

AT THE WORKSHOP MEETING
of the Town Board of the Town of Newburgh held
at 1496 Route 300 in said township at 7:00 p.m.
on Monday the 27th of July, 2026

Present

Scott M. Manley, Councilman
Paul Ruggiero, Councilman
Anthony LoBiondo, Councilman
Mary McLymore, Councilwoman

Also Present

Lisa M. Vance Ayers, Town Clerk
Mark C. Taylor, Attorney for the Town

Absent

Gilbert J. Piaquadio, Supervisor
Anthony LoBiondo, Councilman

Meeting called to order at 7:00 p.m.

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. MOMENT OF SILENCE

4. CHANGES TO AGENDA- Add-On #11D, Combine #8 A&B

5. ACCOUNTING:

A. Approval of the Audit

MOTION made by Councilwoman McLymore to approve the audit in the amount of \$770,286.47. Motion seconded by Councilman Ruggiero. VOTE: Councilman Ruggiero – yes; Councilman Manley - yes; Councilman LoBiondo - absent; Councilwoman McLymore – yes; Supervisor Piaquadio- absent. Motion passed: 3 yes; 0 no; 0 abstain; 2 absent.

B. Capital Projects

Ronald E. Clum, Town Accountant is requesting approval to the following cash transfers as well as the closing of the projects. Based upon the conversation with Pat Hines, the following projects are considered completed. When the project is closed the associated cash balances should be moved back to the funding source and the project be closed.

CAPITAL PROJECT NAME/#	CASH BALANCE	TRANSFER CASH TO
Water Livingston Heights #6126	\$684,409.22	Interfund Revenues- Water Fund
Sewer-Wintergreen #7081	\$132,701.64	Interfund Revenues Sewer Fund

MOTION made by Councilman Ruggiero to approve the Capital Projects. Motion seconded by Councilwoman McLymore. VOTE: Councilman Ruggiero – yes; Councilman Manley - yes; Councilman LoBiondo - absent; Councilwoman McLymore – yes; Supervisor Piaquadio- absent. Motion passed: 3 yes; 0 no; 0 abstain; 2 absent.

6. CODE COMPLIANCE:**A. Hiring Provisional Assistant Fire Inspector**

Gerald Canfield, Code Compliance Supervisor is requesting approval to hire Robert Brown to fill the position of Full- Time Assistant Fire Inspector. This position is a part of the UPSEU contract. Mr. Brown is currently employed as a Part Time Assistant Building Inspector III. He does not need a physical or drug/alcohol screening. He would need to complete full-time employee paperwork. This is a Provisional position and Robert would need to pass the Civil Service Exam when its given. The proposed start date is August 3, 2026. His salary would be \$ 28.33 per hour per contract. He has been pre-approved by Orange County Human Resources.

MOTION made by Councilman Ruggiero to approve hiring Robert Brown as a Provisional Assistant Fire Inspector, with a salary of \$29.33 per hour and a proposed start date of August 3, 2026. Motion seconded by Councilwoman McLymore. VOTE: Councilman Ruggiero – yes; Councilman Manley - yes; Councilman LoBiondo - absent; Councilwoman McLymore – yes; Supervisor Piaquadio- absent. Motion passed: 3 yes; 0 no; 0 abstain; 2 absent.

B. Hiring Building Inspector III Part Time

Gerald Canfield, Code Compliance Supervisor is requesting approval to hire Thomas Hoeffner as a part time Building Inspector III, Mr. Hoeffner is currently employed as a Full Time Code Enforcement Officer, so he does not need to fill out paperwork or go for physical or drug and alcohol screening. Mr. Canfield is recommending Mr. Hoeffner's start date as August 3, 2026 with a salary of \$35.28 per hour. Mr. Hoeffner has been pre-approved by Orange County Human Resource

MOTION made by Councilwoman McLymore to approve to hire Thomas Hoeffner as Part Time Building Inspector III, with a start date August 2, 2026 and a salary of \$35.28 per hour. VOTE: Councilman Ruggiero – yes; Councilman Manley - yes; Councilman LoBiondo - absent; Councilwoman McLymore – yes; Supervisor Piaquadio- absent. Motion passed: 3 yes; 0 no; 0 abstain; 2 absent.

C. Bambrick Builders Private Driveway Request

Lisa M. Vance Ayers, Town Clerk is requesting approval for Bambrick Builders Private Driveway name Request. Bambrick Builders is requesting approval for a proposed private driveway name be considered as part of the address assignment process for the proposed single-family residence on Meadow Street SBL 80-7-9.1 Code Compliance has reviewed SBL 80-7-9.1 and has approved 1. Fig Lane.

