

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. MOMENT OF SILENCE
4. CHANGES TO AGENDA
5. APPROVAL OF AUDIT
6. ZONING: Stewart Commons
7. SPECIAL DISTRICTS: Benefit Formulas, Assessment Rolls, and Budgets
8. SCHEDULE OF FEES FOR 2017 (Local Law)
9. LOCAL LAWS:
  - A. Towing
  - B. Double Utility Poles
10. MARLBORO INTER-MUNICIPAL WATER AGREEMENT:
  - A. SEQR
  - B. Approval
11. ANIMAL CONTROL:
  - A. T-94 Withdrawal (TARA)
  - B. T-92 Withdrawal (MDW Feline)
12. HIGHWAY: Budget Transfer
13. ACCOUNTING:
  - A. Transfer from Ref of Property Taxes to Unallocated Insurance
  - B. Transfer from Miscellaneous Revenues to Equipment
14. ENGINEERING:
  - A. MS4 Inspections
  - B. Summit Lane: Release of Performance Security
15. RECEIVER OF TAXES: Sewer Relevy
16. RECREATION: Newburgh Rowing Club
17. CODE COMPLIANCE: Reapprove Purchase of Copy Machine
18. DATA PROCESSING: Purchase of Maintenance Hours
19. ADJOURNMENT

James R. Loeb  
Richard J. Drake, *retired*  
Glen L. Heller\*  
Marianna R. Kennedy  
Gary J. Gogerty  
Stephen J. Gaba  
Adam L. Rodd  
Dominic Cordisco  
Timothy P. McElduff, Jr.  
Ralph L. Puglielle, Jr.  
Nicholas A. Pascale

May 19, 2016

Supervisor Gil Piaquadio  
Town Board  
1496 Route 300  
Newburgh, New York 12550

Re: Stewart Commons // Zoning Amendment Petition

Dear Supervisor Piaquadio and Town Board Members:

I am pleased to enclose an original and eleven copies of a petition requesting a zoning amendment that would allow greater flexibility within the business park uses allowed under the Town of Newburgh zoning law, and would specifically provide for the development of the Stewart Commons Site, which is located 245 N.Y.S. Route 17K, and comprised of four (4) parcels identified on the Tax Maps as SBL 89-1-25.22, 89-1-26, 89-1-30.2, & 89-1-31. The Stewart Commons Site is located in the Business (B) and Airport Overlay (A) Zoning Districts in the Town of Newburgh. My client, Stewart Commons LLC is the owner of this property.

We request that the Town Board consider this petition. To assist with its review, we prepared the enclosed full Environmental Assessment Form for the Town Board's review.

Lastly, I wanted to let the Board know that, as it previously suggested, we held several meetings with the neighbors at Colden Park. The meetings went well, and the Colden Park Homeowners Association previously wrote to you in support of this amendment on March 10, 2016. A copy of that letter is annexed to the petition.

If you would, please place this matter on your next available agenda, and advise of the date of that meeting. We would like to appear before you at that time.

Very Truly Yours,

  
DOMINIC CORDISCO

Enclosures

Lisa M. Card  
Alana R. Bartley  
Aaron C. Fitch  
Juliana O'Grady

Jennifer L. Schneider  
Managing Attorney

\*LL.M. in Taxation

cc:

Mark Taylor, Esq.  
James Osborne, P.E.  
Ross Winglovitz, P.E.  
Richard Rowley, Stewart Commons LLC  
Brian Rivenburgh, Stewart Commons LLC  
RJ Smith, Rand Commercial

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## COLDEN PARK HOMEOWNERS ASSOCIATION

March 10, 2016

The Town of Newburgh Town Board  
1496 Route 300  
Town of Newburgh, NY 12550

### LETTER OF SUPPORT FOR STEWART COMMONS

Dear Newburgh Town Board,

My name is Larry Lubkert, I live at 13 Windwood Drive and I am the president of the Colden Park Home Owners Association. On October 21, 2015, the HOA and many of its members met with RJ Smith and Stewart Commons LLC. At that meeting they displayed and discussed the details of the two building proposals brought forth to the town of Newburgh. A second meeting was held for the HOA and its members to discuss the community's desires and concerns about the proposed building plans. The HOA and its members concluded that the plans to build a warehouse would impact our community the least, provided that Stewart Commons addressed the concerns of Colden Park.

First of which is a 600 foot buffer between the properties on Windwood Drive and the building itself. That this buffer would be prohibited from being built on at any point in the future and would be a dedicated.

Second is the ongoing traffic problem on 17K. We would like to see improvements made to 17K to maintain through traffic along this already busy road. We understand the limitations and capabilities of the builder's influence on this matter, but would also hope Stewart Commons would consider some of our suggestions. Such as turning lanes on both racket Road and rock cut Road to keep traffic moving. Or the possibility of a "no blocking" box coming off 84 onto 17K to prevent traffic buildup from tractor-trailers blocking the intersection which is an ongoing problem.

We would also want the loading bays to be located on the opposite side of the building from the homes on Windwood Drive as well as the lights to be pointed away from those homes. A berm and or evergreen trees planted on the side of the warehouse facing the homes would also be desired cut down on noise and light pollution.

With these concerns met the HOA and its members would be satisfied with the project moving forward. We feel this can be a "win win" for all parties involved as long as lines of communication and respect for one another is upheld. I would like to thank the town of Newburgh, RJ Smith Realty and Stewart Commons for involving the residents of Colden Park in their decision-making for this project. Our community ultimately desires a building project that has the least amount of impact on its residents and their way of life. As long as our needs are met to maximize privacy and improve traffic conditions, the HOA is confident that the plan to build a warehouse is the best possible scenario for the people of Colden Park. Thank you.

Very Truly Yours,

  
Larry Lubkert  
President  
Colden Park Homeowners Association

TOWN BOARD: TOWN OF NEWBURGH, NEW YORK

-----X  
In the Matter of the Petition

of

Stewart Commons LLC

**PETITION FOR A  
ZONING LAW  
AMENDMENT**

For an amendment to the Zoning Law  
of the Town of Newburgh, New York.  
-----X

**TO: THE TOWN BOARD OF THE TOWN OF NEWBURGH, NEW YORK**

The Petitioner Stewart Commons LLC (hereinafter "Stewart Commons") respectfully submits this petition to request an amendment to the Town's Zoning Law as follows:

1. Petitioner is the owner of property located at 245 N.Y.S. Route 17K, comprised of four (4) parcels identified on the Tax Maps as SBL 89-1-25.22, 89-1-26, 89-1-30.2, & 89-1-31 (together, the "Stewart Commons Site"). The Stewart Commons Site is located in the Business (B) and Airport Overlay (A) Zoning Districts in the Town of Newburgh.

2. The Business Zoning District allows the Stewart Commons Site to be developed as a business park as that term is defined by Section 185-41 of the Town's Zoning Law. The development of the Stewart Commons Site as a business park requires site plan approval from the Planning Board.

3. However, certain uses that would otherwise be allowed within a business park are not allowed uses within the

underlying Business Zoning District. For example, although a warehouse use is allowed within a business park, it is not allowed in the Business Zoning District. The conundrum stems from the fact that the business parks regulations lists the acceptable uses within a business park, but which are only allowed if permitted in the underlying district. For instance, business parks may include a warehouse - but that use is not allowed in the Business Zoning District.

4. As a result of the restrictive wording of the Town's Zoning Law, properties situated in the Town's Business Zoning District which could and would otherwise be developed for commercial use are limited in their viability as all uses within the definition of business park are not available without a zoning amendment or a use variance.

4. The Stewart Commons Site is well situated for warehouse development. It is located on Route 17K, a state highway, near the intersection of Interstates 84 and 87 (the "Thruway"). It is in close proximity to Stewart International Airport and distribution centers throughout the region. Just one example: the Stewart Commons Site is less than 1 mile by road from the Fedex Distribution Center on Enterprise Drive.

5. Stewart Commons hereby requests that the Town Board amend the Zoning Law to delete the following language from

Section 185-41(B) (1): "that are permitted in the district in which the property is situated". By doing so, the Town would allow business parks to be developed with all of the uses customary to such uses, including warehousing.

6. The Stewart Commons Site is adjacent to Colden Park, a residential neighborhood. Representatives of Stewart Commons have met with the Colden Park Homeowners Association (the "HOA") and Colden Park residents (collectively, "Colden Park") on several occasions to solicit their input and support not only for this Zoning Law amendment, but also for the eventual development of the Stewart Commons Site. Several meetings occurred, but the residents of Colden Park were invited to workshop meetings with representatives of Stewart Commons to discuss the potential development. Meetings with Colden Park occurred on October 21, 2015 and January 13, 2016.

7. As a result of these meetings, the HOA wrote a letter of support on March 10, 2016 to the Town Board in support of this request and the overall Stewart Commons development. In the HOA's letter, the HOA advised the Town Board that "the HOA and its members concluded that the plans to build a warehouse would impact our community the least, provided that Stewart addressed the concerns of Colden Park." A copy of this letter is attached hereto as Exhibit "A".

8. The first of Colden Park's concerns was their request that the Stewart Commons Site maintain a 600 foot buffer between the properties on Windwood Drive and any future building. Stewart Commons is amenable to this restriction, and is willing to place a title restriction that would preclude development within the buffer in perpetuity.

9. Colden Park is also concerned about traffic on Route 17K. The HOA made several suggestions to alleviate traffic concerns on Route 17K, such as turning lanes on both Racket Road and Rock Cut Road, or the possibility of a "no blocking" box coming off 84 onto 17K to prevent traffic buildup from tractor-trailers blocking the intersection. While these improvements are within the purview of NYSDOT and other agencies, Stewart Commons, or any successor, will and must evaluate traffic improvements as part of any application to develop the site. We expect that traffic improvements will be required for the development of the Stewart Commons Site, and will be a condition of any approval.

10. The HOA also requested that the loading bays for any future warehouse development be located on the opposite side of the building from the homes on Windwood Drive, and that the lights to be pointed away from those homes. The HOA also requested a berm and or evergreen trees planted on the side of

the warehouse facing the homes would also be desired cut down on noise and light pollution. Both of these requests are reasonable and could be the subject of a title restriction to ensure their future enforceability.

12. The Town of Newburgh Comprehensive Plan Update (the "Comprehensive Plan") states that the "Town has the ability to select and create the tools necessary to ensure new development is located and designed in ways which benefit the Town and protect and enhance the existing community character." The Comprehensive Plan also makes recommendations to reduce "rather than exasperating potential conflicts between commercial and industrial uses and residential uses." Furthermore, the Town's Comprehensive Plan supports measures that encourage the clustering of development, the preservation of open space and trees, while creating employment opportunities and creating tax ratables. This proposed amendment to the Zoning Law is in keeping and consistent with these goals and the Comprehensive Plan in general.

13. Stewart Commons seeks this Zoning Law amendment to allow the development of the property as detailed above. The Zoning Law amendment would be consistent with the surrounding zoning and community character, and subject to the recommendations outlined above, has the support of the

surrounding neighborhood of Colden Park. In addition, the Zoning Law amendment would avoid the need to otherwise create a new zoning district to allow future development to occur.

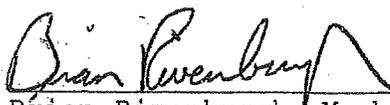
14. To assist the Town Board with evaluating the potential environmental impacts associated with this request for a Zoning Law amendment, Stewart Commons submits a Full Environmental Assessment Form attached hereto as Exhibit B.

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**WHEREFORE**, Stewart Commons respectfully requests that an amendment to the Zoning Law of the Town of Newburgh be adopted in accordance with the foregoing.

Dated: New Windsor, New York  
\_\_\_\_\_, 2016

Stewart Commons LLC

By:   
\_\_\_\_\_  
Brian Rivenburgh, Member  
Stewart Commons LLC

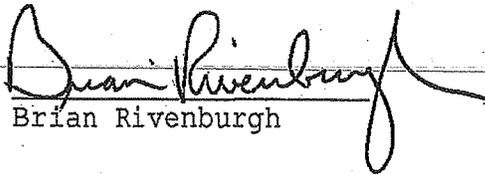
STATE OF NEW YORK )

SS.:

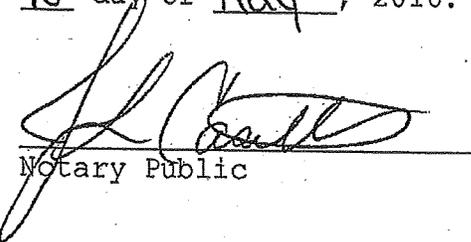
COUNTY OF ORANGE )

Brian Rivenburgh, being duly sworn, deposes and says:

I am a member of Stewart Commons LLC, the limited liability company named in the within petition to amend the Zoning Map of the Town of Newburgh, New York; I have read the foregoing petition and know the contents thereof and the same is true to my own knowledge, except as to matters therein stated to be alleged on information and belief, and as to those matters, I believe it to be true.

  
Brian Rivenburgh

Sworn to before me this  
18<sup>th</sup> day of May, 2016.

  
Notary Public

JENNIFER CASILLAS  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 01C6217090  
QUALIFIED IN ORANGE COUNTY  
COMMISSION EXPIRES FEBRUARY 8, 2018

## COLDEN PARK HOMEOWNERS ASSOCIATION

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TOWN BOARD: TOWN OF NEWBURGH, NEW YORK

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of

Stewart Commons LLC

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Stewart Commons LLC

By:   
Brian Rivenburgh, Member  
Stewart Commons LLC

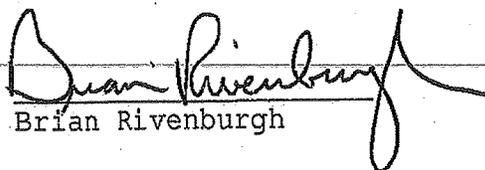
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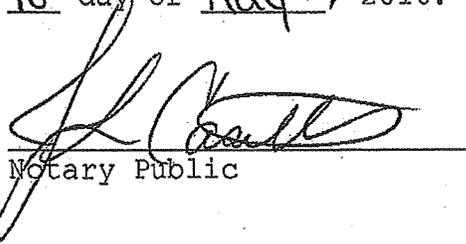
COUNTY OF ORANGE )

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Brian Rivenburgh

Sworn to before me this  
18<sup>th</sup> day of May, 2016.

