORK 12550

TELEPHONE 845-561-2177 Fax 845-561-8987

TODD DEPEW HIGHWAY SUPERINTENDENT

TO:Gil Piaquadio, Supervisor & Town Board MembersFROM:Todd DePew, Highway SuperintendentDATE:June 7, 2017DE:Item # 6 Pubber Tire Boller with and without Operator on

**RE:** Item # 6 Rubber Tire Roller with and without Operator on the Summer Materials Bids

I would like to be put on the agenda, to reject Item #6 Rubber Tire Roller with operator on the Summer Material Bid for which was opened on May31, 2017 and go out to re-bid the Rubber Tire Roller with and without an operator.

If you have any questions please feel free to call me. Thanking you in advance.



## HIGHWAY DEPARTMENT

90 Gardnertown Road Newburgh, New York 12550

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

TODD DEPEW HIGHWAY SUPERINTENDENT

TO:	Gil Piaquadio, Supervisor, and Town Board Members		
FROM:	Todd DePew, Highway Superintendent	Ad	
DATE:	June 7, 2017	J.	
RE:	Heavy Equipment Rentals		

Please award the bid for the Heavy Equipment Rentals to all of the vendors, Thanking you in advance.

A. Montano Blueline Rental Edward Ehrbar, Inc. Hoffman Equipment Jesco Inc.

No bids were awarded to the following Lots: 1.10, 1.15, 1.16, 1.18, 1.20, 1.22, 1.24,2.02, 3.01, 4.06, 5.03, 5.04,5.05, 5.09, 5.10, 5.11,5.12, 5.14, 5.15, 5.16, 5.17, 5.18, 5.19, 5.20, 5.21, 5.22, 5.23, 5.25, 5.26, 5.27.

TD/ch