The proposed names, in preference, are:

1. Fig Lane
2. Meadow Lane
3. Connelly Way

MOTION made by Councilman Ruggiero to approve the Bambrick Builders Private Driveway Request for Fig Lane. Motion seconded by Councilwoman McLymore. VOTE: Councilman Ruggiero – yes; Councilman Manley - yes; Councilman LoBiondo - absent; Councilwoman McLymore – yes; Supervisor Piaquadio- absent. Motion passed: 3 yes; 0 no; 0 abstain; 2 absent.

D. Moffat Properties/ Sunbelt Rentals Landscaping Bond Reduction

James Campbell, Building Inspector is requesting approval for Moffat Properties/ Sunbelt Rentals Landscaping Bond Reduction. The project sponsors have requested a reduction to the Landscaping Bond amount. A 50% reduction has been recommended by Karen Arent Landscape Architect, Planning Board consultant. The original bond was \$234,470.00 and

50% reduction would bring it to \$117,235.00.

MOTION made by Councilman Ruggiero to approve the Moffat Properties/ Sunbelt Rentals Landscaping Bond Reduction. Motion seconded by Councilwoman McLymore.

VOTE: Councilman Ruggiero – yes; Councilman Manley - yes; Councilman LoBiondo – absent; Councilwoman McLymore – yes; Supervisor Piaquadio- absent. Motion passed: 3 yes; 0 no; 0 abstain; 2 absent.

7. WATER: Wastewater Maintenance Worker

On July 15 and July 22, 2026 David LeRoy, Paul Ruggiero and myself, interviewed three candidates for the position of Wastewater Maintenance Worker. At this time, we would like to offer the position to Donald Paul effective on or after August 17, 2026. The salary is per CSEA contract, which is a Grade 16 \$30,8405 per hour. Mr. Paul need to be pre-approved by Orange County Human Resources. All paperwork, physical, drug/alcohol screening and fingerprints need to be done upon approval.

MOTION made by Councilman Ruggiero to approve hiring Donald Paul for Wastewater maintenance worker. Motion seconded by Councilwoman McLymore. VOTE: Councilman Ruggiero – yes; Councilman Manley - yes; Councilman LoBiondo – absent; Councilwoman McLymore – yes; Supervisor Piaquadio- absent. Motion passed: 3 yes; 0 no; 0 abstain; 2 absent.

8. COMPREHENSIVE PLAN UPDATE:

A. Acceptance of Draft GEIS and Scheduling of Public Notice Period and Hearing

Mark Taylor Town Attorney presented the resolution of the Town Board of the Town of Newburgh as Lead agency accepting as complete draft generic environmental impact statement for the proposed Town of Newburgh Comprehensive plan update and authorizing scheduling of public hearing and public comment period.

The public hearing will be scheduled for August 24th at 7pm or on a later date as the Town Supervisor approves.

MOTION made by Councilwoman McLymore to approve the resolution of the Town Board of the Town of Newburgh as Lead agency accepting as complete draft generic environmental impact statement for the proposed Town of Newburgh Comprehensive plan update and authorizing scheduling of public hearing and public comment period. Motion seconded by Councilman Ruggiero. VOTE: Councilman Ruggiero – yes; Councilman Manley - yes; Councilman LoBiondo - absent; Councilwoman McLymore – yes; Supervisor Piaquadio- absent. Motion passed: 3 yes; 0 no; 0 abstain; 2 absent.

~~B. Scheduling of Public Notice Period and Hearing~~

9. ELECTION LAW: Rank Choice Voting Local Law

Mark Taylor Town Attorney presented Introductory Local Law No. 1 of 2026. The Local Law shall be referred to as “A Local Law Adding Chapter 45 Entitled ‘Rank Choice Voting of the Town Board Members’ to the code of the Town of Newburgh

\$45-1 Legislative intent.

This Local Law is intended to codify the rank choice voting electoral system for the Town of Newburgh Town Board, effective starting with the 2027 general election in accordance with the Consent Judgment and Decree of the Hon. Nancy Quinn Koba, J.S.C. dated February 25, 2026 in the matter of Oral Clarke, Romance Reed, Grace Perez, Peter Ramon, Ernest Tirado, and Dorothy Flournoy vs Town of Newburgh and Town Board of the Town of Newburgh, Index No. 50325/2025. Therein, the court exercised its authority pursuant to the John R. Lewis Voting Rights Act of New York to require the Town of Newburgh to implement the rank choice voting electoral system for Town Board members. The Court’s decree supersedes the provisions of all

state and local laws for the conduct of elections for the Town Board of the Town of Newburgh to the extent that the decree's implementation conflicts with such provisions.