  
Notary Public

JENNIFER CASILLAS  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 01CAB217080  
QUALIFIED IN ORANGE COUNTY  
COMMISSION EXPIRES FEBRUARY 8, 2018

**EXHIBIT A**

**March 10, 2016 letter to the Town Board  
from the Colden Park Homeowners Association  
(copy attached)**

**EXHIBIT B**

**FULL ENVIRONMENTAL ASSESSMENT FORM**  
(copy attached)

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**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Sponsor Information.**

<b>Name of Action or Project:</b>		
Stewart Commons, LLC Petition for Zoning Law Amendment		
<b>Project Location (describe, and attach a general location map):</b>		
245 Route 17K, Newburgh, NY 12550		
<b>Brief Description of Proposed Action (include purpose or need):</b>		
The proposed petition is for a zoning law text amendment to permit "warehouse" uses within business parks in the Business Zoning District (B). This text change would delete the restrictive language of Section 185-41 (B)(1) which would otherwise limits warehouses uses in a business park.		
<b>Name of Applicant/Sponsor:</b>	<b>Telephone:</b> 845-769-7332	
Stewart Commons, LLC	<b>E-Mail:</b> brian.rivenburgh@gmail.com	
<b>Address:</b> 99 Clinton Street, 2nd Floor		
<b>City/PO:</b> Montgomery	<b>State:</b> NY	<b>Zip Code:</b> 12549
<b>Project Contact (if not same as sponsor; give name and title/role):</b>	<b>Telephone:</b> 845-457-7727	
Engineering & Surveying Properties, PC (c/o Ross Winglovitz, P.E.)	<b>E-Mail:</b> ross@ep-pc.com	
<b>Address:</b>		
71 Clinton Street		
<b>City/PO:</b> Montgomery	<b>State:</b> NY	<b>Zip Code:</b> 12549
<b>Property Owner (if not same as sponsor):</b>	<b>Telephone:</b>	
same as sponsor	<b>E-Mail:</b>	
<b>Address:</b>		
<b>City/PO:</b>	<b>State:</b>	<b>Zip Code:</b>

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Newburgh Town Board	May 2016
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
 If Yes, what is the zoning classification(s) including any applicable overlay district?  
Business Zone (B) Zoning District and partial within the Airport Overlay (A) Zoning District

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
 If Yes,  
 i. What is the proposed new zoning for the site? A zoning text amendmen to permit "warehouse" use within business parks in the Business District

**C.4. Existing community services.**

a. In what school district is the project site located? Valley Central

b. What police or other public protection forces serve the project site?  
Town of Newburgh

c. Which fire protection and emergency medical services serve the project site?  
Coldenham Fire District

d. What parks serve the project site?  
Not Applicable

**D. Project Details NOT APPLICABLE**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?  
 \_\_\_\_\_

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ acres  
 b. Total acreage to be physically disturbed? \_\_\_\_\_ acres  
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
 If Yes,  
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
 \_\_\_\_\_  
 ii. Is a cluster/conservation layout proposed?  Yes  No  
 iii. Number of lots proposed? \_\_\_\_\_  
 iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will proposed action be constructed in multiple phases?  Yes  No  
 i. If No, anticipated period of construction: \_\_\_\_\_ months  
 ii. If Yes:  
 • Total number of phases anticipated \_\_\_\_\_  
 • Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
 • Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

- Total number of structures \_\_\_\_\_
- Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length
- Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

- Purpose of the impoundment: \_\_\_\_\_
- If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_
- If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_
- Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres
- Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length
- Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:

- What is the purpose of the excavation or dredging? \_\_\_\_\_
- How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
  - Volume (specify tons or cubic yards): \_\_\_\_\_
  - Over what duration of time? \_\_\_\_\_
- Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_

- What is the total area to be dredged or excavated? \_\_\_\_\_ acres
- What is the maximum area to be worked at any one time? \_\_\_\_\_ acres
- What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet
- Will the excavation require blasting?  Yes  No
- Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

- Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will proposed action cause or result in disturbance to bottom sediments?  Yes  No  
If Yes, describe: \_\_\_\_\_

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No  
If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No  
If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No  
If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No  
If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

• Do existing sewer lines serve the project site?  Yes  No  
 • Will line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_  
 v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)  
 ii. Describe types of new point sources. \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
 \_\_\_\_\_  
 \_\_\_\_\_  
 • If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
 \_\_\_\_\_  
 • Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) \_\_\_\_\_  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) \_\_\_\_\_  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

- i. Estimate methane generation in tons/year (metric): \_\_\_\_\_
- ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

- i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.
- ii. For commercial activities only, projected number of semi-trailer truck trips/day: \_\_\_\_\_
- iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_
- iv. Does the proposed action include any shared use parking?  Yes  No
- v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

- i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_
- ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_
- iii. Will the proposed action require a new, or an upgrade to, an existing substation?  Yes  No

l. Hours of operation. Answer all items which apply.

- |  |   |
|--|---|
| <p><i>i. During Construction:</i></p> <ul style="list-style-type: none"><li>• Monday - Friday: _____</li><li>• Saturday: _____</li><li>• Sunday: _____</li><li>• Holidays: _____</li></ul> | <p><i>ii. During Operations:</i></p> <ul style="list-style-type: none"><li>• Monday - Friday: _____</li><li>• Saturday: _____</li><li>• Sunday: _____</li><li>• Holidays: _____</li></ul> |
|--|---|

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

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n. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

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o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_  
 \_\_\_\_\_

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p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally describe proposed storage facilities: \_\_\_\_\_  
 \_\_\_\_\_

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q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

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r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

**E. Site and Setting of Proposed Action**      **NOT APPLICABLE**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban    Industrial    Commercial    Residential (suburban)    Rural (non-farm)

Forest    Agriculture    Aquatic    Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe: \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
 i. If Yes: explain: \_\_\_\_\_

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
 If Yes,  
 i. Identify Facilities: \_\_\_\_\_

e. Does the project site contain an existing dam?  Yes  No  
 If Yes:  
 i. Dimensions of the dam and impoundment:  
 • Dam height: \_\_\_\_\_ feet  
 • Dam length: \_\_\_\_\_ feet  
 • Surface area: \_\_\_\_\_ acres  
 • Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
 ii. Dam's existing hazard classification: \_\_\_\_\_  
 iii. Provide date and summarize results of last inspection: \_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
 If Yes:  
 i. Has the facility been formally closed?  Yes  No  
 • If yes, cite sources/documentation: \_\_\_\_\_  
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
 iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
 If Yes:  
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
 If Yes:  
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
 ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
 If yes, provide DEC ID number(s): \_\_\_\_\_  
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site: \_\_\_\_\_ %  
 \_\_\_\_\_ %  
 \_\_\_\_\_ %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: \_\_\_\_\_ % of site  
 Poorly Drained \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_  
 \_\_\_\_\_

**h. Surface water features.**

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No

If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_  
 \_\_\_\_\_

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100 year Floodplain?  Yes  No

k. Is the project site in the 500 year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No

If Yes:  
 i. Name of aquifer: \_\_\_\_\_  
 \_\_\_\_\_

m. Identify the predominant wildlife species that occupy or use the project site: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

n. Does the project site contain a designated significant natural community?  Yes  No  
 If Yes:  
 i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_  
 Red Maple-Hardwood Swamp  
 ii. Source(s) of description or evaluation: \_\_\_\_\_  
 iii. Extent of community/habitat:  
 • Currently: \_\_\_\_\_ 1460.0 acres  
 • Following completion of project as proposed: \_\_\_\_\_ acres  
 • Gain or loss (indicate + or -): \_\_\_\_\_ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  Yes  No

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?  Yes  No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No  
 If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_  
 \_\_\_\_\_

**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No  
 If Yes, provide county plus district name/number: \_\_\_\_\_

b. Are agricultural lands consisting of highly productive soils present?  Yes  No  
 i. If Yes: acreage(s) on project site? \_\_\_\_\_  
 ii. Source(s) of soil rating(s): \_\_\_\_\_

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No  
 If Yes:  
 i. Nature of the natural landmark:  Biological Community  Geological Feature  
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_  
 \_\_\_\_\_

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No  
 If Yes:  
 i. CEA name: \_\_\_\_\_  
 ii. Basis for designation: \_\_\_\_\_  
 iii. Designating agency and date: \_\_\_\_\_

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?  Yes  No

If Yes:

i. Nature of historic/archaeological resource:  Archaeological Site  Historic Building or District

ii. Name: \_\_\_\_\_

iii. Brief description of attributes on which listing is based: \_\_\_\_\_

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f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  Yes  No

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g. Have additional archaeological or historic site(s) or resources been identified on the project site?  Yes  No

If Yes:

i. Describe possible resource(s): \_\_\_\_\_

ii. Basis for identification: \_\_\_\_\_

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h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  Yes  No

If Yes:

i. Identify resource: \_\_\_\_\_

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): \_\_\_\_\_

iii. Distance between project and resource: \_\_\_\_\_ miles.

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i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?  Yes  No

If Yes:

i. Identify the name of the river and its designation: \_\_\_\_\_

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?  Yes  No

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

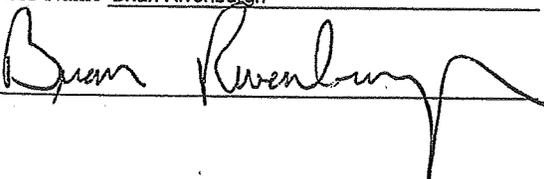
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

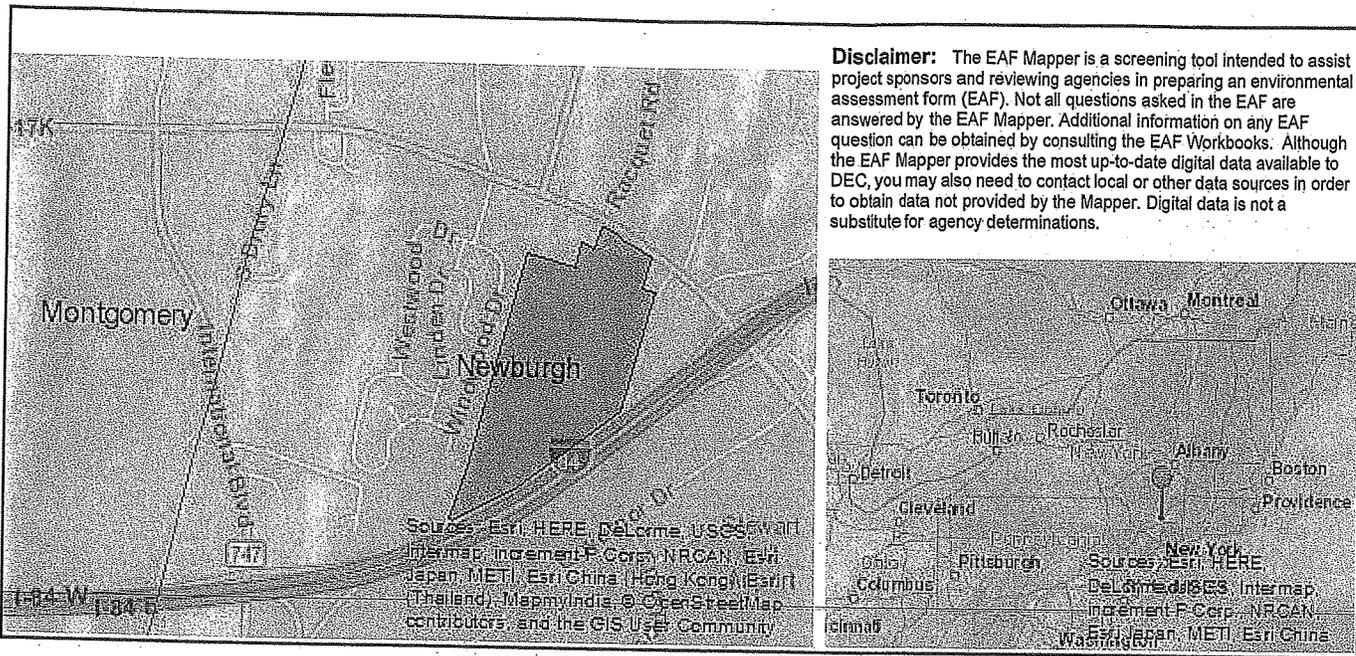
SEE PETITION FOR ZONING LAW AMENDMENT ATTACHED

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

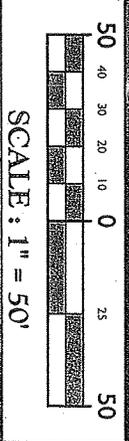
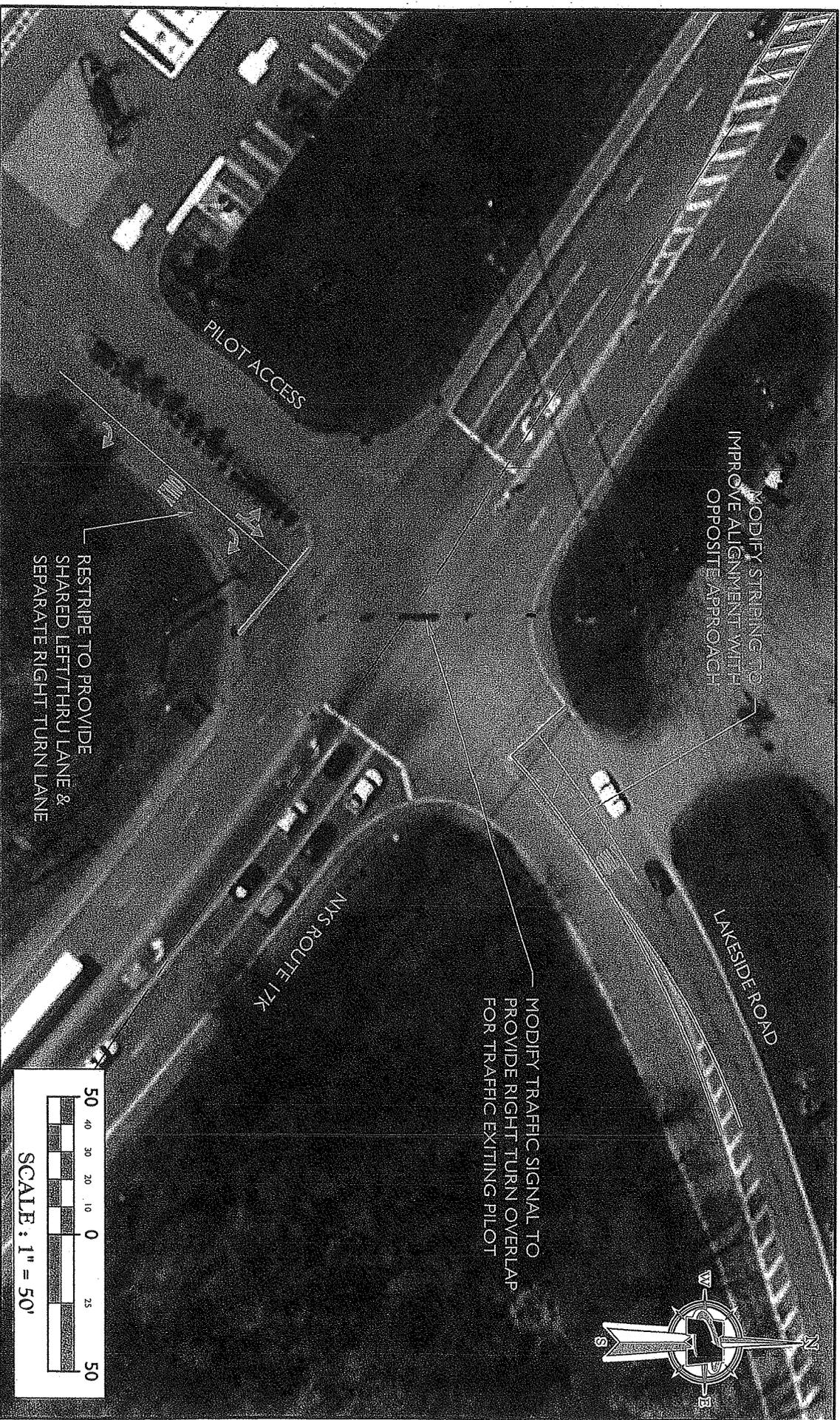
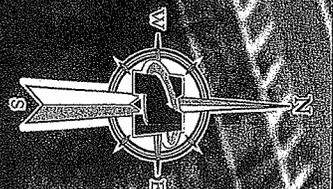
Applicant/Sponsor Name Brian Rivenburgh Date 3/11/16

