



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

MEMORANDUM

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

P: 845.562.9100
F: 845.562.9126

FROM: MARK C. TAYLOR, ATTORNEY FOR THE TOWN

655 Little Britain Road
New Windsor, NY 12553

RE: RESOLUTION OF THE TOWN BOARD OF THE TOWN OF
NEWBURGH OPPOSING THE MERGER OF THE NEW
YORK STATE BRIDGE AUTHORITY INTO THE NEW
YORK STATE THRUWAY AUTHORITY
OUR FILE NO. 800.1(B)()(2020)

P.O. Box 2280
Newburgh, NY 12550

DATE: FEBRUARU 21, 2020

ATTORNEYS

David L. Rider
Charles E. Frankel
Michael J. Matsler
Mark C. Taylor
Deborah Weisman-Estis
M. Justin Rider
Donna M. Badura
Amber L. Camio

In accordance with Supervisor Piaquadio's request of this morning,
enclosed please find the above referenced draft resolution for the Board's
consideration.

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

MCT:kac

Enc.

COUNSEL

Stephen P. Duggan, III
John K. McGuirk
(1942-2018)

cc: Joseph P. Pedi, Town Clerk

OF COUNSEL

Craig F. Simon
Irene V. Villacci

DRAFT

At a meeting of the Town Board of the Town of Newburgh, held at the Town Hall, 1496 Route 300, in the Town of Newburgh, Orange County, New York on the ___th day of February, 2020 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 THE TOWN BOARD OF THE TOWN OF NEWBURGH OPPOSING THE MERGER OF THE NEW YORK STATE BRIDGE AUTHORITY INTO THE NEW YORK STATE THRUWAY AUTHORITY

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

WHEREAS, the Hamilton Fish Newburgh Beacon Bridge (the “Newburgh Beacon Bridge”) spans the Hudson River between the Town of Newburgh and Beacon; and

WHEREAS, the Newburgh Beacon Bridge and other bridges across the River in the Mid-Hudson region operated by the New York State Bridge Authority serve as vital links for the lives and commerce of numerous residents and businesses located in the Town who utilize the bridge crossings of the River on a daily basis or even more frequently; and

WHEREAS, Governor Andrew Cuomo, in his 2020-21 budget address, has announced legislation to merge the New York State Bridge Authority, which presently operates five bridges across the River, including the Newburgh Beacon Bridge into the New York State Thruway Authority; and

WHEREAS, the proposal would in fact abolish the Bridge Authority when all obligations to the holders of bonds have been paid in full or otherwise fully met and discharged and the Thruway Authority would absorb the Bridge Authority; and

WHEREAS, it has been reported that a federal law, passed in 1987, states that tolls collected on the Newburgh-Beacon Bridge can only be used to operate, maintain and repair the Bridge Authority’s bridges; and

WHEREAS, the Bridge Authority is run efficiently, the bridges are well maintained and boast among the lowest tolls in the nation; and

WHEREAS, although the merger proposal has been justified by claims that it will result in operational efficiencies, a primary reason for the consideration of the merger is the NYS Thruway Authority's announcement of budget deficits which are reported to be growing at an astonishing rate due largely to the costs of the new Mario Cuomo (Tappan Zee) Bridge; and

WHEREAS, in the recent past, the NYS Thruway Authority assumed responsibilities for the maintenance of Interstate 84 and then shed them, for the stated reasons of saving the State money in both instances, there having apparently been few efficiencies actually achieved and the difference from the proposed Thruway Authority takeover of the Bridge Authority's bridges being the ability to collect and raise toll revenue; and

WHEREAS, the merger would likely in fact negatively effect the Bridge Authority's Hudson River crossings and lead to our residents and businesses subsidizing the costs of the Thruway Authority's improvements outside of our area through higher tolls; and

WHEREAS, businesses and employers in the Town have already been subjected to State imposed levies, such as the MTA payroll tax, which yield little benefit to our community, but subsidize other areas directly receiving transportation services; and

WHEREAS, the Town, which also hosts and provides services to facilities of the Thruway Authority, including a tolled entrance/exit interchange, tandem trailer area, maintenance facilities and two rest areas for both north and south bound travelers, as well as miles of four lane interstate highway, concludes, based on experience, that the merger would also jeopardize autonomy, responsiveness and accountability for the bridges, including the Newburgh-Beacon Bridge's crossing into the Town.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Newburgh in its capacity as governing body of the Town, does hereby oppose the enactment of the provisions in the Executive Budget of the State of New York for 2020-21 providing for the merger of the New York State Bridge Authority into the New York State Thruway Authority; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution be delivered , by the Town Clerk to the Hon. Andrew J. Cuomo, Governor, the Hon. James Skoufis., Senator for the 39TH District and the Hon. Jonathon G. Jacobson, Assemblyman for the 104TH District; and

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

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

<u>Elizabeth J. Greene, Councilwoman</u>	<u>voting</u>
<u>Paul I. Ruggiero, Councilman</u>	<u>voting</u>
<u>James E. Presutti, Councilman</u>	<u>voting</u>
<u>Scott M. Manley, Councilman</u>	<u>voting</u>
<u>Gilbert J. Piaquadio, Supervisor</u>	<u>voting</u>

The resolution was thereupon declared duly adopted.

Gilbert J. Piaquadio, Supervisor

Date

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

I, Joseph P. Pedi, Town Clerk of the Town of Newburgh, DO HEREBY CERTIFY that I have compared the foregoing resolution, duly adopted by the Town Board of the Town of Newburgh on the __th day of February, 2020, and entered in the minutes of the proceedings of said Board, and that the foregoing is a true and correct copy of said resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my name and the seal of said Town on this _____ day of February, 2020.

Joseph P. Pedi, Town Clerk