No vote by the town board.

10. DANSKAMMER BANKRUPTCY: Hiring a Bankruptcy Attorney

MOTION made by Councilman Ruggiero to approve hiring Handel & Carlini, LLP to Handle the Danskammer Holdco, LLC, et al. chapter 11 Bankruptcy Casr No.: 26-10950. Motion seconded by Councilwoman McLymore. VOTE: Councilman Ruggiero – yes; Councilman Manley - yes; Councilman LoBiondo – absent; Councilwoman McLymore – yes; Supervisor Piaquadio- absent. Motion passed: 3 yes; 0 no; 0 abstain; 2 absent.

11. ENGINEERING:

A. Unity Place Warehouse Site Plan (PB #25-34) Authorization to Disturb Greater than 5 Acres

Patrick J. Hines, Town Engineer rep. is requesting approval for the Unity Place Warehouse Site Plan (PB #25-34) Authorization to Disturb Greater than 5 Acres. This office has received a request from the applicants representative Weston & Sampson Engineers, for authorization to disturb greater than 5 acres at one time at the subject property. The property is a proposed 240,000 square foot warehouse located on a 17.5 +/- acre parcel of property at the intersection of Old Little Britain Rd and Unity Place. This office is completing the review of the Storm water Pollution Prevention Plan submitted for the project. The applicant's representative has identified that a maximum of 8.25 acres of disturbance at any one time is required. The justification being identified as the building itself is greater than 5 acres. Material on the site is to be utilized in order to prepare the site for construction. Cut area and fill areas are identified on the plans.

A 5-Acre waiver requires additional inspections to be undertaken: at least two site inspections and stabilization required every seven calendar days separated by a minimum of two days. These additional inspections will be a requirement of the site. In areas where soil disturbance activity has ceased whether permanent or temporary, the application of soil stabilization measures must be implemented by the end of the next business day and completed within 7 calendar days from the date soil disturbance activities has ceased. These additional requirements are addressed in the SWPPP.

The project is required to post stormwater erosion and sediment control securities and inspection fees in accordance with the town of Newburgh requirements. The project also must execute a Stormwater Facilities Maintenance Agreement for long-term operation and maintenance of the stormwater management improvements.

MOTION made by Councilman Ruggiero to approve the Unity Warehouse Site Plan Authorization to Disturb Greater than 5 Acres. Motion seconded by Councilwoman McLymore. VOTE: Councilman Ruggiero – yes; Councilman Manley - yes; Councilman LoBiondo – absent; Councilwoman McLymore – yes; Supervisor Piaquadio- absent. Motion passed: 3 yes; 0 no; 0 abstain; 2 absent.

B. Gasland Petroleum Route 9W (PB #19-16)

Quinn M. Mullarky, Town Engineer Rep. is requesting approval for Gasland and Petroleum Route 9w Stormwater Maintenance Facilities Agreement. The subject project received conditional final approval from the Town of Newburgh Planning Board. A condition of approval is the execution of a Stormwater Maintenance Facilities Agreement to provide for the inspection and long-term maintenance of stormwater management facilities proposed on the site. The project proposes redeveloping an existing site with a 2,940 square foot convenience store with gasoline filling station, reuse of the vehicle repair facility and the residential structure. A copy of the proposed Stormwater Facilities Agreement is attached. Mark Taylor has provided comments on the Stormwater Facilities Maintenance agreement.

MOTION made by Councilwoman McLymore to approve the Gasland Petroleum Route 9W Stormwater Maintenance Facilities Agreement. Motion seconded by Councilman Ruggiero.

VOTE: Councilman Ruggiero – yes; Councilman Manley - yes; Councilman LoBiondo – absent; Councilwoman McLymore – yes; Supervisor Piaquadio- absent. Motion passed: 3 yes; 0 no; 0 abstain; 2 absent.

C. 33 Old Little Britain Road- Jehovah's Witnesses Kingdom Hall (PB #22-31)

Landscape Performance and Maintenance Bond Release Bond No. 107842778

Quinn M. Mullarky, Town Engineer Rep. is requesting approval for 33 Old Little Britain Road- Jehovah's Witnesses Kingdom Hall (PB #22-31) Landscape Performance and Maintenance Bond Release Bond No. 107842778. The subject property owner has requested release of the Landscape Securities posted for the approved site plan. The project site has received a Certificate of Occupancy and the Landscaping has been in place for greater than two years. A recent review of the site by Planning Board Chair, John P. Ewasutyn, identified that all plant materials have been installed in substantial compliance with the approved plans and have survived the two-year warranty timeframe. Based on the applicants request and the review of the site this office takes no exception to the Town Board releasing the security in the amount of \$30,143.00.