Signature  Title Member



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	Yes
E.2.n.i [Natural Communities - Name]	Red Maple-Hardwood Swamp

E.2.n.i [Natural Communities - Acres]	1460.0
E.2.o. [Endangered or Threatened Species]	Yes
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archaeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



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REV	DATE	DRAWN BY	DESCRIPTION

CONCEPTUAL INTERSECTION IMPROVEMENT PLAN FOR STEWART COMMONS  
 NYS ROUTE 17K AT LAKESIDE ROAD/PILOT ACCESS  
 TOWN OF NEWBURGH ORANGE COUNTY NEW YORK



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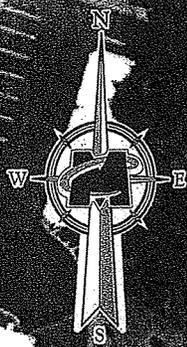
SCALE	DATE	DRAWN BY	CHECKED BY
AS SHOWN	5/18/15	R.G.D.	P.J.G.
PROJECT NUMBER	PROJECT NAME	DRAWING NAME	
WB00812A	STEWART COMMONS		
SHEET TITLE	CONCEPT PLAN		
SHEET NUMBER	SK-2		

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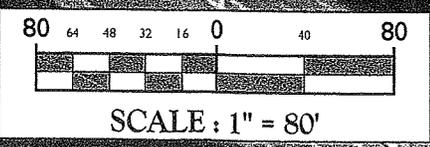
CONCEPTUAL INTERSECTION IMPROVEMENT PLAN FOR STEWART COMMONS  
 NYS ROUTE 17K  
 TOWN OF NEWBURGH ORANGE COUNTY NEW YORK

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SCALE	DATE	DRAWN BY	CHECKED BY
AS SHOWN	05/18/15	R.G.D.	P.J.G.
PROJECT NUMBER:	DRAWING NAME		
01	R-CNPT		

SHEET TITLE:  
**CONCEPT PLAN**

SHEET NUMBER:  
 SK-1





MEMORANDUM

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

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

RE: TOWN OF NEWBURGH 2017 TOWN AND IMPROVEMENT  
DISTRICT BUDGETS  
OUR FILE NO. 800.1(B)(22)(2016)

DATE: NOVEMBER 17, 2016

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

Enclosed please find the follow proposed Resolutions for the fiscal year 2017:

**ATTORNEYS**

David L. Rider  
Charles E. Frankel  
Michael J. Matsler  
Mark C. Taylor  
Deborah Weisman-Estis  
M. Justin Rider  
Jeffrey S. Sculley  
Donna M. Badura  
  
M.J. Rider  
(1906-1968)  
Elliott M. Weiner  
(1915-1990)

**COUNSEL**

Stephen P. Duggan, III  
John K. McGuirk

**OF COUNSEL**

Craig F. Simon  
Irene V. Villacci

1. Resolution of Final Adoption of Assessment Rolls, Budgets and Benefit Formula in the Town of Newburgh For All Sewer Districts Billed Quarterly (Crossroads, Meadow Hill South, Meadow Hill North, Algonquin, Gidney, Fleetwood, 17K/UA, Wintergreen);
2. Resolution of Final Adoption of Assessment Roll & Budget/Consolidated Water District;
3. Resolution of Final Adoption of Assessment Roll & Budget – Greenshire Way Highway Improvement Area;
4. Resolution of Final Adoption of Assessment Roll & Budget – Laurie Lane Highway Improvement Area
5. Resolutions of Final Adoption of Assessment Roll & Budget for Drainage Districts (Amber Fields, Autumn Ridge, Candlestick Hill, Chesterfield Court, Cox, Fini, Margate, Mountain Lake, Orchard Ridge, Pinnacle, Stonewall Estates, Woodlawn Heights and Blue Sky);
6. Resolutions of Final Adoption of Assessment Roll & Budget for Lighting Districts (Colden Park, Consolidated, Fleetwood, Orange Lake and Lakeside);



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HON. GILBERT J. PIAQUADIO, SUPERVISOR  
TOWN BOARD MEMBERS  
PAGE 2

7. Resolution of Final Adoption of Assessment Roll & Budget – Nob Hill Sewer District;
8. Resolution of Final Adoption of Assessment Roll & Budget – Roseton Hills Sewer District;
9. Resolution Approving Town, Highways and All Special Improvement Districts Budget;
10. Resolution Establishing the Operating & Maintenance Rates of the Town's Sewer Districts.

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

cc: Andrew Zarutskie, Town Clerk (via e-mail)  
Deborah Smith, Receiver of Taxes (via e-mail)  
Ronald Clum, Town Accountant (via e-mail)  
James Osborne, Town Engineer (via e-mail)  
Molly Carhart, Assessor (via e-mail)

updated 8

TOWN OF NEWBURGH

LOCAL LAW NO. \_\_ OF THE YEAR 2016
AMENDING CHAPTER 104 ENTITLED
"SCHEDULE OF FEES"
OF THE CODE OF THE TOWN OF NEWBURGH:
EFFECTIVE JANUARY 1, 2017

BE IT ENACTED by the Town Board of the Town of Newburgh, County of Orange as

follows:

SECTION 1 - TITLE

This Local Law shall be referred to as "A Local Law Amending Chapter 104 entitled 'Schedule of Fees' of the Code of the Town of Newburgh Effective January 1, 2017".

SECTION 2 - AMENDMENTS TO CHAPTER 104

1. That Chapter 104 entitled "Schedule of Fees" of the Town of Newburgh Municipal Code is amended as follows:

Subsection 104-2D(2) of Section 104-2 entitled "Planning, zoning and building fees" of Chapter 104 entitled "Schedule of Fees" of the Town of Newburgh Municipal Code be and hereby is amended to read as follows:

(2) Zoning Board of Appeals Applications:

Table with 2 columns: Description of application type and Fee amount. Includes items like Area Variance for Single and Two Family Residential Use and Accessory Use thereto (\$250.00), Use Variance for Single and Two Family Residential Use And Accessory User thereto (\$250.00), All other Area Variances (\$500.00), All other Use Variances (\$750.00), Special Permits (\$150.00), ZBA Interpretation of Code (\$250.00), and Appeal of Code Compliance Determination (\$250.00).

Additionally, a \$50.00 public hearing publication fee will be charged for all applications requiring a public hearing, and for those proceedings for which a court reporter is used, the applicant shall pay the costs of transcription

2. Subsection 104-3(C)(1) of Section 104-3 entitled "Sanitation and water fees" of Chapter 104 entitled "Schedule of Fees" of the Town of Newburgh Municipal Code be and hereby is amended to read as follows:

“(1) Sewer operation and maintenance charge.

<b>Sewer District</b>	<b>Rate/Fee (per gallons consumed per premises)</b>
Crossroads Consolidated	<u>\$4.80 per 1,000 gallons</u>
Nob Hill	<u>\$.0052/gallon</u>

The following minimum operating and maintenance charge

shall apply to all connected properties, including but not

limited to those without water meters:

\$36.00 per quarter”

3. A new Subsection 104-3(C)(3) is hereby added to Section 104-3 entitled “Sanitation and water fees” of Chapter 104 entitled "Schedule of Fees" of the Town of Newburgh Municipal Code to read as follows:

“(3) Combined Operation and Maintenance and Facility Charge  
Roseton Hills Sewer District

\$96.00 per each residential dwelling unit, whether or not an apartment or condominium unit on each parcel as listed on the latest completed Assessment Roll of the Town per quarter”

### SECTION 3 - UNCONSTITUTIONALITY OR ILLEGALITY

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, word, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

### SECTION 4 - EFFECTIVE DATE

This Local Law shall take effect on the later of the date 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 January 1, 2017.

**LOCAL LAW # OF 2016  
AMENDING CHAPTER 170 ENTITLED  
"TOWING"  
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 170 entitled 'Towing' of the Code of the Town of Newburgh".

SECTION 2 - AMENDMENTS TO CHAPTER 170

1, Section 170-3 entitled "Definitions" of Chapter 170 entitled "Towing" of the Code of the Town of Newburgh is hereby amended by the addition of the following definitions:

**"NON-CONSENSUAL TOW** - the movement or transportation of a vehicle by a tow truck without the prior consent or authorization of the owner or operator of the vehicle. A non-consensual tow does not include a tow in which the vehicle owner or operator is present at the scene and expressly requests that a specific tow service remove his or her vehicle, unless, in the opinion of a responding police officer there may be an unreasonable time delay or traffic safety hazard."

**"WINCHING** - to hoist, haul or push, by a winch not connected with a boom or not connected to the operation of towing, upon a flatbed. A separate action independent of and in addition to basic towing."

**"YARD FEE** - any fee, charge or other consideration directly or indirectly imposed by the tow service on the owner of a towed vehicle other than towing, storage or repair of the vehicle"

2. Section 170-8 entitled "Towing Rates" of Chapter 170 entitled "Towing" of the Code of the Town of Newburgh is hereby amended to read as follows:

**"§170-8 Towing Rates.**

- (1) The Tow Service shall agree to charge not more than the following maximum rates for non-consensual tows, including but not limited to when the request for tow service originates from the Town Police Department for an impounded vehicle, disabled vehicle, a vehicle which obstructs traffic or snow removal operations or which may otherwise be removed pursuant to this Code of the Town of Newburgh, or from any other Town department. Said rates may hereinafter be modified by the Town Board from time to time by resolution.

- a. Passenger cars.
  1. For passenger cars, passenger vans, motorcycles and other non-heavy-duty vehicles having a gross vehicle weight of 10,000 pounds or less \$150 between the hours of 8am and 5pm.
  2. For passenger cars, passenger vans, motorcycles and other non-heavy-duty vehicles having a gross vehicle weight of 10,000 pounds or less \$175 between the hours of 5pm and 8am.
  3. Mileage; \$5 per mile (a mileage charge for miles traveled to the vehicles location is prohibited).
- b. Heavy duty.
  1. For trucks, buses and all other motor vehicles with a weight greater than 10,000 pounds; \$250.
  2. Mileage; \$6.50 per mile (a mileage charge for miles traveled to the vehicles location is prohibited).
- c. Other.
  1. Speedy Dry; \$25 per bag.
  2. Winching; \$75.
  3. A reasonable extra charge may be made of \$75 per half hour for labor and services to right an overturned truck or automobile or to remove from the highway any motor vehicle incapable of being towed, at any time of the day or night.

(2) Tow Service charges for tows subject to this Section and for storage charges must be payable by both cash and credit card. Licensee's must accept at least two major credit cards for all services."

3. Section 170-10 entitled "Storage Charges" of Chapter 170 entitled "Towing" of the Code of the Town of Newburgh is hereby amended to read as follows:

**"§170-10. Storage Charges.**

No tow service shall charge a storage charge in excess of \$50 for outside storage and \$60 for storage inside weatherproof facilities per any twenty-four-hour period or portion thereof for any vehicle which has been towed pursuant to this chapter. Notwithstanding the above, no tow service appearing on the licensee list maintained by the Police Department as hereinafter provided shall charge the Town of Newburgh for any vehicle which has been impounded nor shall any licensee charge the Town in excess of \$10 per any twenty-four-hour period for any Town vehicle. No Yard Fees shall be charged in addition to the storage charges provided herein in connection with services performed after a tow."

4. Section 170-11 entitled "No additional charges permitted" of Chapter 170 entitled "Towing" of the Code of the Town of Newburgh is hereby re-entitled "No Yard Fees or additional charges permitted" and amended to read as follows:

**"§ 170-11 No yard fees or additional charges permitted.**

No yard fees or any other charges except those provided for in § 170-8 and § 170-10 and charges for authorized repairs may be made by licensed tow services for towing, winching storage or related services."

SECTION 3 - 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 4 - 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.

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 \_\_\_st day of November, 2016 at 7:00 o'clock p.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Greene, Councilwoman

Paul I. Ruggiero, Councilman

James E. Presutti, Councilman

Scott M. Manley, Councilman

RESOLUTION OF TOWN BOARD  
INTRODUCING LOCAL LAW  
AMENDING CHAPTER 170  
ENTITLED "TOWING" OF THE  
CODE OF THE TOWN OF  
NEWBURGH AND PROVIDING  
FOR PUBLIC NOTICE AND  
PUBLIC HEARING

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

BE IT RESOLVED that a Local Law Amending Chapter 170 Entitled Towing 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 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 December, 2016 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:

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.

**TOWN OF NEWBURGH LOCAL LAW NO. OF 2016**

**A LOCAL LAW CREATING A NEW CHAPTER 90  
OF THE CODE OF THE TOWN OF NEWBURGH,  
REQUIRING UTILITY COMPANIES TO REMOVE INACTIVE, BROKEN  
OR REPLACED UTILITY POLES WITHIN THE TOWN**

Be it enacted by the Town Board of the Town of Newburgh, County of Orange, State of New York, as follows:

**SECTION 1 - TITLE**

This Local Law shall be referred to as "A Local Law Creating a New Chapter 90 of the Code of the Town of Newburgh, Requiring Utility Companies to Remove Inactive, Broken or Replaced Utility Poles within the Town."

**SECTION 2 - ADDTION OF CHAPTER 90 TO THE TOWN CODE**

A new Chapter 90 entitled "Double Utility Poles, Removal of" be and hereby is added to the Code of the Town of Newburgh to read as follows:

**"Chapter 90.  
Double Utility Poles, Removal of**

**§ 90-1. Findings; legislative intent.**

- A. The Town Board hereby finds and determines that public utility companies place poles on Town of Newburgh highways, streets, roads and rights-of-way to facilitate the delivery of electric, telephone, cable television, and other telecommunications services to the residents of the Town of Newburgh.
- B. The Town Board finds and determines that local governments have the authority to regulate their highways, streets, roads and rights-of-way to protect the public.
- C. The Town Board finds and determines that utility poles are damaged from time to time.
- D. The Town Board finds and determines that public safety can be compromised when utility lines and equipment remain affixed to utility poles that are weathered or otherwise damaged.
- E. The Town Board finds and determines that when a new pole is installed, a utility's delay in removing lines and equipment from the old pole also delays the removal of the pole itself, which causes a proliferation of aesthetically unpleasant double poles along highways, streets, roads, and rights-of-way, as well as obstructing the paths of pedestrians.

F. The Town Board finds and determines that the interest of the public is best served by cooperation and communication between public utilities and the Town Board.

G. In enacting this chapter, the Town Board deems this chapter to be an exercise of the police power of the Town of Newburgh for the preservation and protection of public safety and is enacted pursuant to the authority contained in the Highway Law, Town Law, and Municipal Home Rule Law of the State of New York.

Therefore, the purpose of this chapter is to require utilities that use Town highways, streets, roads and rights-of-way to promptly remove their plants, cables, lines, equipment, and terminals from old and damaged poles and to further require the prompt removal of double poles once all plants, cables, lines, equipment, and terminals have been removed.

---

#### **§ 90-2. Definitions.**

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

**DANGEROUS/DAMAGED POLE** - Any utility pole that is structurally compromised due to weather, a traffic incident, and/or age and poses a potential threat to public safety.

**DOUBLE POLE** - Any old utility pole which is attached or in close proximity to a new utility pole.

**HIGHWAY SUPERINTENDENT** - The Town of Newburgh Highway Superintendent or his/her designee.

**PLANT** - The cables, terminals, conductors and other fixtures necessary for transmitting electric, telephone, cable television or other telecommunications service.

**PUBLIC UTILITY** - Any corporation, authority, or other entity that provides electric, telephone, cable television, or other service, including telecommunications service, to the residents of the Town of Newburgh.

**UTILITY POLE** - A column or post used to support service lines for a public utility.

**WRITTEN NOTIFICATION/WRITTEN NOTICE** - A writing directed to a representative of a public utility, who may be designated by the utility to receive such notice, sent by regular mail, facsimile transmission or electronic mail.

#### **§ 90-3. Permit requirements.**

No person, firm or corporation subject to the jurisdiction and regulation of the New York State Public Service Commission ("PSC") shall place or erect any pole for any purpose on any Town highway, street, road or right-of-way of said Town, or change the location of any existing pole on any Town highway, street, road or right-of-way of said Town, without first having provided

notification to the Town through the PSC required accepted electronic notification system being utilized by said utilities.

**§ 90-4. Department notification; time frame for removal.**

A. When the Highway Superintendent issues a permit for the installation of a utility pole which is directly next to or in close proximity to another utility pole on a Town highway, street, road, or right-of-way, the Highway Superintendent will provide written notice to the public utility which has the top plant on the double pole that the plant must be removed within 30 days or be subject to penalty. Upon the removal of each plant, the Highway Superintendent shall provide written notice to the public utility that owns the subsequent plant on the pole that the plant must be removed within 30 days or be subject to penalty. The last utility to remove its plant is responsible for removing the double pole within an additional 30 days. Failure to comply with the requirements of this provision may result in penalties as provided for in §90-6 of this chapter.

B. When the Highway Superintendent determines that a utility pole on a Town highway, street, road or right-of-way is damaged and poses a potential threat to public safety, the Highway Superintendent shall provide written notice to any public utility with a plant on the damaged pole that it must remove its plant from the pole within 15 days or be subject to a penalty as provided for in § 90-6 of this chapter. The last utility to remove its plant is responsible for removing the double pole. Failure to comply with the requirements of this provision may result in penalties as provided for in § 90-6 of this chapter. The effected utility may present documentary evidence to the Town in the form of a report from a licensed engineer certifying that the plant and/or pole is not a threat to public safety within ten (10) from the date of the Commissioner's notification. In the event that the Commissioner is satisfied that the plant and/or pole no longer poses a threat to public safety, he shall have the discretion to withdraw the removal notice.

C. When the Highway Superintendent determines that a double pole is on a Town highway, street, road or right-of-way, the Highway Superintendent will provide written notice to the public utility which has the top plant on the double pole that the plant must be removed within 30 days or be subject to penalty. Upon the removal of each pole, the Highway Superintendent shall provide written notice to the public utility that owns the subsequent plant on the pole that the plant must be removed within 30 days or be subject to penalty. The last utility to remove its plant is responsible for removing the double pole within an additional 60 days. Failure to comply with the requirements of this provision may result in penalties as provided for in § 90-6 of this chapter.

**§ 90-5. Extensions authorized; temporary emergency suspension.**

A. Notwithstanding any provision of this chapter to the contrary, the Highway Superintendent may extend the time frame of any written notice provided under this chapter for an additional period not exceeding the original statutory time frame set forth in this chapter. The public utility shall make a request for an extension in writing to the Highway Superintendent

prior to the expiration of the time frame contained in the original written notice, together with the basis for the request. The Highway Superintendent shall determine whether the request for extension should be granted or denied, and provide a written response to the public utility. In such instances where the request is granted, the Highway Superintendent shall issue another written notice, which shall then be applicable instead of the previously issued notice.

In the event of an emergency that affects the repair, replacement, removal, or installation of utility poles or plants, the Town Supervisor may temporarily suspend the deadlines in §90-4 of this chapter for periods not exceeding 30 days.

**§ 90-6. Penalties for offenses.**

A. Any person, firm, corporation or public utility convicted of a violation of the provisions of this chapter shall be guilty of a violation, for a first conviction, punishable by a fine not exceeding \$1,000; for a second or subsequent conviction, punishable by a fine not exceeding \$2,000. Every day that the violation continues shall be deemed a separate violation.

B. Any public utility found guilty of violating this Chapter and that fails to remove its plant from a damaged pole within 15 days of receiving notification from the Town, pursuant to this Chapter, shall be punished by a fine of up to \$250 for each such violation. Each day that the violation continues shall be deemed a separate violation. Notwithstanding anything to the contrary contained in this Chapter, no such fines or penalties shall be assessed for violations of this Chapter that occur within six (6) months as a result of natural disasters, major weather events and similar circumstances affecting the Township.

C. Any public utility that fails to remove a double pole within 90 days of receiving notification from the Town, pursuant to this Chapter, shall be punished by a fine of \$1,000 per full calendar month that the violation continues.

D. If a person, firm or corporation or public utility violates the provisions of this chapter, the Town Attorney may commence an action in the name of the Town of Newburgh in a court of competent jurisdiction seeking any remedy provided by law or equity, including any civil and/or injunction proceeding necessary to enforce compliance and/or enjoin noncompliance with this chapter. Such action may seek to remove damaged poles and/or double poles or to remove plants from such poles, the imposition of civil penalties as authorized by this chapter, the recovery of costs of the action and such other remedies as may be necessary to prevent or enjoin a dangerous condition from existing on a Town highway, street, road, or right-of-way.

**§90-7. Applicability.**

A. This chapter shall apply to all utility poles located on any Town highway, street, road or right-of-way, and to all utility poles installed hereafter.

B. The provisions of this chapter shall be deemed to supplement applicable state and local laws, ordinances, codes and regulations; and nothing in this chapter shall be deemed to abolish, impair, supersede or replace existing remedies of the Town, county or state or existing

requirements of any other applicable state or local laws, ordinances, codes or regulations. In case of conflict between any provision of this chapter and any applicable state or local law, ordinance, code or regulation, the more restrictive or stringent provision or requirement shall prevail.

### SECTION 3 - SEVERABILITY

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Town Board of the Town of Newburgh hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

### SECTION 4 - REPEAL

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

### SECTION 5 - EFFECTIVE DATE

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

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 November , 2016 at 7:00 o'clock p.m.

PRESENT:

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

RESOLUTION OF UNCOORDINATED SEQR DETERMINATION – INTERMUNICIPAL AGREEMENT AMONG THE TOWN OF NEWBURGH, THE TOWN OF NEWBURGH CONSOLIDATED WATER DISTRICT, THE TOWN OF MARLBOROUGH AND MARLBOROUGH WATER DISTRICT FOR WATER TREATMENT AND DELIVERY

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

**WHEREAS**, the Town Board of the Town of Newburgh has negotiated an inter-municipal agreement pursuant to GML Article 5G (the "Agreement") among the Town of Newburgh, the Town of Newburgh Consolidated Water District, the Town of Marlborough and the Marlborough Water District, which provides for, among other things, the treatment and delivery of water drawn from New York City's Delaware Aqueduct and treated at the Town of Newburgh's Delaware Aqueduct Water Treatment Plant to the Marlborough Water District and the reservation of treatment capacity of the Plant for the benefit of the Marlborough Water District; and

**WHEREAS**, the Town Board is considering the approval of the Agreement (the "Action"); and

**WHEREAS**, the Town Board of the Town of Newburgh has caused an Environmental Assessment Form (the "EAF") to be prepared for the proposed the Action; and

**WHEREAS**, the Town Board has determined that the Action is not located in an agricultural district; and

**WHEREAS**, the Town Board has determined that the Action is subject to Part 617 of the General Regulations adopted pursuant to Article 8 of the Environmental Conservation Law ("SEQRA") and Chapter 100 entitled "Environmental Quality Review" of the Town of Newburgh Municipal Code and, based upon the criteria in Part 617 and Chapter 100, should be classified as an Unlisted. Action; and

**WHEREAS**, the Town Board has determined that the Action does not require a coordinated review as the Action is Unlisted; and

**WHEREAS**, the Town Board has determined to conduct an uncoordinated review of the Action; and

**WHEREAS**, the Town Board of the Town of Marlborough has also determined that the Action is Unlisted and conducted an uncoordinated review; and

**WHEREAS**, the Town Board has heretofore reviewed the EAF, and analyzed and considered any relevant areas of environmental concern and the probable environmental impacts of the Action to determine if the Action may have any significant adverse environmental effects.

**NOW THEREFORE, BE IT RESOLVED:**

1. The Town Board does determine that the Action is as an Unlisted Action under Part 617 of the General Regulations adopted pursuant to Article 8 of the Environmental Conservation Law ("SEQRA") and Chapter 100 entitled "Environmental Quality Review" of the Town of Newburgh Municipal Code
2. The Town Board does determine that, said Action will not have an adverse environmental impact and, accordingly, does issue a negative declaration.
3. The Town Board hereby authorizes the Supervisor to execute and file the Environmental Assessment Form and a Negative Declaration in accordance with the applicable provisions of law.

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.

## Short Environmental Assessment Form

### Part 1 - Project Information

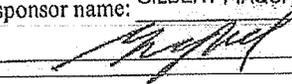
#### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
TOWN OF NEWBURGH			
Name of Action or Project: NEWBURGH-MARLBOROUGH INTERMUNICIPAL AGREEMENT FOR THE DELAWARE AQUEDUCT TAP WATER TREATMENT PLANT			
Project Location (describe, and attach a location map): NONE			
Brief Description of Proposed Action: THE TOWNS OF NEWBURGH AND MARLBOROUGH ARE PROPOSING TO ENTER INTO AN INTERMUNICIPAL AGREEMENT CONCERNING THE PURCHASE OF A DEDICATED TREATMENT CAPACITY BY MARLBOROUGH OF NEWBURGH'S DELAWARE AQUEDUCT TAP WATER TREATMENT PLANT AND FOR THE SALE OF FINISHED WATER TO MARLBOROUGH BY NEWBURGH.			
Name of Applicant or Sponsor: TOWN OF NEWBURGH		Telephone: 845-564-4552	
		E-Mail: supervisor@townofnewburgh.org	
Address: 1496 ROUTE 300			
City/PO: NEWBURGH		State: NY	Zip Code: 12550
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: TOWN OF MARLBOROUGH			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		NA acres	
b. Total acreage to be physically disturbed?		NA acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		NA acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): <u>NOT APPLICABLE</u>			
<input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? <b>NOT APPLICABLE</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: <b>NOT APPLICABLE</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? <b>NOT APPLICABLE</b> If the proposed action will exceed requirements, describe design features and technologies:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? <b>NOT APPLICABLE</b> If No, describe method for providing potable water:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? <b>NOT APPLICABLE</b> If No, describe method for providing wastewater treatment:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? <b>NOT APPLICABLE</b> b. Is the proposed action located in an archeological sensitive area? <b>NOT APPLICABLE</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? <b>NOT APPLICABLE</b> b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban <b>NOT APPLICABLE</b>			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? <b>NOT APPLICABLE</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain? <b>NOT APPLICABLE</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties?    NO <input checked="" type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? <b>NOT APPLICABLE</b></p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? <b>NOT APPLICABLE</b></p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p>		
<p>Applicant/sponsor name: GILBERT PIAQUADIO, SUPERVISOR</p>	<p>Date: 11-4-2016</p>	
<p>Signature: </p>		



Agency Use Only [If applicable]

Project:

Date:

**Short Environmental Assessment Form  
Part 2 - Impact Assessment**

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**PRINT FORM**

Project:	
Date:	

**Short Environmental Assessment Form  
Part 3 Determination of Significance**

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
TOWN OF NEWBURGH	11-7-2016
Name of Lead Agency	Date
GILBERT PIAQUADIO	SUPERVISOR
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

**PRINT FORM**

## State Environmental Quality Review

**NEGATIVE DECLARATION**  
Notice of Determination of Non-SignificanceProject Number N/ADate: November , 2016

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town Board of the Town of Newburgh, as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Newburgh Marlborough Inter-municipal Agreement for Delaware Aqueduct Water Treatment Plant

**SEQR Status:** Type I ( )  
Unlisted (X )

**Conditioned Negative Declaration:** ( ) Yes  
(X) No

**Description of Action:**

The action consists of the municipal approval by the Town of Newburgh Town Board of an inter-municipal agreement pursuant to GML Article 5G between the Town of Newburgh, the Town of Newburgh Consolidated Water District, the Town of Marlborough and the Marlborough Water District (the "Agreement") which provides for, among other things, the treatment and delivery of water drawn from New York City's Delaware Aqueduct and treated at the Town of Newburgh's Delaware Aqueduct Water Treatment Plant to the Marlborough Water District and the reservation of treatment capacity of the Plant for the benefit of the Marlborough Water District.