MOTION made by Councilman Ruggiero to approve 33 Old Little Britain Road- Jehovah's

Witnesses Kingdom Hall (PB #22-31) Landscape Performance and Maintenance Bond Release Bond No. 107842778. Motion seconded by Councilwoman McLymore. VOTE: Councilman Ruggiero – yes; Councilman Manley - yes; Councilman LoBiondo – absent; Councilwoman McLymore – yes; Supervisor Piaquadio- absent. Motion passed: 3 yes; 0 no; 0 abstain; 2 absent.

D. Off-Site Agreement

Quinn M. Mullarky & Patrick J. Hines, Town Engineer Reps. are requesting approval for the Off-site Solar Farm Agreement.

MOTION made by Councilman Ruggiero to approve the Offsite Agreement. Motion seconded by Councilwoman McLymore. VOTE: Councilman Ruggiero – yes; Councilman Manley - yes; Councilman LoBiondo – absent; Councilwoman McLymore – yes; Supervisor Piaquadio- absent. Motion passed: 3 yes; 0 no; 0 abstain; 2 absent.

12. ANIMAL CONTROL: 5144 Withdrawal

A. Flannery Animal Hospital

Tracey Carvell of Animal Control requests authorization to use T-94 account to pay for veterinarian services from Flannery Animal Hospital in the amount of \$35.12 for canine services.

MOTION made by Councilman Ruggiero to approve the use of account 5144 to pay for veterinarian services from Flannery Animal Hospital for a total of \$35.12.

Motion seconded by Councilwoman McLymore. VOTE: Councilman Ruggiero – yes; Councilman Manley - yes; Councilman LoBiondo – absent; Councilwoman McLymore – yes; Supervisor Piaquadio- absent. Motion passed: 3 yes; 0 no; 0 abstain; 2 absent.

B. Newburgh Veterinary Hospital

Tracey Carvell of Animal Control requests authorization to use T-94 account to pay for veterinarian services from Newburgh Veterinary Hospital in the amount of \$3,664.77 for which \$462.91 for canine services and \$3,201.86 for feline services.

MOTION made by Councilman Ruggiero to approve the use of account 5144 to pay for veterinarian services from Newburgh Veterinary Hospital for a total of \$3,664.77. Motion seconded by Councilwoman McLymore. VOTE: Councilman Ruggiero – yes; Councilman Manley - yes; Councilman LoBiondo – absent; Councilwoman McLymore – yes; Supervisor Piaquadio- absent. Motion passed: 3 yes; 0 no; 0 abstain; 2 absent.

13. HIRING ATTORNEY TO ADVISE ON ICE FACILITY

Gil Piaquadio Town Supervisor is requesting approval to hire an attorney to advise on Ice Facility. This letter will confirm the engagement of The West Firm, PLLC (the "Firm") by the

Town of Newburgh, New York (the "Town") to counsel, assist and represent the Town in regard to the intended lease by the Department of Homeland security / Ice of a distribution warehouse at 800 corporate in the town of Newburgh, New York ("Matter"). The Firm understands that you are authorized to engage the Firm on behalf of the Client. This letter addresses (1) the identification of the Client, (2) the Firms services and fees, (3) the responsibilities of the Firm and the Client, (4) conclusion of the Firms representation, (5) conflicts of interests and (6) file retention and destruction.

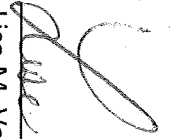
MOTION made by Councilwoman McLymore to approve hiring The West Firm, PLLC to advise on ICE facility. Motion seconded by Councilman Ruggiero. VOTE: Councilman Ruggiero – No; Councilman Manley - yes; Councilman LoBiondo – absent; Councilwoman McLymore – yes; Supervisor Piaquadio- absent. Motion passed: 2 yes; 1 no; 0 abstain; 2 absent.

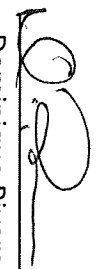
14. ADJOURNMENT

MOTION made by Councilwoman McLymore to adjourn the meeting at 7:34 pm. Motion seconded by Councilman Ruggiero. VOTE: Councilman Ruggiero – yes; Councilman Manley - yes; Councilman LoBiondo – absent; Councilwoman McLymore – yes; Supervisor Piaquadio- absent. Motion passed: 3 yes; 0 no; 0 abstain; 2 absent.

Meeting adjourned at 7:34 p.m.

Respectfully submitted,



Lisa M. Vance Avers
Town Clerk

Dominique Rivera
Deputy Town Clerk