The Town Board has conducted an uncoordinated review of this Unlisted Action.

**Location:** (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

Town of Newburgh, Orange County, New York ;  
Town of Marlborough, Ulster County, New York

**Reasons Supporting This Determination:**

(See 617.6(g) for requirements of this determination; See 617.6(h) for Conditioned Negative

Declaration)

The Town Board has considered the action and reviewed the environmental assessment form and other supporting information. The proposed action consists of the approval of an inter-municipal agreement pursuant to GML Article 5G (the "Agreement") which provides for, among other things, the treatment and delivery of water drawn from New York City's Delaware Aqueduct and treated at the Town of Newburgh's Delaware Aqueduct Water Treatment Plant to the Marlborough Water District and the reservation of treatment capacity of the Plant for the benefit of the Marlborough Water District. The Agreement has a term of 40 years. The two municipalities have a prior agreement for untreated water and Newburgh has continued to deliver treated water since the Plant came on line.

None of the criteria set forth in Section 617.11 of Part 617 and any other supporting information identify relevant areas of environmental concern which would lead to a determination that the proposed Agreement may have a significant effect on the environment either in the short term, long term or cumulatively given the likely consequences, setting, probability of occurrence, duration, irreversibility, geographic scope or magnitude and the number of people affected. The EAF does not indicate any adverse environmental affects, nor are any relevant areas of environmental concern identified. The action does not entail any direct physical impacts on the environment.

With respect to the criteria that are considered indicators of significant effects on the environment, the lead agency has considered the following:

1) Existing air quality, surface or groundwater quality or quantity, traffic or noise levels, solid waste production or disposal, potential for erosion, leaching, drainage or flooding problems.

It is not at all likely that the proposed action will have any significant effect in these subject areas. The approval of the Agreement entails no construction. Accordingly, no impacts are anticipated on air quality, groundwater quality or ground or surface water quantity, traffic levels, solid waste production or disposal or leaching problems from the approval.

The Town Board therefore concludes that it is unlikely that the Action will have any adverse effects associated with the above criteria.

2) Aesthetic, agricultural, historic, or other natural or cultural resources, or community or neighborhood character.

The action governs allocation of capacity and delivery of water from an existing water treatment plant, through existing interconnection facilities to existing municipal water systems. No new construction is entailed. Because any impacts in the above-mentioned subject areas associated with the Action are minimal, no mitigation measures are needed. No agricultural, or identified historic or archeological assets have been identified as being impacted by the Action.

The Town Board concludes that the action is therefore not likely to impair the character or quality of any of those factors.

3) Vegetation or fauna, resident or migratory fish, shellfish or wildlife species, significant

habitats, or threatened or endangered species or habitat; or natural resources.

The approval of the Agreement will not result in the removal or destruction of vegetation or fauna; nor in significant adverse impacts to fish or wildlife species, habitats or other natural resources. As the action is not expected to have any significant impacts, either direct or indirect, on these subject areas, therefore, no mitigation measures are required. Otherwise, no effects in these areas are anticipated.

No adverse effects have been identified by the Town Board.

4) Impairment of the environmental characteristics of a Critical Environmental Area.

The environmental characteristics of a Critical Environmental Area will not be effected by the Action.

5) Existing community plans or goals, a change in the use or intensity of land including agricultural, open space and recreational resources, or other natural resources or hazard to human health.

The proposed Action does not create any conflict with any existing plans or officially stated land use policies within either the Town of Newburgh or Orange County. No hazard to human health is likely to be created. The Plant has been designed with sufficient capacity to meet both the Town of Newburgh and the Town of Marlborough anticipated demands for at least the next 20 years.

No significant effects are accordingly anticipated by the Town Board.

6) Growth, subsequent development, or other related activities, including the attraction of a large number of people compared to the number who would otherwise come, likely to be induced by the proposed action. The Plant has been designed with sufficient capacity to meet both the Town of Newburgh and the Town of Marlborough anticipated demands under anticipated growth patterns.

. The Action is not considered likely to have any impact whatsoever, whether direct or indirect, neither positive or negative, in these subject areas.

No effects are therefore anticipated by the Town Board.

7) Any other long term, short term, cumulative, or other effects not identified above.

No additional long term, short term or cumulative or other effects are anticipated.

8) Other impacts (including changes in use of either quantity or type of energy, the creation of a material demand for other actions, changes in two or more elements of the environment together, cumulative effects of two or more related actions)

No other potential impacts have been identified as being likely. The impacts have been

considered cumulatively.

The Town Board has also considered alternatives including the no action alternative. It has examined whether adverse environmental consequences would result from not acting, and has determined that the proposed action is appropriate.

In reliance upon the EAF and after a hard look at the potential impacts it indicates may be reasonably expected in comparison to the criteria set forth in the SEQR regulations, the Town Board determines there is no indication that the action may have a significant impact on the environment.

In summary No effects on: (a) protected or nonprotected waterbodies, (b) surface or groundwater quantity or quality, (c) drainage flow, (d) patterns or surface water runoff, (e) existing air quality or resources, (f) vegetation, fauna, threatened or endangered species, nonthreatened or nonendangered species, habitats, or agricultural land resources, (g) aesthetic resources, (h) site or structure of historic, prehistoric or paleontological importance, (i) quality or quantity of existing or future open spaces or recreational opportunities, (j) existing transportation systems or traffic patterns, (k) the communities sources of fuel or energy supply or solid waste production or disposal, (l) objectionable odors, noise or vibration, (m) erosion, drainage or flooding or (n) public health and safety or character of existing community, are indicated.

There appears to be no public controversy related to potential adverse environmental impacts.

Based upon a careful and thorough review of the EAF and other supporting documents and information and after a hard look at the potential impacts it indicates may be reasonably expected in comparison to the criteria set forth in the SEQR regulations, the Town Board of the Town of Newburgh finds and determines that there is no indication that the action will have a significant impact on the environment and the facts and circumstances do not call for the preparation of an environmental impact statement.

**If Conditioned Negative Declaration**, provide on attachment the specific mitigation measures imposed.

For Further Information: Town of Newburgh

Contact Person: Gilbert J. Piaquadio, Deputy and Acting Supervisor,  
Town of Newburgh

Address: 1496 Route 300, Newburgh,  
New York 12550

Telephone Number: (845) 564-4552

**For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice Must Be Sent to:**

Chief Executive Officer, Town of Newburgh  
The Lead Agency

Other involved agencies (if any): Town of Marlborough

Any person who has requested a copy

Applicant (If any):

A Copy of the Notice Only Must Be Sent to:

Environmental Notice Bulletin, Room 538, 50 Wolf Road, Albany, New York 12233-1750

**For Unlisted Actions, a Copy of the Negative Declaration Must Only Be Sent to *The Lead Agency***

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 November, 2016 at 7:00 o'clock p.m.

PRESENT:

Gilbert J. Piaquadio, Supervisor

Elizabeth J. Green, Councilwoman

Paul I. Ruggiero, Councilman

James E. Presutti, Councilman

Scott M. Manley, Councilman

RESOLUTION OF TOWN BOARD AUTHORIZING SUPERVISOR TO EXECUTE INERMUNICIPAL AGREEMENT BY AND AMONG TOWN OF NEWBURGH, THE TOWN OF NEWBURGH CONSOLIDATED WATER DISTRICT, THE TOWN OF MARLBOROUGH AND THE MARLBOROUGH WATER DISTRICT

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

WHEREAS, New York State General Municipal Law Article 5-G authorizes municipal corporations, including towns, and districts, including town improvement districts, to enter into agreements for the performance of various functions; and

WHEREAS, the Town of Newburgh and the Town of Marlborough are municipal corporations and, the Town of Newburgh Consolidated Water District the Marlborough Water District are districts as defined by Article 5-G (hereinafter collectively the "Parties"); and

WHEREAS, the Parties have negotiated an inter-municipal agreement pursuant to GML Article 5G (the "Agreement") which provides for, among other things, the treatment and delivery of water drawn from New York City's Delaware Aqueduct and treated at the Town of Newburgh's Delaware Aqueduct Water Treatment Plant to the Marlborough Water District and the reservation of treatment capacity of the Plant for the benefit of the Marlborough Water District; and

WHEREAS, the Agreement further provides for a method and formula for equitably allocating capital and operating costs; and

WHEREAS, the Town Board has reviewed the terms and conditions of the Agreement and finds the Agreement acceptable and in the best interests of the Town of Newburgh and the Town of Newburgh Consolidated Water District; and

WHEREAS, the Town Board desires to authorize the execution of the Agreement

NOW, THEREFORE BE IT RESOLVED, that we the Town Board of the Town of

Newburgh approve the Agreement by and among the Town of Newburgh, the Town of Newburgh Consolidated Water District, the Town of Marlborough and the Marlborough Water District as to its form and manner of execution and authorizes the Supervisor to sign and deliver the Agreement.

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.



11A

TOWN OF NEWBURGH ANIMAL CONTROL &  
SHELTER

645 GIDNEY AVE. NEWBURGH, NY 12550

(845)561-3344  
FAX: (845) 561-2220

To: Town Board

From: Cheryl Cunningham, Animal Control *ck*

Subject: Authorization to pay Veterinarian Services Utilizing T-94 Account

Date: October 25, 2016

---

I am requesting authorization to use the T-94 account to pay for veterinary services from:  
T.A.R.A

Totaling: \$170.00

Feline: \$

Canine: \$170.00

Thank you,  
Cheryl Cunningham

**TOWN OF NEWBURGH**

1496 ROUTE 300  
NEWBURGH, N.Y. 12550

**VOUCHER**

Order No.

DO NOT WRITE IN THIS BOX

Date Voucher Received		VOUCHER NO.
FUND - APPROPRIATION	AMOUNT	
TOTAL		
Abstract No.		

DEPARTMENT \_\_\_\_\_

CLAIMANT'S  
NAME  
AND  
ADDRESS

T.A.R.A., Inc.  
P.O. Box 185  
Warwick, NY 10990

TERMS \_\_\_\_\_

Vendor's  
Ref. No.

Dates	Quantity	Description of Materials or Services	Unit Price		Amount	
11-9-16	1	Charlie Rabies Vaccine (Already Neutered)	10	00	10	00
11-9-16	1	Pugsley Canine Castration	80	00	80	00
11-9-16	1	Casper Canine Castration	80	00	80	00
<b>TOTAL</b>						<b>170 00</b>

**COPY**

(See Instructions on Reverse Side)

**CLAIMANT'S CERTIFICATION**

I, Caitlyn Shearer, certify that the above account in the amount of \$ 170.00 is true and correct; that the items, services and disbursements charged were rendered to or for the municipality on the dates stated; that no part has been paid or satisfied; that taxes, from which the municipality is exempt, are not included; and that the amount claimed is actually due.

11-9-16 Caitlyn Shearer Office Clerk  
DATE SIGNATURE TITLE

(Space Below for Municipal Use)

**DEPARTMENT APPROVAL**

The above services or materials were rendered or furnished to the municipality on the dates stated and the charges are correct.

DATE

AUTHORIZED OFFICIAL

**APPROVAL FOR PAYMENT**

This claim is approved and ordered paid from the appropriations indicated above.

DATE

AUDITING BOARD

# INVOICE

## The Animal Rights Alliance, Inc. (TARA)

60 Enterprise Place  
 Middletown, NY 10941  
 845-343-1000

Low-Cost Spay/Neuter Clinic

**FOR:** Town of Newburgh Animal Control  
 645 Gidney Ave  
 Newburgh, NY 12250  
 (845) 561-3344

**Printed:** 11-09-16 at 1:07p  
**Date:** 11-09-16  
**Account:** 9241  
**Invoice:** 32187

Date	For	Qty	Description	Net Price
11-09-16	Casper	D-10	1 Castration, Canine	80.00
11-09-16			1 Ear Cleaning	0.00
11-09-16			1 Penicillin (Combi-Pen-48)	0.00
11-09-16			3 Carprofen, 100mg, Caplet	0.00
Give 1 tablet(s) once daily (every 24 hours). Give by mouth. Give with food. If vomiting or diarrhea occurs, discontinue use.				
11-09-16	Charlie	RO	1 Already Neutered, Canine	0.00
11-09-16			1 Rabies Vaccination, 1 Year	10.00
11-09-16	Pugsley	D-9	1 Castration, Canine	80.00
11-09-16			1 Ear Cleaning	0.00
11-09-16			1 Penicillin (Combi-Pen-48)	0.00
11-09-16			3 Carprofen, 25mg, Caplet	0.00
Give 1 tablet(s) once daily (every 24 hours). Give by mouth. Give with food. If vomiting or diarrhea occurs, discontinue use.				
11-09-16			1 Rabies Vaccination, 1 Year	0.00

Old balance	Charges	Payments	New balance
50.00	170.00	0.00	220.00

Remarks:



113

TOWN OF NEWBURGH ANIMAL CONTROL &  
SHELTER

645 GIDNEY AVE. NEWBURGH, NY 12550

(845)561-3344  
FAX: (845) 561-2220

To: Town Board

From: Cheryl Cunningham, Animal Control

Subject: Authorization to pay Veterinarian Services Utilizing T-92 Account

Date: November 10, 2016

---

I am requesting authorization to use the T-92 account to pay for veterinary services from:  
MDW Feline Rescue

Totaling: \$150.00

Feline: \$150.00

Canine:

Thank you,  
Cheryl Cunningham

# TOWN OF NEWBURGH

1496 ROUTE 300  
NEWBURGH, N.Y. 12550

## VOUCHER

DEPARTMENT \_\_\_\_\_

CLAIMANT'S NAME AND ADDRESS

MOW I elen Rescue  
Margaret Weber  
1323 Union Ave.  
Newburgh, NY  
12550

TERMS \_\_\_\_\_

Order No. \_\_\_\_\_

DO NOT WRITE IN THIS BOX

Date Voucher Received		AMOUNT	VOUCHER NO.
FUND - APPROPRIATION			
T-92	150.00		
TOTAL	\$150.00		

Abstract No. \_\_\_\_\_  
Vendor's Ref. No. \_\_\_\_\_

Dates	Quantity	Description of Materials or Services	Unit Price	Amount
7/11/16	1	spayed Feral Cat 1/2		50 -
5/2/16	1	spayed Feral Cat 1/2		58 -
5/23/16	1	spayed Feral Cat 1/2		50 -
(See Instructions on Reverse Side)			TOTAL	\$150.00

### CLAIMANT'S CERTIFICATION

I, Margaret Weber, certify that the above account in the amount of \$ 150.00 is true and correct; that the items, services and disbursements charged were rendered to or for the municipality on the dates stated; that no part has been paid or satisfied; that taxes, from which the municipality is exempt, are not included; and that the amount claimed is actually due.

10/3/16  
DATE

Margaret Weber  
SIGNATURE

President  
TITLE

(Space Below for Municipal Use)

### DEPARTMENT APPROVAL

The above services or materials were rendered or furnished to the municipality on the dates stated and the charges are correct.

10/11 [Signature]  
DATE AUTHORIZED OFFICIAL

### APPROVAL FOR PAYMENT

This claim is approved and ordered paid from the appropriations indicated above.

\_\_\_\_\_  
\_\_\_\_\_  
DATE AUDITING BOARD

LAST <u>M.D.W. Feline Rescue</u>		FIRST <u>Union Ave.</u>		CITY <u>Newburgh</u>		TELEPHONE # <u>845 564 1601</u>
NO. <u>1323</u>		STREET		STATE <u>NY</u>		ZIP <u>12550</u>
SPECIES DOG <input type="checkbox"/> CAT <input checked="" type="checkbox"/> FERRET <input type="checkbox"/> OTHER <input type="checkbox"/> (specify)		AGE MONTHS <input type="checkbox"/> YEARS <input type="checkbox"/>		SEX MALE <input type="checkbox"/> FEMALE <input checked="" type="checkbox"/> NEUTERED <input checked="" type="checkbox"/>		SIZE Under 20 lbs. <input type="checkbox"/> 20 - 50 lbs. <input type="checkbox"/> Over 50 lbs. <input type="checkbox"/>
ANIMAL CONTROL LICENSE <input checked="" type="checkbox"/> 1 YR <input type="checkbox"/> 3 YR <input type="checkbox"/> OTHER		DATE VACCINATED <u>7 11 16</u> MONTH/DAY/YEAR		PRODUCT NAME <u>ZIOL</u>		PREDOMINANT BREED <u>DSH</u>
NEXT VACCINATION DUE BY <u>7 10 17</u> MONTH/DAY/YEAR		MANUFACTURER <u>ZIOL</u> FIRST 3 LETTERS		VETERINARIAN'S NAME <u>Eleanor Acworth</u>		PREDOMINANT COLORS/MARKINGS <u>Dilute Calico</u>
VACCINE SERIAL (LOT) NUMBER <u>120430</u>		1 YR USDA Licensed Vaccine 3 YR USDA Licensed Vaccine 4 YR USDA Licensed Vaccine <input type="checkbox"/> Initial Dose <input type="checkbox"/> Booster Dose		LICENSE NUMBER <u>006676</u>		VETERINARIAN'S SIGNATURE <u>Eleanor Acworth DVM et</u>
		VACCINE SERIAL (LOT) NUMBER		ADDRESS <u>T.A.R.A., Inc.</u> <u>P.O. Box 185</u> <u>Warwick, NY 10990</u>		

The Animal Rights Alliance Inc. P.O. Box 185, Warwick, N.Y. 10990

Date 7-11-16

Spay/Neuter Receipt

# 38-46

Quantity	Spay - Neuter	Amount Each	Sub. Total
<u>9</u>	<u>Spay/Neuter</u>	<u>\$70.00</u>	<u>45 + 9 = 405</u>
<u>120</u>	<u>Initial Calico spay</u>	<u>\$70.00</u>	<u>5 + 2 = 10</u>
<u>Other Items:</u>	<u>@ Blood draws / @ Distemper</u>		<u>5 + 1 = 5</u>
			<u>420</u>

... in time will be 1.00. Thank You.

Print Clearly

Name & Address: AD. W. Feline Rescue M.I. 1323  
 STREET Union Ave CITY Newburgh STATE NY ZIP 12550

MICROCHIP # \_\_\_\_\_ TELEPHONE # 515 564 1658

SPECIES: DOG  CAT  FERRET  OTHER  (specify) \_\_\_\_\_

AGE: MONTHS  YEARS

SEX: MALE  FEMALE  NEUTERED

SIZE: Under 20 lbs.  20 - 50 lbs.  Over 50 lbs.

1 Dose/1 ml.

PREDOMINANT BREED: D.S.H. PREDOMINANT COLORS/MARKINGS: TABBY

ANIMAL NAME: TARZAN

ANIMAL CONTROL LICENSE:  1 YR  3 YR  OTHER \_\_\_\_\_

DATE VACCINATED: 5 2 16 MONTH/DAY/YEAR

PRODUCT NAME: \_\_\_\_\_

MANUFACTURER: BIOE FIRST 3 LETTER: BIOE

1 YR USDA Licensed Vaccine  3 YR USDA Licensed Vaccine  4 YR USDA Licensed Vaccine

Initial Dose  Booster Dose

VACCINE SERIAL (LOT) NUMBER: 1213240A

VETERINARIAN'S NAME: Eleanor Raccan

LICENSE NUMBER: 2016076

VETERINARIAN'S SIGNATURE: Eleanor Raccan, DVM

ADDRESS: P.O. Box 185 Warwick, NY 10990

1170353A 07 JAN 17 DL17LC

**The Animal Rights Alliance Inc. P.O. Box 185, Warwick, N.Y. 10990**

Date 5-2-16

**Spay/Neuter Receipt**

# 14

Quantity	Spay - Neuter	Amount Each	Sub. Total
<u>1</u>		<u>\$70.00</u>	<u>45</u>
		<u>\$70.00</u>	<u>5</u>
Other Items:	<u>1ST VISIT/OWNER/PARTIP.</u>		
Total <u>50</u>	Today's pick-up time will be <u>2:30</u> . Thank You.		

Owner's Name & Address LAST: <u>M.D.W. Feltine</u> FIRST: <u>Rosario</u>		Print Clearly		MICROCHIP #
NO. <u>1323</u>		STREET: <u>Onions Ake.</u>	CITY: <u>Warwick</u>	STATE: <u>NY</u> ZIP: <u>12550</u>
SPECIES DOG <input type="checkbox"/> CAT <input checked="" type="checkbox"/> FERRET <input type="checkbox"/> OTHER <input type="checkbox"/> (specify)	AGE <u>Adult</u> MONTHS <input type="checkbox"/> YEARS <input type="checkbox"/>	SIZE Under 20 lbs. <input type="checkbox"/> 20 - 50 lbs. <input type="checkbox"/> Over 50 lbs. <input type="checkbox"/>	PREDOMINANT BREED <u>D.S.H.</u>	
SEX MALE <input type="checkbox"/> FEMALE <input type="checkbox"/> NEUTERED <input checked="" type="checkbox"/>		ANIMAL NAME <u>Richie</u>		PREDOMINANT COLORS/ MARKINGS <u>Green</u>
ANIMAL CONTROL LICENSE <input checked="" type="checkbox"/> 1 YR <input type="checkbox"/> 3 YR <input type="checkbox"/> OTHER		VETERINARIAN'S NAME <u>Eleanor Auerth</u>		
DATE VACCINATED <u>5-23-16</u> MONTH/DAY/YEAR	PRODUCT NAME <u>Blot</u>	LICENSE NUMBER <u>006676</u>		
NEXT VACCINATION DUE BY <u>5-22-17</u> MONTH/DAY/YEAR	MANUFACTURER <u>Blot</u> FIRST 3 LETTERS: <u>1213340A</u>	VETERINARIAN'S SIGNATURE <u>Eleanor Auerth</u>		
1 YR USDA Licensed Vaccine <input type="checkbox"/> 3 YR USDA Licensed Vaccine <input type="checkbox"/> 4 YR USDA Licensed Vaccine <input type="checkbox"/> <input type="checkbox"/> Initial Dose <input type="checkbox"/> Booster Dose		ADDRESS <u>P.O. Box 185</u> <u>Warwick, NY 10990</u>		
VACCINE SERIAL (LOT) NUMBER		1170353A 07 JAN 17 D117LC		

The Animal Rights Alliance Inc. P.O. Box 185, Warwick, N.Y. 10990

Date 5-23-16 Spay/Neuter Receipt

# 17, 18, 19, 20, 21, 22

Quantity	Spay - Neuter	Amount Each	Sub. Total
<u>6</u>		<u>\$70.00</u>	<u>457.60 = 270.</u>
		<u>\$70.00</u>	<u>5 + 2 = 10.</u>
Other Items:	<u>2 Dist / Blood Draw / CARTIP</u>		<u>5 x 1 = 5.</u>
Total			<u>285.-</u>

Today's pick-up time will be 3:00. Thank You.



# 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 Members  
**FROM:** Todd DePew, Highway Superintendent  
**DATE:** November 8, 2016  
**RE:** Transfer Requests

I would like to request the following budget transfers could you please put this on the agenda for the next meeting:

1.	FROM:	TO:	AMOUNT:
	5112.408 Permanent Improvements GIS	5142.413 Snow Removal Sand, Salt, Calcium, etc.	\$15,000.00
2.	5140.466 Drainage Operating Supplies	5142.413 Snow Removal Sand, Salt, Calcium, etc.	\$1,000.00

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

**TD:ch**  
**cc: R. Clum, Accounting**



# TOWN OF NEWBURGH

1496 Route 300, Newburgh, New York 12550

13A+B

**RONALD E. CLUM, CPA**  
ACCOUNTANT

845-564-5220

Fax: 845-566-9461

E-Mail: [rclumaccountant@townofnewburgh.org](mailto:rclumaccountant@townofnewburgh.org)

**To: Gil Piaquadio, Town Supervisor and  
Members of the Town Board**

**From: Ronald E. Clum, Town Accountant**

**Date: November 14, 2016**

**Re: Budget Adjustments**

In order to pay our insurance deductible regarding Claim # 172571, the following budget adjustment is needed:

FROM		TO		AMOUNT
030.1964.0499	Ref of Prop Taxes	030.1910.0499	Unallocated Insurance	\$25,000.00

As you are aware we received a donation from Entergy for the purchase of a piece of playground equipment in the shape of a fire truck. In order to pay for the equipment and installation the Town will have to increase the budget by this unanticipated revenue: The following budget adjustment is needed:

FROM		TO		AMOUNT
001.0001.2770	Misc. Revenues	001.7310.0200	Equipment	\$10,000.00

Thank you in advance for your approval.

14A

James Osborne

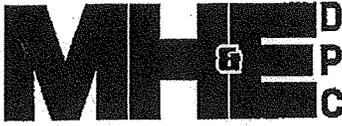
---

From: Patrick Hines [PHines@mhepc.com]  
Sent: Monday, November 14, 2016 9:56 AM  
To: James Osborne  
Subject: MH&E Municipal fee schedule  
Attachments: DOC111416-11142016100011.pdf

Jim,  
Attached is the municipal fee schedule for the town's MS4 work . I would have some time At the Principal position and Staff engineers (Shawn Arnott) would perform the field work / reviews . I note that this for Drainage districts however I believe the Town has exposure for the outfall reviews which must be accomplished as well. All outfalls are to be reviewed at least once every five years . the town is overdo on this . This work can be performed at the same rates with assistance of a highway dept employee.  
Pat  
Pat

-----Original Message-----  
From: MHENY Toshiba [mailto:mheny1@gmail.com]  
Sent: Monday, November 14, 2016 10:00 AM  
To: Patrick Hines  
Subject: Send data from MFP07796549 11/14/2=?IS 0-8859-1?B?MDE2IDEwOjAw?=  
-----

Scanned from MFP07796549  
Date:11/14/2016 10:00  
Pages:1  
Resolution:200x200 DPI  
-----



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

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

MAIN OFFICE  
33 Airport Center Drive  
Suite 202  
New Windsor, New York 12553

(845) 567-3100  
fax: (845) 567-3232  
e-mail: mheny@mhepc.com

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

**MUNICIPAL STANDARD FEE SCHEDULE**

(Revised in September 2016)

**A. HOURLY RATES\*:**

<b>Firm Representative</b>	<b>Hourly</b>
<del>Principal/Principal Emeritus</del>	<del>\$144.00</del>
Associate	\$123.00
Structural Engineer II	\$110.00
Senior Engineer/Designer	\$101.00
Senior Architect	\$101.00
GIS Programmer	\$ 99.00
Structural Engineer/Designer I	\$ 90.00
Project Engineer/Designer	\$ 88.00
<del>Staff Engineer/Designer</del>	<del>\$ 76.00</del>
Engineering Technician II	\$ 71.00
Engineering Technician I	\$ 64.00
CAD Technician II	\$ 73.00
CAD Technician I	\$ 62.00
Field Representative**	\$ 61.00
Engineering Intern	\$ 56.00
Intern Support	\$ 30.00
GIS Field Data Collector	\$ 62.00
Administrative Services	\$ 51.00
Clerical/Secretarial	\$ 37.00

\* Except expert testimony and consulting for legal procedures, which are charged at \$1,500 per day or any part thereof.

\*\* See #5 below

**B. GENERAL CONDITIONS:**

1. Fees for services or tasks for engineering design, field construction observation, surveys, etc. will be computed based on the firm representative(s) performing the services and the hours expended, unless a lump sum agreement has been executed.
2. In addition to the above fees, all out-of-pocket and traveling expenses, blueprint and reproduction charges, telephone calls, telegrams, mailing charges, and other disbursements are chargeable, plus a 20% service charge, unless any such charges are specifically noted as included in the agreement. Mileage will be chargeable at a rate of \$0.56 per mile.
3. Without a prior appointment, services of personnel cannot be assured for any certain day.
4. Reproduction charges are based on \$0.15 per photocopy and in-house \$3.00 per D size plan (24" x 36") and \$4.00 per E size plan (30" x 42"), unless otherwise stipulated by agreement.
5. Field Representative rate is based on an 8 hour daytime work period, weekdays. Other time periods will be billable at an overtime rate (1-1/2 rate).

Municipal Fee Schedule – August 2014 /Rev 06-02-2016 Rev 9-20-16

REGIONAL OFFICE

• 111 Wheatfield Dr. – Suite One • Milford, Pennsylvania 18337 • 570-296-2765 •

14B

TOWN OF NEWBURGH  
TOWN ENGINEER

MEMORANDUM

TO: Gil Piaquadio, Town Supervisor & Town Board

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

DATE: November 2, 2016

RE: PB \ SUMMIT LANE (PARKE LANE) SITE PLAN –  
Release of Performance Securities

---

The developer for the above project has requested release of the following performance securities:

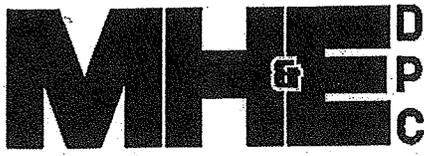
- Stormwater Management & Pollution Prevention (\$ 415,616)
- Landscaping (\$ 230,480.80)
- Off-Site Improvements ( \$ 38,385)

Inspections of the first two items have been completed by MH&E on behalf of the Town and per the attached memo dated 5 October 2016, they have recommended the release of the securities for stormwater and landscaping.

The off-site improvements consisted of intersection improvements at Stewart Avenue and Stewart Avenue Extension. These have been satisfactorily completed and I recommend release of the performance security for this work.

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

JWO/id  
Attachment  
cc: G. Canfield, Code Compliance Supervisor



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

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

OCT 11 '16

Main Office  
33 Airport Center Drive  
Suite 202  
New Windsor, New York 12553

(845) 567-3100  
fax: (845) 567-3232  
e-mail: mheny@mhepc.com

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

5 October 2016

Town of Newburgh  
1496 Route 300  
Newburgh, NY 12550

**ATTENTION: JAMES OSBORNE, TOWN ENGINEER**  
**SUBJECT: PARKE LANE/SUMMIT LANE (15-18)  
LANDSCAPE & STORMWATER SECURITY RELEASE**

Dear Mr. Osborne:

Representatives of this office have field reviewed the subject project with regard to a request to release security for landscaping and stormwater management. Based on our field review the subject site is in such a condition that the erosion and sediment control security can be released. The site is greater than 80% re-vegetated. The Applicant's representatives have provided this office with a As Built survey of the stormwater management system, copy of which is attached for your records.

~~Based on the field review this office takes no exception to the stormwater erosion and sediment control bond in the amount of \$415,616.00 being released.~~

A review of the site identifies substantial compliance with the landscaping requirements. Based on our review of the site ~~we would recommend that the landscape performance bond be released and replaced with acceptable security for the two (2) year guarantee required by the Town code.~~

The site improvement performance bond in the amount of \$38,385.00 is outside the scope of this office, however we believe that the utilities serving the project have been installed but a sign off from the appropriate Town of Newburgh representative should be received.

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

Very Truly Yours,  
  
Patrick J. Hines  
Principal

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

PJH/kbw i:\town of newburgh pb\2016 correspondence\10-5-16 osborne--summit -parke lane (15-18).doc

15

**TOWN of Newburgh**  
**Crossroads of the Northeast**  
**Deborah A. Smith**  
**RECEIVER OF TAXES AND ASSESSMENT**  
**1496 Route 300**  
**Newburgh, New York 12550**

Telephone (845) 564-4553

Fax (845) 566-1432

**MEMORANDUM**

**DATE:** 11/08/16

**TO:** Gilbert Piaquadio, Supervisor

**FROM:** Deborah A. Smith, Receiver of Taxes

**SUBJECT:** 2016 Water & Sewer Relevy

I am requesting to be on the November 21, 2016 Audit Workshop Meeting Agenda for the approval of the 2016 Water & Sewer Relevy.

I will provide backup to the Town Clerk's Office.

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

RESOLUTION LEVYING UNPAID  
WATER AND SEWER CHARGES  
AND ASSESSMENTS  
SECTION 198 TOWN LAW

WHEREAS, the Supervisor of the Town of Newburgh on November 21, 2016 transmitted to the Board, a statement of the UNPAID WATER AND SEWER charges and filed by the Receiver of Taxes containing a brief description of the property on which water and sewer charges and assessments are unpaid, and the amount chargeable to each, and

RESOLVED, that there be levied on the 2016 tax roll of the Town of Newburgh against the unpaid utilities in amount of \$508,436.86 transmitted to this Board and that the amount thereof be set forth on the tax rolls of the said Town of Newburgh under the name "UNPAID UTILITIES" to wit (see schedule attached) and

Town of Newburgh	-	\$508,436.86
Town of Montgomery	-	\$ 440.48

BE IT FURTHER RESOLVED, that the amount so levied shall be placed in the warrant of the Orange County Legislature to the Receiver of Taxes of the Town of Newburgh, and that the sewer charges and water charges levied shall be collected and paid to the Supervisor of said Town of Newburgh in the same manner as general taxes until the amount thereof is paid.

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

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

The resolution was thereupon declared duly adopted.

Date: 11/21/16  
 To: Gilbert Piaquadio, Supervisor  
 From: Deborah A. Smith, Receiver of Taxes  
 Subject: Relevy Unpaid Water & Sewer

Attached are the delinquent Water & Sewer Accounts in the Town of Newburgh from July 1, 2015 through June 30, 2016. Accounts are to be transferred to the County and Town Roll. A Resolution requesting the Orange County Legislature to authorize the procedure is attached. The total to be releived is \$ 508,436.86 The following breakdown applies:

	District	Amount
Edgewood	3	\$ 3,681.19
Stewart Heights	4	\$ 6,406.29
Wintergreen	5	\$ 7,093.80
Fenlo	6	\$ 1,373.57
Gidney Thornwood	7	\$ 41,175.56
Algonquin	8	\$ 22,660.80
Meadow Hill So	9	\$ 40,833.74
Meadow Hill No	10	\$ 31,403.14
Fleetwood *	11	\$ 9,708.43
Chadwick Lake	12	\$ 19,926.16
Green Acres	13	\$ 1,061.95
Chestnut Lane	14	\$ 11,906.73
Folin Heights	15	\$ 23,055.29
Union Ave	16	\$ 22,983.83
Route 52	17	\$ 47,552.47
Pinebrook	18	\$ 14,574.21
Meadow Hill West	19	\$ 18,659.40
Fostertown	20	\$ 21,715.89
Union Ave	21	\$ 6,506.54
Rt 17K	22	\$ -
Folin Heights	23	\$ 14,639.10
Crossroads	1,2, 24-34	\$ 141,959.25
Total		\$ 508,877.34

Included in above figures is Town of Montgomery \$440.48



NEWBURGH ROWING CLUB

P.O. Box 227

Newburgh, NY 12550

Tel: (845) 541-2313

Fax: (845) 569-7601

[www.newburghrowing.org](http://www.newburghrowing.org)

16

*"Teaching the Sport of Rowing to All"*

October 31, 2016

Via Email [supervisor@townofnewburgh.org](mailto:supervisor@townofnewburgh.org)  
and U.S. Mail

Town of Newburgh Town Council  
Gil Piaquadio Supervisor  
Town of Newburgh  
1496 Route 300  
Newburgh, New York 12550

Dear Town Supervisor and Town Council:

I have been a resident of the Town of Newburgh for over 20 years and am the president of the Newburgh Rowing Club, a not for profit organization dedicated to community rowing and community activities. We have been running a Summer Rowing Camp in conjunction with the Town of Newburgh Recreation Department for 5 years and we serve many Town of Newburgh residents, both youth and adults.

For the past 10 years, we have been operating out of our 6,000 square foot Boathouse located at Ward Brothers Memorial Park in the City of Newburgh located on the Hudson River.

On behalf of the Board of Directors of the Newburgh Rowing Club, we are hereby respectfully requesting permission to locate approximately six pieces of our rowing and kayaking equipment at Chadwick Lake for the use and benefit of the Town of Newburgh: a one-person boat, a two- person boat, a 4-person boat and three kayaks. We will put them on an A-frame wooden rack.

All equipment will be thoroughly cleaned prior to being brought to Chadwick Lake. All in all, this will be the same or less or an environmental footprint than the existing rowboats currently in use at Chadwick Lake.

We understand that Chadwick Lake is a reservoir and all equipment will be treated and cleaned accordingly and no new equipment will be introduced to the Lake unless properly treated and cleaned.

We will also comply with all other safety, insurance and environmental concerns which could arise.

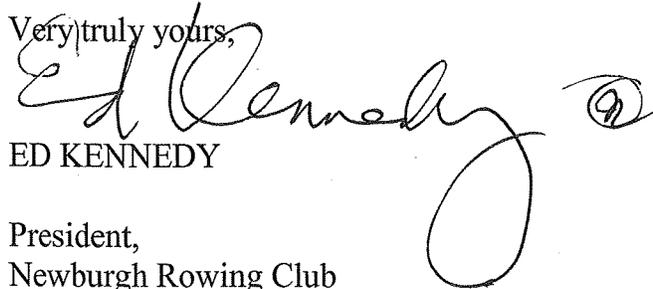
We believe this will greatly enhance the use and enjoyment of Chadwick Lake for the Town of Newburgh and be a draw for Town residents to further enjoy the Lake.

Kindly advise of the Town's position once you have had an opportunity to review this letter. The best way to contact me is via phone (845)541-2313 or email: [coachedkennedy@yahoo.com](mailto:coachedkennedy@yahoo.com).

Should you have any questions or require anything further please do not hesitate to contact me at (845) 4541-2313.

Thank you.

Very truly yours,

A handwritten signature in cursive script that reads "Ed Kennedy". To the right of the signature is a small circular stamp containing the number "9".

ED KENNEDY

President,  
Newburgh Rowing Club



NEWBURGH ROWING CLUB

P.O. Box 227

Newburgh, NY 12550

Tel: (845) 541-2313

Fax: (845) 569-7601

[www.newburghrowing.org](http://www.newburghrowing.org)

*"Teaching the Sport of Rowing to All"*

October 31, 2016

Via Email [supervisor@townofnewburgh.org](mailto:supervisor@townofnewburgh.org)  
and U.S. Mail

Town of Newburgh Town Council  
Gil Piaquadio Supervisor  
Town of Newburgh  
1496 Route 300  
Newburgh, New York 12550

Dear Town Supervisor and Town Council:

I have been a resident of the Town of Newburgh for over 20 years and am the president of the Newburgh Rowing Club, a not for profit organization dedicated to community rowing and community activities. We have been running a Summer Rowing Camp in conjunction with the Town of Newburgh Recreation Department for 5 years and we serve many Town of Newburgh residents, both youth and adults.

For the past 10 years, we have been operating out of our 6,000 square foot Boathouse located at Ward Brothers Memorial Park in the City of Newburgh located on the Hudson River.

On behalf of the Board of Directors of the Newburgh Rowing Club, we are hereby respectfully requesting permission to locate approximately six pieces of our rowing and kayaking equipment at Chadwick Lake for the use and benefit of the Town of Newburgh: a one-person boat, a two- person boat, a 4-person boat and three kayaks. We will put them on an A-frame wooden rack.

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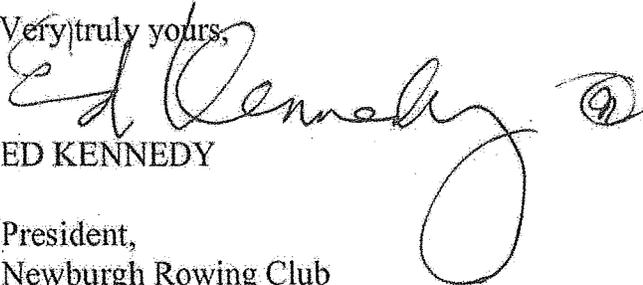
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Thank you.

Very truly yours,

A handwritten signature in cursive script that reads "Ed Kennedy". To the right of the signature is a small circular stamp containing the number "9".

ED KENNEDY

President,  
Newburgh Rowing Club

To 2480

17

TOWN OF NEWBURGH

308 Gardnertown Road  
Newburgh, New York 12550  
(845) 564-7804

DO NOT WRITE IN THIS BOX	
DATE VOUCHER RECEIVED:	
FUND - APPROPRIATION	AMOUNT
3410-0499	\$799.80
3620-0497	\$799.80
8020-0200	\$799.80
8010-0200	\$799.80
1440.0200	\$799.80
TOTAL \$3999.00	
ABSTRACT #	

VOUCHER NO.

DEPARTMENT CODE COMPLIANCE

CLAIMANTS Toshiba Business Solutions  
 NAME 180 Kenneth Drive  
 AND Suite 200  
 ADDRESS Rochester, New York 14623

Remit. Box 927  
 TERMS Buffalo, NY. 14240-0927

INVOICE # 1540008

DATES	QUANTITY	DESCRIPTION OF MATERIALS OR SERVICES	UNIT PRICE	AMOUNT
10/25/2016	1	Toshiba Invoice # 1540008 Part # SYS700CPU KIP 700	\$3,500.00	\$3,500.00
		Labor for Install of KIP 700	\$499.00	\$499.00
TOTAL				\$3,999.00

CLAIMANT'S CERTIFICATION

I Debra Iannello certify that the above account in the amount of \$ \$3,999.00 is true and correct; that the items, services and disbursements charged were rendered to or for the municipality on the dates stated; that no part has been paid or satisfied; that taxes, from which the municipality is exempt, are not included; and that the amount claimed is actually due.

10/25/16 DATE      Debra Iannello SIGNATURE      Collections TITLE

(SPACE BELOW FOR MUNICIPAL USE)

DEPARTMENT APPROVAL	APPROVAL FOR PAYMENT
The above services or materials were rendered or furnished to the municipality on the dates stated and the charges are correct.	This claim is approved and ordered for paid from the appropriations indicated above.
<u>[Signature]</u> AUTHORIZED OFFICIAL	_____
DATE: <u>10/24/16</u>	_____
	DATE _____
	AUDITING BOARD _____

[Signature] 11/14/16  
[Signature] 11-16-16

# TOSHIBA BUSINESS SOLUTIONS

180 Kenneth Dr Ste 200  
Rochester, NY 14623  
Tel: 800-724-2480

## EQUIPMENT INVOICE

Invoice Number: 1540008  
Page: 1 of 1  
Invoice Date: 20-JUN-16  
Sales Packet: 162403  
Customer Number: TOBAE9Q  
Site ID: 806715

SHIP TO: TOWN OF NEWBURGH NY  
308 GARDNERTOWN ROAD  
CODE COMPLIANCE  
NEWBURGH, NY 12550

**TOTAL DUE \$3,999.00**

BILL TO: TOWN OF NEWBURGH NY  
308 GARDNERTOWN ROAD  
CODE COMPLIANCE  
NEWBURGH, NY 12550

REMIT TO: TOSHIBA BUSINESS SOLUTIONS, USA  
PO BOX 927  
BUFFALO, NY 14240-0927

PLEASE CUT ALONG LINE AND RETURN WITH REMITTANCE

PURCHASE ORDER NUMBER	ORDER NUMBER	ORDER DATE	SHIP DATE	PAYMENT TERMS				
	14397830	24-MAY-16	20-JUN-16	Due Upon Receipt				
SALES REPRESENTATIVE	SHIP VIA			CUSTOMER NUMBER				
Robisch, Karl	BEST METHOD			TOBAE9Q				
PART NUMBER	DESCRIPTION	ORDER QTY	SHIP QTY	BO	UM	NET UNIT PRICE	EXTENDED AMOUNT	
SYS700CPU	KIP 700	1	1	N	EA	\$3,500.00	\$3,500.00	
	Serial Number(s): 11700815, Eq ID: 11700815							
CNT LABOR	CNT LABOR	1	1	N	EA	\$499.00	\$499.00	
DIGPDF-700	DS/PDF Format Printing Option Keycod	1	1	eN	EA	\$0.00	\$0.00	
^ S/P# 162403 ^								
<b>NOTE: YOUR CUSTOMER NUMBER MAY HAVE CHANGED. PLEASE UPDATE YOUR RECORDS ACCORDINGLY</b>								
TOTAL SALES	TAX AMOUNT	TAX RATE	FREIGHT AMOUNT			TOTAL DUE		
\$3,999.00	\$0.00		\$0.00			\$3,999.00		

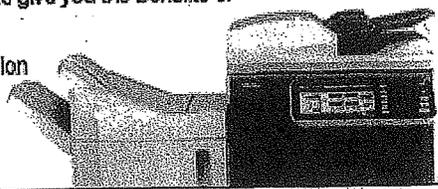


### Simplify your payments! Electronic Payment now available when you sign up for Electronic Invoicing

Toshiba's new Electronic Payment and Electronic Invoicing programs give you the benefits of increased ease, accuracy, security, and timeliness.

- E-mail directly to another department for questions or authorization
- Faster and more secure than traditional mail

Go online to find out more and enroll today:  
<http://business.toshiba.com/esk/register/doRegister.jsp>



Toshiba Business Solutions 180 Kenneth Dr Ste 200, Rochester, NY 14623

**B. (DELETED ITEM) Infrastructure Mapping Proposal**

*This item was deleted from the agenda.*

**10. PERSONNEL – Retirement Resolution**

The Town establishes the following Standard Work Day and Reporting Resolution for Elected and Appointed Officials required by the New York State and Local Retirement System. The officials impacted by this are: Councilman James Presutti; Town Clerk Andrew Zarutskie; Town Justice Richard Clarino and Supervisor Gil Piaquadio.

MOTION to authorize the Resolution made by Councilman Ruggiero, seconded by Councilman Presutti.

VOTE: Councilwoman Greene – absent; Councilman Ruggiero – yes; Councilman Presutti – yes; Councilman Manley – absent; Supervisor Piaquadio – yes.

Motion approved, 3 yes; 0 no; 0 abstain; 2 absent.

**11. PLANNING BOARD:****A. Purchase of Large Sheet Copier**

Code Compliance Supervisor Gerald Canfield requests approval to replace their outdated Ricoh FW 760 copier which was purchased in 1999. Toshiba Business Solutions recommended a used KIP 700 Wide Format Laser Copier, Printer and Scanner for a cost of \$3,995.00 which includes set up; delivery and in-house training.

MOTION was made by Councilman Ruggiero to approve purchasing the used Toshiba Business Solutions KIP 700 Wide Format Laser Copier, Printer and Scanner for a cost of \$3,995.00. The Motion was seconded by Councilman Presutti.

VOTE: Councilwoman Greene – absent; Councilman Ruggiero – yes; Councilman Presutti – yes; Councilman Manley – absent; Supervisor Piaquadio – yes.

Motion approved, 3 yes; 0 no; 0 abstain; 2 absent.

**B. Restaurant Depot Stormwater Agreement**

Attorney for the Town Mark Taylor asked for the Town Board's consideration to approve the Agreement between the Town and JMDH Real Estate of Newburgh, LLC. The agreement will provide for long term maintenance and JMDH Real Estate shall maintain, clean, repair, replace and continue the stormwater control measures regarding the project known as Jetro Cash & Carry Enterprises, Inc. f/k/a Route 300 Newburgh Partners, LLC (Restaurant Depot) Project No. 2015-33.

MOTION was made by Councilman Ruggiero to approve the Agreement between the Town and JMDH Real Estate of Newburgh, LLC. The Motion was seconded by Councilman Presutti.

VOTE: Councilwoman Greene – absent; Councilman Ruggiero – yes; Councilman Presutti – yes; Councilman Manley – absent; Supervisor Piaquadio – yes.

Motion approved, 3 yes; 0 no; 0 abstain; 2 absent.

**B1. (ADDED ITEM) Planning Board: Restaurant Depot - Stormwater Security Cost Estimate**

Town Engineer Jim Osborne requests approval for the cost estimate prepared by Mercurio-Norton-Tarolli and Marshall in the amount of \$419,745.00. This is for the Stormwater and Erosion Sediment Control related to the Restaurant Depot (15-33).

MOTION was made by Councilman Ruggiero to approve \$419,745.00 for the Stormwater and Erosion Sediment Control prepared by Mercurio-Norton-Tarolli



# TOWN OF NEWBURGH

*Crossroads of the Northeast*

OLD TOWN HALL  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

**PLANNING BOARD**

**JOHN P. EWASUTYN, CHAIRMAN**  
TELEPHONE 845-564-7804  
FAX 845-564-7802

**To: Gil Piaquadio, Town Supervisor and  
Members of the Town Board**

**From: John P. Ewasutyn, Chairman of the Planning Board**

**Date: November 9, 2016**

**Re: Budget Transfer**

---

Jerry Canfield has purchased a Toshiba KIP 700 printer in the amount of \$3,999 and has asked that the cost be split between five departments, or 20% each.

My share of the cost is \$799.80 and the 2016 budget did not include this equipment purchase. Therefore I request a budget adjustment in order to pay for my share of the purchase.

I respectfully request the following budget transfer in order to accomplish the above:

FROM:	001.8020.0190	Salary Expense	\$799.80
TO:	001.8020.0200	Equipment Purchases	\$799.80

Thank you in advance.

NOVEMBER 10, 2016

MEMO TO: RONALD CLUM, ACCOUNTING DEPARTMENT

FROM: JAMES E. MANLEY, JR., ZBA CHAIRPERSON

PLEASE TRANSFER \$799.~~00~~

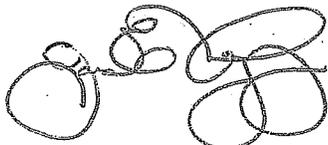
FROM ACCT # 001-8010-0469 TRAVEL/CONF/MILEAGE/EDUC.

TO

---

ACCOUNT # 001-8010-00461 OFFICE SUPPLIES

THANK YOU,

A handwritten signature in black ink, appearing to read 'James E. Manley, Jr.', with a stylized, cursive script.

JAMES E. MANLEY, JR.

# TOWN OF NEWBURGH

*Crossroads of the Northeast*

---

ZONING BOARD OF APPEALS  
OLD TOWN HALL  
308 GARDNERTOWN ROAD  
NEWBURGH, NEW YORK 12550

OFFICE OF ZONING BOARD  
(845) 566-4901

**To: Gil Piaquadio, Town Supervisor and  
Members of the Town Board**

**From: James E. Manley, Jr., Chairman of the Zoning Board of Appeals**

---

**Date: November 10, 2016**

**Re: Budget Transfer**

---

Gerald Canfield has purchased a Toshiba KIP printer in the amount of \$3,999 and has asked that the cost be split between five department, or 20% each.

Our share of the cost is \$799.80 and the 2016 budget did not include this equipment purchase. Therefore I request a budget adjustment in order to pay our share of the purchase.

I respectfully request the following budget transfer in order to accomplish the above:

FROM:	001-8010-0469 Travel/Conf./Mileage/Education	\$799.80
TO:	001-8010-0200 Equipment Purchases	\$799.80

Thank you in advance.

TOWN OF NEWBURGH  
TOWN ENGINEER

MEMORANDUM

TO: Gil Piaquadio, Town Supervisor  
FROM: James W. Osborne, Town Engineer *JWO*  
DATE: November 15, 2016  
RE: ENGINEERING – BUDGET TRANSFER

---

I am requesting approval of the following budget transfer:

From: #1440.0469  
To: #1440.0200  
Amount: \$ 799.80

Please indicate your approval where indicated below:

Approved:

\_\_\_\_\_  
Gil Piaquadio, Supervisor

\_\_\_\_\_  
Date

JWO/id

November 21<sup>st</sup> Agenda

Data Processing

Purchase of 36.36 Hours of Computer Maintenance from Firthcliffe Technologies of  
Corwnall New York for a total of \$ 3000.00 from account # 001-1680.0497

A handwritten signature in black ink, enclosed within a circular scribble. The signature itself is stylized and difficult to decipher, but appears to consist of several letters.

VOUCHER

DEPARTMENT Town Hall

CLAIMANT'S NAME AND ADDRESS  
Firthcliffe Technologies, Inc  
198 Willow Ave  
Cornwall, NY 12518

TERMS \_\_\_\_\_

Date Voucher Received		VOUCHER NO.
FUND - APPROPRIATION	AMOUNT	
TOTAL		
Abstract No.		

Vendor's Ref. No. \_\_\_\_\_

Dates	Quantity	Description of Materials or Services	Unit Price	Amount
10/27/16	1	Maintenance Agreement	3000 00	3000 00
(See Instructions on Reverse Side)			TOTAL	3000 00

CLAIMANT'S CERTIFICATION

I, Stacey Lyle, certify that the above account in the amount of \$ 3000.00 is true and correct; that the items, services and disbursements charged were rendered to or for the municipality on the dates stated; that no part has been paid or satisfied; that taxes, from which the municipality is exempt, are not included; and that the amount claimed is actually due.

10/27/16 DATE      Stacey Lyle SIGNATURE      President TITLE

(Space Below for Municipal Use)

DEPARTMENT APPROVAL

The above services or materials were rendered or furnished to the municipality on the dates stated and the charges are correct.

\_\_\_\_\_  
DATE AUTHORIZED OFFICIAL

APPROVAL FOR PAYMENT

This claim is approved and ordered paid from the appropriations indicated above.

\_\_\_\_\_  
\_\_\_\_\_  
DATE AUDITING BOARD



Firthcliffe Technologies, Inc.

198 Willow Ave  
 Cornwall, NY 12518  
 PH: 845-534-9800

# Statement

Date
10/20/2016

To:
Town of Newburgh 1496 Route 300 Newburgh, NY 12550

		Amount Due	Amount Enc.		
		- \$1,172.88			
Date	Transaction	Amount	Balance		
09/25/2016	Balance forward		-272.88		
09/26/2016	INV #10480. 8/23/16 Remote Administration (Paul)	41.25	-231.63		
09/26/2016	INV #10483. 9/20/16 Service Call (Paul)	41.25	-190.38		
09/26/2016	INV #10491. 9/22/16 Service Call (Bob)	82.50	-107.88		
09/26/2016	INV #10492. 9/23/16 Service Call (Bob)	123.75	15.87		
09/26/2016	INV #10498. JMF Priority In Shop Labor (Bob)	92.50	108.37		
09/29/2016	INV #10512. VOID: Maintenance Agreement - block of time	0.00	108.37		
10/04/2016	INV #10568. 10/12/16 Service Call (Paul)	330.00	438.37		
10/04/2016	INV #10571. 10/13/16 Remote Administration (Bob)	288.75	727.12		
10/07/2016	INV #10542. 10/4/16 Service Call (Bob)	123.75	850.87		
10/07/2016	INV #10543. 10/4/16 Service Call (Paul)	495.00	1,345.87		
10/07/2016	INV #10550. 10/7/16 Service Call (Bob)	82.50	1,428.37		
10/17/2016	INV #10583. JMF Labor to monitor server event logs & Daily Remote B/U Oct.'16	275.00	1,703.37		
10/18/2016	INV #10590. 9/28/16 Service Call - Code Compliance (Bob)	41.25	1,744.62		
10/19/2016	PMT #73436. Inv# 10512k 10/19/16	-3,000.00	-1,255.38		
10/19/2016	INV #10602. 10/19/16 Service Call - Accounting (Bob)	41.25	-1,214.13		
10/19/2016	INV #10603. 10/19/16 Service Call (Bob)	41.25	-1,172.88		
CURRENT	1-30 DAYS PAST DUE	31-60 DAYS PAST DUE	61-90 DAYS PAST DUE	OVER 90 DAYS PAST DUE	Amount Due
-1,172.88	0.00	0.00	0.00	0.00	- \$1,172.88

Firthcliffe Technologies, Inc.

198 Willow Ave  
Cornwall, NY 12518  
PH: 845-534-9800

# Invoice

Date	Invoice #
10/27/2016	10654

Bill To
Town of Newburgh 1496 Route 300 Newburgh, NY 12550

P.O. No.	Terms	Project
	Per M/A terms	

Quantity	Description	Rate	Amount
1	Maintenance Agreement	3,000.00	3,000.00
0	-- Purchase of Block of 36.36 Hours for Computer Repair		0.00
Thank you for your business!		<b>Total</b>	\$3,000.00

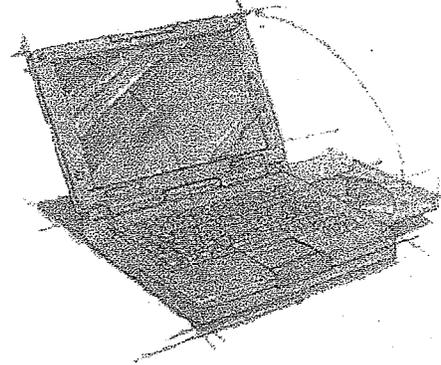
**Firthcliffe Technologies, Inc.**

198 Willow Ave  
 Cornwall, NY 12518  
 PH: 845-534-9800

**Estimate**

Date	Estimate No.
10/27/2016	202

Name / Address
Town of Newburgh 1496 Route 300 Newburgh, NY 12550



		Vendor Quote #(s)	
Description	Qty	Unit Cost	Total
Maintenance Agreement -- Purchase of Block of 36.36 Hours for Computer Repair	1	3,000.00	3,000.00
Thank you for your business!		<b>Total</b>	<b>\$3,000.00</b>

Signature/Date

Any Items with Zeros "0" in the "Qty" column are optional. The prices in the "Unit Cost" column are upgrade prices that are in addition to the original quoted items.

\_\_\_\_\_